



Broward County

Legislation Details (With Text)

File #: 20-2080 **Version:** 1

Status: Agenda Ready

In control: PUBLIC HEARING

On agenda: 12/8/2020 **Final action:** 12/8/2020

Title: MOTION TO ENACT Ordinance, the title of which is as follows: (continued from November 10, 2020 - Item No. 74):

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO WIRELESS COMMUNICATIONS; REPEALING SECTION 39-102 AND AMENDING CHAPTER 20, ARTICLE XX OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Copy of Proposed Ordinance, 2. Exhibit 2 - Additional Material from the 11/10/2020 Agenda, 3. Additional Material - Information, 4. Additional Material - Information

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Broward County Commission Regular Meeting

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

MOTION TO ENACT Ordinance, the title of which is as follows: **(continued from November 10, 2020 - Item No. 74):**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO WIRELESS COMMUNICATIONS; REPEALING SECTION 39-102 AND AMENDING CHAPTER 20, ARTICLE XX OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

Why Action is Necessary

A Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its meeting of October 6, 2020.

What Action Accomplishes

Amends Chapter 20, Article XX of the Broward County Code of Ordinances to provide Wireless

Communications.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

Section 337.401, Florida Statutes, was amended by Senate Bill 1000 (2019) (the "Act"). The Act limits a local government agency's authority to regulate the placement and maintenance of wireless communications facilities in public rights-of-way. The Act provides that a county may prescribe and adopt objective design standards required of wireless communications providers for placement and maintenance of wireless communications facilities in its rights-of-way, but can no longer charge any fees for this access. The proposed Ordinance would repeal Section 39-102 and amend Chapter 20, Article XX of the Broward County Code of Ordinances to ensure consistency with the Act.

At its meeting of October 6, 2020, the Board approved a change to the public hearing date from October 20, 2020, to November 10, 2020, and approved an amendment to Section 20-591(c) of the proposed Ordinance, which has been incorporated on page 36.

On November 10, 2020, the public hearing for this Ordinance was opened and continued until December 8, 2020, to allow for notice of the public hearing to be published with the Florida Secretary of State.

Source of Additional Information

Michael J. Kerr, Deputy County Attorney, 954-357-7600

Fiscal Impact

Fiscal Impact/Cost Summary

The Office of Management and Budget has determined the estimated impact on the budget does not exceed the threshold required for a Fiscal Impact Statement.