

RESOLUTION NO. 2018-__

**RESOLUTION OF THE CITY OF ROCHELLE, OGLE COUNTY,
ILLINOIS URGING THE GOVERNOR TO VETO SENATE BILL
1451**

WHEREAS, the City of Rochelle, an Illinois non-home rule municipal corporation, (hereinafter "City") supports the goal of ensuring reliable wireless services in our communities and the advancement of technology in the telecommunications industry; and

WHEREAS, Senate Bill ("SB") 1451 establishes the Small Wireless Facilities Deployment Act and severely limits municipal authority to regulate, site, or charge permit fees for wireless facilities; and

WHEREAS, SB 1451 permits a private business entity to use public right-of-way at a rate far below market value, distorting the private market for small wireless facilities; and

WHEREAS, SB 1451 permits wireless providers, and third parties who act as agents or contractors for wireless providers, to locate telecommunications equipment with an antenna as large as six (6) cubic feet in size, and associated equipment up to twenty-five (25) cubic feet in size, on existing or new utility poles subject to minimal zoning regulations by the municipality; and

WHEREAS, SB 1451 creates an automatic approval timeline, which is one-sided and detrimental to the public, presuming that municipalities are negligent-and providers not-when a permit is incomplete or inadequate; and

WHEREAS, state legislators amended SB 1451 to exempt the City of Chicago in an effort to pass the legislation; and

WHEREAS, many municipalities have already enacted ordinances, or are in the process of updating their codes to address small wireless facilities, or are developing right-of-way use

agreements with the industry, indicating that municipalities are making a significant effort to develop reasonable standards for the deployment of wireless facilities; and

WHEREAS, Illinois municipalities are diverse and each one must be given the opportunity to develop reasonable regulations that will protect their specific needs;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Rochelle, Ogle County, Illinois, a non-home rule municipality as follows:

SECTION 1: The Recitals heretofore listed are adopted by the City as facts and incorporated herein.

SECTION 2: The City Council of the City opposes SB 1451 as passed by the Illinois General Assembly and urges the Governor to veto the legislation.

SECTION 3: The City Council of the City is committed to developing reasonable regulations for the deployment of wireless technology and is eager to work with stakeholders to develop regulations that ensure reliable wireless services while also preserving the rights of the municipality, property owners, and citizens.

SECTION 4. Effective Date. This Resolution shall be effective immediately from and after its passage and approval.

PASSED AND APPROVED this 12TH day of February 2018.

ATTEST:

City Clerk

Mayor