

ORDINANCE NO # 10 - 2021

COUNTY OF FRANKLIN, KENTUCKY

AN ORDINANCE AMENDING THE FRANKLIN COUNTY CODE OF ORDINANCES
CHAPTER 155 (WIRELESS COMMUNICATION FACILITIES) BY ADDING
SECTIONS FOR SMALL CELL SYSTEMS AND TOWERS

WHEREAS, The Franklin County Fiscal Court, having heretofore enacted an Ordinance relating to zoning regulations and zoning district maps in accordance with a Comprehensive Plan and Kentucky Revised Statute Chapter 100; and

WHEREAS, the aforesaid Ordinance provides for amendments to the zoning ordinance text and maps and requires the Frankfort/Franklin County Planning Commission to forward their recommendations for approval or denial of the text amendment, along with their findings of fact, to the Franklin County Fiscal Court for action; and

WHEREAS, The Frankfort/Franklin County Planning Commission held a public hearing on March 11, 2021 and adopted a summary of the evidence and findings of fact on March 11, 2021 as required by K.R.S. 100; and

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF FRANKLIN, COMMONWEALTH OF KENTUCKY, THAT:

SECTION I. The Code of Ordinances Chapter 155, is hereby amended to read as follows:

§ 155 REGULATIONS FOR SMALL CELL SYSTEMS AND SMALL CELL TOWERS IN FRANKLIN COUNTY KY

§ 155 PURPOSE: These regulations balance the need for new Small Cell Systems and Small Cell Towers with the impacts new Small Cell Towers have on adjacent land uses; provide for the safest and most efficient integration of cellular antenna facilities for Cellular Telecommunications Services or Personal Communications Services within the community; provide for these facilities in coordination with the recommendations of the Frankfort/Franklin County Comprehensive Plan; and, to further the public health, safety, and general welfare of Franklin County.

§ 155 TITLE: These regulations shall be known as the Regulations for Small Cell Systems and Small Cell Towers in Franklin County and may be referred to as “these regulations.”

§ 155 AUTHORIZATION: These regulations are adopted pursuant to authority granted to planning commissions in the Commonwealth of Kentucky-by-Kentucky Revised Statutes (KRS) 100.985 – 100.987.

§ 155 CITATIONS OF KENTUCKY REVISED STATUTES: Whenever a provision of these regulations cites a provision of the Kentucky Revised Statutes (KRS), and that provision is later amended or superseded, these regulations shall be deemed amended to refer to the amended provision, or to the provision that most closely corresponds to the superseded provision.

§ 155 APPLICABILITY: These regulations apply to every Utility or company that is engaged in the business of providing the required infrastructure to a Utility that proposes to construct a Small Cell System or Small Cell Tower for Cellular Telecommunications Services or Personal Communications Services. These regulations also apply to towers that do not meet the requirements of minor adjustments, in accordance with Section § 155 of these regulations.

§ 155 RELATIONSHIP TO APPLICABLE CODES: These regulations are not intended to supersede in any way the requirements of the local zoning ordinance or the requirements of the Kentucky Building Code.

§ 155 STATEMENT OF SEVERABILITY: It is the intention that the articles, sections, subsections, sentences, clauses, and phrases of these regulations are severable. If any article, section, subsection, sentence, clause, or phrase is declared unconstitutional, or otherwise invalid by a court of competent jurisdiction in a valid judgment or decree, that unconstitutionality or invalidity shall not affect the remaining articles, sections, subsections, sentences, clauses, and phrases. These would have been adopted without the incorporation into these regulations of the unconstitutional article, section, subsection, sentence, clause, or phrase.

§ 155 STATUS AS MINIMUM STANDARDS: In their interpretation and application, these regulations shall be viewed as minimum standards or requirements, adopted for promotion of the public health, safety, and general welfare. Whenever these regulations conflict with a requirement of any other lawfully-adopted rule, regulation, ordinance, order, or resolution, the most restrictive or that imposing the higher standards shall govern.

§ 155 COMPLIANCE REQUIRED: Except as hereinafter specified, no Small Cell System or Small Cell Tower shall hereafter be placed or constructed except in conformity with these regulations and all applicable federal, state and local law and regulations.

§ 155 BURDEN OF PROOF: The burden of demonstrating that an application subject to these regulations complies with applicable review and approval standards is on the Applicant.

§ 155 DEFINITIONS: For the purposes of these regulations, the following definitions shall apply.

ANTENNAS OR RELATED EQUIPMENT: Any transmitting, receiving or other equipment used in conjunction with a Wireless Communications Facility. The term includes Utility or Transmission Equipment, antennas, radios, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, or similar equipment. This definition does not include Cellular Antenna Towers.

APPLICANT: An Applicant is person or entity who is authorized by the provisions of these regulations to file for approval under these regulations.

APPLICATION: An Application is the completed form or forms and all accompanying documents, exhibits, and fees required of an Applicant by Staff or the Planning Commission part of a submission for review.

BASE STATION: A structure or equipment at a fixed location that enables Federal Communications Commission-licensed or authorized wireless communication between user equipment and a communication network. The term does not include a Cellular Antenna Tower as defined in this section or any equipment associated with a tower. The

term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

A. The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Small Cell Systems).

B. The term includes any structure, other than a Cellular Antenna Tower, that, at the time the required Application is filed with the Planning Commission under this subsection, supports or houses equipment described in sub-paragraph (A) of this definition that has been reviewed and approved under the applicable zoning or siting process even if the structure was not built for the sole or primary purpose of providing such support.

C. The term does not include any structure that, at the time the required Application is filed with the Planning Commission under this definition, does not support or house equipment described in this definition.

CELLULAR ANTENNA TOWER: A tower constructed for, or an existing facility that has been adapted for, the location of transmission or related equipment to be used in the provision of Cellular Telecommunications Services or Personal Communication Services.

CELLULAR TELECOMMUNICATIONS SERVICES: A retail telecommunications service that uses radio signals transmitted through cell sites and mobile switching stations.

CO-LOCATION: Locating two (2) or more transmission Antennas or Related Equipment on the same Cellular Antenna Tower.

NON-TOWER WIRELESS COMMUNICATION FACILITIES: Wireless communications facilities other than tower-based wireless communications that are located on buildings, Utility Poles as defined by this section, and other existing structures.

PERSONAL COMMUNICATION SERVICES: Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services as defined in 47 U.S.C. sec. 332(c).

PLANNING COMMISSION: The term "Planning Commission" shall mean the Frankfort/Franklin County Planning Commission.

RIGHT-OF-WAY: The surface of and space above and below any real property in the municipality in which the federal government, Commonwealth, County Government, municipality, or municipal authority has a regulatory interest, or interest as a trustee for the public, as such interests now or hereafter exist, including, but not limited to, all streets, highways, avenues, roads, alleys, sidewalks, tunnels, bridges, or any other public place, area, or property under the control of the federal government, Commonwealth, County Government, municipality, or municipal authority. Private Rights-of-Way, access-easements and other government-owned lands not listed above shall not be

considered a Right-of-Way. The phrase “in the Right(s)-of-Way” means in, on, over, along, above and/or under the Right(s)-of-Way.

SMALL CELL SYSTEM: A network of remote antenna nodes that distributes radio frequency signals from a central hub through a high-capacity signal transport medium to a specific area. The term includes mini commercial towers, small cells, distributed antenna systems, mini cell, micro cell, or similar systems.

SMALL CELL TOWER: Any structure under fifty (50) feet in height with an antenna or transmitter that is constructed for the sole or primary purpose of supporting any Federal Communications Commission-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site. A pole originally installed for the primary purpose of supporting wireless telecommunications equipment, regardless of the timeframe between pole installation and connection/implementation of Transmission Equipment, is considered a Small Cell Tower, and is not a Utility Pole. The term Small Cell Tower includes mini cell distributed antenna system towers, micro cell towers, mini cell, Wi-Fi antennas, or similar systems.

STAFF: Those employees of the City of Frankfort or Franklin County assigned to administer these regulations.

STEALTH TECHNOLOGY: Design techniques used to blend objects into the surrounding environment and to minimize visual impact. These design techniques may be applied to wireless communications towers, antennas, and other facilities, which blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it less visible to the casual observer. Such methods include, but are not limited to, facilities constructed to resemble light poles, flag poles or other streetscape amenities. The use of additional features such as flags, decorative streetlamps and banners or signs may be utilized to blend the proposed facility into the visual backdrop.

TRANSMISSION EQUIPMENT: Equipment that facilitates transmission for any Federal Communications Commission-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

UNIFORM APPLICATION: An Application to construct a Cellular Antenna Tower submitted to a planning commission in accordance with KRS Chapter 100 and these regulations.

UTILITY: Has the meaning as defined in KRS 278.010(3).

UTILITY, OVERHEAD: Utility infrastructure that is located primarily above ground as determined by Staff. For purposes of these regulations, Overhead Utilities include but are not limited to power lines and communications lines.

UTILITY POLE: A structure originally constructed for the support of electrical, telephone, cable television or other video services, street lighting, or other similar cables and located within the public right of way or Utility easements. A pole originally installed for the primary purpose of supporting wireless telecommunications equipment, regardless of the timeframe between pole installation and connection/implementation of Transmission Equipment, is considered a Small Cell Tower, and is not a Utility Pole. Note: This definition is not meant to prohibit the use of a Small Cell Tower as a Utility Pole if appropriate.

UTILITY, UNDERGROUND: Utility infrastructure that is located primarily underground as determined by Staff. For purposes of these regulations, utilities include but are not limited to water lines, sanitary sewer lines, storm sewer lines, culverts, natural gas lines, power lines, and communications lines. This definition does not include electric transformers, switch boxes, telephone pedestals and telephone boxes, traffic boxes, and similar devices which are ground mounted.

WIRELESS COMMUNICATIONS FACILITY: The set of equipment and network components including antennas, transmitters, receivers, Base Stations, cabling, and Antenna or Related Equipment, used to provide wireless data and telecommunication services.

SMALL CELL TOWERS

§ 155 PRE-APPLICATION CONFERENCE: A pre-application conference is optional and is not required. A pre-application conference does not trigger any of the FCC's shot clock requirements for placement of Small Cell or Small Cell Towers. Applicants may contact Staff and request a pre-application conference. Upon receipt of this request, Staff will set up the meeting which shall include Staff, the Applicant, any applicable Utility providers, the local jurisdiction, and the owner of the Right-Of-Way or property on which the Small Cell System or Small Cell Tower is proposed to be installed. A pre-application conference allows for early coordination by identifying existing structures that might be suitable for collocation and identifying any other items which are in conformance/nonconformance with the Comprehensive Plan, local zoning ordinance, and/or the provisions of these regulations. A pre-application conference provides an opportunity for an initial discussion regarding proposed structure locations, design and the Application submittal, approval process and coordination with utilities for possible use of pre-existing structures. Applicants desiring to have a pre-application conference should supply the Applicant's preferred locations, structure design style and structure height one week prior to the pre-application conference or upon request for a pre-application conference.

§ 155 APPLICATION SUBMITTAL: Prior to making an Application for a Small Cell System Tower in the rights-of-way, Applicant must first obtain a franchise from Franklin County, unless Applicant already possesses a franchise from Franklin County or the Commonwealth. All proposed Small Cell Systems, except Non-Tower Small Cell Systems, co-locations to existing structures or those exempted by § 155 A., shall be subject to Planning Commission review and approval. Non-Tower Small Cell Systems, co-locations to existing structures and those exempted

by § 155 A shall be subject to administrative review and approval by Staff. The factual determination approving or rejecting such plans shall be made in accordance with requirements of this and other applicable sections of these regulations and the Comprehensive Plan. One Application for multiple proposed towers within the same Small Cell System is encouraged whenever possible.

§ 155 REQUESTED APPLICATION INFORMATION: All information contained in the Application and any updates, except for any map or other information that specifically identifies the proposed location of the Cellular Antenna Tower then being reviewed, shall be deemed confidential and proprietary within the meaning of KRS 61.878. The Planning Commission shall deny any public request for the inspection of this information, whether submitted under Kentucky's Open Records Act or otherwise, except when ordered to release the information by a court of competent jurisdiction.

Applicants for the construction of Small Cell Systems and/or Small Cell Towers for Cellular Telecommunications Services or Personal Communications Services may choose to provide either the Uniform Application per KRS.100.9865 or in lieu of the Uniform Application, the following information should be submitted:

A. Fee Structure

(1) Co Locations-The application fee is \$500 for up to five Antennas which are placed on existing Utility Poles, towers or other structures. For each additional Antenna placed on existing Utility Poles beyond the five, there is an additional fee of \$100 per Antenna.

(2) New Towers- The application fee is \$1,000 for each new Small Cell Tower which supports an Antenna.

B. A written description and map showing the coverage area of the provider's existing facilities in the general and site-specific areas that are the subject of the Application.

C. A statement of the telecommunications objectives for the proposed location, whether the proposed facility is necessary to prevent or fill a gap capacity shortfall, expand or provide new coverage, or to deploy new technology in the Applicant or provider's service area, whether it is the least obtrusive means of doing so, and whether there are any alternative sites that would have fewer aesthetic impacts while providing comparable service.

D. A statement by an authorized representative that the Applicant or provider holds all applicable licenses or other approvals required by the Federal Communications Commission, the Kentucky Public Service Commission, and any other agency of state or federal government with authority to regulate telecommunications facilities that are required in order for the Applicant to construct the proposed facility.

E. A statement by an authorized representative that the Applicant or provider is in compliance with all conditions required for such license and approvals.

F. A full description of the number and dimensions of all Small Cell Towers proposed to be installed.

G. A site development plan, signed and sealed by a professional engineer registered in Kentucky, showing the proposed location of the tower and existing structures within five hundred (500) feet of the proposed site.

H. A vertical profile sketch or drawing of the towers, signed and sealed by a professional engineer registered in Kentucky, indicating the height of the tower and the placement of all antennas and equipment enclosures.

I. A statement indicating the individual who is the authorized agent and their preferred email and mailing address to receive communications.

J. Photographs of view shed from each proposed tower location, taken in at least four directions.

K. Description of whether other Overhead Utilities exist within five hundred (500) feet of the proposed antenna location.

§ 155 PROCESSING OF APPLICATION:

A. Applications will be reviewed for substance only when they meet all submittal requirements. If applications are not complete, staff must notify the applicant within ten (10) days from the submission of the application stating the application is incomplete and identifying the missing materials, which must be submitted in order to complete the application. No further review of the application will take place until the application is complete. If the resubmitted materials are not complete, staff must notify the applicant within ten (10) days from the submission of the application stating the application is incomplete and identifying the missing materials, which must be submitted in order to complete the application. No further review of the application will take place until the application is complete.

B. For Applications that are eligible for administrative review and approval, Staff shall review and take final action on Applications for new Small Cell Systems within thirty (30) days of a completed Application. This time period will not begin until the application is deemed complete by Staff. Staff shall notify the applicant once the application is deemed complete and provide the deadline for the Staff review period. Staff shall either approve, approve with conditions, or deny the Application. If Staff does not make a final decision within the required thirty (30) days, the Application shall be deemed to be approved as submitted.

C. An applicant claiming to be injuriously affected or aggrieved by an official action, order, requirement, interpretation, grant, refusal, or decision of Staff in the administration of these regulations may appeal the action to the Board of Zoning Adjustments pursuant to Section § 155 of the Zoning Ordinance

An applicant claiming to be injured or aggrieved by any final action of the Planning Commission or Board of Zoning Adjustments shall appeal from the final action to the Franklin County Circuit Court. Such appeal shall be taken within thirty (30) days after such action, or such longer period as allowed under applicable law.

D. The procedure by which the Planning Commission may allow for waivers of these regulations is set out in Section 1.09 of the Zoning Ordinance.

E. In addition to Planning Commission approval, any applicable building, zoning, and electrical permits, and permission from the local jurisdiction, Right-of-Way or property owner are required prior to the beginning of construction.

§ 155 SMALL CELL SYSTEM AND SMALL CELL TOWER LOCATION AND DESIGN REGULATIONS: A new Small Cell System is subject to design review and approval by Staff. The design criteria required for the new Small Cell Systems is determined by the type of location or zoning district in which the facility is to be located. The design review and approval process, including any public hearing, shall be compliant with Commonwealth and federal law, including applicable FCC cell siting application shot clock approval timelines.

A. NON-TOWER SMALL CELL SYSTEM LOCATIONS: A Utility planning to locate an Antenna or Related Equipment on existing telecommunications structures, water towers, buildings, Utility Poles (as defined by this regulation) or other existing structures shall file with the Planning Office its intent to do so, including the name and address of the utility, name of the owner of the structure, the latitude and longitude of the structure, and a description of the plan to locate the Antenna or Related Equipment including a statement documenting that the new Antenna or Related Equipment location does not change the height of the structure beyond the lower of 10 feet, or a 10% increase in height over the original height of the structure. These non-tower locations must adhere to all other applicable federal, state, and local zoning codes, building codes or permits.

B. NEW SMALL CELL SYSTEM AND SMALL CELL TOWER LOCATIONS: The regulations in this subsection apply to all new Small Cell System and Small Cell Towers.

1. Except when deployed in response to temporary service outages; as a result of emergencies; or at the request of first responders, temporary, mobile or wheeled Cellular Antenna Towers shall not be permitted.

2. New Small Cell Towers shall not exceed the maximum building height for the zoning district (or adjacent zoning district if in Right-Of-Way) within which they are located or thirty-five (35)'-feet whichever is greater. A height that is in excess of what is permitted within the zoning district may be approved by staff if it integrates Stealth Technology that better meets the objectives of these regulations.

3. New Small Cell Towers shall be designed and constructed to accommodate a minimum of two (2) service providers

4. New Small Cell Towers may be located on public or private nonresidential land or within a public Right-of-Way provided it does not interfere with other utilities, functionality of sidewalks, visibility, or other matters of public safety.

5. New Small Cell Towers shall not be illuminated, except in accord with state or federal regulations, or unless illumination is integral to the Stealth Technology, such as a design intended to look like a streetlight pole.

6. New Small Cell Towers shall not include advertisements and may only display information required by a federal, state, or local agency. Such display shall not exceed one (1) square foot in area, unless required by state or federal regulations, or unless a larger display is integral to the Stealth Technology. Such display shall not exceed the width of the pole, unless required by state or federal regulations or a wider sign is integral to the Stealth Technology such as a design which integrates a decorative banner.

7. If a new Small Cell Tower is located in an area with primarily Underground Utilities, or where no adjacent Overhead Utility lines exist, it shall not utilize Overhead Utility lines.

8. In instances where an antenna is proposed to be constructed within a historic or commercial district with established public or private design control measures, regulations in subsection § 155, C., shall be followed. Efforts shall be made to adhere to any established design control measures or existing furnishing or fixture styles within the district. Where additional local design review processes exist, such as Certificates of Appropriateness, such approvals may be required.

C. NEW SMALL CELL SYSTEMS AND SMALL CELL TOWERS LOCATIONS IN RESIDENTIAL ZONES: The regulations in this subsection apply to Small Cell Systems Small Cell Towers to be located within, or immediately adjacent to, residential zoning districts as defined in § 155, D., (1).

1. Facilities in residential areas are strongly encouraged to be Non-Tower Wireless Communication Facilities, which are exempt from these regulations per § 155, A.

2. New Small Cell Towers and Antenna or Related Equipment shall be camouflaged by Stealth Technology. Examples of appropriate Stealth Technology for residential areas includes, at a minimum, towers with all cables, wires, Transmission Equipment, electric meters, power equipment, etc. installed inside the Small Cell Tower. Other types of stealth technology or other methods which will reduce the visual impact may be approved by Staff.

3. All poles and antennas shall be uniform grey or black in color, unless another color is integral to the Stealth Technology as approved by Staff.

4. The use of cooling fans is discouraged. When needed, fans with lower noise profiles must be used.

5. New Small Cell Towers should avoid areas without Overhead Utilities. If a Small Cell Tower is located in an area with primarily Underground Utilities it must adhere to Stealth Technology that incorporates the telecommunications equipment into a streetscape amenity such as a decorative lamp post, streetlight or other approved design. In areas with Overhead Utilities, cylindrical antennas are required.

6. In residential areas, a Small Cell Tower shall not be located closer than the height of the proposed tower to an existing or proposed residential structure, or no closer than thirty (30) feet, whichever is greater.

7. Efforts should be made to locate new Small Cell Towers in the yard location where other Overhead Utilities are located in the event that Co-location has been demonstrated to be infeasible.

8. New Small Cell Towers within residential areas should be located to avoid obstructing the view of building facades by placing the tower at a corner, intersection or along a lot line.

9. New Small Cell Tower shall not be located within five hundred (500) feet of an existing Small Cell System Tower. Multiple carriers are permitted and encouraged to locate on one tower, where possible.

D. NEW SMALL CELL SYSTEM AND SMALL CELL TOWER LOCATIONS IN NON-RESIDENTIAL ZONES: The regulations in this subsection apply to towers to be located within non-residential zoning districts.

1. In instances where a facility is proposed to be constructed in the right of way within one hundred (100) feet of a residential zone or use, even if the antenna's physical location is within a non-residential zone, regulations in 6.11.16, C., shall be followed.

2. Antennas in commercial, institutional, or park areas are encouraged to be installed as Non-Tower Wireless Communication Facilities.

3. Reasonable effort shall be given to locate new equipment based upon the following hierarchy of zones and land uses from the most to least preferred:

- a. Co-locate on an existing structure whenever possible.
- b. Institutional.
- c. Industrial.
- d. Commercial.
- e. Public parks.
- f. Agricultural.

4. Equipment enclosures, including electric meters, should be nearly the same width as the pole or as small as possible. Ground mounted equipment boxes should be screened from view with shrubs or other appropriate screening as approved by Staff.

5. Shrouds, risers, and conduits shall be used to reduce the appearance of external cabling.

6. All poles, antennas, brackets, cabling, risers, shrouds, and conduits shall be uniform grey or black in color, or other color as approved by Staff.

7. Cylindrical antennas shall be required, unless another antenna style is integral to the Stealth Technology as approved by Staff.

8. There shall be no more than a four (4) inch offset between the pole and pole mounted equipment enclosures.

§ 155 EVALUATION CRITERIA: Evaluation of the proposal shall be based upon the following criteria and shall be subject to administrative approval by Staff:

A. The extent to which the proposal is consistent with the purposes of these regulations.

B. The extent to which the proposal minimizes the impact on adjacent land uses, especially in terms of visual impact.

C. The extent to which the proposed facility is camouflaged (i.e., use of Stealth Technology).

D. The extent to which the proposed facility conforms to the character of the surrounding area (i.e., buildings, street lighting, signs).

§ 155 AMENDMENTS TO APPROVED PLANS: Any amendments to plans for Small Cell Systems and Small Cell Towers, except for the minor adjustments outlined below, shall be made in accordance with the procedure required by 6.11.15, subject to the same limitations and requirements as those under which such plans were originally approved. Minor adjustments shall be submitted and reviewed per the requirements of 6.11.16, A. The following activities shall be considered minor adjustments from the original approval of an Application for towers located in public rights of way. Changes are measured cumulatively from the original approval of the tower or Base Station.

A. Tower height increases by less than ten (10) percent or ten (10) feet, whichever is greater.

B. Change in the tower width of less than ten (10) percent or six (6) feet, whichever is greater.

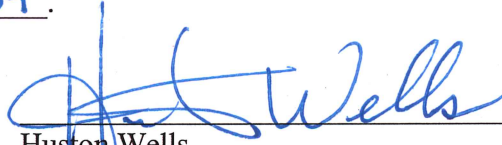
SECTION II. CODIFICATION. The provisions of Section I of this Ordinance shall be published as appropriate in the Franklin County Code of Ordinances as soon as practicable.

SECTION III. SEVERABILITY CLAUSE. If any section, part of provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the Franklin County Fiscal Court in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION IV. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

INTRODUCED AND GIVEN FIRST READING IN SUMMARY at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 23rd day of July, 2021.

GIVEN SECOND READING AND APPROVED at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 12 day of August, 2021 and of record in Fiscal Court Order Book 31, Page 439.



Huston Wells
Franklin County Judge/Executive

ATTESTED TO:



Tandra Harrod
Fiscal Court Clerk

SUMMARY

This ordinance adds language to Chapter 155 (Wireless Communication Facilities) for Small Cell Systems and Small Cell Towers in Franklin County Kentucky