

TOWN OF PINETOP-LAKESIDE

ORDINANCE NO. 18-413

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE ARIZONA, ADOPTING THE DESIGN STANDARDS FOR WIRELESS FACILITIES IN THE RIGHT-OF-WAY, BY REFERENCE.

WHEREAS, the Town Council of the Town of Pinetop-Lakeside believes that adding Design Standards for Wireless Facilities in the Right-of-Way is in the best interests of the citizens of the Town; and

WHEREAS, this legislation allows providers to construct, install, modify, mount, maintain, operate, and replace certain utility poles that are associated with the collocation of small wireless facilities; and

WHEREAS, this legislation allows cities to adopt regulations related to small wireless facilities and public safety, objective design standards, reasonable stealth and concealment requirements, undergrounding requirements, design standards for utility poles, reasonable spacing requirements, and fees consistent with state statutes; and

WHEREAS, the Town of Pinetop/Lakeside is concerned with the public health, safety, and welfare related to installing small wireless facilities; and

WHEREAS, the Town of Pinetop/Lakeside wishes to adopt standards to govern small wireless facilities located on, below, or above Town's property in the right-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, as follows:

1. **Adoption.** Design Standards for Wireless Facilities in the Right-of-Way which are on file with the Town Clerk of the Town of Pinetop-Lakeside, Arizona, which document was made a public record by Resolution No. 18-1454 of the Town of Pinetop-Lakeside, Arizona; and is hereby referred to, adopted and made a part hereof as if fully set forth in this Ordinance.
2. **Invalidity.** If any section, subsection, sentence, clause or portion of this Ordinance or any part of Design Standards for Wireless Facilities in the Right-of-Way, adopted herein by reference is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof or the remaining Articles and Sections of the Pinetop-Lakeside Town Code.

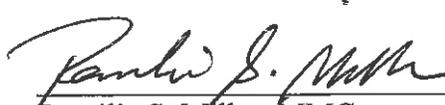
PASSED AND ADOPTED by the Mayor and Town Council in an open meeting by the Town Council, Town of Pinetop-Lakeside, Arizona, this 3rd day of May, 2018, to be effective upon the expiration of a thirty (30) day period following adoption and publication pursuant to A.R.S. § 9-812 is complete.

TOWN OF PINETOP-LAKESIDE



Stephanie Irwin
Mayor

ATTEST:



Remilie S. Miller, MMC
Town Clerk



APPROVED AS TO FORM:



William J. Sims, III
Town Attorney