

### **RESOLUTION NO. 2014-03**

WHEREAS, AT&T has requested to co-locate wireless telecommunication equipment on an existing water tower at 4970 Highway 68 to provide improved wireless services essentially within the corporate limits and police jurisdiction of the Town of Cedar Bluff, AL and;

WHEREAS, AT&T has complied with Town's Ordinance No. 2011-02 and has demonstrated the need for this wireless facility to deliver consistently reliable services in the identified area, and;

WHEREAS, both the Town and AT&T customers in Cedar Bluff, AL will benefit from improved service and;

WHEREAS, the Town's consultant, The Center for Municipal Solutions (CMS), recommends the granting of a Special Use Permit for construction of this facility located at 4970 Highway 68, Cedar Bluff, AL, which will consist of an existing 105.5' water tower;

THEREFORE, BE IT RESOVED by the Town Council of the Town of Cedar Bluff, AL, that AT&T is hereby granted a Special Use Permit to construct a new facility at 4970 Highway 68, Cedar Bluff, AL. As recommended by CMS, the Special Use Permit is subject to compliance with the following conditions prior to the issuance of said permit and/or a Certificate of Completion:

1. AT&T must provide a copy of the redacted lease or right to proceed prior to issuance of Building Permit.
2. To prevent warehousing of permits or authorizations and to assure the best service to the Town's residents as expeditiously as possible, the facility must be built, activated and be providing service no later than one hundred twenty (120) days after the issuance of the Special Use Permit or other applicable authorization, subject to commonly accepted *force majeure* exceptions acceptable to the Town. AT&T may petition the Town for an extension of this for good cause shown, but the decision whether or not to grant the extension shall exclusively be the prerogative of the Town.
3. AT&T shall provide contractor information to CMS and Town prior to request for issuance of Business License.
4. Once AT&T has met all the conditions of the permit and any other requirements of the Town, AT&T must notify the Town's consultant prior to start of construction and for all required inspections.
5. At the completion of construction, AT&T must notify the Town's consultant and provide proof that all inspections have been satisfactorily completed and the project is ready for a final on-site inspection. Upon passing the final inspection, a recommendation to issue a Certificate of Occupancy shall be made.
6. AT&T shall not be permitted to actually provide service commercially until the Certificate of Occupancy or its functional equivalent is issued or risk forfeiting its Permit.

7. The Certificate of Occupancy shall not be issued until all fees and costs associated with this Permit, including inspections, have been paid.

ADOPTED and APPROVED this 15<sup>th</sup> day of April, 2014.

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Martha Baker, Mayor, Town of Cedar Bluff

ATTEST:

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Chelsey Chandler, Town Clerk – Treasurer