

**AN ORDINANCE ESTABLISHING APPLICATION PROCEEDURE, FEES, AND TIME LINE FOR APPLICATIONS TO  
INSTALL WIRELESS FACILITIES IN THE CITY OF LEOTI.**

WHEREAS, Federal Law and the FCC recently placed limits on local governmental regulation of Wireless Facilities; and provided deadlines to have such in place.

WHEREAS, controlling law is Federal Communications Act of 1934, Telecommunications Act of 1996, Middle Class Tax Relief and Job Creation Act of 2012, recent FCC Declaratory Ruling, and FCC Third Report and Order; as well as State K.S.A. 17-19021 et. seq., and 66-2001 et. seq.

WHEREAS, the City of Leoti desires to protect the health, safety and welfare of the public and regulate in a competitively neutral, reasonable, and non-discriminatory manner.

THEREFORE, BE IT ORDAINED, by the governing body of the City of Leoti, Kansas:

1. Applicants desiring to place Wireless Facilities within the City of Leoti will submit a complete building permit.
2. If the Wireless Facility is to be placed in a City right-of-way, the applicant will fill out the Right-Of-Way Addendum to the Building Permit Application.
3. The City Clerk will develop a Right-Of-Way Application procedure to be approved by council.
4. The City shall process all applications subject to time limits as indicated in the FCC Order currently in effect.
5. The application fee for collocation including up to five small wireless facilities is \$500.00. Each additional small wireless facility beyond five shall incur an application fee of \$100.00.
6. The application fee to install a new pole intended to support one or more wireless facilities is \$1,000.00.
7. The annual access fee for right-of-way access is \$270.00 per facility.
8. The annual lease fee for attachment to a city owned structure is \$270.00 per facility.
9. This Ordinance shall take effect and be in full force from and after its publication in the official City newspaper.

ADOPTED this 7th day of January, 2019, by the City Council, City of Leoti, Kansas.

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Cheryl Green, Mayor

ATTEST:

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Cassandra L. King, City Clerk