

Resolution No: 2017-22

**A RESOLUTION OPPOSING HOUSE BILL 1620, ENTITLED “WIRELESS INFRASTRUCTURE DEPLOYMENT BILL” AS INTEFERING WITH LOCAL CONTROL OF PUBLIC RIGHTS-OF-WAY AND NOT IN THE BEST INTEREST OF PENNSYLVANIA RESIDENTS**

WHEREAS, the City of Coatesville is a Third Class City and Home Rule Municipality operating under a Home Rule Charter and the Third Class City Code with an address of One City Hall Place, Coatesville, PA 19320 (hereinafter the “City”) ; and,

WHEREAS, the City is aware that broadband service is a critical catalyst for economic development, student achievement, quality healthcare and the efficiency of local governments. As such the City of Coatesville supports the deployment of broadband services - both wired and wireless – in our community and throughout the Commonwealth; and,

WHEREAS, a relatively new wireless technology, known as distributed antenna systems or “DAS”, includes the placement of wireless towers and antennae in public rights-of-way; and,

WHEREAS, Pennsylvania municipalities are charged by state law with the management of the public rights-of-way, including not only vehicular and pedestrian traffic, but also the numerous facilities installed by utilities and related companies. Municipalities must manage these facilities to maintain public safety and preserve the character of their communities; and,

WHEREAS, pursuant to federal law, municipalities have the right to regulate the “placement, construction and modification” of wireless facilities thorough use of local zoning authority so that the deployment of these facilities is achieved in an orderly fashion. The FCC has also issued multiple orders stating in detail how municipalities may regulate these facilities; and,

WHEREAS, House Bill 1620, entitled “ Wireless Infrastructure Deployment” constitutes a bill which would abolish municipal zoning authority over wireless antennae in rights-of-way and nearly abolish municipal authority over wireless towers in the right-of-way thereby placing public safety at risk and excluding the public from the approval process for these facilities; and,

WHEREAS, HB 1620 would severely limit the assessment of fees for wireless facilities in the rights-of way such that municipalities could only charge minimal fees that are less than sufficient to cover actual municipal costs, thereby forcing taxpayers to subsidize wireless companies for the management of their facilities; and,

WHEREAS, HB 1620 would prohibit municipalities from requiring standard legal protections from companies with wireless facilities in the public rights-of-way, including full indemnification, bonding and insurance coverage; and,

WHEREAS, HB 1620 would allow wireless contractors to submit up to 50 permit requests in one application and would curtail the time frame for initial review of wireless applications from 30 days to 10 days such that municipalities would be unable to perform these reviews; and,

WHEREAS, HB 1620 would allow wireless companies to reverse a denial of a wireless application simply by resubmitting a revised application without having to obtain zoning approval.

WHEREAS HB 1620 would expose outside municipal Solicitors and other municipal law firms to financial liability of up to \$10,000 per occurrence simply for drafting a wireless ordinance that is deemed to be in violation of HB 1620; and

WHEREAS, if the Pennsylvania General Assembly is permitted to abolish municipal right-of-way authority over wireless facilities today, then it could abolish all municipal authority over the public rights-of-way tomorrow.

NOW, THEREFORE, BE IT RESOLVED,

1. The City of Coatesville does hereby express its strong and obdurate opposition to HB 1620 because it is not in the best interests of the citizens of Pennsylvania; and,

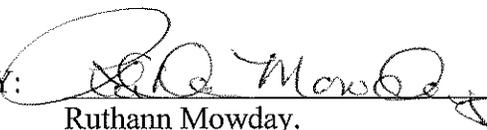
2. The City Council of the City of Coatesville directs that this Resolution be sent to all local State Representative(s), State Senator, the Governor and all Members of the House Consumer Affairs Committee - which is the Committee to which HB 1620 has been assigned.

IN WITNESS WHEREOF, the Council of the City of Coatesville has adopted and enacted this Resolution, this 11th day of December, 2017.

CITY OF COATESVILLE

BY:   
C. Arvilla Hunt, President, City Council

ATTEST:

BY:   
Ruthann Mowday,  
Secretary

CITY OF COATESVILLE  
CHESTER COUNTY, PENNSYLVANIA  
\$1,000,000 Tax Anticipation Note  
Series of 2018

CERTIFICATE OF TAXES TO BE COLLECTED

Pursuant to Section 8126 of the Local Government Unit Debt Act, the executive officers of the City of Coatesville , Chester County, Pennsylvania (hereinafter the “Local Government Unit”) hereby certify that:

1. The undersigned have carefully estimated that the following amounts of moneys will be received from taxes presently levied and assessed, during the following months in the fiscal year ending December 31, 2018. (NOTE: Use only months during which the note will be outstanding)

<u>DATE</u>	<u>AMOUNT</u>
January	\$265,037.00
February	\$722,412.00
March	\$2,103,206.00
April	\$756,314.00
May	\$808,503.00
June	\$367,699.00
July	\$177,072.00
August	\$608,089.00
September	\$193,702.00
October	\$243,937.00
November	\$604,519.00
December	<u>\$310,298.00</u>
TOTAL:	\$7,160,788.00

2. In making the foregoing estimate, the undersigned have considered the past and anticipated collection experience of the Local Government Unit and current economic conditions.

3. The amount of the borrowing pursuant to tax and revenue anticipation notes in the above-mentioned fiscal year, including the current obligation, does not exceed 85% of the sum of the revenues.

IN WITNESS WHEREOF, the undersigned have set their hands this 11<sup>th</sup> day of December, 2017.

CITY OF COATESVILLE  
CHESTER COUNTY, PENNSYLVANIA

By:   
C. Arvilla Hunt, City Council President

Attest:   
Michael T. Trió, AICP, City Manager

SEAL