

TOWNSHIP BOARD
GEORGETOWN CHARTER TOWNSHIP

Motion by _____, seconded by _____ to adopt the following resolution:

RESOLUTION NO. _____

A RESOLUTION PROHIBITING THE INSTALLATION OF DISTRIBUTED ANTENNA SYSTEM OR SMALL CELL WIRELESS STRUCTURES OR EQUIPMENT IN THE TOWNSHIP'S PUBLIC RIGHTS OF WAY

WHEREAS, Article VII, Section 29 of the Michigan Constitution reserves to the Township the right to the reasonable control of its highways, streets, alleys and public places; and,

WHEREAS, providers of small cell wireless and distributed antennae systems have approached the Township seeking permission to install poles, structures and associated equipment and structures in the Township's public rights of way for the operation of their networks and provision of wireless services; and,

WHEREAS, the Township must balance the desire by such providers to use of the public rights of way with the need to maintain and manage the rights of way in a safe and orderly manner, consistent with all legal requirements; and,

WHEREAS, the Township and other communities in the region are studying the impact of such installations in public rights of way; and,

WHEREAS, the Township Board has determined that until the benefits to the public are deemed to outweigh the zoning, safety and other concerns posed by the installation of poles and structures in the rights of way that such installations should not be permitted.

NOW, THEREFORE, IT IS RESOLVED THAT:

1. The Georgetown Charter Township Board hereby adopts as a general policy that no person or entity is permitted to install small cell wireless or distributed antennae system facilities (comprised of poles, supporting structures and associated structures and equipment) in a Township public right-of-way or other public place.
2. The Township Superintendent and Zoning Administrator are authorized and directed to take all actions reasonably necessary to ensure that no small cell wireless or distributed antennae system facilities are installed or operated in the Township's public rights of way or other public place absent approval in a form, and subject to such terms and conditions, as is deemed acceptable to the Township Board.
3. Nothing in this Resolution shall be interpreted to require the Township to issue such approvals and the Township reserves to itself discretion to grant, deny or modify a request for such installations as it deems in the best interest of the Township, its citizens and businesses based on its

paramount duty to oversee the reasonable use of public property.

4. Nothing herein shall be interpreted in any manner to impact or limit the Township's issuance of permits as otherwise provided for in accordance with the Metropolitan Extension Telecommunications Rights-Of-Way Oversight Act, Act No. 48 of the Public Acts of 2002, as amended.

5. All resolutions and parts of resolutions in conflict herewith are, to the extent of such conflict, repealed.

AYES: _____

NAYS: _____

ABSENT: _____

RESOLUTION NO. _____ DECLARED ADOPTED

Georgetown Charter Township, a Michigan
municipal corporation

Richard VanderKlok, Clerk

CERTIFICATION

I, Richard VanderKlok, the Clerk of Georgetown Charter Township, certify the foregoing is a true and complete copy of a resolution adopted by the Township Board at a _____ meeting held on _____, 2016, in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

Richard VanderKlok, Clerk