

CHAPTER III PUBLIC PROPERTY AND IMPROVEMENTS

THIS IS A DRAFT AMENDMENT TO ORDINANCE 33 TO BE PROPOSED AT THE  
DECEMBER 18, 2017 WAITE PARK CITY COUNCIL MEETING

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ORDINANCE 33     RIGHT-OF-WAY

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**Section 33.1. Election.** The City elects under this Ordinance to manage its rights-of-way under applicable state and federal law.

**Section 33.2. Definitions.** The City adopts the definitions in Minnesota Statute Sections 237.162 and 237.163, as amended, and Minnesota Rules 7819.0100, subparts 1 through 23, as amended, by reference and incorporates them into this Ordinance as if set out in full.

**Section 33.3. License.** Each person who obstructs, places facilities or equipment within, or excavates any right-of-way must obtain a license certificate from the City, pay a license fee as established by the City Council and set forth in Appendix B - Waite Park Schedule of Fee Charges, post a bond as set forth in Appendix B in favor of the City of Waite Park, and obtain a certificate of insurance which shall:

Section 33.3 updated 8/2005

- A. Verify that an insurance company licensed to do business in Minnesota has issued an insurance policy to the Permittee, or a form of self insurance acceptable to the City;
- B. Verify that the Permittee is insured against personal injury claims, including death, as well as property damage claims arising out of the (i) use and occupancy of the right-of-way by the Permittee, its officers, agents, employees and Permittees, and (ii) placement and use of facilities and equipment in the right-of-way by the Permittee, its officers, agents, employees and Permittees, including, but not limited to, protection against liability arising from completed operations, damage of underground facilities and collapse of property;
- C. Name the City as an additional insured as to whom the coverages required in this Section are in force and applicable and for whom defense will be provided as to all coverages;

**Section 33.4. Permit.**

**Subd. 1. Permit Required.** Except as this Code otherwise provides, and in addition to the license, each Person obstructing or excavating any right-of-way must first obtain the appropriate permit from the City.

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- A. Excavation Permit. An excavation permit shall be required to excavate that part of the right-of-way described in the permit and to hinder free and open passage over the specified portion of the right-of-way by placing Facilities described in the permit, to the extent and for the duration specified in the permit.
- B. Obstruction Permit. An obstruction permit shall be required to hinder free and open passage over the specified portion of right-of-way by placing equipment described in the permit on the right-of-way, to the extent and for the duration specified in the permit. An obstruction permit shall not be required if a Person already possesses a valid excavation permit for the same project.
- C. Small Wireless Facility Permit. A small wireless facility permit is required by a registrant to place a new wireless support structure or to collocate a small wireless structure in a public right of way managed by the City. A separate collocation agreement is required to collocate a small wireless facility on existing City structures. A maximum of 15 small wireless facilities may be consolidated onto one permit application, provided that all of the facilities:
- (1) Are located within a two-mile radius;
  - (2) Consist of substantially similar equipment;
  - (3) Are to be placed on similar types of wireless support structures.

**Subd. 2. Permit Extensions.** No Person may excavate or obstruct the right-of-way beyond the date or dates specified in the permit unless the Person (i) makes a supplementary application for another right-of-way permit before the initial permit's expiration, and (ii) the City grants a new permit or permit extension.

**Subd. 3. Delay Penalty.** In accordance with Minnesota Rule 7819.1000, subp. 3, and notwithstanding Subd. 2 of this Section, the City shall establish and impose a delay penalty as the City Council establishes for unreasonable delays in right-of-way excavation, obstruction, patching, or restoration.

**Subd. 4. Permit Display.** A Person obtaining a permit under this Ordinance shall conspicuously display or otherwise make the permit available at all times at the indicated work site and shall make the permit available for the City's inspection.

**Section 33.5. Permit Applications.** A permit application shall contain the following information:

**Subd. 1.** Submission of a completed permit application form, including all required attachments, scaled drawings showing the proposed project's location and area and the location of all known existing and proposed facilities.

**Subd. 2.** Each Permittee's name, Gopher One-Call registration certificate number, address and email address if applicable, and telephone and facsimile numbers.

**Subd. 3.** Name, address and e-mail address, if applicable, and telephone and facsimile numbers of the Permittee's local representative. The local representative or designee shall be

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available at all times. The Permittee shall provide current information at the time of registration regarding how to contact the local representative in an emergency.

**Subd. 4.** A certificate of insurance or self-insurance:

- A. Verifying that an insurance company licensed to do business in Minnesota has issued an insurance policy to the Permittee, or a form of self insurance acceptable to the City;
- B. Verifying that the Permittee is insured against personal injury claims, including death, as well as property damage claims arising out of the (i) use and occupancy of the right-of-way by the Permittee, its officers, agents, employees and Permittees, and (ii) placement and use of facilities and equipment in the right-of-way by the Permittee, its officers, agents, employees and Permittees, including, but not limited to, protection against liability arising from completed operations, damage of underground facilities and collapse of property;
- C. Naming the City as an additional insured as to whom the coverages required in this Section are in force and applicable and for whom defense will be provided as to all coverages;
- D. Requiring that the City be notified 30 days in advance of cancellation of the policy or material modification of a coverage term;
- E. Indicating comprehensive liability coverage, automobile liability coverage, workers compensation and umbrella coverage established by the City in amounts sufficient to protect the City and the public and to carry out this Ordinance's purposes and policies, and a liability and property damage insurance policy along with a products liability insurance policy and completed operations insurance, each of which shall provide for the payment of not less than Two Hundred Thousand (\$200,000) Dollars for injuries to or death of one person, and not less than Six Hundred Thousand (\$600,000) Dollars on account of one accident, and not less than Two Hundred Thousand (\$200,000) Dollars for property damage. If the applicant has one (1) or more employees, the applicant must provide evidence of workers' compensation insurance coverage to the City.

**Subd. 5.** The City may require a copy of the actual insurance policies.

**Subd. 6.** If the Person is a corporation, a copy of the certificate required to be filed under Minn. Stat. 300.06, as amended, as recorded and certified to by the Secretary of State.

**Subd. 7.** A copy of the Person's order granting a certificate of authority from the Minnesota Public Utilities Commission ("PUC") or other applicable state or federal agency, where the person is lawfully required to have a certificate from the PUC or other state or federal agency.

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**Subd. 8.** Payment of money due the City for:

- A. Permit fees, estimated restoration costs and other management costs;
- B. Prior obstructions, equipment installations, or excavations;
- C. Any undisputed loss, damage, or expense the City suffers because of the applicant's prior excavations or obstructions of the rights-of-way or any emergency actions taken by the City;
- D. Franchise fees or other charges, if applicable.

**Section 33.6. Permit Issuance.** If the Applicant has satisfied this Ordinance's requirements, the City shall issue a permit.

**Section 33.7. Permit Conditions.** The City may impose reasonable conditions upon the permit's issuance and the applicant's performance under it to protect the health, safety and welfare or when necessary to protect the right-of-way and its current use.

**Section 33.8. Permit Fees.**

**Subd. 1. Excavation Permit Fee.** The City shall establish an excavation permit fees in an amount sufficient to recover the City's management costs and degradation costs, if applicable, as set forth in Appendix B Waite Park Schedule of Fees Charges.

**Subd. 2. Obstruction Permit Fee.** The City shall establish an obstruction permit fee in an amount sufficient to recover the City's management costs.

**Subd. 3. Small Wireless Facility Fee.** The City shall establish a Small Wireless Facility Fee in an amount sufficient to recover the City's management costs or collect the maximum fees authorized by law, as set forth in Appendix B Waite Park Schedule of Fees Charges.

**Subd. 34. Permit Fee Payment.** The City shall not issue an excavation or obstruction permit without the applicant paying excavation or obstruction permit fees. The City may allow an applicant to pay the fees within 30 days of billing.

**Subd. 45. Non-refundable.** Permit fees the applicant paid for a permit that the City has revoked under this Ordinance are not refundable.

**Subd. 56. Application to Franchises.** Unless otherwise agreed to in a franchise, the City may charge management costs separately from and in addition to the franchise fees imposed on a right-of-way user in the franchise.

**Subd. 67. PUC Rules.** The City shall establish all permit fees consistent with Minnesota Rule 7819.1000, as amended.

**Section 33.9. Restoration.**

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**Subd. 1. Timing.** The Permittee must complete the work to be done under the excavation permit, including patching and restoration of the right-of-way, within the dates specified in the permit, increased by as many days as work could not be done because of circumstances beyond the Permittee's control or when work was prohibited as unseasonal or unreasonable under this Ordinance.

**Subd. 2. Patch and Restoration.** The Permittee shall patch its own work. The City may choose either to have the Permittee restore the right-of-way or to restore the right-of-way itself.

- A. **City Restoration.** If the City restores the right-of-way, the Permittee shall pay the restoration costs within 30 days of billing. If following the restoration, the pavement settles due to Permittee's improper backfilling, the Permittee shall pay to the City, within 30 days of billing, all costs associated with correcting the defective work.
- B. **Degradation Fee.** In lieu of right-of-way restoration, a right-of-way user may elect to pay a degradation fee but shall remain responsible for patching, and the degradation fee shall not include the cost to accomplish these responsibilities.

**Subd. 3. Standards.** The Permittee shall perform patching and restoration according to the standards and with the materials the City specifies, and shall comply with Minnesota Rule 7819.1100, as amended.

**Subd. 4. Duty to Correct Defects.** The Permittee shall correct defects in patching or restoration performed by Permittee or its agents. Upon notification from the City, Permittee shall correct all restoration work to the extent necessary, using the method required by the City, within 5 calendar days after receiving notice from the City, not including days during which work cannot be done because of circumstances constituting force majeure or days when work is prohibited as unseasonal or unreasonable under this Ordinance.

**Subd. 5. Failure to Restore.** If the Permittee fails to restore the right-of-way in the manner and to the condition the City requires, or fails to satisfactorily and timely complete all restoration the City requires, the City may do the work at its option and the Permittee shall pay to the City, within 30 days of billing, the cost of restoring the right-of-way. If Permittee fails to pay as required, the City may exercise its rights under the construction performance bond and any other applicable rights.

**Section 33.10. Joint Applications.** Applicants may jointly apply for permits to excavate and obstruct the right-of-way at the same place and time.

**Subd. 1. Shared Fees.** Applicants who apply for both excavation and obstruction permits, which the City does not perform, may share in paying the excavation and obstruction permit fees. To obtain a joint permit, applicants must agree among themselves as to the portion each will pay and indicate those amounts on their application.

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**Subd. 2. City Projects.** Applicants who join in a scheduled excavation or obstruction performed by the City, whether or not it is a joint application by 2 or more applicants or a single application, are not required to pay the excavation, obstruction or degradation portions of the permit fee, but a permit shall still be required.

### **Section 33.11. Supplementary Applications.**

**Subd. 1. Area Limitation.** A right-of-way permit is valid only for the right-of-way area the permit specifies. Except as this Ordinance otherwise specifically provides, a Permittee shall not do any work outside the area the permit specifies. Any Permittee which determines that an area greater than the area the permit specifies must (i) make application for a permit extension and pay any additional required fees, and (ii) be granted a new permit or permit extension from the City before working in that greater area.

**Subd. 2. Date Limitation.** A right-of-way permit is valid only for the dates the permit specifies. Except as this Ordinance specifically otherwise provides, a Permittee shall not begin its work before the permit start date or continue working after the permit end date. If a Permittee does not finish the work by the permit end date, it must apply for a new permit for the additional time it needs, and receive the new permit or an extension of the old permit before working after the end date of the previous permit. The Permittee must submit this supplementary application before the permit end date.

### **Section 33.12. Other Obligations.**

**Subd. 1. Compliance with Other Laws.** Obtaining a right-of-way permit does not relieve the Permittee of its duty to obtain all other necessary permits, licenses, and authority to pay all fees required by the City or other applicable rule, law or regulation. A Permittee shall comply with all state, federal and local laws, including Minn. Stat. ‘ 216D.01 - .09 (Gopher One Call Excavation Notice System). A Permittee shall perform all work in conformance with all applicable codes, rules and regulations, and shall be responsible for all work done in the right-of-way pursuant to its permit, regardless of who does the work.

**Subd. 2. Prohibited Work.** Except in an emergency, and with the City’s approval, a Permittee may not perform any obstruction or excavation when seasonally prohibited or when conditions are unreasonable for the work.

**Subd. 3. Right-of-Way Interference.** A Permittee shall not so obstruct a right-of-way that the natural free and clear passage of water through the gutters or other waterways shall be interfered with. Private vehicles of those doing work in the right-of-way may not be parked within or next to a permit area, unless parked in conformance with City parking regulations. The loading or unloading of trucks must be done solely within the defined permit area unless specifically authorized by the permit.

**Section 33.13. Permit Denial.** The City may deny a permit for the applicant’s failure to meet this Ordinance’s requirements and conditions, if the City determines that the denial is necessary to protect the health, safety, and welfare or when necessary to protect the right-of-way and its current use.

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**Section 33.14. Installation Requirements.** Excavation, backfilling, patching, restoration, equipment installation, and all other work performed in the right-of-way shall be done in conformance with Minnesota Rules 7819.1100, as amended, and other applicable local requirements, in so far as they are not inconsistent with the Minnesota Statutes “ 237.162 and 237.163, as amended. Wireless support structures and small-cell wireless antenna facilities shall not exceed 50 feet in height and shall comply with requirements set forth in Waite Park Ordinance 55 and MN Statutes Sections 237.162 and 237.163 as may be amended from time to time. To the extent possible all equipment shall be installed in locations and in a manner to minimize interference with traffic, pedestrians, and other users of the right of way or the appearance of abutting properties.

### **Section 33.15. Inspection.**

**Subd. 1. Completion Notice.** When the Permittee completes the work under any permit under this Ordinance, the Permittee shall furnish a Completion Certificate to the City in accordance Minnesota Rules 7819.1300, as amended.

**Subd. 2. Site Inspection.** Permittee shall make the work-site available to City personnel and to all others authorized by law for inspection at all reasonable times during the execution of and upon completion of the work.

**Subd. 3. City’s Authority.** At the time of inspection, the City may order the immediate cessation of any work which poses a serious threat to the public’s life, health, safety or well-being. The City may issue an order to the Permittee for any work which does not conform to the terms of the permit or other applicable standards, conditions, or codes stating that failure to correct the violation will be cause for revoking the permit. Within 10 days after issuing the order, the Permittee shall present proof to the City that the violation has been corrected. If Permittee has not presented the proof within the required time, the City may revoke the permit under this Ordinance.

### **Section 33.16. Work Done without a Permit.**

**Subd. 1. Emergency Situations.** Each Person with facilities in the right-of-way shall immediately notify the City of any event regarding its facilities which it considers to be an emergency. The facilities’ owner may proceed to take whatever actions are necessary to respond to the emergency. Within 2 business days after the emergency’s occurrence, the owner shall apply for the necessary permits, pay the required fees and fulfill all requirements necessary to bring itself into compliance with this Ordinance for its actions responding to the emergency. If the City becomes aware of an emergency regarding facilities, the City will attempt to contact the local representative of each facility owner affected, or potentially affected, by the emergency. In any event, the City may take whatever action it deems necessary to respond to the emergency, with the Person whose facilities occasioned the emergency bearing the costs.

**Subd. 2. Non-Emergency Situations.** Except in an emergency, any Person who, without first having obtained the necessary permit, obstructs or excavates a right-of-way must subsequently obtain a permit, and as a penalty pay double the normal fee for the permit, pay



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double all the other fees required by this Code, deposit with the City the fees necessary to correct any damage to the right-of-way and comply with all of this Ordinance's requirements.

**Section 33.17. Supplementary Notification.** If the right-of-way's obstruction or excavation begins later or ends sooner than the date given on the permit, Permittee shall notify the City of the accurate information as soon as this information is known.

### **Section 33.18. Permit Revocation.**

**Subd. 1. Substantial Breach.** The City reserves its right as provided in this Section to revoke any right-of-way permit, without a fee refund, if there is a substantial breach of the terms and conditions of any statute, ordinance, rule or regulation, or any material condition of the permit. A substantial breach by Permittee shall include, but shall not be limited to, the following:

- A. The violation of any material provision of the right-of-way permit;
- B. An evasion or attempt to evade any material provision of the right-of-way permit, or the perpetration or attempt to perpetrate any fraud or deceit upon the City or its citizens;
- C. Any material misrepresentation of fact in the right-of-way permit application;
- D. Failure to complete the work in a timely manner unless a permit extension is obtained or unless the failure to complete work is due to reasons beyond the Permittee's control; or
- E. Failure to correct, in a timely manner, work that does not conform to a condition indicated on a vacation order issued under this Ordinance.

**Subd. 2. Written Breach Notice.** If the City determines that the Permittee has committed a substantial breach of a term or condition of any statute, ordinance, rule, regulation or any condition of the permit, the City shall make a written demand upon the Permittee to remedy the violation stating that continued violations may be cause for revoking the permit. A substantial breach, as stated above, will allow the City, at its discretion, to place additional or revised conditions on the permit to mitigate and remedy the breach.

**Subd. 3. Responses to Breach Notice.** Within 24 hours after receiving notification of the breach, Permittee shall provide the City with a plan, acceptable to the City, that will cure the breach. Permittee's failure to so contact the city, failure to submit an acceptable plan, or failure to reasonably implement the approved plan shall be cause for immediate revocation of the permit.

**Subd. 4. City Cost Reimbursement.** If the City revokes a permit, the Permittee shall also reimburse the City for the City's reasonable costs, including restoration and collection costs, and reasonable attorneys' fees incurred in connection with the revocation.

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**Section 33.19. Mapping Data.** Each Permittee shall provide mapping information required by the City in accordance with Minnesota Rules 7819.4000 and 7819.4100, as amended.

**Section 33.20. Facilities Location.**

**Subd. 1. Location.** Placement, location, and relocation of facilities must comply with the act, with other applicable law, and with Minnesota Rules 7819.3100, 7819.5000 and 7819.5100, as amended, to the extent the rules do not limit authority otherwise available to cities.

**Subd. 2. Corridors.** The City may assign specific corridors within the right-of-way, or any particular segment of it, as may be necessary for each type of facilities that, pursuant to current technology, the City expects will someday be located within the right-of-way. All excavation, obstruction, or other permits the City issues involving the installation or replacement of facilities shall designate the proper corridor for the facilities at issue.

**Subd. 3. Space Limitation.** To protect health, safety, and welfare or when necessary to protect the right-of-way and its current use, the City shall have the power to prohibit, or the City shall strive to the extent possible to accommodate, all existing and potential users of the right-of-way, but shall be guided primarily by considerations of the public interest, the public's needs for the particular Utility Service, the right-of-way's condition, the time of year with respect to essential utilities, the protection of existing facilities in the right-of-way, and future City plans for public improvements and development projects which have been determined to be in the public interest.

**Section 33.21. Damage to Other Facilities.** When the City does work in the right-of-way and finds it necessary to maintain, support, or move facilities to protect it, the City shall notify the local representative as early as is reasonably possible. The City will bill the associated costs to that facility owner, who must pay the costs within 30 days from the billing date. Each facility owner shall be responsible for the cost of repairing any facilities in the right-of-way which it or its facilities damages. Each facility owner shall be responsible for the cost of repairing any damage to the facilities of another caused during the City's response to an emergency occasioned by that owner's facilities.

**Section 33.22. Right-of-Way Vacation.** If the City vacates a right-of-way which contains facilities, the facility owner's rights in the vacated right-of-way are governed by Minnesota Rules 7819.3200, as amended.

**Section 33.23. Indemnification and Liability.** By applying for and accepting a permit under this Ordinance, a Permittee agrees to defend and indemnify the City in accordance with Minnesota Rule 7819.1250, as amended.

**Section 33.24. Abandoned Facilities Removal.** Any Person who has abandoned facilities in any right-of-way shall remove them from that right-of-way if required in conjunction with other right-of-way repair, excavation, or construction, unless the City waives this requirement.

**Section 33.25. Appeal.** A right-of-way user that: (1) has been denied registration; (2)

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has been denied a permit; (3) has had a permit revoked; or (4) believes that the fees imposed are invalid, may have the City Council review the denial, revocation, or fee imposition upon written request. The City Council shall act on a timely written request at its next regularly scheduled meeting. A decision by the City Council affirming the denial, revocation, or fee imposition shall be in writing and supported by written findings establishing the decision's reasonableness.

**Section 33.26. Reservation of Regulatory and Police Powers.** A Permittee's rights are subject to the City's regulatory and police powers to adopt and enforce general ordinances necessary to protect the public's health, safety and welfare.

**Section 33.27. Severability.** If any part of this Ordinance is held invalid for any reason by any court of competent jurisdiction, the holding will not affect the validity of the remaining portions of this Ordinance. This Ordinance shall not preclude the City from requiring a franchise agreement with an applicant, as allowed by law, in addition to this Ordinance's requirements.

Amended 12/2000

### **Section 33.28. Background.**

**Subd. 1.** The City of Waite Park regulates the installation of wireless telecommunication facilities and antennas both on private property and within the public right-of-ways throughout the City.

**Subd. 2.** The City of Waite Park requires that facilities newly installed, constructed or otherwise placed in the public right-of-way must be located and maintained underground, subject to limited exceptions.

**Subd. 3.** The City has received an inquiry about potential installation of new wireless telecommunication facilities and antennas in the public right-of-way. The type of technology contemplated was not previously available and this inquiry makes clear the need for the City to study and determine whether it should revise official controls related to wireless telecommunication facilities and antennas in the public right-of-way.

**Subd. 4.** The installation of additional above-ground utilities in the public right-of-way has the potential to negatively impact the health, safety and welfare of the community if not properly regulated.

**Subd. 5.** The City's consultants have recommended that the City study and engage in deliberation of all of the issues pertaining to the development of Small Cell sites in the City and to evaluate the need for additional standards to regulate these facilities.

**Subd. 6.** The City Council has determined a need to undertake a study to determine the appropriate permitting and land use controls for wireless telecommunication facilities and antennas in the public right-of-way.

**Subd. 7.** Upon completion of the study, the City Council, together with such city commissions as the City Council deems appropriate or as may be required by law, will consider

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the advisability of amending certain official controls.

**Subd. 8.** Minnesota Statutes, Section 462.355, Subdivision 4 allows the City to adopt an interim ordinance for the purpose of protecting the planning process and the health, safety, and welfare of its citizens.

Section 33.28 Added 10/2015

### **Section 33.29. Findings.**

**Subd. 1.** The City of Waite Park has the authority, pursuant to common law and Minnesota Statutes to regulate the installation of utilities and telecommunications right-of-way users within the public right-of-way.

**Subd. 2.** The City Council finds that it is necessary to conduct planning studies to determine the appropriate permitting and land use controls that should apply to wireless telecommunication facilities and antennas in the public right-of-way and to protect the planning process and the health, safety, and welfare of its citizens.

**Subd. 3.** The purpose of the studies to be conducted includes, but is not limited to determining the appropriate permitting and licensing standards, and land use and development standards that should apply to wireless telecommunication facilities and antennas in the public right-of-way and determining the appropriate changes, if any, that should be made to City Ordinances.

**Subd. 4.** The City Council finds that there is a need to adopt a City-wide moratorium Ordinance, while the studies referenced in Subd. 1., are conducted.

**Subd. 5.** The City Council finds that this moratorium applies to, but is not limited to, the following types of land use applications: right-of-way permits, boulevard feature permits, antenna permits, building permits, and electrical permits for installation, construction or operation of wireless telecommunication facilities and antennas in the public right-of-way.

Section 33.29 Added 10/2015

### **Section 33.30. Planning Study: Moratorium.**

**Subd. 1.** A study is authorized to be conducted by City staff, to be followed by consideration of potential changes to the City's Ordinances by the City Council and such other commissions of the City as required by law or as directed by the City Council.

**Subd. 2.** Pending completion of the study and adoption of any amendments to the City's official controls, a moratorium is established on the issuance of City approvals for or related to the installation, construction or operation of wireless telecommunication facilities and antennas in the public right-of-way.

**Subd. 3.** During the period of the moratorium, applications for any such approvals related to wireless telecommunication facilities and antennas in the public right-of-way shall not

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be accepted by the City nor shall the Planning Commission or City Council consider or grant approval of any such application.

**Subd. 4.** The moratorium established by this Ordinance shall apply to any application pending as of the date of this Ordinance any application submitted to which the moratorium applies shall be denied unless the application includes a specific request that it be excepted from the Moratorium, in which case the City staff shall submit the application to the City Council for consideration of granting an exception.

**Subd. 5.** The City Council may approve exceptions to this Moratorium for an application if the City Council, in its sole discretion, determines that the approval being sought will not interfere with the purposes for which this moratorium was adopted.

Section 33.30 Added 10/2015

**Section 33.31. Enforcement.** The City may enforce this Ordinance by mandamus, injunction or other appropriate civil remedy in any court of competent jurisdiction.

Section 33.31 Added 10/2015

**Section 33.32. Term.** Unless earlier repealed by the City Council, the moratorium established under this Ordinance shall remain in effect until August 23, 2016. The moratorium may be extended for a reasonable time, in accordance with Minnesota Statutes Section 462.355.

Section 33.32 Added 10/2015

**Section 33.33. Effective Date.** This Ordinance is effective as provided by Section 3.09 of the Waite Park City Charter.

Section 33.33 Added 10/2015