

ORDINANCE NO. 18 \_\_\_\_\_

**AN ORDINANCE AMENDING TITLE 1 (ADMINISTRATIVE),  
CHAPTER 6 (MUNICIPAL OFFICERS AND EMPLOYEES),  
ARTICLE A (CITY MANAGER), SECTION 5 (POWERS AND DUTIES)  
OF THE NAPERVILLE MUNICIPAL CODE**

**WHEREAS**, the Mayor and the City Council of the City of Naperville, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety and welfare of its citizens; and

**WHEREAS**, the City of Naperville supports the goal of ensuring reliable wireless services in our communities and the advancement of technology in the telecommunications industry; and

**WHEREAS**, growing demand for personal wireless telecommunications services has resulted in increasing request nationwide and locally from wireless providers to place small cell antenna facilities, distributed antenna systems, and other small wireless telecommunication facilities on utility and street light poles and other structures within the public right-of-way; and

**WHEREAS**, the Small Wireless Facilities Deployment Act, 50 ILCS 835 et seq., acts to imposes certain requirements on municipalities, including the City of Naperville, regarding the permitting, construction, deployment, regulation, operation, maintenance, repair, and removal of certain defined small wireless facilities within the public right-of-way; and

**WHEREAS**, in anticipation of a continued increased demand for placement of small wireless facilities of the type regulated by the Small Wireless Facilities Deployment Act on City poles, the Mayor and City Council finds that it is in the best interests of the public health, safety, and general welfare of the City to adopt the code amendment below in order to ensure compliance with the Small Wireless Facilities Deployment Act and the efficient processing of small wireless facilities applications;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS**, in exercise of its home rule authority as follows:

**SECTION 1:** The Recitals above are incorporated herein and made part hereof as fully set forth in this Section 1.

**SECTION 2:** Section 1-6A-5 of the Naperville Municipal Code, entitled “Powers and Duties” of the City Manager, is hereby amended to include the following underlined language:

18. The authority to enter into pole attachment agreements for collocation of a small wireless facility, as defined in Section 9-1A-2, on a City pole.

**SECTION 3:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Steve Chirico  
Mayor

ATTEST:

\_\_\_\_\_  
Pam Gallahue, Ph.D.  
City Clerk