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Date: 2-4-2019

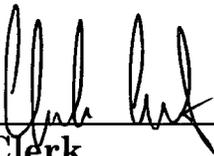
# City of St. Charles, Illinois

**Ordinance No.: 2019-M-7**

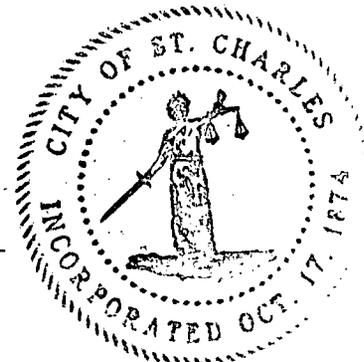
**An Ordinance Amending Section 13.24.021 of  
the City of St. Charles Public Utilities  
Ordinance Relative to Small Wireless  
Facilities.**

**Adopted by the  
City Council  
of the  
City of St. Charles  
February 4, 2019**

Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, **February 11, 2019**



City Clerk



(SEAL)

**City of St. Charles**  
**Ordinance No. 2019-M-7**

**Ordinance Amending Title 13 “Public Utilities”, Chapter 13.24 “Small Wireless Facilities”,  
Section 5.24.021 “Exceptions to Applicability”  
of the St. Charles Municipal Code**

**WHEREAS**, the City of St. Charles (“City”) is a municipal corporation duly organized and existing under the laws of the State of Illinois; and

**WHEREAS**, Public Act 100-585, known as the Small Wireless Facilities Deployment Act, approved by the Governor on April 12, 2018, with an effective date of June 1, 2018, acts to impose certain requirements on municipalities, including the City, regarding the permitting, construction, deployment, regulation, operation, maintenance, repair and removal of certain defined small wireless facilities both within public rights-of-way and in other locations within the jurisdiction of the City; and

**WHEREAS**, the Mayor and City Council of the City recently approved amendments to the City’s Municipal Code relative to the permitting, regulation and deployment of small wireless facilities in conformance with Public Act 100-585; and

**WHEREAS**, the Mayor and City Council of the City now desire to clarify language in subsection 13.24.021(B) of the Municipal Code in order to correspond more directly with Public Act 100-585.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES,  
DUPAGE AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** The recitals above shall be and are incorporated in this Section 1 as if fully restated herein.

**SECTION 2:** Title 13 “Public Utilities”, Chapter 24 “Small Wireless Facilities”, Section 13.24.021 “Exceptions to Applicability” of the St. Charles Municipal Code is amended by deleting point B in its entirety and replaced with the following:

“B. Property owned or controlled by a unit of local government that is not located within rights-of-way (local governments are, however, required to authorize the collocation of small wireless facilities on utility poles owned or controlled by the local government and not located within rights-of-way to the same extent the local government permits access to utility poles for other commercial projects or uses);”

**SECTION 3:** That, after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council of the City of St. Charles, or (ii) within thirty (30) days after the adoption and approval hereof, be

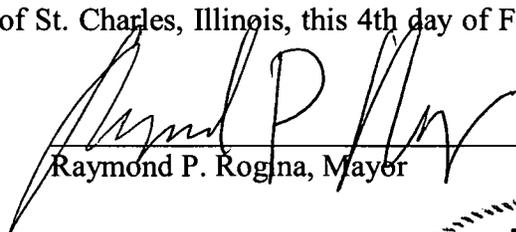
published in a newspaper published in and with a general circulation within the City of St. Charles.

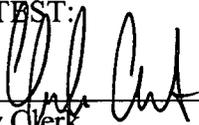
**SECTION 4:** This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

**PRESENTED** to the City Council of the City of St. Charles, Illinois, this 4<sup>th</sup> day of February, 2019.

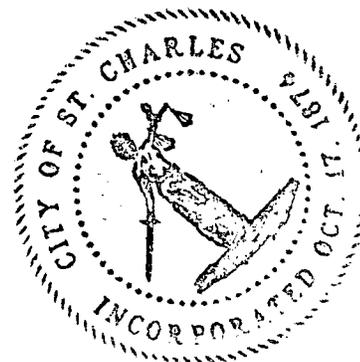
**PASSED** by the City Council of the City of St. Charles, Illinois this 4th day of February, 2019.

**APPROVED** by the Mayor of the City of St. Charles, Illinois, this 4th day of February, 2019.

  
Raymond P. Rogna, Mayor

ATTEST:  
  
\_\_\_\_\_  
City Clerk

COUNCIL VOTE:  
Ayes : 9  
Nays : 0  
Absent : 1



State of Illinois )  
 ) ss.  
Counties of Kane and DuPage )

## Certificate

I, CHUCK AMENTA, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on **February 4, 2019**, the Corporate Authorities of such municipality passed and approved Ordinance No. **2019-M-7** entitled:

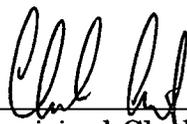
**An Ordinance Amending Section 13.24.021 of the City of St. Charles Public Utilities Ordinance Relative to Small Wireless Facilities.**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2019-M-7**, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on **February 11, 2019**, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

**DATED** at St. Charles, Illinois, this **4th**

day of **February 2019**.

  
Municipal Clerk

(S E A L)

