

TOWNSHIP OF MIDDLE SMITHFIELD
MONROE COUNTY, PENNSYLVANIA

RESOLUTION #08-2018-2

RESOLUTION IN OPPOSITION TO HOUSE BILL 2564, ENTITLED
“SMALL WIRELESS FACILITIES DEPLOYMENT ACT”

WHEREAS, high speed broadband service is a critical catalyst for economic development, educational advancement, the delivery of quality healthcare, and the efficiency of local government; therefore, the Township of Middle Smithfield supports the deployment of high speed broadband services, both wired and wireless; and

WHEREAS, under 47 U.S.C. § 332(c)(7), federal law preserves municipal zoning authority to regulate the “placement, construction, and modification” of wireless facilities through zoning authority; and

WHEREAS, the Township manages these facilities in a manner than protects public safety while allowing companies to offer their services; and

WHEREAS, House Bill 2564, entitled the “Small Wireless Facilities Deployment Act” would divest municipalities’ zoning authority over wireless facilities located in a right-of-way, including the area on, below, or above a public roadway, highway, sidewalk, alley, utility easement or similar property; and

WHEREAS, House Bill 2564 would undermine the authority of municipalities to require that wireless facilities in rights-of-ways place antennas on existing poles, instead of new poles; and

WHEREAS, House Bill 2564 would limit municipalities’ authority to limit wireless facilities to certain zoning districts or roads that provide ample areas for such facilities; and


WHEREAS , House Bill 2564 would require municipalities to charge only nominal fees and costs related to wireless facilities which would be less than the actual municipal costs, thereby forcing taxpayers to subsidize wireless companies for the management of their facilities; and

WHEREAS, House Bill 2564 would allow wireless contractors to submit requests for up to 20 facilities in a single application and would shorten the timeframes for review from 30 to 15 days for an initial application and from 90 to 60 days for approval or denial of a new tower or antenna, such that municipalities would be unable to perform adequate and/or timely reviews.

NOW THEREFORE BE IT RESOLVED:

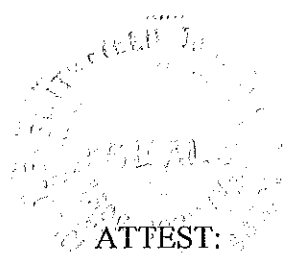
1. The Board of Supervisors of Middle Smithfield Township does hereby express opposition to HB 2564, which is not in the best interests of the Township's residents.
2. A copy of this Resolution shall be provided to our State Representative, State Senator, Governor, and all members of the House of Consumer Affairs Committee, the Committee to which HB 2564 has been assigned.

RESOLVED THIS 23rd DAY OF AUGUST 23, BY THE BOARD OF SUPERVISORS OF MIDDLE SMITHFIELD TOWNSHIP AT A LAWFUL SESSION DULY ASSEMBLED.



Annette Atkinson, Chairperson


Michael Dwyer, Vice Chairperson


Mark Oney, Supervisor



ATTEST:


Michele Clewell,
Township Secretary