

TOWNSHIP OF MIDDLE SMITHFIELD
MONROE COUNTY, PENNSYLVANIA

RESOLUTION #12-2017-4

RESOLUTION IN OPPOSITION TO HOUSE BILL 1620, ENTITLED THE
“WIRELESS INFRASTRUCTURE DEPLOYMENT BILL”

WHEREAS, broadband service is a critical catalyst for economic development, student achievement, and the efficiency of local government; therefore, the Township of Middle Smithfield supports the deployment of broadband services, both wired and wireless.

WHEREAS, distributed antenna systems, a wireless technology, includes the placement of wireless towers and antennae in public rights-of-way; and

WHEREAS, Pennsylvania municipalities must manage public rights-of-way, including facilities installed by public utilities and related companies, to maintain public safety and preserve the character of their communities; 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, House Bill 1620, entitled the “Wireless Infrastructure Deployment Bill” would divest municipalities’ zoning authority over wireless antennas and equipment in the public rights-of-way; and

WHEREAS, House Bill 1620 would limit the assessment of fees for wireless facilities in the rights-of-way such that municipalities could only charge minimal fees that 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 1620 would prohibit municipalities from requiring standard legal protections from companies with wireless facilities in the public rights-of-way, including full indemnification, bonding, and insurance coverage; and

WHEREAS, House Bill 1620 would allow wireless contractors to submit up to 50 permit requests in one application and would curtail the timeframe for initial review of wireless applications from 30 to 10 days, such that municipalities would be unable to perform adequate and/or timely reviews.

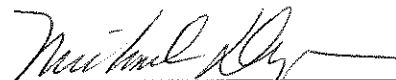
NOW THEREFORE BE IT RESOLVED:


1. The Board of Supervisors of Middle Smithfield Township does hereby express opposition to HB 1620, 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 1620 has been assigned.


RESOLVED THIS 28th DAY OF December, 2017, 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