

RESOLUTION NO. 13- 121

WHEREAS, Sprint has requested modification of the telecommunications facility located at 2625 Centron Ave SW , Decatur, AL to provide improved wireless services essentially within the corporate limits and police jurisdiction of the city of Decatur and;

WHEREAS, Sprint has complied with City's Ordinance No. 99-3536A and has demonstrated the need for modification of this wireless facility to deliver consistently reliable services in the identified area, and;

WHEREAS, both the City and Sprint customers in Decatur will benefit from improved service; and;

WHEREAS, the City's consultant, The Center for Municipal Solutions (CMS), recommends the granting of a Special Use Permit for modification of this facility located at 2625 Centron Ave SW which consists of an existing 162 foot monopole tower;

THEREFORE, BE IT RESOLVED by the City Council of the City of Decatur, Alabama that Sprint is hereby granted a Special Use Permit to modify existing facilities at 2625 Centron Ave SW. As recommended by CMS, the Special Use Permit is subject to compliance with the following conditions prior to the issuance of said permit and/or a Certificate of Completion:

1. The facility must be modified, activated and be providing enhanced service *no later than ninety (90) days after the issuance of the Special Use Permit or other applicable authorization, subject to commonly accepted force majeure exceptions acceptable to the City.* Sprint may petition the City of an extension of this for good cause shown, but the decision whether or not to grant the extension shall exclusively be the prerogative of the City. Once Sprint has met all the conditions of the permit and any other requirements of the City and a building permit is issued, they must notify the City's consultant for all inspections.
2. *Sprint must provide contractor information and construction schedule to the City and to CMS prior to issuance of the Building Permit.*
3. *At completion of construction, the Applicant must notify the City' consultant and provide proof that all inspections have been satisfactorily completed and the project is ready for a final on-site inspection. Upon passing the final inspection, a recommendation to issue a Certificate of Occupancy shall be made.*
4. Sprint shall not be permitted to actually provide enhanced service commercially until the Certificate of Occupancy or its functional equivalent is issued or risk forfeiting its Permit.
5. The Certificate of Occupancy shall not be issued until all fees and costs associated with this Permit, including inspections, have been paid.

ADOPTED this 28th day of May, 2013.