

Resolution No. 12-328

WHEREAS, AT&T has submitted an application to modify an existing tower at 2625 Centron Drive SW located in the City of Decatur and;

WHEREAS, AT&T has complied with the safety and permitting requirements of the City's Ordinance 99-3536A and both the City and AT & T customers in Decatur will benefit from improved service; and

WHEREAS, the City's consultant recommends the granting of a Special Use Permit for this facility located at 2625 Centron Drive SW which consists of a 162' monopole tower;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Decatur, Alabama that:

The City Council of the City of Decatur, AL, pursuant to Ordinance No. 99-3536A, hereby grants to AT&T a conditional Special Use Permit subject to the following conditions, any violation of which shall result in the revocation of the Special Use Permit.

- 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. AT&T may petition the City for 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.
- 2) AT&T shall provide contractor information to CMS and to City prior to request for issuance of Building Permit.
- 3) Once AT&T 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 CMS inspector for all inspections.
- 4) At the completion of construction the Applicant must notify the City's 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.
- 5) After the City's receipt of CMS's final invoice, all moneys owed the City must have been paid before the facility shall be allowed to provide service commercially and generate revenue from its use.
- 6) AT&T shall not be permitted to actually provide service commercially until the Certificate of Occupancy or its functional equivalent is issued at the risk of forfeiting its Permit.

Approved this the 1st day of October, 2012.