



Bill No. 4074

Ordinance No. \_\_\_\_\_

INTRODUCED BY

ALDERMEN UTT, FINLEY, STALLMANN, ROACH, FLEMING, LEAHY, KERLAGON, BULLINGTON

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AN ORDINANCE REVISING THE REGULATION OF WIRELESS COMMUNICATION FACILITIES AND SUPPORT STRUCTURES

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WHEREAS, the Board of Aldermen recognizes the passage of recent legislation and wishes to bring the Code of Ordinances of the City of Ballwin into conformance with State Law.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 7.6-6 of the Code of Ordinances of the City of Ballwin shall be repealed in its entirety and replaced with the following:

**Sec. 7.6-6. Special use exception required.**

All applications for wireless facilities and support structures not permitted under section 7.6-4 or 7.6-5 above shall require the approval by special use exception pursuant to the procedures and requirements of Appendix A of the City Code and issuance of building permits.

Applications for a special use exception shall be filed and processed in the manner established in Appendix A of the Code of Ordinances of the city (zoning ordinance). A decision by the board of aldermen shall be accompanied by substantial evidence supporting the decision, which shall be made a part of the written record of the meeting at which a final decision on the application is rendered. Evidence shall be submitted with the application or thereafter or presented during the public hearing by the applicant or others.

With respect to an application for a new wireless support structure, an authority may require an applicant to state in such applicant's application that it conducted an analysis of available collocation opportunities on existing wireless towers within the same search ring defined by the applicant, solely for the purpose of confirming that an applicant undertook such an analysis; for collocation to any certified historic structure as defined in RSMo. Section 253.545, in addition to all other applicable time requirements, there shall be a thirty-day time period before approval of an application.

Section 2. This Ordinance shall take effect and be in full force from and after its passage and approval.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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**TIM POGUE, MAYOR**



**Bill No. ~~4074~~**

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020. \_\_\_\_\_

*TIM POGUE, MAYOR*

ATTEST: \_\_\_\_\_

*ERIC STERMAN, CITY ADMINISTRATOR*