



Resolution

No. 2035

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA ADOPTING FEES FOR SMALL WIRELESS FACILITIES; REPEALING ANY CONFLICTING PROVISIONS, AND PROVIDING FOR SEVERABILITY.

WHEREAS, in 2017 the Arizona Legislature adopted HB 2365 which allowed small wireless facilities to be installed “by right” in all zoning districts and on any public street; and

WHEREAS, the City of San Luis adopted Ordinance 377 which approved (1) design standards, concepts and requirements; (2) forms of license agreements for wireless facilities and (3) standard terms and conditions for such agreements;

BE IT RESOLVED by the Mayor and City Council of the City of San Luis, Arizona, as follows:

Section 1. Fees for small wireless facilities shall be as follows:

- (A) Application Fee – New or Replacement Pole \$750.00
- (B) Annual Right of Way Use Fee. \$ 50.00
(for each facility in City’s right of way or utility easements)
- (C) Annual City Pole Use Fee \$ 50.00
(for each facility installed on a City-owned pole or on a City-owned wireless support structure in the City’s right of way or utility easements)

Section 2. In the event of a conflict between the provisions of this resolution and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this resolution shall govern.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this resolution is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the

remaining portions of this resolution.

PASSED, ADOPTED and APPROVED by the Mayor and City Council of the City of San Luis, Yuma County, Arizona this ____ day of March 2018

Gerardo Sanchez, Mayor

ATTEST:

APPROVED AS TO FORM:

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney