

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, Act No. 2021-5 was enacted at the 2021 Regular Session of the Legislature of Alabama and approved on February 19, 2021, and

**WHEREAS**, Act No. 2021-5 relates to wireless communications and establishes procedures to authorize wireless providers to install small wireless facilities on municipal right-of-ways, and

**WHEREAS**, Act No. 2021-5 exempts small wireless facilities from certain zoning review and approval procedures, and

**WHEREAS**, the City of Dothan recognizes its lawful duty to be in compliance with applicable federal law relating to small cell wireless facilities, and

**WHEREAS**, the City of Dothan further recognizes its lawful duty under state law, municipal ordinance, franchise and pole attachment agreements to balance the rights of telecommunication providers with the safety, privacy, property and security of the residents of the City of Dothan, and

**WHEREAS**, Act No. 2021-5 exempts municipalities that have adopted a resolution relating to the permitting of small wireless facilities and poles in rights-of-way of the municipality before May 1, 2021.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the City of Dothan as follows:

**Section 1:** That the City of Dothan does ordain and establish that the preservation of public health, safety and welfare requires that it provide for the permitting of small wireless facilities and poles in the rights-of-way of the City of Dothan through its ordinances, franchises and pole attachment agreements.

**Section 2:** That the City of Dothan does further ordain and establish that all ordinances, resolutions, franchises and pole attachment agreements relating to the permitting of small cell wireless facilities and poles in the rights-of-way of the City of Dothan are hereby modified to be in compliance with applicable federal laws, orders, or regulations within 90 days from a final non-appealable federal order, rule or regulation relating to small wireless facilities.

**PASSED, APPROVED AND ADOPTED** on the \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Associate Commissioner District 1**

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**Associate Commissioner District 2**

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**Associate Commissioner District 3**

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**Associate Commissioner District 4**

**ATTEST:**

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**Associate Commissioner District 5**

\_\_\_\_\_  
**Wendy Shiver**  
City Clerk

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**Associate Commissioner District 6**  
**BOARD OF COMMISSIONERS**