

STATE OF TEXAS
COUNTY OF WILLIAMSON

Resolution 05-09-2017

BE IT REMEMBERED, that on the 9th day of May, 2017, the City Council of the City of Florence met in Regular Session, and upon the request of the Council, the following item was placed on the agenda:

“A resolution opposing the enactment of SB 1515 and SB 1004, and any measure which restricts the ability of a municipality to regulate the placement of items in a right of way or public property.”

WHEREAS, Senator Kelly Hancock has filed SB 1515 and SB 1004, which would restrict the ability of municipalities to regulate the placement of communications equipment in public rights of way; and

WHEREAS, Regulation of municipal rights of way and other public properties is integral to the police powers of a municipality, and necessary to protect public safety and to provide for orderly development; and

WHEREAS, The proposed legislation would threaten property values by limiting the ability of local officials to set consistent policies for land use; and

WHEREAS, The proposed legislation does not provide a mechanism for municipalities to address safety concerns caused by the placement of items in the right of way, or adjacent to sensitive users, such as residences, schools and parks; and

WHEREAS, The proposed legislation would hamper the ability of municipalities to plan public infrastructure projects in an orderly and cost-effective manner, by denying them a say in the placement of items in the right of way, as well as potentially forcing cities to pay for the relocation of infrastructure that was placed on their property without their consent; and

WHEREAS, The proposed legislation violates the principle of local control, and represents the potential transfer of public resources to a private business; and


WHEREAS, The Florence City Council strongly opposes SB 1515 and SB 1004, and any effort to restrict the ability of municipalities to regulate the use of rights of way or other municipal property.

THEREFORE BE IT RESOLVED, that the City of Florence opposes the adoption of SB 1515 and SB 1004, and any effort to restrict the ability of municipalities to regulate the use of rights of way or other municipal property; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Governor, the Lieutenant Governor, all members of Congressional District 31 and to the chairmen of the relevant House and Senate Committees.

ADOPTED, this the 12th day of April, 2017.

City of Florence



Mary Condon, Mayor

ATTEST:



Amy L. Crane, City Secretary

