

STATE OF GEORGIA  
COUNTY OF FULTON

**AN ORDINANCE TO ADOPT REGULATIONS OF DISTRIBUTED ANTENNA  
SYSTEMS IN THE PUBLIC RIGHT OF RIGHT OF WAY AND ON CITY PROPERTY**

**WHEREAS**, the Mayor and City Council of the City of Sandy Springs are charged with the protection of the public health, safety, and welfare of the citizens of Sandy Springs, Georgia (“City”); and

**WHEREAS**, the installation, expansion, maintenance, and aesthetics of wireless telecommunications towers and facilities can have significant impacts upon adjacent properties, property values, and the public health, safety, and welfare of citizens in nearby properties; and

**WHEREAS**, the Federal Telecommunications Act authorizes the City to regulate the placement of wireless telecommunication towers and facilities through proper zoning procedures, so long as wireless service coverage is not prohibited; and

**WHEREAS**, Federal Telecommunications Act allows local governments to provide for reasonable regulations over the location, expansion, height, and maintenance of telecommunications structures; and

**WHEREAS**, the City has adopted an ordinance containing certain requirements for applicants to obtain a wireless support structure use permit, which ensures adequate wireless coverage while preserving the health, safety, and welfare of the citizens of the City, as well as preserving the aesthetic and historic nature of certain areas in the City; and

**WHEREAS**, advances in wireless telecommunication facilities include a network of small wireless Distributive Antenna Systems (“DAS”);

**WHEREAS**, the City finds that in order to ensure proper installation and operation of DAS facilities and preserve the structural soundness thereof, as well as preserve the safety and welfare of the citizens, compliance with regulations regarding the installation and use of DAS facilities in the right of way is desired.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Sandy Springs, Georgia, as follows:

**Section 1:** Article 1, Sections 50-5 – 50-23 are hereby revised as follows:

- Article I; Sections 50-5 – 50-23 (“Reserved”) shall be deleted in its entirety, and a new Article I, Sections 50-6 – 50-23 shall be inserted, leaving said sections “Reserved.”
- A new Article I, Section 50-5 shall be inserted to read as follows:

“Sec. 50-5      Definition of Distributive Antenna Systems and Regulation of  
Distributive Antenna Systems in the Right of Way

Distributive Antenna Systems (“DAS”) are a single, or network of spatially separated antenna nodes connected to a common source via transport medium that provides wireless service within a geographic area or structure.

Any Distributed Antenna System (“DAS”) in the public right of way or on a public road, City easement or any other City property, shall only be allowed if co-located on the property of other utilities legally existing in the right-of-way. DAS shall not be co-located on any City property.

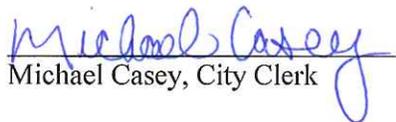
**Section 2:** This Ordinance shall become effective immediately upon its adoption by the City Council, and incorporated into the code of the City of Sandy Springs, Georgia. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

**APPROVED AND ADOPTED** this the 12<sup>th</sup> day of November, 2013.

Approved:

  
Eva Galambos, Mayor

Attest:

  
Michael Casey, City Clerk

(Seal)

