
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: ANTHONY SPECIALE, DIRECTOR OF PUBLIC WORKS
BRAD MERKEL, DEPUTY DIRECTOR OF PUBLIC WORKS
SUBJECT: ORDINANCE REPEALING TITLE 7 CHAPTER 6 OF THE VILLAGE
CODE OF ORDINANCES (SMALL CELL ANTENNAS)
AGENDA: MARCH 3, 2020 REGULAR BOARD MEETING
DATE: FEBRUARY 26, 2020

ISSUE

Should the Village Approve an Ordinance Repealing Title 7 Chapter 6 of the Village Code of Ordinances (Small Cell Antennas).

DISCUSSION

The Village had previously implemented regulations regarding small wireless facilities (Title 7, Chapter 6), which provisions have now been preempted and superseded by Public Act 100-0585, known as the Small Wireless Facilities Deployment Act ("Act") and has since adopted new rules and regulations (Title 7, Chapter 7) in compliance with the Act.

The following Ordinance and corresponding provision of the Village Code needs to be repealed: Ord. 2016-06-21D (Implementing Title 7 Chapter 6 of the Village Code– Small Cell Antennas (Microantennas) because it was based on the old Act.

COST

The cost for the Village Attorney to draft the Ordinance is approximately \$500. This is unbudgeted however, the funds are available in the Community Development, account number 01-55-6301: Legal Services.

RECOMMENDATION

That the Village Board Approve Ordinance Repealing Title 7 Chapter 6 of the Village Code of Ordinances (Small Cell Antennas).



**VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS**

Ordinance No. 2020 _____

**An Ordinance Repealing Title 7 Chapter 6 of the Village Code of Ordinances
(Small Cell Antennas)
Village of Sugar Grove,
Kane County, Illinois**

Adopted by the
Board of Trustees and President
of the Village of Sugar Grove
this ___ day of _____, 2020.

Published in Pamphlet Form
by Authority of the Board of Trustees
of the Village of Sugar Grove, Kane County,
Illinois, this ___ day of _____, 2020.

ORDINANCE NO. 2020_____

**An Ordinance Repealing Title 7 Chapter 6 of the Village Code of Ordinances
(Small Cell Antennas)
Village of Sugar Grove,
Kane County, Illinois**

BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows;

WHEREAS, the Village of Sugar Grove (“Village”) is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution, and accordingly, seeks to act pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

WHEREAS, the Illinois General Assembly adopted Public Act 100-0585, known as the Small Wireless Facilities Deployment Act (“Act”), which became effective on June 1, 2018; and,

WHEREAS, the Village had previously implemented regulations regarding small wireless facilities (Title 7, Chapter 6), which provisions have now been preempted and superseded by the Act; and,

WHEREAS, the Village has since adopted new rules and regulations (Title 7, Chapter 7) in compliance with the Act.

NOW, THEREFORE, be it ordained by the corporate authorities of the Village of Sugar Grove as follows:

SECTION ONE: REPEALER

The following Ordinance and corresponding provision of the Village Code is hereby repealed:

Ord. 2016-06-21D (Implementing Title 7 Chapter 6 of the Village Code– Small Cell Antennas (Microantennas))

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this Ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction; the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect on and after its approval,

passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, this ___ day of _____ 2020.

P. Sean Michels
President of the Board of Trustees
of the Village of Sugar Grove, Kane
County, Illinois

ATTEST: _____
Alison Murphy
Clerk, Village of Sugar Grove

	Aye	Nay	Absent	Abstain
Trustee Heidi Lendi	___	___	___	___
Trustee Ryan Walter	___	___	___	___
Trustee Sean Herron	___	___	___	___
Trustee Ted Koch	___	___	___	___
Trustee Rick Montalto	___	___	___	___
Trustee Jen Konen	___	___	___	___
Village President P. Sean Michels	___	___	___	___