

RESOLUTION 2025-11-0

Approving a Special Use Permit for the Modification of AT&T's Equipment on the Existing Telecommunication Facility Located at 3911 Eva Road

WHEREAS, AT&T has made an application to modify equipment on the existing telecommunication facility located at 3911 Eva Road, Eva, Alabama to provide improved wireless service within the corporate limits and police jurisdiction of the Town of Eva; and,

WHEREAS, AT&T has complied with Town's Wireless Telecommunication Ordinance and has demonstrated the need for additional modification of this wireless facility to deliver consistently reliable services in the identified area, and;

WHEREAS, both the City and AT&T's customers in Eva will benefit from improved service, and;

WHEREAS, the City's consultant, The Center for Municipal Solutions (CMS), recommends the granting of a Special Use Permit for the modification of AT&T's equipment at this facility located at 3911 Eva Road, which consists of a 305' guyed tower;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Eva, Alabama that AT&T is hereby granted a Special Use Permit for the modification of their equipment on the existing wireless telecommunication facility located at 3911 Eva Road, Eva, Alabama. As recommended by CMS, the Special Use Permit is subject to compliance with the following conditions prior to the issuance of said permit and/or a Certificate of Compliance:

1. Prior to the issuance of the Notice to Proceed (NTP), AT&T or the tower owner shall submit for review and approval, an ANSI/TIA-222 Annex J: Conditions and Maintenance Assessment for the guyed tower. Assessment shall be dated within the previous three (3) years to be valid. Assessment shall include a remediation report for all safety items noted as deficient in the report. Assessment shall include a guy tension report. Assessment shall include a twist and plumb report. The guy tension report and twist/plumb report shall include all measurements, calculations, and allowable tolerances used in the determination of the results of the report.
2. Prior to the issuance of the Notice to Proceed (NTP), AT&T or the tower owner shall submit for review and approval, a completed "Optional Checklist for Local Government to Determine Whether a Facility is Categorically Excluded" form.
3. Prior to the issuance of the Notice to Proceed (NTP), AT&T or the tower owner shall submit for review and approval, call signs for each frequency used by AT&T at this facility
4. To prevent warehousing of permits or authorizations and to ensure the best service to the Town's residents as expeditiously as possible, the facility must be built, activated, and provide service *no later than one hundred eighty (180) days after the issuance of the Special Use Permit or other applicable authorization, subject to commonly accepted force majeure exceptions acceptable to the Town*. AT&T may petition the Town for an extension of this for good cause shown, but the decision whether to grant the extension shall exclusively be the prerogative of the Town.

5. All contractors that worked on the construction of the facility shall obtain a business license from the Town of Eva.
6. AT&T shall not be permitted to provide service commercially until the Certificate of Occupancy or its functional equivalent is issued or risk forfeiting its Permit.
7. The Certificate of Occupancy shall not be issued until all fees and costs associated with this Permit, including inspections, have been paid.
8. The provision of the Certificate of Completion for this work shall be a precondition for any future modifications of any kind by this carrier, at this facility.

THEREUPON _____, a member, moved and _____, a member, seconded the motion that Resolution _____ be given vote, and said resolution passed by majority vote of the Council present, and the President of the Council declared the same passed.

ADOPTED this 10th day of November 2025.

Kent Chambers,
Mayor

[SEAL]

ATTEST

Kim Cryer,
Town Clerk