

**RESOLUTION**  
**No. 138-07-08**

**SPECIAL USE PERMIT FOR USE OF  
WIRELESS TELECOMMUNICATIONS FACILITY**

**WHEREAS**, RCC Atlantic, Inc. (Unicel) has submitted an application to co-locate on the water tank located at 2101 Jeff Davis Avenue; and

**WHEREAS**, RCC Atlantic, Inc. (Unicel) has complied with the City's Ordinance No. COS 013-00/01 and the visual impact of the proposed co-location on this water tank is negligible and would in all probability not be noticed by anyone, given the visual intrusiveness of the existing foot water tank; and

**WHEREAS**, both the City and RCC Atlantic, Inc. (Unicel) customers in Selma 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 this facility located at 2101 Jeff Davis Avenue. (Tax Parcel #12 09 30 30 005 02 80.00), which consists of an existing 152.4 meters water tank; and

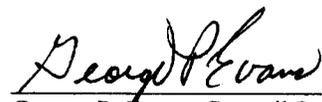
**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELMA, ALABAMA THAT:**

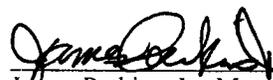
The City Council of the City of Selma, AL, pursuant to Ordinance COS 013-00/01, hereby grants to RCC Atlantic, Inc. (Unicel) a conditional Special Use Permit subject to the following conditions, any violation of which shall result in the revocation of the Special Use Permit.

- 1) To prevent warehousing of permits or authorizations and to assure the best service to the City's residents as expeditiously as possible, the facility must be built, activated and be providing service *no later than ninety (90) days after the issuance of the Special Use Permit or other applicable authorization, subject to commonly accepted force majeure exceptions acceptable to the City.* RCC Atlantic, Inc. (Unicel) may petition the City for an extension of this for good cause shown, but the decision whether or not to grant the extension shall exclusively be the prerogative of the City.
- 2) In order to minimize the profile (i.e. visual intrusiveness) of the antenna array, RCC Atlantic, Inc. (Unicel) shall use the smallest antennas that will not have the effect of prohibiting service.
- 3) Once RCC Atlantic, Inc. (Unicel) has met all the conditions of the permit and any other requirements of the City and a building permit is issued, they must notify the City's consultant for all inspections.
- 4) At the completion of construction the Applicant must notify the City's consultant and provide proof that all inspections have been satisfactorily completed and the project is ready for a final on-site inspection. Upon passing the final inspection a recommendation to issue a certificate of occupancy shall be made.
- 5) RCC Atlantic, Inc. (Unicel) shall not be permitted to actually provide service commercially until the Certificate of Occupancy or its functional equivalent is issued or risk forfeiting its Permit.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELMA, ALABAMA**  
On this the 10th day of December, 2007.

ATTEST:  
  
Lois Williams, City Clerk

  
George P. Evans, Council President

  
James Perkins, Jr., Mayor