

ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 1340

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO ADOPT DESIGN GUIDELINES FOR THE INSTALLATION OF WIRELESS FACILITIES IN PUBLIC RIGHT-OF-WAY; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA

Section 1. Design Guidelines for the Installation of Wireless Facilities in Public Right-of-Way Adopted. A certain document, as on file in the Office of the City Clerk of the City of La Vista and being marked and designated as the *Design Guidelines for the Installation of Wireless Facilities in Public Right-of-Way*, is hereby adopted as the official Design Guidelines for the Installation of Wireless Facilities in Public Right-of-Way of the City of La Vista to regulate and provide certain design criteria and specifications for the collocation or installation of wireless facilities, including but not limited to network nodes and node support poles, and related use of or work in right of way, within the corporate boundaries or extraterritorial jurisdiction of the City of La Vista; and each and all of the regulations, provisions, conditions and terms of such *Design Guidelines for the Installation of Wireless Facilities in Public Right-of-Way* and specified appendices, are hereby referred to, adopted, incorporated, and made a part hereof as if fully set out herein. Such design criteria and specifications shall be effective with respect to all collocations and installations, and all applications or proposals for collocation or installation, of wireless facilities including but not limited to network nodes or node support poles, and related use of or work in right of way, on or after January 1, 2019, unless a different date is specified from time to time by the Mayor and City Council.

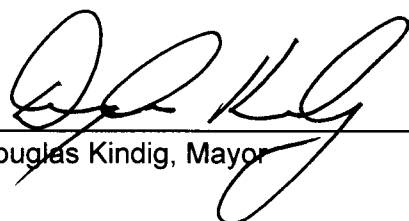
Section 2. Repeal of Conflicting Provisions. Any conflicting provision of any previously enacted ordinance is hereby repealed.

Section 3. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section 4. Effective Date. This ordinance shall be in full force and effect from and after its passage, approval and publication in accordance with applicable law.

PASSED AND APPROVED THIS 2ND DAY OF JANUARY, 2019.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC
City Clerk