

RESOLUTION NO. 05-03

**A RESOLUTION AUTHORIZING INTERIM APPLICATION PROCESS FOR
TELECOMMUNICATIONS TOWERS WITHIN THE CITY LIMITS OF
ROSWELL, NEW MEXICO**

WHEREAS, by the enactment of the Telecommunications Act of 1996, there has been substantial growth in the construction of wireless telecommunications facilities; and

WHEREAS, the City of Roswell, New Mexico is in the process of updating the current ordinance to more effectively protect the health, safety and welfare of Roswell, and to remove or change certain sections of the current ordinance in order to comply with the Telecommunications Act of 1996 and the recent case law decisions and to assure the orderly development of wireless technology in Roswell; and

WHEREAS, the City of Roswell, New Mexico would like to review the development of procedures governing the filing of an application, reviewing and analyzing an application, and granting a permit to construct and use wireless telecommunications facilities or other tall structures for the purpose of providing wireless communications services; and

WHEREAS, THE City of Roswell has no pending applications for wireless telecommunications facilities; and

WHEREAS, a reasonable time to complete its aforementioned review, and for the City of Roswell to enact any required ordinance resulting therefore is deemed to be ninety (90) days from the adoption of this Resolution; and


WHEREAS, applications for a building permit, special use permit or site plan approval, or other necessary City approval for a monopole, lattice tower or other telecommunications antennae installations, including, but not limited to cellular antennae installations, shall be accepted.

WHEREAS, it is not the intention of the City to permanently prohibit the installation or construction of monopole, lattice tower, other telecommunications antennae installations, including, but not limited to cellular antennae installations in the City or violate the Telecommunications Act of 1996. However, a permit shall not be approved and issued for ninety (90) days from the adoption of this Resolution to allow the City to enact the revised ordinance; and

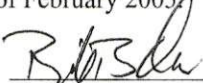
WHEREAS, it is the intention of the Roswell City Council by adopting this Resolution that all applications made after the adoption of this Resolution shall comply with the revised ordinance that is approved by the Roswell City Council in the next ninety (90) days.

NOW THEREFORE, BE IT HEREBY RESOLVED by the governing body of the City of Roswell, New Mexico that for ninety (90) days hence applications for permits shall be received, but not processed until Ordinance 1301 is amended to comply with current changes in the law.

ADOPTED, SIGNED, APPROVED this 10th day of February 2005.

CITY SEAL


Tim Stoessel, City Clerk



Bill B. Owen, Mayor