

## Legislation Details (With Text)

**File #:** 17-0732      **Version:** 2      **Name:** Small Cell Facilities - Appendix A, Permit Fees  
**Type:** Ordinance      **Status:** Second Reading  
**File created:** 8/10/2017      **In control:** Board of Mayor & Aldermen  
**On agenda:** 9/12/2017      **Final action:** 9/12/2017  
**Title:** Consideration Of Ordinance 2017-25, To Be Entitled: "An Ordinance To Amend Appendix A - Comprehensive Fees And Penalties, Chapter 16 - Streets And Sidewalks, Etc. Relative To Creating Small Cell Facility Permit Fees And Fees For Use Of City-Owned Property And Public Right-Of-Way". (08/22/17 1st BOMA Reading 5-0) SECOND AND FINAL READING  
**Sponsors:** Eric Stuckey, Vernon Gerth  
**Indexes:**  
**Code sections:**

**Attachments:** 1. Ordinance 2017-25 Small Cell Facilities -- Appendix A Fees.Law Approved 3

Date	Ver.	Action By	Action	Result
9/12/2017	2	Board of Mayor & Aldermen	approved	Pass
8/22/2017	2	Work Session	acknowledged	
8/22/2017	2	Board of Mayor & Aldermen	referred	Pass

**DATE:** August 10, 2017

**TO:** Board of Mayor and Aldermen

**FROM:** Eric Stuckey, City Administrator  
Vernon Gerth, Assistant City Administrator  
Paul Holzen, Director of Engineering

### **SUBJECT:**

Consideration Of Ordinance 2017-25, To Be Entitled: "An Ordinance To Amend Appendix A - Comprehensive Fees And Penalties, Chapter 16 - Streets And Sidewalks, Etc. Relative To Creating Small Cell Facility Permit Fees And Fees For Use Of City-Owned Property And Public Right-Of-Way". (08/22/17 1<sup>st</sup> BOMA Reading 5-0) SECOND AND FINAL READING

### **Purpose**

The purpose of this memo is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning Ordinance 2017-25, "An Ordinance To Amend Appendix A - Comprehensive Fees And Penalties, Chapter 16 - Streets And Sidewalks, Etc. Relative To Creating Small Cell Facility Permit Fees And Fees For Use Of City-Owned Property And Public Right-Of-Way".

### **Background**

In May, staff provided a general overview of Small Wireless Facilities and of our intention to draft an ordinance that provides reasonable oversight for the installation of Small Wireless Facilities within the City's public right-of-way. There is an increasing trend towards more dense telecommunication networks that better support end-user data demand, particularly in high-traffic areas. In providing this type of capacity and coverage, operators have begun using Small Wireless Facilities rather than the larger-scale "tower-type" deployments that have not kept pace with the increasing demand due to the challenges of finding acceptable tower sites (locations).

Based on staff research (including dialog with mobile network operators), staff has determined successful small cell deployments involve coordination and cooperation between jurisdictions and operators to ensure operators have access to existing pole facilities, including traffic signals, street lights and utility poles and any new installations are sensitive to the character of adjacent neighborhoods.

Equally important, staff has been monitoring the Federal Communications Commission's conversations regarding the deployment and regulations of Small Wireless Facilities to ensure our ordinance aligns with federal law and changes in the telecommunications field.

### **Financial Impact**

In addition to ensuring new installations are not proliferating unnecessarily within our public right-of-way, the fee structure proposed in Ordinance 2017-25 is intended to cover the City's administrative cost for reviewing plans and preparing right-of-way use agreements (\$500), issuing permits and performing inspections (\$100), and an annual lease (\$100 per location).

### **Recommendation**

Staff recommends approval of Ordinances 2017-04 and 2017-25 relative to monitoring the installation of Small Wireless Facilities within the public right-of-way and other City property.