



Doing Things!

PUBLIC WORKS





Communication Facilities in Right-of-Way

WHY IS REVISED ORDINANCE NEEDED?

EXISTING COUNTY CODE 170-266(H):

PROHIBITS THE PLACEMENT OF VERTICAL STRUCTURES WHERE THE PRIMARY PURPOSE IS TO SERVE AS A MOUNTING DEVICE FOR ANTENNAE WITHIN THE COUNTY RIGHTS-OF-WAY.



Communication Facilities in Right-of-Way

TELECOMMUNICATIONS ACT:

THE REGULATION OF THE PLACEMENT, CONSTRUCTION, AND MODIFICATION OF PERSONAL WIRELESS SERVICE FACILITIES BY ANY STATE OR LOCAL GOVERNMENT:

- SHALL NOT UNREASONABLY DISCRIMINATE AMONG PROVIDERS OF FUNCTIONALLY EQUIVALENT SERVICES; AND
- SHALL NOT PROHIBIT OR HAVE THE EFFECT OF PROHIBITING THE PROVISION OF PERSONAL WIRELESS SERVICES.



Communication Facilities in Right-of-Way

MORATORIUM:

**THE COUNTY HAS A 6 MONTH
PERMITTING MORATORIUM IN PLACE
THAT EXPIRES ON APRIL 25, 2017.**



Communication Facilities in Right-of-Way

OBJECTIVE OF MODIFIED ORDINANCE

- **COMPLIANCE WITH STATE AND FEDERAL LAW, INCLUDING THE FEDERAL TELECOMMUNICATIONS ACT.**
- **FACILITATE THE INSTALLATION OF COMMUNICATION FACILITIES WITHIN THE RIGHT-OF-WAY**



Communication Facilities in Right-of-Way

MODIFICATION PROCESS:

- REVIEW OF SIMILAR ORDINANCES IN THE USA
- PARTNER INPUT FROM 3 COMMUNICATION FACILITY INSTALLERS AND PROVIDERS
- COUNTY SPECIFIC OBJECTIVES



Communication Facilities in Right-of-Way

ITEMS ADDRESSED BY REVISED ORDINANCE:

- **AESTHETICS:**
 - HEIGHT OF POLES
 - TYPE OF MATERIAL
- **SAFETY:**
 - DISTANCE FROM SIDEWALKS AND PEDESTRIAN RAMPS; ADA COMPLIANCE
 - DISTANCE FROM EXISTING POLES AND BUILDINGS
 - REQUIREMENT FOR NON-OBSTRUCTION OF PEDESTRIAN AND VEHICULAR TRAFFIC
 - BONDING: LONG TERM MAINTENANCE OBLIGATION



Communication Facilities in Right-of-Way

ORDINANCE IMPLEMENTATION

- **APPLICABLE TO ALL COUNTY OWNED/MAINTAINED RIGHT-OF-WAY**
- **RIGHT-OF WAY UTILIZATION PERMIT PROCESS**
- **MULTIPLE INSTALLATIONS ALLOWED UNDER ONE PERMIT**
- **BONDING OPTIONS FOR MULTIPLE INSTALLATIONS**



Communication Facilities in Right-of-Way

CHALLENGES:

- SB 596
- HB 687
- SB 1158

THESE MAY LIMIT OR PROHIBIT COUNTY FROM REGULATING COMMUNICATION FACILITIES.



Communication Facilities in Right-of-Way

QUESTIONS?



Our Vision: To Be the Standard for Public Service in America





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