

1-17-18

Agenda Item Id:

Item Title

AMENDMENT TO RESOLUTION 2001-01: PERMITS TO WORK IN DEDICATED MARICOPA COUNTY RIGHT-OF-WAY

C Number: C-64-18-030-M-02

Action Requested:

Approve the Amendment to Maricopa County Resolution 2001-01: Permits to Work in Dedicated Maricopa County Right-of-Way. The amendment to the Resolution followed the Enhanced Regulatory Outreach Process and the additional language was approved by the Board of Supervisors on November 8, 2017. This request formalizes the inclusion of the additional language as part of Resolution 2001-01.

Board Required Information:

HB 2365 requires the County to establish rates, fees, and terms for the installation, modification, or replacement by a wireless provider of a utility pole located in a right-of-way; the collocation of a small wireless facility in a right-of-way; and the collocation of a small wireless facility on a county utility pole. Currently the permit fees charged for small cell wireless follow the permit fees outlined in Resolution 2001-01 (Permits to Work in Dedicated Maricopa County Right-of-Way). The average cost for installation of a utility pole with small wireless is currently \$414. HB 2365 limits the amount charged to a maximum fee of \$100 and a maximum rate of \$175.

HB 2365 also requires the rate be based on the average fair market value of the County right-of-way that is suitable for the deployment of wireless facilities and utility poles. It requires an ordinance establishing time frames for processing small wireless facility permits. This is accomplished by current Ordinance No. P-30.

HB 2365 also requires the County to establish an administrative waiver process for height limitations, undergrounding requirements, and spacing requirements. Supervisory District No. All

Additional Information:

Expenditure Impact By FY:

Fees received will be reduced.

Item Notes:

(1/11/2018 10:29:37 AM) - Step: ClrkOfBrd

User: Maria Ceaglske

MARICOPA COUNTY RESOLUTION

TO AMEND RESOLUTION 2001-01

PERMITS TO WORK IN DEDICATED MARICOPA COUNTY RIGHT-OF-WAY

(C-64-18-030-M-~~01~~02)

WHEREAS, The Arizona State Legislature enacted Arizona House Bill 2365 (HB 2365), effective August 9, 2017, specifying the permits and fees that the County can charge for small-cell wireless facilities.

WHEREAS, the Maricopa County Department of Transportation (MCDOT) needs to amend *Resolution 2001-01 Permits to Work in Dedicated Maricopa County Right-of-Way* to comply with HB 2365.

NOW THEREFORE BE IT RESOLVED that *Resolution 2001-01 Permits to Work in Dedicated Maricopa County Right-of-Way* is amended as to provide that the applicant shall, before any permit is issued, deposit with the Maricopa County Department of Transportation a permit fee as determined from the schedule of fees set forth in Exhibit B or Exhibit C for installation or collocation of wireless structures and facilities. (The new Exhibit C is attached and no changes are made to Exhibit B of the Resolution.)

ADOPTED by the Maricopa County Board of Supervisors in public session this 8th day of November, 2017

BY: _____



Chairman, Board of Supervisors

ATTEST:

 JAN 17 2018
Clerk, Board of Supervisors

APPROVAL OF DEPUTY COUNTY ATTORNEY

I hereby state that I have reviewed the proposed Resolution and declare the document to be in proper form and within the powers and authority granted to the County by its governing body under the laws of the State of Arizona.

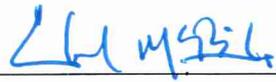
 _____ 1/16/18
Deputy County Attorney Date

Exhibit C

Small Wireless Structures and Facilities Schedule of Permit Fees and Rates

<u>Individual Permit Application</u>	<u>Fee</u>
Permit Application and Inspection Fee	\$100.00 per application
 <u>Consolidated Permit Applications</u>	
Permit Application and Inspection Fee for first five (5) locations	\$100.00 per location
Permit Application and Inspection Fee for each additional location	\$ 65.00 per location
 <u>Permit Rate</u>	
Collocation on an existing non-County owned structure without ground equipment	\$0
Collocation on an existing non-County owned structure with ground equipment	\$175
Collocation on an existing County owned structure without ground equipment	\$20
Collocation on an existing County owned structure with ground equipment	\$175
Installation of a new non-County owned structure with collocation (with or without ground equipment)	\$175
Replacement of County owned structure	\$0