

# Oregon Joint Use Association



## Coordinating with Local Government: The 6-Step Program Checklist

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### Objective:

To streamline the approval process through the use of clear and objective standards, while recognizing “home rule” authority of local government to customize standards for their community. Assist with aligning the interests of pole owners, local government and telecoms.

Local governments should review their engineering design/public works standards, development code and other applicable laws and policies: rights of way use and permit regulations, franchise agreements and other ordinances. The following are topics for a City to consider as they prepare to set policies and review applications for small cell deployment.

### **1. Develop or Amend Design Standards and Specifications which can be Included in a Public Works/Engineering Manual and/or Development Code. See OJUA Best Practices for further information.**

#### **o Public Works/Engineering Manual Topics:**

- i. Pole specs: colors, materials, height, use of anti-graffiti paint
- ii. Minimize variety of models to standardize on preferred options
  1. Exterior mounted small cell radio and antenna on traditional joint use wooden pole
  2. Strand-mounted design w/shut off at the pole
  3. Impact of street light lamps: Cobra-heads, decorative lighting, acorns, etc.
  4. Monopoles – small cell equipment only
  5. City-owned street light pole
- iii. Locations – don’t impede pedestrians, vehicles or bicycles – adhere to ADA guidelines
- iv. Communicate standards/expectations for trimming excess vegetation
- v. Policies on communication equipment on traffic signals or other street furniture?

- vi. Footing specifications/wind loading/breakaway base on impact – degree of engineering review?
- vii. Process for handling modifications, pole transfers and equipment upgrades
- viii. Removal of stranded or abandoned equipment
- ix. Opportunities for batching of applications
- x. Pre-construction and pre-application meetings and site walks
- xi. Understand safety and signage requirements for occupational exposure and residents
- xii. Antennas size, radio options and design constraints – don't be prescriptive
- xiii. Co-Location – encouraged?
- xiv. Describe final inspection criteria for acceptance
- xv. Does city need a Non-Ionizing Electromagnetic Radiation (NIER) report from a licensed radio frequency (RF) engineer or is it sufficient to require that the pole owner retain a copy?
- xvi. Note shot-clock time requirements
- xvii. Hierarchy of preferred streets for small cell deployment (arterial→local)
- xviii. Requirements for participating in locating utilities prior to construction
- xix. Relocation of utilities
- **Development Code Topics**
  - i. Special permitting or designs in historic or other special districts
  - ii. Heights by district – FCC rules allow some extensions
  - iii. Coordinating permissions between pole owner and local government – needs to be iterative
  - iv. Is there a preference for streetlight pole with stealth/shrouded equipment – versus wooden pole with exterior mounted equipment
  - v. Allow a range of equipment sizes/bulk towards the smaller end of the scale yet still effective

## **2. Create/Develop Applications Processes**

- **Attachment to Local Government Owned Poles**
  - i. Negotiate a Site Agreement with Telecom Providers
  - ii. May create contractual or property rights which may not be pre-empted
  - iii. May be a master agreement with site specific licenses

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- **ROW Use Authorization Options**
  - i. Franchise Agreement
  - ii. ROW License
  - iii. ROW Construction Permit
- **Designate and Expect a Reciprocal Single Point of Contact (a.k.a. project manager)**
  - i. For city, pole owner and telecoms – incumbent has responsibility to coordinate on behalf of respective team
  - ii. Communicate shifts in contacts over life of permitting, installation and inspections
  - iii. Clarify approval procedures, costs and timetable for approval among parties
  - iv. Respect approval process and avoid “end runs” to elected officials. Expect ethical treatment by all parties.
  - v. Revise review processes for concurrent review of permits, plans and applications for efficiency and cost savings

### **3. Develop Inventory of Poles in ROW for Asset Management System**

- Pole owner
- Material type and other characteristics: condition, other users on pole and any agreements for attachments
- Policies on pole replacement and make-ready for other attachment
- Location - Long/Lat, address, ROW or public utility easement (PUE)
- Photo of pole w/attachments and use aerial or oblique photography information for preliminary site reviews
- emergency contact info at network operating center (NOC),
- GIS-based database
- Site characteristics
- Develop procedures for handling any propriety data
- Power agreements

### **4. Construction**

- **Connection to Fiber Cable or Other Means of Backhaul/Resiliency**
  - i. Expect permit applications, licenses or agreements and fees to install and maintain equipment in the ROW
  - ii. Managing contractors and sub-contractors – know who is working for whom

- iii. Fiber usage agreements between private parties may be proprietary info, but rental revenue gained through leases of conduit/fiber may be subject to ROW or franchise fees
- iv. Confirm license status of fiber provider
- v. Street surface may be under a new pavement moratorium limiting intrusions for a specified period of time
- **Inspections**
  - i. ROW manager or Public Works will inspect as for any other construction in the street or sidewalk
  - ii. May have on-going maintenance responsibilities/performance security for surface and sub-surface integrity

## **5. Public Relations**

- Expectations of wireless carriers
  - i. For immediate neighbors of a small cell – courtesy notices
  - ii. For general public, neighborhood groups, etc.
- Education and responses to questions from the public
  - i. Exchange contacts lists
  - ii. Ask carriers for phone numbers and emails for customer questions and inquiries

## **6. Power:**

- Most often this is part of the arrangements between the pole owner and the telecom.
- Tariff authority needed for regulated utility – flat rate or other options
- Small meters – measured service
- Power company may require a separate circuit for streetlights and a separate circuit for small cell usage
- Prohibition from sharing a streetlight + small power charge = redistribution of electricity
- Comply with National Electrical Safety Code (NESC) or National Electrical Code (NEC) as required