

SUMMARY: An ordinance establishing provisions relating to the installation of small cell wireless equipment within rights-of-way owned by Carson City.

BILL NO. 112

ORDINANCE No. 2020-13

AN ORDINANCE RELATING TO TELECOMMUNICATIONS; AMENDING TITLE 5 (PUBLIC UTILITY FRANCHISES AND REQUIREMENTS), BY ADDING THERETO A NEW CHAPTER 5.14 (SMALL CELL WIRELESS EQUIPMENT) TO ESTABLISH LICENSING REQUIREMENTS AND POLICIES AND PROCEDURES; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

The Board of Supervisors of Carson City do ordain:

SECTION I:

That Title 5 (PUBLIC UTILITY FRANCHISES AND REQUIREMENTS) is hereby amended by adding thereto a new chapter 5.14 (SMALL CELL WIRELESS EQUIPMENT) (**bold, underlined text** is added, ~~stricken~~ text is deleted) as follows:

Chapter 5.14 – SMALL CELL WIRELESS EQUIPMENT

SECTION II:

That Title 5 (PUBLIC UTILITY FRANCHISES AND REQUIREMENTS), new Chapter 5.14 (SMALL CELL WIRELESS EQUIPMENT) is hereby amended by adding thereto a new section 5.14.010 (**bold, underlined text** is added, ~~stricken~~ text is deleted) as follows:

5.14.010 – Purpose.

1. The Board hereby determines and declares that the adoption of a framework establishing policies, procedures and other requirements governing the installation of small cell wireless equipment within rights-of-way owned by the city is necessary and beneficial to wireless providers and the public at large and for the enhancement of a transparent and uniform process for such installation.

2. It is the purpose of this chapter to prevent unnecessary fragmentation of policies, procedures and other requirements for the installation of such equipment by adopting guidelines to facilitate proper implementation of wireless technology in the city.

SECTION III:

That Title 5 (PUBLIC UTILITY FRANCHISES AND REQUIREMENTS), new Chapter 5.14 (SMALL CELL WIRELESS EQUIPMENT) is hereby amended by adding thereto a new section 5.14.020 (**bold, underlined text** is added, ~~{stricken}~~ text is deleted) as follows:

5.14.020 – Applicability.

The provisions of this chapter:

1. Apply to the deployment of small cell wireless equipment in and on rights-of-way owned by the city; and

2. Do not apply to the deployment of such equipment in or on private real property not owned by the city.

SECTION IV:

That Title 5 (PUBLIC UTILITY FRANCHISES AND REQUIREMENTS), new Chapter 5.14 (SMALL CELL WIRELESS EQUIPMENT) is hereby amended by adding thereto a new section 5.14.030 (**bold, underlined text** is added, ~~{stricken}~~ text is deleted) as follows:

5.14.030 - Master license agreement; policies and procedures.

1. A wireless provider must, before submitting an application for a building permit to install small cell wireless equipment pursuant to subsection 2, enter into a master license agreement with the city. A copy of the form master license agreement is available, without charge, from the Development Engineering Division of the Carson City Community Development Department, 108 E. Proctor Street, Carson City, Nevada 89701, and on the Internet website at <https://carson.org/government/departments-g-z/public-works>.

2. If a master license agreement has been entered into pursuant to subsection 1, the wireless provider may submit an application for a building permit to install small cell wireless equipment in and on a right-of-way owned by the city in the manner prescribed by *Carson City Public Works Placement of Small Cell Wireless Equipment in Carson City Right-of-Way Policy*, as may be amended, which sets forth the fees, policies, procedures and other requirements for the installation of small cell wireless equipment in accordance with any applicable state or federal law or any regulation adopted thereto, and is hereby adopted by reference. A copy of the policy is available, without charge, from the Development Engineering Division of the Carson City Community Development Department, 108 E. Proctor Street, Carson City, Nevada 89701, and on the Internet website at <https://carson.org/government/departments-g-z/public-works>.

3. The Carson City Community Development Department shall prescribe a form for applications submitted pursuant to subsection 2.

SECTION V:

That no other provisions of the Carson City Municipal Code are affected by this ordinance.

SECTION VI:

This ordinance shall be in force and effect from and after the 18th day of the month of October of the year 2020.

PROPOSED on September 3, 2020 by Supervisor Brad Bonkowski


PASSED on October 1, 2020 by the following vote:

AYES: Supervisor Lori Bagwell
Supervisor John Barrette
Supervisor Stacey Giomi
Mayor Pro Tempore/Acting Mayor Brad Bonkowski

NAYS: None

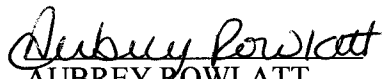
ABSENT: None

ABSTAIN: None



Brad Bonkowski
Mayor Pro Tempore/Acting Mayor

ATTEST:


AUBREY ROWLATT
Carson City Clerk-Recorder