



## CITY COUNCIL MEMORANDUM

**FROM:** The Office of the City Manager    **DATE:** August 28, 2017  
**SUBJECT:** Consider Ordinance No. 3474, amending Chapter 70, Appendix A - Fee Schedule regarding small cell wireless facilities.  
**PRESENTER:** Clayton Husband, Principal Planner

### **SUMMARY:**

The attached ordinance would amend Appendix A – Fee Schedule to add new fees regarding small cell wireless facilities for Chapter 70, Streets, Sidewalks, and Other Public Places, to comply with certain provisions of the new Chapter 284 of the Texas Local Government Code.

### **GENERAL DESCRIPTION:**

The Texas Legislature recently passed Senate Bill 1004, which becomes effective September 1, 2017. Chapter 284 mandates that wireless infrastructure and service providers have access to the public right-of-way to locate their wireless facilities, including network nodes, support poles, and transfer facilities.

Placing wireless facilities in a right-of-way is standard practice for many utility companies, but Chapter 284 standardizes the practice and caps the fees that the City of North Richland Hills can charge for the use of the public rights-of-way. The City must provide 60 days' written notice of a rate increase to each provider.

The following fees are proposed.

Code Section	Description	Fee
70-235(d)	Network node, small cell wireless facilities	\$500 – covers up to five (5) nodes \$250 per application for each additional node
	New support pole	\$1,000 per application for each pole
	Annual public right-of-way rate, subject to CPI increase	\$250 per node installed in the right-of-way within the city boundaries

### **RECOMMENDATION:**

Approve Ordinance No. 3474.