



Legislation Text

File #: 21-283, **Version:** 1

TITLE:

Amendment to Miscellaneous Fees and Charges Schedule to Establish Fees for Small and Micro-Wireless Facilities in Rights-of-Way

PURPOSE: The purpose of this item is for the Town Council to adopt a resolution amending the Town's Miscellaneous Fees and Charges Schedule.

DEPARTMENT: Planning; Public Works, Finance

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INFORMATION: The Town's Fees and Charges Schedule for FY 2021-2022 was adopted on June 22, 2021 in association with the annual budget.

During the 2017 Session, the North Carolina legislature adopted S.L. 2017-159 (HB 310) which amended G.S. 160A-400.50 to G.S. 160A-400.57, and G.S. 136-18.3A (provisions relating to NCDOT rights-of-way) establishing new regulations for the collocation of small wireless infrastructure. Additional amendments were made in the 2019 and 2020 sessions. The Town held a public hearing on amendments to land use and encroachment requirements for this infrastructure on June 16, 2020. The hearing was continued to June 23, 2020, at which time the amendments were adopted. The agenda materials may be viewed here:

[Town of Carrboro - File #: 20-247 \(legistar.com\) <https://carrboro.legistar.com/LegislationDetail.aspx?ID=4569321&GUID=C6B92C6F-13F1-4FEC-9410-25649201B487&Options=&Search=&FullText=1>](https://carrboro.legistar.com/LegislationDetail.aspx?ID=4569321&GUID=C6B92C6F-13F1-4FEC-9410-25649201B487&Options=&Search=&FullText=1)

And

[Town of Carrboro - File #: 20-258 \(legistar.com\) <https://carrboro.legistar.com/LegislationDetail.aspx?ID=4576461&GUID=6C14DEAA-712A-4C8F-96EC-D32CCFF0DFB9&Options=&Search=>](https://carrboro.legistar.com/LegislationDetail.aspx?ID=4576461&GUID=6C14DEAA-712A-4C8F-96EC-D32CCFF0DFB9&Options=&Search=>)

The amendments establish where and how the facilities may be deployed within rights of way in accordance with State law. The facilities most typically will be a canister visible at the top of a new or existing power pole, along with associated utility boxes installed lower on the pole. A small number of the facilities have already been installed in Carrboro, such as the newly installed pole in front of 300 East Main Street as an example.

Of note and as stated in the proposed fee, State law does not allow the town to charge a fee for micro antennas placed on a wire going from one pole to another pole. These micro antennas may only be up to 11 inches long, and essentially will look like an enlarged wire where the micro antenna is attached.

Adjustments to the fee schedule are proposed in accordance with the maximum limits allowed under the statutes adopted by the General Assembly, presented in *Attachment A*.

FISCAL & STAFF IMPACT: Maximum fees relate to public works and planning department reviews and approvals for these facilities.

RECOMMENDATION: Staff recommends that the Town Council adopt the attached resolution amending the Miscellaneous Fees and Charges Schedule to include fees related to the installation of small and micro-wireless facilities within Town rights-of-way (*Attachment A*).