

Resolution No. 19-062

**A resolution authorizing fees relative to small cells within  
the public right-of-way of the City of Arlington, Texas**

WHEREAS, the Texas Legislature enacted Texas Local Government Code Chapter 284 (“Chapter 284”), effective September 1, 2017, governing the deployment of small cells and associated equipment, in particular, network nodes, node support poles, and transport facilities; and

WHEREAS, the Federal Communications Commission issued its *Declaratory Ruling and Third Report and Order, WT Docket No. 17-79, WC Docket No. 17-84* (“FCC Order”), effective January 14, 2019, governing the deployment of small wireless facilities; and

WHEREAS, the City desires to implement fees in compliance with Chapter 284 and the FCC Order, regarding the deployment of network nodes, small wireless facilities, node support poles, and transport facilities; NOW THEREFORE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

I.

That effective upon passage of this resolution, the following fees related to small cells, network nodes, small wireless facilities, node support poles, and transport facilities within the City of Arlington are hereby authorized:

Permit Application Fees	
Permit Type	Fee
1. Network Node Permit Application	\$500 for 1-5 network nodes (in a single/batch application)
	\$100 for each additional network node (in a single/batch application)
2. Node Support Pole Application	\$1,000 for each pole
The permit fees above are non-refundable and are due at time of permit application submittal.	

Annual Public Right-of-Way Rental Fees	
Type	Fee
1. Transport Facility *	\$28 per month per node or \$336 per year per node
* Network providers that install their own transport facilities will be charged the above rental fee unless or until the time the network provider's payment of municipal fees to the City exceeds its monthly aggregate per-node compensation to the municipality, pursuant to Texas Local Government Code § 284.055(b).	
2. Network Node **	\$250 per node per year
3. Collocation of Node on City Service Pole	\$20 per service pole per year
<p>** A pro-rated fee will be assessed for the first year.</p> <p>For network nodes that are not collocated on City service poles, the fee amount will be adjusted annually by an amount equal to one-half the annual change to the Consumer Price Index (CPI), pursuant to Texas Local Government Code § 284.054, but not to exceed \$20 for a maximum total of \$270 for all recurring rental fees, pursuant to the FCC Order at ¶ 79.</p> <p>For network nodes that are collocated on City service poles, the fee amount will not be adjusted per the CPI as noted above, in compliance with the FCC Order at ¶ 79.</p> <p>The annual public right-of-way rental fees above are non-refundable and are based on the date of the permit issuance.</p>	

PRESENTED AND PASSED on this the 19th day of March, 2019,  
by a vote of 8 ayes and 0 nays at a regular meeting of the City Council of the  
City of Arlington, Texas.



W. JEFF WILLIAMS, Mayor

ATTEST:



ALEX BUSKEN, City Secretary

APPROVED AS TO FORM:  
TERIS SOLIS, City Attorney



BY \_\_\_\_\_