

**CITY OF AVONDALE
NOTICE OF INTENT - PROPOSED NEW OR INCREASED FEES**

Pursuant to A.R.S. § 9-499.15, the City of Avondale, Arizona (“Avondale”) hereby gives notice that it may adopt a resolution to impose a new or increased tax or fee on businesses.

APPLICATION FEES AND ANNUAL RATES FOR WIRELESS FACILITIES IN CITY RIGHT-OF-WAY

Facility Type	Application Fees	Annual Rates
New/Replacement poles NOT subject to zoning review	\$750	\$50 use of right-of-way and \$50 use of City-owned pole
New/replacement poles subject to zoning review	\$1,000	\$200 use of right-of-way (if use is permitted)
Colocation on existing Support structure	\$100 per facility (up to 5) \$50 per additional facility (5-25)	\$50 use of right-of-way and \$50 use of City-owned pole

The proposed application fees and annual rates for wireless facilities in the City’s rights-of-way are intended to recoup costs associated with managing the public rights-of-way. While the total costs associated with the processing and permitting are greater than the proposed fees and rates, A.R.S. § 9-951 *et seq.* sets a maximum for the amount for fees.

APPLICATION FEES AND ANNUAL RATES FOR MICROCELL EQUIPMENT MOUNTED ON STRANDS

Facility Type	Application Fees	Annual Fee
Microcell equipment	\$750	\$50 use of right-of-way

INSPECTION FEES FOR WIRELESS FACILITIES IN CITY RIGHT-OF-WAY

Facility Type	Hourly Rate
Existing Poles	\$120/hour to a maximum of \$1,200
New/Replacement Poles	\$120/hour to a maximum of \$2,400

REPORT SUPPORTING NEW FEES

A.R.S. § 9-951 allows wireless providers to install, operate and maintain small wireless facilities in the City’s rights-of-way. The City may charge application fees and annual fees for the use of right-of-way, for the construction, installation, maintenance, modification, operation or replacement of a support structure in the right-of-way or for the collocation of a small wireless facility on a City-owned pole.

Application Fees

New/replacement poles that are not subject to zoning review: The total cost of reviewing and permitting a small wireless facility is estimated to be \$1,200.00; however, State law caps the allowable application fee at \$750.00.

New/replacement poles subject to zoning review: The total cost of reviewing and permitting these applications is estimated to be \$1,600.00; however, State law caps the allowable fee at \$1,000.00. There is no recommended fee for monopoles in the right-of-way, because Zoning Code Section 708(B)(1)(b) excludes monopoles in the right-of-way by limiting installations to small cell facilities only.

Collocation on existing support structures: The total cost of reviewing and permitting a small wireless facility to collocate on an existing support structure is estimated to be \$1,200; however, State law caps the application fee at \$50.00. If there are no proposed changes to the existing support structure, the applications may be submitted in batches of up to 25 facilities. The total cost of reviewing and permitting these batches is estimated to be \$30,000.00; however, State law caps the application fee for up to five facilities at \$100 per facility and an additional \$50 per facility in excess of five.

Microcell equipment: The total cost of reviewing and permitting microcell equipment on strands is estimated to be \$800.00; therefore, the application and permitting fee is \$800.00.

Annual Rates

State law authorizes the City to collect annual rates for the use of right-of-way for the purposes of installing wireless facilities.

- For the category of new/replacement poles that are not subject to zoning review, the annual rate for use of the right-of-way is \$50.00 and the annual rate for attaching to a City-owned pole is \$50.00 – both set by State law.
- For new/replacement poles that are subject to zoning review, the annual rate is \$200.00 and is based on the calculation of direct and actual costs of managing the right-of-way, as allowed by State law.
- For collocation on support structures that don't require any modification, the annual rates are allowed to be charged and cannot exceed an amount equal to \$50.00 multiplied by the number of small wireless facilities within the jurisdiction located in the right-of-way and \$50.00 multiplied by the number of small wireless facilities collocated on City-owned poles.
- For microcell equipment using City-owned poles, the annual rate is \$50.00.

The Avondale City Council will consider this matter at its regular City Council meeting to be held at the Avondale City Council Chambers, located at 11465 W. Civic Center Dr., Avondale, Arizona 85323, on April 16, 2018 at 7:00pm. Following such consideration, the City Council may approve, disapprove or modify said ordinance/resolution.

Information about the proposed fee is available on the City's website at www.avondaleaz.gov.

DATE POSTED ON CITY OF AVONDALE WEBSITE: February 8, 2018