



NO. 2020-21

A RESOLUTION OF THE SANDY CITY COUNCIL ESTABLISHING FEES FOR THE PLACEMENT OF SMALL WIRELESS FACILITIES IN THE RIGHT OF WAY.

WHEREAS, the City of Sandy (“City”) has Constitutional and Charter authority to manage the public right-of-way in the City (“ROW”); and

WHEREAS, Resolution 2020-20 regulates the placement of Small Wireless Facilities (“SWF”) in the ROW; and

WHEREAS, the City Council finds that all utilities placing SWF in the ROW should compensate the City for the privilege of such ROW use, which is a limited public asset; and

WHEREAS, the City Council further finds that the City should be compensated for the costs, impacts and burdens related to such use; and

WHEREAS, the City has authority under State and Federal law to establish by resolution fees related to such use; and

WHEREAS, the City Council desires to adopt uniform SWF application and usage fees;

NOW, THEREFORE, THE CITY OF SANDY RESOLVES AS FOLLOWS:

Section 1. The application fee for siting SWF on existing infrastructure, as they involve both access to City ROW and vertical infrastructure located in the City ROW, shall be \$500.00 for up to 5 sites and \$100.00 for each additional site, unless the City’s actual cost of processing such applications exceeds the otherwise applicable fee, in which case the fee shall be adjusted to an amount equal to the City’s actual cost for processing the application. The application fee for siting SWF on new support structures proposed to be installed in the City ROW, or for the replacement or modification of existing support structures to allow for the siting of SWF, shall be \$1,000.00 per new, replacement or modified support structure, unless the City’s actual cost of processing such applications exceeds the otherwise applicable fee, in which case the fee shall be adjusted to an amount equal to the City’s actual cost for processing the application. In those cases where the City’s processing costs exceed the otherwise applicable application fee, the fee paid shall cover all reasonable costs incurred by the City in securing outside expertise necessary to evaluate such applications.

Section 2. The annual usage fee for SWF shall be \$270.00 per facility sited in the City ROW, unless the City's actual cost for administering and making the City ROW available for the subject attachment(s) exceeds the otherwise applicable fee, in which case the annual fee shall be adjusted to an amount equal to the City's actual cost for administering and making the City ROW available for the subject attachment(s). In those cases where the City's annual per-attachment cost exceeds the otherwise applicable usage fee, the actual usage fee paid shall cover all reasonable costs incurred by the City in securing outside expertise necessary to administer and make the City ROW available for the subject attachment(s).

Section 3. This Resolution shall be effective immediately upon its adoption by the City Council.

This resolution is adopted by the Common Council of the City of Sandy and approved by the Mayor this 03 day of August 2020

Stan Pulliam, Mayor

ATTEST:

Jeff Aprati, City Recorder