

City of Raymore Unified Development Code

Chapter 420: Use Regulations

Wireless Communication Facility	A facility related to the use of the radio frequency spectrum for the purposes of transmitting or receiving radio signals, and may include, but is not limited to radio towers, television towers, telephone exchanges, microwave relay towers, telephone transmission equipment buildings and commercial mobile radio service facilities. The wireless communication facility use category includes all associated equipment unless the written context clearly indicates that another meaning is intended. The term “associated equipment” is to be read broadly and in context. Associated equipment may include, but is not limited to: antenna, equipment shelter or platform, lighting, monopole tower, mounting hardware, and supporting electrical or mechanical equipment.
Wireless Communication Facility, Collocated	A wireless telecommunication facility that is attached to an existing pole, tower or other structure including, but not limited to, a structure that can accommodate the future installation of two or more antenna systems.
Wireless Communication Facility, Freestanding	A new tower, monopole or other unattached structure erected to support wireless communication antennas and connecting appurtenances.

Section 420.040 Use-Specific Standards – Other Uses

C. Wireless Telecommunications Facilities

The regulations contained in this section have been developed in accordance with the general guidelines set forth in the Federal Telecommunications Act of 1996.

1. Applicability

a. Pre-existing Towers and Antennas

Except as otherwise noted, the requirements of this section apply to all new wireless telecommunications facilities, any portion of which is located within the City of Raymore. Any towers and/or antennas legally existing and in use prior to adoption of this section will be allowed to continue as a nonconforming use. This section will not preclude the routine maintenance, repair and/or replacement of antennas on pre-existing towers. Any such towers or antennas will be referred to in this section as “pre-existing towers” or “pre-existing antennas.”

b. District Height Limitations

The requirements set forth in this section govern the location of towers and alternative support structures and/or antennas that are installed at a height in excess of 20 feet. Zoning district height limitations as specified in bulk and dimensional standards tables do not apply.

c. Public Property

Existing antennas or towers located on property owned, leased or otherwise controlled by the City are exempt from the requirements of this section, provided a license or lease authorizing the antenna or tower has been approved by the City Council.

d. Enclosed Wireless Systems

Wireless telecommunications facilities that are completely within an existing structure, with no visible evidence of the telecommunications facilities and do not use a telecommunications tower or an alternative support structure are exempt from this section.

2. General Standards

a. Federal Requirements

All towers and antenna must meet applicable standards and regulations of the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC) and any other agency of the Federal Government with the authority to regulate towers and antennas.

b. License

Applications for required permits will only be processed when the applicant demonstrates either that it is a FCC-licensed telecommunications provider or that it has agreements with a FCC-licensed telecommunications provider for use or lease of the support structure.

c. Registration

On January first of each fifth year following the installation of the wireless telecommunications facility the owner of such facilities must submit a letter to the Development Services Director registering the antenna(s) on forms prepared by the City and submitting information on location, type, FCC licensure, antenna operating status and any change in facility status in the previous registration period.

d. Principal or Accessory Use

Antennas and towers may be considered either principal or accessory uses. A different existing use or an existing structure on the same lot will not preclude the installation of an antenna or tower on a lot. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to yard, lot coverage and other district requirements, the dimensions of the entire lot will control, even though the antennas or towers may be located on leased parcels within an individual lot.

e. Inventory of Existing Sites

Each applicant for an administrative approval or a conditional use permit must provide to the Development Services Director an inventory of its existing towers that are either within the City limits or within one mile of its boundary,

including specific information about the location, height and design of each tower. The Development Services Department may share such information with other applicants applying for administrative approvals or conditional use permits under this section or other organizations seeking to locate antennas within the jurisdiction of the City; provided, however, that the Development Services Department is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

f. Building Codes and Safety Standards

To ensure the structural integrity of towers, the owner of a tower must ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the City concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner will have 30 days to bring the tower into compliance with applicable codes and standards. If the owner fails to bring the tower into compliance within 30 days, the City may remove the tower at the owner's expense.

g. Inspections

The City and its agents have the authority to enter onto the property upon which a tower is located between the inspections and certifications required to inspect the tower for the purpose of determining whether it complies with the International Building Code and all other construction standards provided by the City's Code, Federal, and State law. The City reserves the right to conduct such inspections at any time, upon reasonable notice to the owner.

h. Non-Use/Abandonment

Any antenna or tower that is not operated for a continuous period of 12 months will be considered abandoned. The owner of such antenna or tower must remove it within 90 days of receipt of notice from the City notifying the owner of such abandonment. If such antenna or tower is not removed within 90 days, the City may remove such antenna or tower at the owner's expense. If there are two or more users of a single tower, then this provision will not become effective until all users cease using the tower. It will be the duty of the telecommunications service provider and/or tower owner to provide written notice to the City when said condition exists.

i. Facilities in Agricultural Zoning Districts

For the purposes of this section, land currently zoned agricultural will be treated according to its zoning designation provided for in the "Future Land Use Plan," included as part of the City of Raymore Growth Management Plan.

j. Third Party Review

When the City staff determines that the technical information provided by the applicant warrants outside review, the applicant, in addition to the usual application fee, must reimburse the City for the actual cost to the City for the

services of a technical expert to review the application and/or information submitted, up to a maximum of \$5,000.00.

k. Building Permit

A building permit is required for the installation of any tower, antenna, alternate tower structure or wireless telecommunications facility.

l. Pre-application Meetings

Prior to leasing or purchasing facilities, the telecommunications service provider is encouraged to meet with the Development Services Director or his/her designee to determine if the location will require a conditional use permit or other approvals, the required submittals, and to review the merits of potential locations.

3. Submittal Requirements for All Facilities

a. Submittal requirements for all towers, alternative tower structures, antennas, equipment facilities or other telecommunications facilities include the following:

- (1)** legal description of the parcel, if applicable;
- (2)** a letter signed by the applicant stating the tower facility will comply with all applicable FAA regulations and EIA Standards and all other applicable Federal, State and local laws and regulations;
- (3)** a statement by the telecommunications company that it is licensed by the FCC if required to be licensed under FCC regulations;
- (4)** proof of lease agreements with an FCC licensed telecommunications provider if such telecommunications provider is required to be licensed by the FCC;
- (5)** copies of any environmental documents required by any Federal agency. These include the environmental assessment required by FCC Para. 1.1307, or, in the event that an FCC environmental assessment is not required, a statement that describes the specific factors that obviate the requirement for an environmental assessment;
- (6)** certification that the antenna usage will not interfere with other adjacent or neighboring transmission or reception functions;
- (7)** at the time of site selection, a statement that demonstrates how the proposed site fits into its overall network within the City;
- (8)** a site plan clearly indicating the location, type and height of the proposed tower, alternative support structure, antenna, and/or equipment facility and all other required site plan data in accordance with the City's application requirements;
- (9)** the approximate distance between the proposed tower and the nearest residential building, residentially zoned properties, and from any property where the future land use designation indicated by the Growth Management Plan is residential;

- (10) a screening plan including the method of fencing, finished color and, if applicable, the method of illumination;
- (11) a landscape plan indicating the specific placement of the facility on the site in relation to any existing landscaping and natural features on the site and all existing and proposed landscape materials to be utilized to screen the facility; and
- (12) photo-simulations of the proposed facility from affected residential properties and public rights-of-way at varying distances.

b. Additional Submittal Requirements for Specific Facilities

In addition to the above listed submittal requirements for all telecommunications facilities, the following are required for proposed antenna:

(1) Antennas on Existing Towers or Alternative Support Structures

Engineering evidence of the structural capacity of the existing tower to support the proposed telecommunication facility.

(2) New Towers and Alternative Support Structures

(a) A statement by a registered professional engineer as to whether construction of the tower or alternative support structure can accommodate collocation of additional antennas for future users. If the construction of the tower or structure will accommodate the collocation of additional antennas, a signed statement indicating that:

- i. the applicant and landowner agree they will diligently negotiate in good faith to facilitate collocation of additional personal wireless service facilities by other providers on the applicants structure or within the same site location; and
- ii. the applicant and/or landlord agree to remove the facility within 60 days after abandonment in accordance with the abandonment regulations, herein.

(b) A map showing the locations and service areas of other adjacent telecommunications facilities operated by the applicant and those proposed by the applicant that are close enough to impact service within the City, so as to determine whether a new tower or structure is necessary.

c. Proprietary Information

In the event meeting any submission requirements of this subsection requires presentation of proprietary confidential information, the applicant may submit same under seal, which will be returned upon approval of the application and made available to the City at its request.

4. Design Standards for Antennas, Towers, and Alternative Support Structures

a. Height/Location

Any applicant proposing to construct a tower or alternative support structure must demonstrate utilizing engineering evidence that the height requested is the minimum height necessary to fulfill the site function.

b. Aesthetics and Lighting

This subsection provides standards for the appearance of all towers, alternative support structures and antennas as follows:

- (1)** towers must either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness;
- (2)** at a tower site, the design of the buildings and related structures must, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities with the surrounding natural setting and built environment;
- (3)** if an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is nearly identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible. All cables and related utility structures must be placed underground where required by the City; and
- (4)** towers cannot be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the City may review the available lighting alternatives allowed by the FAA and approve the design that would cause the least disturbance to surrounding property owners.

c. Setbacks and Separation

The following setbacks and separation requirements apply to all towers:

- (1)** towers must be set back a distance of at least four times the tower height from any residential structure and any property currently zoned or designated by the Growth Management Plan for RE, RR, R-1A, R-1, R-1.5 or R-2;
- (2)** towers, guys, and accessory facilities must satisfy the minimum zoning district setback requirements; and
- (3)** in zoning districts other than BP, M-1 or M-2 Districts, towers over 90 feet in height cannot be located within one mile of any existing tower that is over 90 feet in height.

d. Security and Fencing

Freestanding facilities must be enclosed by security fencing secured with a locked gate that is six feet in height and must also be equipped with an

appropriate anti-climbing device. Chain-link or other wire fencing is only permitted where it is screened from public view by a minimum eight foot-wide landscape strip in accordance with subparagraph 5, below.

e. Landscaping

The following requirements are for landscaping around the base of towers and equipment structures:

- (1) the base of tower facilities and ground level equipment buildings must be landscaped with a buffer of plant materials that effectively screens it from adjacent residential properties. The standard buffer must consist of a landscaped strip at least eight feet wide around the perimeter of the facility; and
- (2) in locations where the visual impact of the tower and/or equipment building would be minimal or where the facility is adequately screened by existing vegetation, the landscaping requirement may be reduced or completely waived.

f. Equipment Structures

The standards for the design of equipment structures are as follows:

- (1) equipment structures mounted on a roof must have a finish similar to the exterior building walls. Equipment for roof-mounted antenna may also be located within the building on which the antenna is mounted;
- (2) in instances where equipment buildings are located in residential zoning districts, equipment buildings must comply with setback requirements and be designed to be compatible in appearance with nearby residential structures; or where feasible located underground; and
- (3) if the equipment cabinets or storage buildings contain machinery that produces noise, the cabinet or building must be designed so to meet the noise regulations of the City.

g. Signs

Except as otherwise permitted in this section, no signs, lettering, symbols, images or trademarks in excess of 200 square inches may be placed on or affixed to any part of a telecommunications tower, antenna, antenna array, equipment building, or security fencing other than as required by FCC regulations or other applicable laws.

h. Access and Parking

All parcels upon which towers are located must provide at least one vehicular space on-site. The dimensions of access drives, parking aisles and spaces to meet this requirement must meet the minimum standards delineated in Chapter 425.

i. Height/Type Limitation

Guyed towers and towers over 199 feet in height will only be permitted when other options are unavailable or prove to be technically infeasible.

j. Exceptions

The City Council may reduce or waive the requirements of this subsection if the purpose of this section would be better served thereby.

5. Special Standards for Facilities in Residential Districts

In addition to all other standards and criteria provided for in this section, the following standards apply to wireless telecommunications facilities in zoning districts “RE”, “RR”, “R-1A”, “R-1”, “R-1.5”, “R-2”, “R-3”, “R-3A”, and “R-3B”:

a. Antennas and antenna support structures will only be allowed on any lot used for residential purposes as follows:

- (1)** support structures operated by an amateur radio operator licensed by the FCC as regulated under Section 405.030B1 and 410.030B1; and
- (2)** satellite antennas one meter or less in diameter erected on a residence or residential property.

b. Antennas will only be allowed on existing non-residential buildings within residential districts as follows:

- (1)** Antennas and related equipment must be concealed by the architecture of the structure such as clock towers, observation towers, church steeples, etc.
- (2)** Except as otherwise noted below, antennas and related equipment will only be permitted on existing non-residential structures which are 20 feet or greater in height and comply with the provisions below:
 - (a)** all antennas and related equipment may be rooftop mounted or attached to the side of an existing structure so long as such antennas and equipment do not increase the height of the existing structure by more than 15 feet;
 - (b)** antennas and related equipment must be camouflaged or painted with a color which is determined to be compatible with the structure to the satisfaction of the Development Services Director;
 - (c)** no freestanding telecommunication towers of any kind will be permitted in a residential district except as may be erected on public properties for the health and safety purposes by the City or other entity of the government; or in such a case that no other options are available or technically feasible; and
 - (d)** in residential districts, antennas may be placed on structures used for utility transmission purposes with the permission of the utility company. Such antennas cannot increase the existing height of the support structure by more than 15 feet.

6. Special Standards for Facilities Proposed on Public Property

a. Priority

Where public property is requested to be utilized by an applicant, priority for the use of City-owned land for wireless antennas and towers will be given to the following entities in descending order:

- (1)** the City of Raymore;
- (2)** public safety agencies, including law enforcement, fire and ambulance services, which are not part of the City of Raymore and private entities with a public safety agreement with the City of Raymore;
- (3)** other governmental agencies, for uses which are not related to public safety; and
- (4)** entities providing licensed commercial wireless telecommunication services including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), data, Internet, paging, and similar services that are marketed to the general public.

b. Minimum Requirements

The placement of wireless telecommunication facilities on City-owned or other public property must comply with the following minimum requirements, and any additional requirements as provided for in the required lease:

- (1)** the facilities will not interfere with the purpose for which the City-owned property is intended;
- (2)** the facilities will have no significant adverse impact on surrounding private property;
- (3)** the applicant is willing to obtain adequate liability insurance and commit to a lease agreement that includes equitable compensation for the use of public land and other necessary provisions and safeguards. The City shall establish fees after considering comparable rates in other cities, potential expenses, risks to the City, and other appropriate factors;
- (4)** the applicant will submit a letter of credit, performance bond or other security acceptable to the City to cover the costs of removing the facilities;
- (5)** the antennas or tower will not interfere with other users who have a higher priority;
- (6)** the lease will provide that the applicant agrees that in the case of a declared emergency or documented threat to public health, safety or welfare and following reasonable notice, the City may require the applicant to remove the facilities at the applicant's expense;

- (7) the applicant must reimburse the City for any related costs which the City incurs because of the presence of the applicant's facilities;
- (8) the applicant must obtain all necessary land use approvals; and
- (9) the applicant must cooperate with the City's objective to encourage collocations and thus limit the number of telecommunications sites requested or camouflage the site as necessary.

7. Review Procedures

a. Administrative Approvals

(1) General

The Development Services Director may administratively approve the telecommunications facilities as described in this subsection.

- (a) Each applicant for administrative approval must apply to the Development Services Director, providing the information set forth in Section 420.040C3 of this section, and any other information the Development Services Director deems necessary.
- (b) The Development Services Director must approve, approve with conditions or disapprove complete applications within 30 days upon receipt. If the Development Services Department fails to respond to the applicant within said 30 days, then the application will be deemed to be approved.
- (c) In connection with any such administrative approval, the Development Services Director may, in order to encourage shared use, administratively waive any zoning district setback requirements by up to 50 percent.
- (d) If an administrative approval is denied, the applicant may appeal the denial in accordance with the provisions of Section 470.080. An applicant denied an administrative approval may also seek a conditional use permit under the provisions of Section 470.030.

(2) Authorized Administrative Approvals

The following requests for telecommunications facilities may be approved by the Development Services Director after conducting an administrative review:

(a) Antennas on Existing Towers or Structures

- i. Installation of an antenna on an existing structure other than a tower (such as a building, sign, light pole, water tower or other free-standing non-residential structure), provided that the addition does not add more than 15 feet to the height of the existing structure, and that:

- a) the structure is not designated as an historic structure by the City Council;
 - b) the antenna does not extend horizontally from the side of the structure farther than the minimum necessary for attachment; and
 - c) where the antenna extends horizontally from the side of a building, it is camouflaged by the use of materials, colors, textures or screening so that it will visually blend into the building.
- ii.** Installation of an antenna on an existing tower of any height, including a pre-existing tower and further including the placement of additional buildings or other equipment used in connection with the proposed antenna, provided that the antenna does not add more than 15 feet to the height of the existing tower.

(b) New Alternative Support Structures

Location of any alternative tower structure in any zoning district that, in the judgment of the Community Development Director, is in conformity with the purposes set forth in this section; or

(c) New Towers in Commercial, Business Park, or Industrial Districts

Location of any tower in a “C-2”, “C-3”, “BP”, “M-1” or “M-2” zoning district provided a registered professional engineer certifies the tower can structurally accommodate the number of shared users proposed by the applicant; the Development Services Director concludes the tower is in conformity with the purposes and standards set forth in this section; and the tower meets the following criteria:

- i.** the tower must be less than 120 feet in height, and of a monopole design; and
- ii.** all towers over 60 feet in height must be designed to accommodate antennas for more than one user. The number of users accommodated must be reasonably proportional to the height of the tower.

b. Conditional Use Permits

(1) General

The following provisions, and those set forth in Section 470.030, will govern the issuance of conditional use permits:

- (a)** if the tower or antenna is not permitted to be approved administratively pursuant to Section 420.040C7, then a conditional

use permit is required for the construction of a tower or the placement of an antenna in all zoning districts;

- (b) in granting a conditional use permit, the City may impose conditions to the extent the governing authority concludes such conditions are necessary to minimize any adverse effect of the proposed tower on adjoining properties; and
- (c) any information of an engineering nature that the applicant submits, whether civil, mechanical or electrical must be certified by a registered professional engineer.

(2) Site Approval

The use must be approved on a site plan or final plat, as applicable, and be located on a platted lot.

(3) Term

An initial request for a conditional use permit will be limited to five years. At the time of renewal the applicant must demonstrate to the satisfaction of the City that a good-faith effort has been made to cooperate with other providers to establish collocation at the tower site. Good-faith effort must include, but is not limited to, timely response to collocation inquiries from other providers and sharing of technical information to evaluate the feasibility of establishing collocation. Failure to demonstrate that a good-faith effort has been made, or to properly register with the City according to Section 420.040C2c may result in the denial of the request for a renewal.

(4) Review Criteria

(a) General

The applicant must demonstrate that the proposal is consistent with the conditional use approval criteria in Section 470.030E, the following criteria, and other criteria as may be appropriate to further the purposes of this section. The governing authority may waive or reduce the burden on the applicant of one or more of these criteria, if the governing authority concludes that the purposes of this section are better served thereby:

- i. minimal height of the proposed tower, consistent with technical requirements of the telecommunications service;
- ii. utilization of surrounding topography to minimize visibility of the tower from existing and future residential areas and public streets;
- iii. utilization of surrounding tree coverage and foliage to minimize visibility of the tower from existing and future residential areas and public streets;

- iv.** type and design of the tower, with particular reference to design characteristics that have the effect of camouflaging facilities or otherwise reducing or eliminating visual obtrusiveness;
- v.** proximity of the tower to residential structures and residential district boundaries;
- vi.** nature of uses on adjacent and nearby properties;
- vii.** mitigation of visual impact;
- viii.** proposed ingress and egress; and
- ix.** availability of suitable existing towers and other structures.

(b) Visual Impact

To the extent feasible, wireless telecommunications towers:

- i.** must be located where they are the least obtrusive as viewed from prominent public locations;
- ii.** must be placed within forested areas with antennas just above tree-line;
- iii.** must not be so located or be of such height as to necessitate FAA coloring or lighting;
- iv.** must be located in industrial or heavy commercial areas;
- v.** must be of the minimum height necessary for operation of the telecommunication system, considering the visual trade-off of a greater number of towers at lower heights; and
- vi.** must not be located and visible in historic districts or on historic structures designated by the City Council.

(c) Availability of Suitable Existing Towers or Other Structures

No new tower will be permitted unless the applicant demonstrates to the reasonable satisfaction of the City that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of any of the following:

- i.** no existing towers or structures are located within the geographic area required to meet the applicant's engineering requirements;
- ii.** existing towers or structures are not of sufficient height to meet the applicant's engineering requirements;

- iii. existing towers or structures do not have sufficient structural strength to support the applicant’s proposed antenna and related equipment;
- iv. the applicant’s proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant’s proposed antenna;
- v. the fees, costs or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable; or
- vi. the applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

8. Small Wireless Facilities *(Amendment 32- Ordinance 2020-056, 10.12.2020)*

a. Applicability

To the extent permitted by law, this Section shall apply to all Persons desiring to construct, operate, or maintain Small Wireless Facilities within the City.

b. Definitions

For the purposes of this Section, the following terms, phrases, words, and abbreviations shall have the meanings given herein, unless otherwise expressly stated.

“Antenna”, communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services;

“Applicable Codes”, uniform building, fire, electrical, plumbing, or mechanical codes adopted by the City to prevent physical property damage or reasonably foreseeable injury to persons;

“Applicable Law,” state and federal law and regulation applicable to the construction, installation, deployment or Collocation of Wireless Facilities and Utility Poles, including those laws and regulations of general applicability that do not apply exclusively to Wireless Facilities or Wireless Providers such as local ordinances and state law relating to use of Right-of-Way;

“Applicant”, any person who submits an application and is a wireless provider;

“Application”, a request submitted by an applicant to the City for a permit

to collocate small wireless facilities on a utility pole or wireless support structure, or to approve the installation, modification, or replacement of a utility pole;

“City Utility Pole”, means a utility pole, as defined below, owned, managed, or operated by or on behalf of the City; except municipal electric utility distribution poles or facilities;

“Collocate” or “Collocation”, to install, mount, maintain, modify, operate, or replace small wireless facilities on or immediately adjacent to a wireless support structure or utility pole, provided that the small wireless facility antenna is located on the wireless support structure or utility pole;

“Decorative Pole”, a City Utility Pole that is specially designed and placed for aesthetic purposes;

“Fee”, a one-time, non recurring charge;

"Historic district", a group of buildings, properties, or sites that are either listed in the National Register of Historic Places or formally determined eligible for listing by the Keeper of the National Register, the individual who has been delegated the authority by the federal agency to list properties and determine their eligibility for the National Register, in accordance with Section VI.D.1.a.i-v of the Nationwide Programmatic Agreement codified at 47 C.F.R. Part 1, Appendix C, or are otherwise located in a district made subject to special design standards adopted by a local ordinance or under state law as of January 1, 2018, or subsequently enacted for new developments;

"Micro wireless facility", a small wireless facility that meets the following qualifications:

- (a) Is not larger in dimension than twenty-four inches in length, fifteen inches in width, and twelve inches in height; and
- (b) Any exterior antenna no longer than eleven inches;

“Small Wireless Facility Permit”, a written authorization from the City Public Works Director to collocate Small Wireless Facilities in or outside the Right-of-Way, or to install, replace, maintain or operate a Utility Pole inside the Right-of-Way for any purpose;

“Rate”, a recurring charge;

“Right-of-Way”, the area on, below, or above a public roadway, highway, street, sidewalk, alley, or similar property used for public travel, but not including a federal interstate highway, railroad right-of-way, or private easement;

“Small Wireless Facility”, a wireless facility that meets both of the following qualifications:

(1) Each wireless provider’s antenna could fit within an enclosure of no more than six cubic feet in volume; and

(2) All other equipment associated with the wireless facility, whether ground or pole mounted, is cumulatively no more than twenty-eight cubic feet in volume, provided that no single piece of equipment on the utility pole shall exceed nine cubic feet in volume; and no single piece of ground mounted equipment shall exceed fifteen cubic feet in volume, exclusive of equipment required by an electric utility or municipal electric utility to power the small wireless facility.

The following types of associated ancillary equipment shall not be included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs and related conduit for the connection of power and other services;

"Technically feasible", by virtue of engineering or spectrum usage, the proposed placement for a small wireless facility or its design or site location can be implemented without a reduction in the functionality of the small wireless facility;

“Utility Pole”, a pole or similar structure that is or may be used in whole or in part by or for wireline communications, electric distribution, lighting, traffic control, signage, or a similar function, or for the collocation of small wireless facilities;

“Wireless Facility”, equipment at a fixed location that enables wireless communications between user equipment and a communications network, including equipment associated with wireless communications and radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration.

The term includes small wireless facilities. The term does not include:

(1) The structure or improvements on, under, or within which the equipment is collocated;

(2) Coaxial or fiber-optic cable between wireless support structures or utility poles;

(3) Coaxial or fiber-optic cable not directly associated with a particular small wireless facility; or

(4) A wireline backhaul facility.

“Wireless Infrastructure Provider”, any person, including a person authorized to provide telecommunications service in the state, that builds or installs wireless communication transmission equipment or wireless facilities but that is not a wireless services provider;

“Wireless Provider”, a wireless infrastructure provider or a wireless services provider;

“Wireless Services”, any services using licensed or unlicensed spectrum, including the use of wifi, whether at a fixed location or mobile, provided to the public using wireless facilities;

“Wireless Services Provider”, a person who provides wireless services;

“Wireless Support Structure”, an existing structure, such as a monopole or tower, whether guyed or self-supporting, designed to support or capable of supporting wireless facilities; an existing or proposed billboard; an existing or proposed building; or other existing or proposed structure capable of supporting wireless facilities, other than a structure designed solely for the collocation of small wireless facilities. Such term shall not include a utility pole.

"Wireline backhaul facility", a physical transmission path, all or part of which is within the right-of-way, used for the transport of communication data by wire from a wireless facility to a network.

c. General Standards:

- 1.** Neither the City, nor any person owning, managing, or controlling City Utility Poles, shall enter into an exclusive arrangement with any person for use or management of the Right-of-Way for the Collocation of Small Wireless Facilities or the installation, operation, marketing, modification, maintenance, management, or replacement of City Utility Poles within the Right-of-Way, or for the right to attach to such City Utility Poles within the Right-of-Way.
- 2.** The City, in applying the provisions of this Section, will act in a competitively neutral manner with regard to other users of the Right-of-Way.
- 3.** Nothing in this Section limits the ability of the City to require an Applicant to obtain one or more permits of general applicability that do not apply exclusively to Wireless Facilities in addition to

the Permit required by this Section in order to Collocate a Small Wireless Facility or install a new, modified, or replacement Utility Pole associated with a Small Wireless Facility.

4. The City may require a Permit under Applicable Codes, existing City ordinances, or this Section, with reasonable conditions, for work in a Right-of-Way that will involve excavation, affect traffic patterns, obstruct traffic in the Right-of-Way, or materially impede the use of a sidewalk.
5. A Small Wireless Facility must comply with reasonable, objective, and cost-effective concealment or safety requirements determined by the City.
6. Subject to Section 430.040C8d8, and except for facilities excluded from evaluation for effects on historic properties under 47 C.F.R. Section 1.1307(a)(4) of the Federal Communications Commission rules, the City may require reasonable, technically feasible, nondiscriminatory, and technologically neutral design or concealment measures, published in advance, for Small Wireless Facilities or Utility Poles placed in a Historic District. Any such design or concealment measures shall not have the effect of prohibiting any Wireless Provider's technology, nor shall any such measures be considered a part of the Small Wireless Facility for purposes of the size restrictions in the definition of Small Wireless Facility.
7. Right-of-Way users, upon adequate notice and at the facility owner's own expense, shall relocate facilities as may be needed in the interest of public safety and convenience.
8. Except as otherwise provided in this Section and Applicable Law, in reviewing applications for Small Wireless Facilities, Wireless Support Structures and Utility Poles, the City will exercise zoning, land use, planning, and permitting authority within its territorial boundaries.
9. Nothing in this Section shall be interpreted to impose any new requirements on cable providers for the provision of such service.
10. Small Wireless Facilities or Utility Poles constructed or operational before August 28, 2018, which were approved by the City by permit or agreement may remain installed and be operated under the requirements of this Section.

d. Permitting Provisions:

1. Permit Requirements – Inside the Right-of-Way.

Any Person desiring to Collocate Small Wireless Facilities, or to install, replace, maintain or operate a Utility Pole, inside the Right-of-Way must first apply for and obtain a Permit, in addition to any other required permit, license, or authorization that is generally applicable and does not apply exclusively to Wireless Facilities.

- a.** The Collocation of Small Wireless Facilities and the installation, maintenance, modification, operation, and replacement of Utility Poles along, across, upon, and under the Right-of-Way is not subject to zoning review or approval; except that the placement of new or modified Utility Poles in the Right-of-Way in areas zoned single-family residential or as historic as of August 28, 2018, remain subject to any applicable zoning requirements that are consistent with §§ 67.5090 to 67.5103, RSMo.
- b.** Small Wireless Facilities and Utility Poles shall be installed and maintained so as not to obstruct or hinder the usual travel, including pedestrian travel, or public safety on the Right-of-Way or obstruct the legal use of the Right-of-Way by the City or other authorized Right-of-Way users.
- c.** A new, replacement, or modified Utility Pole installed in the Right-of-Way shall not be subject to zoning requirements so long as the Utility Pole does not exceed the greater of ten feet in height above the tallest existing Utility Pole in place as of January 1, 2019 located within five hundred feet of the new Utility Pole in the same Right-of-Way, or fifty feet above ground level. A new, modified, or replacement Utility Pole that exceeds these height limits shall be subject to applicable City zoning requirements that apply to other Utility Poles, and that are consistent with Sections 67.5090 to 67.5103, RSMo.
- d.** New Small Wireless Facilities in the Right-of-Way shall not extend more than ten feet above an existing Utility Pole in place as of August 28, 2018.
- e.** Small Wireless Facilities on a new Utility Pole shall not extend above the height permitted for a new Utility Pole in Section 420.040C8d1c above.
- f.** A Wireless Provider shall be permitted to replace Decorative Poles when necessary to Collocate a Small Wireless Facility, but any replacement pole shall reasonably conform to the design aesthetics of the Decorative Pole or Poles being replaced. The term ‘reasonably conform’ as used herein, shall mean that the

design aesthetics of the replacement pole shall be as nearly identical to the Decorative Pole replaced as is feasible. The City Public Works Director is authorized to determine if the replacement pole reasonably conforms, based upon the reasonable objective design standards published in advance by the City.

- g.** The City may require replacement of a City Utility Pole that is proposed to be used for a Collocation on a nondiscriminatory basis for reasons of safety and reliability, including a demonstration that the Collocation would make the City Utility Pole structurally unsound.

2. Permit Requirements – Outside the Right-of-Way.

- a.** The Collocation of Small Wireless Facilities in or on property not zoned primarily for single-family residential use is not subject to zoning review or approval.
- b.** The City will allow Collocation of Small Wireless Facilities on City Wireless Support Structures and City Utility Poles that are located on City property outside the right-of-way to the same extent, if any, that it allows access to such structures for other commercial projects or uses. Any such Collocations shall be subject to reasonable and nondiscriminatory rates, fees, and terms as provided in an agreement between the City and the Wireless Provider, and not otherwise governed by this Section.
- c.** The City shall not enter into an exclusive agreement with a Wireless Provider concerning City Utility Poles or City Wireless Support Structures that are located on City property outside the Right-of-Way, including stadiums and enclosed arenas, unless the agreement meets the following requirements:
 - 1.** The Wireless Provider provides service using a shared network of Wireless Facilities that it makes available for access by other Wireless Providers on reasonable and nondiscriminatory rates and terms that shall include use of the entire shared network, as to itself, an affiliate, or any other entity; or,
 - 2.** The Wireless Provider allows other Wireless Providers to Collocate Small Wireless Facilities on reasonable and nondiscriminatory rates and terms, as to itself, an affiliate, or any other entity.

3. Permit Process for an Applicant seeking to construct Small Wireless Facilities in or outside the

Right-of-Way, or to install, replace, maintain or operate a Utility Pole inside the Right-of-Way.

- a.** An Applicant seeking to Collocate Small Wireless Facilities in or outside the Right-of-Way, or to install, replace, maintain or operate a Utility Pole inside the Right-of-Way, must first submit an Application for a Permit to the Public Works Director. The Public Works Director shall design and make available to Applicants a standard Application form, consistent with the provisions of this Section which all Applicants must use in order to accomplish the purposes of this Section. Except for the requirements in Section 420.040C8d3b2 below, an Applicant shall not be required to provide more information to obtain a Permit under this Section than other communications service providers that are not Wireless Providers.

- b.** An Application for a Permit shall include the following:
 - 1.** Construction and engineering drawings which demonstrate compliance with the criteria in Section 420.040C8d6;
 - 2.** An attestation that the Small Wireless Facilities comply with the volumetric limitations in the definition of Small Wireless Facility;
 - 3.** Information on the height of any new, replacement, or modified Utility Pole;
 - 4.** Applicable indemnity, insurance, performance bond information required in Section 420.040C8f;
 - 5.** An Applicant that is not a Wireless Services Provider must provide evidence of agreements or plans demonstrating that the Small Wireless Facilities will be operational for use by a Wireless Services Provider within one year after the Permit issuance date, unless the City and the Applicant agree to extend this period or if the Applicant notifies the City the delay is caused by lack of commercial power or communications transport facilities. An Applicant that is a Wireless Services Provider must provide this information by attestation.
 - 6.** Plans and detailed cost estimates for any make-ready work as needed. The Applicant shall be solely responsible for the cost of any make-ready work; and
 - 7.** Projected commencement and termination dates for the Permit, or if such dates are unknown at

the time the Permit is issued, a provision requiring the Permit holder to provide the Public Works Director with reasonable advance notice of such dates once they are determined.

4. Fees and Rates. Each such Application shall be accompanied by payment of fees as listed in the Schedule of Fees and Charges maintained by the Finance Department.

a. General.

- 1.** Any fees collected pursuant to this Subsection will be used only to reimburse the City for its actual incurred costs and will not be used to generate revenue to the City above such costs.
- 2.** The City may not require or accept in-kind services in lieu of any fee.
- 3.** The rates to Collocate on City Utility Poles shall be nondiscriminatory regardless of the services provided by the Collocating Applicant.

b. Application Fee.

- 1.** The total fee for an Application for the Collocation of a Small Wireless Facility on an existing City Utility Pole is listed in the Schedule of Fees and Charges maintained by the Finance Department.
- 2.** An Applicant filing a consolidated Application shall pay a fee as listed in the Schedule of Fees and Charges maintained by the Finance Department.
- 3.** The total fee for an Application for the installation, modification, or replacement of a Utility Pole and the Collocation of an associated Small Wireless Facility shall be as listed in the Schedule of Fees and Charges maintained by the Finance Department.

c. Collocation Rate.

The rate for Collocation of a Small Wireless Facility to a City Utility Pole is as listed in the Schedule of Fees and Charges maintained by the Finance Department.

d. Right-of-Way Permit Fee.

The total fee for a Right-of-Way permit associated with the installation of Small Wireless Facilities in the Right-of-Way is as listed in the Schedule of Fees and Charges maintained by the Finance Department.

5. Timing for Processing of an Application.

- a.** Within fifteen (15) days of receiving an Application, the City shall determine and notify the Applicant in writing whether the Application is complete. If an Application is incomplete, the City shall specifically identify the missing information in writing. The processing deadline in Section 420.040C8d5b is tolled from the time the City sends the notice of incompleteness to the time the Applicant provides the missing information. That processing deadline may also be tolled by agreement of the Applicant and the City.
- b.** The City shall process and approve or deny an Application for Collocation of a Small Wireless Facility within forty-five (45) days of receipt of the Application. The Application shall be deemed approved if not approved or denied within this forty-five (45) day period.
- c.** The City shall process and approve or deny an Application for installation of a new, modified, or replacement Utility Pole associated with a Small Wireless Facility within sixty (60) days of receipt of the Application. The Application shall be deemed approved if not approved or denied within this sixty-day (60) day period.
- d.** An Applicant may file a consolidated Application and receive a single Permit for the Collocation of multiple Small Wireless Facilities.
 - 1.** An Application may include up to twenty (20) separate Small Wireless Facilities; provided that they are for the same or materially same design of Small Wireless Facility being Collocated on the same or materially the same type of Utility Pole or Wireless Support Structure, and geographically proximate. The Application shall provide information sufficient for the Public Works Director to determine whether the Applicant has met the requirements of this Subsection. The Public Works Director shall have discretion to determine whether the Application meets the requirements of this Subsection.
 - 2.** If the City receives individual Applications for approval of more than fifty (50) Small Wireless Facilities or consolidated Applications for approval of more than seventy-five (75) Small Wireless Facilities within a fourteen (14) day period, whether from a single Applicant or multiple Applicants, the City may, upon its own request, obtain an automatic thirty (30) day extension for any additional Collocation or

replacement or installation Application submitted during that fourteen day period or in the fourteen (14) day period immediately following the prior fourteen (14) day period. The City will promptly communicate its request to each and any affected Applicant.

- 3.** The denial of one or more Small Wireless Facilities in a consolidated Application shall not delay processing or constitute a basis for denial of any other Small Wireless Facilities in the same consolidated Application or the consolidated Application as a whole.
- e.** The City shall provide a good faith estimate for any make-ready work necessary to enable a City Utility Pole to support the requested Collocation by a Wireless Provider, including pole replacement if necessary, within sixty (60) days after receipt of a complete Application. Make-ready work, including any pole replacement, shall be completed within sixty (60) days of written acceptance of the good faith estimate and advance payment, if required, by the Applicant.
- f.** An Application that is not acted on within the specified time period is deemed approved.
- g.** For any Application denied:
 - 1.** The City shall document the complete basis for a denial in writing, and send the documentation to the Applicant on or before the day the City denies the Application.
 - 2.** The Applicant may cure the deficiencies identified by the City and resubmit the Application within thirty (30) days of the denial without paying an additional application fee.
 - 3.** The City shall approve or deny the revised Application within thirty (30) days. Any subsequent review shall be limited to the deficiencies cited in the denial.
- h.** The City will not institute, either expressly or de facto, a moratorium on filing, receiving, or processing Applications or issuing Permits or other approvals, if any, for the Collocation of Small Wireless Facilities or the installation, modification, or replacement of Utility Poles to support Small Wireless Facilities.

If doing so would be consistent with 47 U.S.C. § 253(a), particularly as interpreted by the FCC's Declaratory Ruling adopted on August 2, 2018 (FCC 18-111), the City may institute a temporary moratorium on Applications for Small Wireless Facilities and the Collocation thereof for no more than thirty (30) days in the event of a major and

protracted staffing shortage that reduces the number of personnel necessary to receive, review, process, and approve or deny applications for the Collocation of Small Wireless Facilities by more than fifty (50) percent.

- 6. Denial of an Application.** An Application for a proposed collocation of a Small Wireless Facility or installation, modification, or replacement of a Utility Pole otherwise meeting the requirements of Section 420.040C8d1a or 420.040C8d2a may be denied if the action proposed in the Application could reasonably be expected to:
- a.** Materially interfere with the safe operation of traffic control equipment or City-owned communications equipment;
 - b.** Materially interfere with sight lines or clear zones for transportation, pedestrians, or non-motorized vehicles;
 - c.** Materially interfere with compliance with the Americans with Disabilities Act, or similar federal or state standards regarding pedestrian access or movement;
 - d.** Materially obstruct or hinder the usual travel or public safety on the Right- of-Way;
 - e.** Materially obstruct the legal use of the Right-of-Way by the City, utility, or other third party;
 - f.** Fail to comply with Applicable Codes, including nationally recognized engineering standards for Utility Poles or Wireless Support Structures;
 - g.** Fail to comply with the reasonably objective and documented aesthetics of a Decorative Pole and the Applicant does not agree to pay to match the applicable decorative elements;
 - h.** Fail to comply with reasonable and nondiscriminatory undergrounding requirements contained in City ordinances as of January 1, 2018, or subsequently enacted for new developments, that require all utility facilities in the area to be placed underground and prohibit the installation of new or the modification of existing Utility Poles in a Right-of-Way without prior approval, provided that such requirements include a waiver or other process of addressing requests to install such Utility Poles and do not prohibit the replacement or modification of existing Utility Poles consistent with Applicable Law or the provision of Wireless Services; or
 - i.** Any other reason not prohibited by Applicable Law.
- 7. Approval of an Application.**

- a. The Public Works Director shall review each Application for a Permit and, upon determining that 1) the Applicant has submitted all necessary information; 2) there is no basis under Section 420.040C8d7 to deny the Application; and 3) the Applicant has paid the appropriate Fee, the Public Works Director shall issue the Permit.
- b. If the City approves an Application, the Applicant is authorized to:
 - 1. Undertake the installation or Collocation; and
 - 2. Operate and maintain the Small Wireless Facilities and any associated Utility Pole covered by the Permit for a period of not less than ten (10) years, which shall be renewed for equivalent durations so long as they are in compliance with the criteria listed in Section 420.040C8d.
- c. The City may approve a Permit subject to a reservation to reclaim space on the Utility Pole, when and if needed, to meet the Utility Pole owner's core utility purpose or a documented City plan projected at the time of the Application.

8. No Application Required. No Application is required for:

- a. Routine maintenance on previously permitted Small Wireless Facilities;
- b. The replacement of Small Wireless Facilities with Small Wireless Facilities that are the same or smaller in size, weight, and height; or
- c. The installation, placement, maintenance, operation, or replacement of micro wireless facilities that are strung on cables between Utility Poles in compliance with Applicable Codes.

A person performing the permitted acts under this Subsection may be required to provide the City with a description of any new equipment installed so that the City may maintain an accurate inventory of the Small Wireless Facilities at a particular location.

e. Construction Standards:

- 1. The construction, operation, maintenance, and repair of Small Wireless Facilities shall be in accordance with Applicable Codes and relevant City ordinances pertaining to construction, operation, maintenance, and repair inside or outside the Right-of-Way.
- 2. All Small Wireless Facilities shall be installed and located with due regard for minimizing interference with the public and with other users of a Right-of-Way, including the City.

3. An Applicant shall not place Small Wireless Facilities where they will damage or interfere with the use or operation of previously installed facilities, or obstruct or hinder the various utilities serving the residents and businesses in the City of their use of any Right-of-Way.
4. Any and all Rights-of-Way disturbed or damaged during the construction of Small Wireless Facilities shall be promptly repaired or replaced by the Applicant to its functional equivalence as existed before the disturbance or damage.
5. Any Wireless Infrastructure Provider, contractor or subcontractor must be properly licensed under laws of the State and all applicable local ordinances.
6. Each Wireless Infrastructure Provider, contractor or subcontractor shall have the same obligations with respect to its work as Wireless Services Provider would have hereunder and Applicable Law if the work were performed by the Wireless Services Provider. The Wireless Services Provider shall be responsible for ensuring that the work of Wireless Infrastructure Providers, contractors or subcontractors is performed consistent with their Permits and Applicable Law, and shall be responsible for promptly correcting any acts or omissions by a Wireless Infrastructure Provider, contractor or subcontractor.

f. Indemnity, Insurance, Performance Bonds:

1. Indemnity.

Wireless Providers shall indemnify and hold the City, its officers and employees harmless against any damage or personal injury caused by the negligence of the Wireless Provider or its employees, agents, or contractors.

2. Insurance.

a. As part of the Permit process, a Wireless Provider must provide proof of liability insurance coverage against any damage or personal injury caused by the negligence of the Wireless Provider or its employees, agents, or contractors. The Wireless Provider's liability insurance policy must name the City or its officers and employees as additional insureds.

b. In the alternative, a Wireless Provider must demonstrate that it has in effect a comparable self-insurance program.

3. Performance Bond.

a. As part of the Permit process, a Wireless Provider must post a performance bond as listed in the Schedule of Fees

and Charges maintained by the Finance Department.

- b.** The purpose of the performance bond is to:
 - 1.** Provide for the removal of abandoned or improperly maintained Small Wireless Facilities, including those that the City determines need to be removed to protect public health, safety, or welfare;
 - 2.** Restore the Right-of-Way in connection with removals of Small Wireless Facilities from the Right-of-Way; and
 - 3.** Recoup rates or fees that have not been paid by a Wireless Provider in over twelve months, provided the Wireless Provider has been provided with reasonable notice from the City and has been given the opportunity to cure.
- c.** Upon completion of the work associated with the Small Wireless Facilities covered by the performance bond to the satisfaction of the Public Works Director, the Public Works Director shall eliminate the bond or reduce its amount after a time appropriate to determine whether the work performed was satisfactory, which time shall be established by the Public Works Director considering the nature of the work performed.
- d.** Recovery by the City of any amounts under the performance bond or otherwise does not limit an Applicant's duty to indemnify the City in any way, nor shall such recovery relieve an Applicant of its obligations under a Permit or reduce the amounts owed to the City other than by the amounts recovered by the City under the performance bond, or in any respect prevent the City from exercising any other right or remedy it may have.

4. Exemption

Applicants that have at least twenty-five million dollars (\$25,000,000) in assets in the State and do not have a history of permitting noncompliance within the City's jurisdiction shall be exempt from the insurance and bonding requirements otherwise required by this Section. The City may require an Applicant to provide proof by affidavit that its assets meet or exceed this requirement at the time of filing the Application.

g. Miscellaneous Provisions:

- 1. Compliance With Laws.** Each Applicant shall comply with all applicable City ordinances, resolutions, rules and regulations heretofore and hereafter adopted or established, to the extent that they are consistent with state and federal law.

2. Franchises Not Superseded. Nothing herein shall be deemed to relieve an Applicant of the provisions of an existing franchise, license or other agreement or permit.

3. Rights and Remedies:

- a.** The exercise of one remedy under this Section shall not foreclose use of another, nor shall the exercise of a remedy or the payment of damages or penalties relieve an Applicant of its obligations to comply with its Permits. Remedies may be used alone or in combination; in addition, the City may exercise any rights it has at law or equity.
- b.** The City hereby reserves to itself the right to intervene in any suit, action or proceeding involving any provisions of this Section.
- c.** No Applicant shall be relieved of its obligation to comply with any of the provisions of this Section by reason of any failure of the City to enforce prompt compliance.

4. Incorporation by Reference:

Any Permit granted pursuant to this Section shall by implication include a provision that shall incorporate by reference this Section into such Permit as fully as if copied verbatim.

5. Calculation of Time:

Unless otherwise indicated, when the performance or doing of any act, duty, matter, or payment is required under this Section or any Permit, and a period of time is prescribed and is fixed herein, the time shall be computed so as to exclude the first and include the last day of the prescribed or fixed period of time.

6. Severability:

If any term, condition, or provision of this Section shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective. In the event of a subsequent change in Applicable Law so that the provision that has been held invalid is no longer invalid, said provisions shall there upon return to full force and effect without further action by the City and shall thereafter be binding on the Applicant and the City.

h. Annexation:

The provisions hereof shall specifically apply to any lands or property

annexed as the date of such annexation.

i. Relocation of Facilities.

Whenever, by reason of changes in the grade or widening of a street or in the location or manner of constructing a water pipe, drainage channel, sewer, or other City-owned underground or above ground structure, it is deemed necessary by the City, in the interest of public safety and convenience, to move, alter, or change the location of underground or above ground facilities of a Wireless Provider, the Wireless Provider shall relocate such facilities, on alternative Right-of-Way provided by the City, if available, upon adequate notice in writing by the City, without claim for reimbursement or damages against the City.

j. Standards Applicable To City.

Any standards in this Section relating to Small Wireless Facilities shall be fully applicable to work performed by the City and its departments.

k. Savings Clause.

Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplement or otherwise nullify any other ordinances of the City or requirements thereof, whether or not relating to or in any manner connected with the subject written hereof, unless expressly provided otherwise herein or hereafter.