

**CITY OF HYATTSVILLE ADMINISTRATIVE REGULATION 2019-03**

**Chapter 105 of the City Code**  
**Wireless Facilities and Support Structures**  
**Effective Date April 15, 2019.**

**I. City Authority Over Rights of Way, City Streets, and Sidewalks.**

A. Pursuant to the City's Charter and Code, including, but not limited to, Articles VII, VIII and IX of the City's Charter and Chapter 105 of the City Code, the City has near absolute authority to regulate construction, installation of improvements, or modification of any structure in, on, over, and under, the City's rights of way, streets and sidewalks.

B. Pursuant to Articles VII and VIII of Chapter 105, of the City of Hyattsville Code, the City Administrator is authorized to adopt regulations related to Wireless Facilities and Support Structures.

**II. Adoption of Regulation.**

A. Pursuant to the authority granted to the City Administrator by the City of Hyattsville's Charter and Code, the previously adopted fee schedule for Wireless Facilities and Support Structures is restated. The fees shall be as follows:

1. Permit application and review shall be \$1,000 for non-recurring fees for a new pole (not a co-location) to support one or more Small Wireless Facilities

2. Permit application and review shall be \$500 for a single up-front application that includes up to five small wireless facilities with an additional \$100 for each small wireless facility beyond five; or

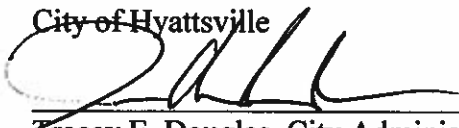
3. \$270 per small wireless facility per year for all reoccurring fees, including any right of way access.

C. The City of Hyattsville's Wireless Facilities and Support Structures Standards and Utility Permit Application and Review Checklist are established and incorporated herein by reference.

**III. Effective Date.**

This regulation is effective on April 15, 2019.

City of Hyattsville

  
\_\_\_\_\_  
Tracey E. Douglas, City Administrator

Attest:

  
\_\_\_\_\_  
Deputy City Clerk

4/12/2019 11:45 AM  
Date/Time

**City of Hyattsville**  
**Wireless Facilities and Support Structures**  
**“Small wireless”**  
Last Revised April 12, 2019.

**A. Height Standards.**

1. Small wireless facilities may not be mounted on structures greater than 50-feet in height including the antenna.
2. Small wireless facilities may not be mounted on structures more than 10 percent taller than other adjacent structures.
3. Small wireless facilities may not be mounted on existing structures which cause the structure to extend to a height of more than 50-feet or more than 10 percent taller than adjacent structures, whichever is greater.

**B. Antenna and Other Small Wireless Equipment Size Standards.**

1. Each antenna associated with a small wireless facility can be no greater than 3 cubic feet in volume.
2. All other small wireless equipment associated with the small wireless facility (including any pre-existing equipment on the structure) may not be more than 28 cubic feet in volume.

**C. Installation, Placement, and Design Standards.**

1. Small wireless facilities must not project over the roadway, pedestrian path or sidewalk and must be placed on a single side of the structure, unless approved by the City Administrator or the City Administrator’s Designee.
2. New poles or other structures that support small wireless facilities must maintain a minimum three (3) foot horizontal clearance from existing sidewalks and roadways and a minimum five (5) foot horizontal clearance from the outside edge of driveway aprons and handicapped ramps, unless a lesser clearance is approved by the City Administrator or the City Administrator’s Designee.
3. Any exterior attachments to structures (other than cabling), must be a minimum of eight (8) feet above grade, unless approved by the City Administrator or the City Administrator’s Designee.
4. Replacement poles must be the same height as the pole being replaced, unless a different height is approved by the City Administrator or the City Administrator’s Designee. Any

replacement pole, including all required guying, may not intrude on any sidewalk or passageway more than the existing pole, and may not be more than 10 percent larger in circumference than the existing pole, considering the actual dimensions of the pole. Guy wiring must be comparable to that of the pole being replaced.

5. All small wireless equipment installed underground, at ground level, or on a pole must be placed in an enclosure.

6. All small wireless equipment must be consistent with industry standards.

7. Antennas must include shielding or otherwise be placed in an enclosure. If attached to a pole, the shielding or enclosure must be no more than the circumference of the pole at the point of attachment and, if attached to the top of the pole, designed to appear like a continuous vertical extension of the pole. Antennas must not extend more than 36 inches in length, extending vertically from the base of the antenna, either at the top of the pole or structure, or on the related equipment housing, except that up to six (6) inches in additional height may be permitted for connectors.

8. All wires/cables must be located inside the structure, unless Applicant proves to the City's satisfaction that this is not practical, in which case the wire/cable must be installed in a conduit attached flush to the structure and painted with non-reflective paint of the same color as the structure on which it is installed or otherwise concealed to the extent possible. Whenever possible, the Applicant must utilize existing ducts, conduits, or other facilities for the installation of connective fiber.

9. All visible small wireless equipment placed on a structure, including antennas, must be painted with non-reflective paint of the same color as the structure on which it is sited so that the installation closely matches the existing paint. The Applicant must work with the structure manufacturer or owner regarding the specifics for the color match, and work with the equipment manufacturer regarding paint specifications as well as the method for cleaning the equipment and applying the paint. Antennas and shrouds must be painted to have the least visual impact possible; colors must be approved by the City as part of the permit. Paints must be lead and chromate free. Resistance to ultra violet light, road salt compounds, industrial chemical fumes, solvents for removal of graffiti off painted surfaces, flame or high temperatures, and corrosion.

11. No writing, symbol, logo or other graphic representation which is visible from the nearby street or sidewalk is allowed to appear on any exterior surface of the small wireless facility unless allowed by agreement with the City, required by law or regulation, or as a City-approved concealment element. Notwithstanding the previous sentence, Applicant must tag all attachments to structures to allow for ready identification of the small wireless facility owner and type of attachment.

12. No visible lighting is allowed on any small wireless facilities, except as required by law or as allowed by the City.

13. Any new pole installed to support a small wireless facility must be consistent and compatible with surrounding poles and structures.

14. Installation of small wireless facilities must not impact existing City street trees.

15. Installation of small wireless facilities must not impact line of sight for vehicle or pedestrian movements.

16. Installation of small wireless facilities must not create any Americans with Disabilities Act violations.

17. Small wireless facilities must not interfere with the function of the pole or structure to which the equipment is attached or interfere with other public facilities, including but not limited to:

- a. Signs
- b. Traffic signals
- c. Street lighting
- d. Bike racks
- e. Benches
- f. Fire hydrants
- g. Water meters
- h. Sewer cleanouts
- i. Stormwater facilities
- j. Other utilities

18. In an area of the City where utilities are underground, all small wireless equipment must also be placed in an underground vault.

19. Small wireless facilities must be placed, as much as possible, in line with other utility features and in a location that minimizes any obstruction, impediment, or hinderance to the usual travel or public safety on a right-of-way.

20. The Applicant must incorporate ambient noise suppression measures, place small wireless equipment in locations less likely to impact adjacent residences or businesses, or both, and must comply with all applicable noise regulations.

21. The City strongly encourages the collocation of small wireless facilities on existing structures. To minimize visual clutter, distractions to vehicular traffic, and the hazard of poles adjacent to roadways, free standing poles must be spaced a minimum of 250 feet apart on each

side of a street. An exemption may be granted by the City Administrator or the City Administrator's Designee if the Applicant can demonstrate that this restriction has the effect of prohibiting the provision of wireless services.

22. Small wireless equipment installed at ground level must incorporate concealment elements into the proposed design. Concealment may include, but is not limited to, landscaping and strategic placement in less obtrusive locations.

23. Small wireless equipment installed at ground level must be painted to have the least visual impact possible; colors must be approved by the City as part of the permit. Paints must be lead and chromate free. Resistance to ultra violet light, road salt compounds, industrial chemical fumes, solvents for removal of graffiti off painted surfaces, flame or high temperatures, and corrosion.

**D. Small Wireless Facility Conditions.**

1. Applicant must be a member of "Miss Utility" and comply with state law regarding marking utilities.

2. Small wireless facilities located in public right-of-way must not cause a safety hazard to the public.

3. A small wireless facility must be removed from the public right-of-way within 90 days of the final Right-of-Way Access/Attachment payment to the City for the small wireless facility.

4. If a City project requires small wireless facilities to be removed or relocated, the Applicant must remove or relocate all equipment within 30 days' notice by the City at the Applicant's sole cost.

5. Applicant must obtain a permit from the City for any maintenance of small wireless facilities following initial installation.

6. Applicants for small wireless facilities may request a right-of-way agreement for multiple installations with the City.

**E. Submittal requirements.**

1. Applicant is required to submit the following information with the permit application:

2. Documentation certified by a Maryland Professional Engineer that the pole or other structure to which the small wireless equipment is proposed to be attached is structurally adequate to support the small wireless equipment.

3. Applicant must provide certified analysis showing that the proposed Facility satisfies the Federal Communication Commission (“FCC”)’s Radio-Frequency (RF) exposure guidelines applicable on an individual basis, and on a cumulative basis (considering all frequencies, and all emitting sources as may be required by FCC Regulations).

4. Applicant must provide a completed utility permit application and checklist.

5. Written authorization from the structure owner that demonstrates that the Applicant has the authority to install a small wireless facility on the structure.

6. All other information otherwise required by Chapter 105 of the City Code and/or for an application for a Utility Permit.

**CITY OF HYATTSVILLE**  
**UTILITY PERMIT APPLICATION AND REVIEW CHECKLIST**  
Last Revised April 12, 2019

Utility Company Name: \_\_\_\_\_

Utility Company Address: \_\_\_\_\_

Utility Company Contact Name: \_\_\_\_\_

Utility Company Contact Phone #: \_\_\_\_\_

Utility Company Contact Email: \_\_\_\_\_

Work Request Number, Project Number of other ID No.: \_\_\_\_\_

Project Location (provide range of addresses including intersecting streets):  
\_\_\_\_\_

Description of work (DO NOT abbreviate terms):  
\_\_\_\_\_

**Purpose of Request:**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> After the Fact/Emergency Repair | <input type="checkbox"/> New Utility Construction | <input type="checkbox"/> Utility Relocation          |
| <input type="checkbox"/> Utility Maintenance/Abandonment | <input type="checkbox"/> Other (Specify)          |  |
| <input type="checkbox"/> Small Wireless Facility (SWF)   | <input type="checkbox"/> Colocation (SWF)         | <input type="checkbox"/> New Pole or Structure (SWF) |

Aerial: \_\_\_\_\_ LF      Pole Install/Replace: \_\_\_\_\_ EA

Buried under asphalt/concrete/grass strip/sidewalk: \_\_\_\_\_ LF

Designer/Engineer Company Name: \_\_\_\_\_

Designer/Engineer Company Address: \_\_\_\_\_

Designer/Engineer Contact Name: \_\_\_\_\_

Designer/Engineer Contact Phone #: \_\_\_\_\_

Designer/Engineer Contact Email: \_\_\_\_\_

This checklist has been developed to provide specific instructions to utility companies. All items are expected to be addressed in the first submittal, unless indicated otherwise. Failure to do so will result in less than a full first review. Utility companies shall review the entire checklist, prior to first submittal and check the box in the left-hand column to indicate compliance.

## APPLICATION SECTION

- Completed Utility Permit Application and Review Checklist
- Seven complete sets of plans

## GENERAL

- Scale 1" = 50' or greater, North arrow.
- Numbered sheets and date prepared.
- Legend for all symbols used.
- Vicinity map with site identified (2000' scale) on first sheet.
- Name, address, phone number and email & company name of engineering firm or individual who prepared plans.
- Title block: Plan description, addresses or range of properties affected.
- Miss Utility Note.
- All Street names shown.
- Label non-City streets as Private, County, or State

## EXISTING FEATURES

- Edge of pavement (curb) shown.
- Utility poles with pole numbers shown.
- Existing guy wires and anchors shown.
- Existing City Utilities (water, sewer & storm drain) for any excavation.\*
- Existing gas lines shown.\*
- Existing sidewalks shown.\*
- Existing street trees shown.
- PUE & ROW shown including plat number or liber folio & deed reference.

\*Not required for aerial only project where there is no land disturbance (note that installation/replacement of poles or guy wires is considered land disturbance).



## PROPOSED FEATURES

- All proposed work and features clearly shown.
- All street crossings clearly shown. \*
- All typical and minimum depths provided for underground lines.\*
- All underground pipe locations and diameter shown.\*
- All junction boxes, handholes, manholes, transformer pads and other equipment clearly shown including dimensions.\*
- All guy wires, new or replaced, shown.
- All necessary utility relocations shown.
- Type of excavation clearly shown (boring, open cut, conduit, etc.).\*
- If facility placed in existing conduit, then clearly show on plans.
- No storage of materials in the right-of-way beyond normal work hours.

\*\*\*\*\*SWF ONLY\*\*\*\*\*

- All installs must comply with the Small Wire Facility Standards.

## TEMPORARY TRAFFIC CONTROL PLAN

- TTCP shall be in accordance with MUTCD.
- TTCP may utilize existing Maryland SHA and /or Prince George's County standard details.
- TTCP should accurately represent the project.
- Traffic Control plan should maintain traffic at all times. Traffic Control plan should address pedestrian movements. Road closures are not permitted.
- Proposed time frame (range) for lane closures is shown. Lane closures are permitted Monday through Friday, between 7:00 a.m. to 5:00 p.m. on all secondary residential streets and 9:00 a.m. to 3:30 p.m. on all other streets.

## OTHER

- Provide contact person name, address, email and phone number, who is responsible for field construction. Contact information can be shown on plan or provided separately so that it can be included in permit.

\*\*\*\*\*SWF ONLY\*\*\*\*\*

- Written authorization from the structure owner that demonstrates that the Applicant has the authority to install a small wireless facility on the structure.
- Applicant must provide certified analysis showing that the proposed Facility satisfies the Federal Communication Commission ("FCC")'s Radio-Frequency (RF) exposure guidelines applicable on an individual basis, and on a cumulative basis (considering all frequencies, and all emitting sources as may be required by FCC regulations) Radio Frequency (RF) compliance confirmation.
- Documentation certified by a Maryland Professional Engineer that the pole or other structure to which the small wireless equipment is proposed to be attached is structurally adequate to support the small wireless equipment.
- Provide height of surrounding structures (poles, buildings...).

\*Not required for aerial only project where there is no land disturbance (note that installation/replacement of poles or guy wires is considered land disturbance).

This checklist has been developed to provide specific instructions to utility companies. All items are expected to be addressed in the first submittal, unless indicated otherwise. Failure to do so will result in less than a full first review. Utility companies shall review the entire checklist, prior to first submittal and check the box in the left-hand column ("Initial Submission") to indicate compliance.

**COMMENTS:**

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A request to waive any of these requirements shall be submitted in writing. Provide a detailed explanation of the circumstance along with any documentation that supports the waiver request.

It is agreed by the undersigned that the proposed construction described hereinabove shall be carried out in accordance with the provisions of the City of Hyattsville Construction and Road Codes, the applicable City and County Design Standards and Standard Specification, and any further conditions specified herein subject to the inspection and approval of the Director of Public Works. All plans submitted by the applicant and approved by the Department of Public Works in connection with this application are hereby made a part of this application.

Date: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_

Applicant Name (Type or Print): \_\_\_\_\_

Applicant Title: \_\_\_\_\_