

Statute Sections	Edition 3 (5/19/17)	Edition 4 (5/24/17)	Edition 5 (6/1/17) / same as Ratified Edition (6/29/17) / same as Session Law 2017-159 (7/21/17)
<p><u>§ 160A-400.54.</u> <u>Collocation of small wireless facilities.</u></p>		<p>§ 160A-400.54 (f)(1):</p> <p>Added language to § 160A-400.54 (f)(1) to clarify that the fee charged by a city for the review of an application may not be used for travel expenses incurred in the review of a collocation application by an outside consultant or other third party or the direct payment or reimbursement of an outside consultant or other third party, if said parties are remunerated on a contingent-fee basis or results-based arrangement.</p> <p>§ 160A-400.54 (h):</p> <p>Added language to § 160A-400.54 (h) to say that a city may not <i>charge fees</i> for (i) routine maintenance, (ii) the replacement of small wireless facilities with small wireless facilities of the same size or smaller, or (iii) the</p>	

		<p>installation, placement, maintenance, or replacement of micro wireless facilities that are suspended on cables, strung between existing utility poles or city utility poles, in compliance with applicable codes, by or for a communications service provider authorized to occupy the city rights-of-way, which provider is remitting taxes under § 105-164.4(a)(4c) or § 105-164.4(a)(6).</p>	
<p><u>§ 160A-400.55. Use of public right-of-way.</u></p>	<p>§ 160A-400.55 (g):</p> <p>Added language to § 160A-400.55 (g) to say that, although the city may undertake required repairs the wireless provider fails to make after damaging the public right-of-way, the city may only charge the provider the reasonable and <i>documented</i> costs, thereof.</p>		<p>§ 160A-400.55 (d1):</p> <p>Added § 160A-400.55 (d1) to say that in areas zoned single-family residential, where existing utilities are installed underground, utility poles, city utility poles, and wireless support structures may not exceed forty (40) feet above ground level, unless the city grants a waiver or variance approving the taller structure.</p>

<p><u>§ 160A-400.57.</u> <u>Applicability.</u></p>		<p>§ 160A-400.57 (b):</p> <p>Added language to § 160A-400.57 (b) to clarify that nothing in the wireless telecommunications facilities statutes affects any easement between private parties.</p> <p>§ 160A-400.57 (c):</p> <p>Added language to § 160A-400.57 (c) to specify that, except as provided in general statute, a city may not adopt or enforce any regulation on the placement or operation of communications facilities in <i>State- or City-maintained</i> rights-of-way by a provider authorized by statute to operate therein.</p>	
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