

**City of Northampton
MASSACHUSETTS**

In the Year Two Thousand Nineteen

Upon the Recommendation of Mayor David J. Narkewicz and Planning & Sustainability

19.125 AN ORDINANCE
RELATED TO WIRELESS ANTENNAS ON STREET POLES

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by adding a new Section 285-53 and amending Section 350-10.9 and 11.4, providing for rules for wireless small cell telecommunications antennas on street poles.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Add

§ 285-53 Small Cell Telecommunications Antennas on Street Poles.

- A. It is City policy to embrace wireless small cell telecommunications to improve telecommunications service for all users, while minimizing adverse impacts and covering city monitoring and administration costs.**
- B. Wireless and all other telecommunication antennas are regulated by Zoning, Section 350-10.9 Telecommunications, Personal Wireless Facilities and Small Cell Telecommunications.**
- C. Each wireless small cell telecommunications antennas on public ways or public land (including those already installed) shall pay annual \$400 for right-of-way access and inspections. (Fees shall be waived if the wireless telecommunications provider provides free community or city Wi-Fi services in accordance with a service agreement signed by the Mayor.)**
- D. The telecommunications provider shall be solely responsible for equipment and safety, for moving equipment at no cost to the City when required for any City construction project, and for ensuring that there is no impediment to pedestrian or traffic flow.**

Amend

§ 350-2.1 by adding the following new definition

Small cell telecommunications (also known as small cells) are wireless telecommunications antennas and equipment that are mounted on structures less than 50 feet tall, including their antennas, or are not more than ten percent taller than adjacent structures, with antennas of less than three cubic feet in volume, , and with wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, that is no more than 28 cubic feet in volume, for the purpose of providing 5G wireless telecommunications, consistent with Federal Communication Commission regulations, standards and orders for small cells, including no RF frequency in excess of FCC rules. Small cells are distinct from satellite antennas elsewhere defined in this section.

§ 350-10.9 by adding a new subsection D Small Cell Telecommunications and by adding subsections (1) – (3) thereunder, inclusive:

- (1) **An application for approval of a wireless small cell telecommunications shall be granted if it meets the requirements set forth in § 350-2.1 and the following design standards: All equipment other than antennas, wires to the antennas, and emergency shutoffs shall be placed in an underground vault; antennas shall be located at least seven feet high on the pole; only the emergency shutoff shall be placed at ground level.**
- (2) **Wireless small cell telecommunications applications must include Radio Frequency Analysis to demonstrate the proposed equipment will have the smallest number of pole attachments necessary to serve city, that rooftop and tower (city's preferred locations) are not feasible, and that equipment is located on arterial or collector street locations over residential neighborhoods.**
- (3) **The Director of Planning and Sustainability shall be the approval authority for small cell applications and shall approve any application that meets the requirements set forth herein.**