

11-9-4: USE UNIT 4 PUBLIC PROTECTION AND UTILITY FACILITIES:

A. Description: Public protection and utility facilities which may have technical locational requirements necessitating specific locations in or around areas serviced and certain temporary open air land uses which can be objectionable to certain other uses and are, therefore, permitted in certain districts by special exception and in the remaining districts by right. (Ord. 272, 4-2-1974)

B. Included Uses:

Ambulance service.

Antennas and antenna supporting structures.

Electrical regulating station, excluding storage or service garages and yards.

Fire protection facility.

Pressure control station, gas or liquid, excluding storage or service garages and yards.

Shelter, civil defense or storm.

Water storage facility, NEC. (Ord. 753, 5-7-1997)

C. Use Conditions:

1. Principal use antennas and antenna supporting structures must meet the following requirements: (Ord. 753, 5-7-1997; amd. Ord. 2031, 12-21-2009)

a. The antenna and/or antenna supporting structure shall not exceed two hundred feet (200') in height as measured at grade, unless granted approval of a special exception by the Board of Adjustment. (Ord. 2031, 12-21-2009)

b. Each request for an antenna and/or antenna supporting structure shall be accompanied by a building permit and a site plan which shows all proposed improvements. (Ord. 753, 5-7-1997)

c. Written evidence shall be presented to the City by the applicant that the antenna and/or antenna supporting structure is not closer than one-half ($\frac{1}{2}$) mile from any existing site or site for which an application is pending with the City for an antenna and/or antenna supporting structure, unless given approval of a special exception by the Board of Adjustment.

d. The antenna and/or antenna supporting structures shall be set back a distance not less than one hundred ten percent (110%) of the total height of the tower plus any projecting antennas, as measured at grade, from the following:

(1) All property lines of the subject property, including street right-of-way lines. (Ord. 2031, 12-21-2009)

(2) All residential dwellings, including those located on the subject property. (Ord. 2216, 6-5-2017)

(3) All R residential zoning district boundaries. (Ord. 2031, 12-21-2009)

e. The antenna and/or antenna supporting structure shall be subject to initial and continuing compliance with all other applicable local, State and Federal codes and standards for operation of that particular facility. These requirements shall include, but not be limited to, meeting the standards and requirements of the Federal Aviation Administration, Federal Communications Commission, Electronic Industries Association and American National Standards Institute.

f. The antenna and/or antenna supporting structure shall be buffered with landscaping and vegetative or other screening to mitigate the operational and visual impacts of such uses on abutting and adjacent uses. A wall or chainlink fence not less than eight feet (8') in height from finished grade shall be provided around any high voltage equipment, and access shall be through a locked gate. Where an existing structure such as a church, steeple or other existing building facility is used as an antenna support structure, the antenna must be designed and/or colored to harmoniously blend with the existing support structure.

g. Equipment, mobile or immobile, that is not necessary for direct support of the use, shall not be stored or parked on the site unless repairs to the facility are being made.

h. If the operation and use of the antenna and/or antenna supporting structure ceases for a period of one hundred eighty (180) days, said special exception for antenna and/or antenna supporting structure shall be deemed abandoned and will be revoked by the City, unless upon proper application and approval is made sixty (60) days before such expiration of the one hundred eighty (180) day abandonment period; the antenna and antenna supporting structure shall be removed within the one hundred eighty (180) day period by the owner's lessee, lessor or owner's designee at their expense. If removal is not performed by such parties, then the facility will be subject to removal by the City at the expense of the owner, owner's lessee, lessor or their designee. Designee will include successor in interest to the property upon which the antenna and antenna supporting structure is located.

i. The antenna and/or antenna supporting structure shall be designed and constructed in such a manner as to accommodate collocation of a minimum of two (2) wireless telecommunication systems, personal communication systems, or other such technologies, unless it can be demonstrated by the applicant to the satisfaction of the City that such collocation was not technically feasible or that it would reasonably impede or otherwise impair the operation of the initial or subsequently located facilities.

j. The antenna supporting structure shall be of monopole design.

k. Certification from a professional engineer, licensed to practice in the State, shall be submitted that the antenna and antenna supporting structure is designed and constructed in such a manner as to accommodate the collocation of a minimum of two (2) wireless telecommunication system providers, and that it meets the standards of the American National Standards Institute and the Electronic Industries Association. Further, certification from such an engineer, shall be required upon completion of construction and prior to commencement of operation that the antenna and antenna supporting structure has, in fact, been constructed in accordance with the plans as approved by the City.

l. Operators of such facilities shall give the City Planner thirty (30) days' prior written notice of any change or modification in the operation of the facility that would cause the facility to no longer be in compliance with subsections C1a through C1k of this section and the conditions of approval granted by the Board of Adjustment, if applicable. Said notice shall include detailed information about the nature of all such changes. Further, such changes shall cause the approval of the special exception to be summarily revoked and become the basis for requiring submission of a new application to the City if operation is to continue.

m. The height and location restrictions of this title shall be applicable to antennas or antenna supporting structures either owned, operated, leased by, operated by or maintained by the City. (Ord. 753, 5-7-1997)

D. Off Street Parking And Loading Requirements: None. (Ord. 272, 4-2-1974)

E. Wireless Service Facilities And Associated Wireless Support Structures:

1. Purpose: The purpose of this subsection is to establish reasonable land use and development standards allowing for the location of wireless service facilities within the City of Bixby, while minimizing the potential negative impacts of such facilities. This subsection applies only to wireless service facilities and wireless support structures as defined and detailed herein. Conventional, taller, wireless communications facilities are regulated in subsection C of this section.

2. Definitions: For purposes of this subsection, the words and phrases below are defined as follows:

ANTENNA: Means any communications equipment that transmits or receives electromagnetic radio signals used in the provision of wireless communications service.

BASE STATION: Means a station located at a specific site that is authorized to communicate with mobile stations. The term includes all radio transceivers, antennas, coaxial cables, power supplies, and other electronics associated with a station.

COLLOCATION: Means the placement or installation of small cell facilities on existing electrical transmission towers, existing utility poles, existing wireless support structures, and existing structures, including water towers and other buildings or structures. The term includes the placement, replacement, or modification of small cell facilities within an approved equipment compound.

CONSTRUCTION PLAN: a. When referring to a new wireless support structure, means a written plan for construction that indicates the aesthetics of the wireless support structure; the total height and width of the wireless service facility and wireless support structure including cross section and elevation, footing, foundation and wind speed details; a structural analysis indicating the capacity for future and existing antennas including a geotechnical report and calculations for the foundation's capacity; the identity and qualifications of each person directly responsible for the design and construction; and signed and sealed documentation from the applicant that shows the proposed location of the wireless service facility and wireless support structure and all easements and existing structures within one thousand feet (1,000') of such wireless service facility or wireless support structure.

b. When referring to the substantial modification of an existing wireless service facility or wireless support structure, means a plan that describes the proposed modifications to the wireless support structure and all equipment and network components including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment.

DECORATIVE POLE: Means a streetlight or traffic signal pole specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than specially designed informational, directional signage, temporary holiday or special event attachments, may be placed.

ELECTRICAL TRANSMISSION TOWER: Means a structure that physically supports high voltage overhead power lines. The term does not include a utility pole.

EQUIPMENT COMPOUND: Means the area that: a) surrounds or is near the base of a wireless support structure; and b) encloses wireless service facilities.

EXISTING STRUCTURE: Does not include a utility pole or an electrical transmission tower.

PERMIT AUTHORITY: Means the City of Bixby Development Services Director and the Board of Adjustment within the jurisdiction of the City of Bixby.

PERSON: Means a corporation, firm, partnership, association, organization or any other group acting as a unit, as well as a natural person.

SMALL CELL FACILITY: Means: a) a personal wireless service facility as defined by the Telecommunications Act of 1996, 47 USC section 332(c)(7), or b) a wireless service facility that satisfies the following requirements: 1) each antenna, including exposed elements, has a volume of three (3) cubic feet or less; 2) all antennas, including exposed elements, have a total volume of six (6) cubic feet or less; and 3) the primary equipment enclosure located with the facility has a volume of seventeen (17) cubic feet or less. Ancillary equipment such as: electric meters, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services are not included in the equipment volume calculation. This term does not include a wireless support structure.

SUBSTANTIAL MODIFICATION OF A WIRELESS SUPPORT STRUCTURE: Means the mounting of a small cell facility on a wireless support structure in a manner that: a) increases the height of the wireless support structure by ten percent (10%) of the original height of the wireless support structure or greater; or b) adds an appurtenance to the wireless support structure that protrudes horizontally from the wireless support structure more than the width of the wireless support structure and existing appurtenances.

The term substantial modification does not mean: a) increasing the height of a wireless support structure to avoid interfering with an existing antenna, or b) increasing the diameter or area of a wireless support structure to: 1) shelter an antenna from inclement weather; or 2) connect an antenna to the wireless support structure by cable.

UTILITY POLE: Means a structure that is: a) owned or operated by: 1) a public utility; 2) a communications service provider; 3) a

municipality; 4) an electric membership corporation; or 5) a rural electric cooperative; and b) designed and used to: 1) carry lines, cables, or wires for telephone, cable television, or electricity; or 2) provide lighting. "Utility pole" does not include decorative poles.

WIRELESS SERVICE FACILITY: Means equipment at a fixed location that enables wireless communications between user equipment and a communications network, including: a) equipment associated with wireless communications; and b) radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. The term includes small cell facilities. The term does not include a wireless support structure.

WIRELESS SUPPORT STRUCTURE: Means a freestanding structure designed to support small cell facilities. The term does not include a utility pole, a decorative pole or an electrical transmission tower.

3. Restrictions On Placement Of New Wireless Support Structures:

a. Restrictions On Placement Within Right-Of-Way:

(1) New wireless support structures are permitted in all zoning districts within the right-of-way, except within right-of-way identified as corridor by the existing City of Bixby Comprehensive Plan or as Corridor Appearance District in this title.

(2) New wireless support structures located within the right-of-way shall be placed at the back of the right-of-way, adjacent to where adjoining property lines intersect. The Development Services Director may approve a deviation from this requirement due to specific site conditions.

b. Restrictions On Placement Outside Of The Right-Of-Way:

(1) New wireless support structures are not permitted outside the right-of-way in the AG (Agriculture), RE (Residential Estate), RS (Residential Single Family), RD (Residential Duplex), RT (Residential Townhouse), RM (Residential Multi-Family), RMH (Residential Mobile Home) and PUD (Planned Unit Development) Districts.

c. **Encroachments And Sight:** Wireless service facilities and wireless support structures shall be located where there is no encroachment into any existing or planned corner sight triangles or sight line triangles. Supporting structures shall not interfere with any safe sight distances or otherwise block vehicular, bicycle or pedestrian traffic, or conflict with the installation, maintenance, or repair of any public utility.

d. **Sidewalk, Driveway Or Walkway:** Wireless service facilities and wireless support structures shall not block or encroach upon any sidewalk, driveway or walkway.

e. **Utilities:** Wireless service facilities and wireless support structures shall not interfere with existing above-ground or below-ground utilities, or the ability of the City and others to access and maintain such utilities.

f. **Removal:** Permit holders and/or facility owners shall promptly remove wireless service facilities and wireless support structures that are installed in a location that is not in accordance with the plans approved by the City, that do not comply with the provisions of this chapter, or that otherwise render the public right-of-way non-compliant with applicable laws, including but not limited to the Americans With Disabilities Act. Should such permit holder and/or facility owner fail to promptly remove the wireless service facility and/or wireless support structure, the City may remove such structure or facility and bill the permit holder and/or facility owner for the costs of removal and cleanup of the site.

g. **Same Side Of Street:** New wireless support structures shall be a minimum of five hundred feet (500') from any other wireless support structure located on the same side of the street (or along the same side of the closest street if located outside of the right-of-way).

h. **Two Street Right-Of-Ways:** New wireless support structures shall be a minimum of seventy five feet (75') from the intersection of any two (2) street right-of-ways, measured from the point at which the back of the right-of-way lines intersect.

i. **Utility Pole:** New wireless support structures shall be a minimum of twenty feet (20') from any utility pole.

j. **Illumination:** Wireless service facilities and wireless support structures shall not be illuminated by artificial means and may not display strobe lights unless Federal or State authorities expressly require such lighting. When incorporated into the approved design of a supporting structure, light fixtures used to illuminate ball fields, parking lots or similar areas may be attached to the supporting structure.

k. **Advertising And Signs:** The use of any portion of wireless service facilities and wireless support structures for advertising or signs other than warning or equipment information signs is prohibited.

l. **Compliance:** Wireless service facilities and wireless support structures shall be constructed in compliance with all applicable Federal and State Statutes and regulations and all applicable ordinances of the City, including but not limited to all Building, Electrical and Mechanical Codes adopted by the City or State.

4. Restrictions On Placement On Decorative Poles: Small cell facilities shall not be placed on decorative poles.

5. **Collocation:** Subject to applicable provisions of this subsection, small cell facilities may be collocated on existing structures, existing electrical transmission towers, and existing utility poles.

6. **Specifications:** Wireless service facilities, including small cell facilities, and new wireless support structures shall meet the following specifications:

a. **Height:** Small cell facilities and wireless support structures shall not exceed fifty feet (50') in height. However, in no instance shall small cell facilities and wireless support structures exceed one hundred ten percent (110%) of the tallest existing utility pole located along the same street (or closest street if placed outside of the right-of-way) within five hundred feet (500').

b. **Maintenance:** Support structures shall be maintained in good working order at the cost of the applicant, including the cost

of electricity.

c. Facility Size: Each antenna, including exposed elements, shall not exceed a volume of three (3) cubic feet. All antennas, including exposed elements, shall not exceed a total volume of six (6) cubic feet. The primary equipment enclosure located with the facility shall not exceed a volume of seventeen (17) cubic feet or less.

d. Contact Information: All support structures shall have a plaque identifying the structure and the facility owner's contact information, and said plaque shall not exceed 0.25 square feet.

e. Wiring And Fiber: All wiring and fiber shall be concealed within the support structure and all conduit, wiring and fiber shall be buried between structures and/or structures and ground mounted cabinets. All service lines (e.g., electric lines) to the support structure must also be buried unless service lines in the area of the support structure are aerial. In that event, service lines to the support structure may also be aerial, except for any service drop crossing a street or roadway which would need to be bored and placed under such street or roadway.

f. Color And Design: Wireless support structures and wireless service facilities shall be designed to blend into the surrounding environment and complement existing streetscape elements through the use of color, camouflaging and architectural treatment. Any equipment mounted to the support structures shall also match the support structure in color and general design. Approval of the aesthetic design of the wireless support structures and wireless service facilities shall be at the discretion of the permit authority.

g. Design: Any proposed wireless support structure shall be designed and engineered structurally, electrically and in all other respects, to accommodate both the initial small cell facility and one or more additional small cell facilities. The support structure shall be designed to allow for future rearrangement of cellular communication equipment and antennas upon the structure and to accept cellular communication equipment and antennas mounted at varying heights.

7. Permits:

a. Permit: A person that provides wireless communications service or otherwise makes available infrastructure for wireless communications services shall apply for and obtain a permit from the Development Services Director to: 1) locate or collocate a wireless service facility, 2) locate a wireless support structure, or 3) perform a substantial modification of a small cell wireless support structure.

b. Applicable Laws: An applicant shall demonstrate that the proposed wireless service facility, wireless support structure or substantial modification thereof complies with all applicable laws and ordinances governing land use and development.

c. Permits For New Wireless Support Structures: A new wireless support structure shall not be approved unless the person submits a complying application and written documentation and an affidavit affirming that the small cell facility planned for the proposed wireless support structure cannot be accommodated on an existing or approved utility pole or electrical transmission tower or other existing structure with a height of fifty feet (50') or greater within a one-half ($\frac{1}{2}$) mile radius of the proposed new wireless support structure due to one or more of the following reasons:

(1) The proposed small cell facility would exceed the structural capacity of existing or approved wireless support structures, utility poles, electrical transmission towers, and/or structures with a height of fifty feet (50') or greater as documented by a qualified and licensed professional engineer and that existing or approved wireless support structures, utility poles, electrical transmission towers, and structures with a height of fifty feet (50') or greater cannot be reinforced, modified, or replaced to accommodate the planned telecommunication equipment at a reasonable cost; or

(2) The proposed small cell facility would cause interference impacting the usability of other existing telecommunication equipment at the site if placed on existing or approved wireless support structures, utility poles, electrical transmission towers, and/or structures with a height of fifty feet (50') or greater as documented by a qualified and licensed professional engineer, and that the interference cannot be prevented at a reasonable cost; or

(3) Existing or approved wireless support structures, utility poles, and/or electrical transmission towers within a one-half ($\frac{1}{2}$) mile radius cannot accommodate the planned small cell facility at a height necessary to function reasonably as documented by a qualified and licensed professional engineer; or

(4) The person has been unable to enter a commonly reasonable lease term with the owners of existing or approved wireless support structures, utility poles, electrical transmission towers, and structures with a height of fifty feet (50') or greater.

d. Contents Of Application: An application for a permit shall include the following:

(1) The name, business address, and point of contact for the applicant.

(2) The location address, and latitude and longitude of the proposed or affected wireless support structure or wireless service facility.

(3) A construction plan.

(4) A map identifying all property lines, right-of-way, roadways, sidewalks, above-ground and below-ground utilities, wireless support structures, utility poles, electrical transmission towers, and structures with a height of fifty feet (50') or greater within a one-half ($\frac{1}{2}$) mile radius of the proposed new wireless support structure.

(5) The current zoning and use of the subject property.

(6) The location, current zoning and use of abutting or adjoining properties.

(7) The location of existing and proposed public utilities.

(8) A non-refundable filing fee.

e. Multiple Applications: Unless waived by the Developmental Services Director at his discretion, an applicant may submit one application for the location or substantial modification of no more than five (5) small cell facilities and associated wireless support structures proposed for the same general location. The permit authority may issue a single permit for all such facilities and support structures included in the application rather than individual permits for each. No applicant may have more than five (5) applications under consideration by the Development Services Director at any single point in time.

f. Procedure: The Development Services Director shall complete his review and approve or deny a completed application for:

(1) Collocation of small cell and other wireless service facilities on any existing supporting structure within ninety (90) days of the date such an application is received;

(2) Construction or installation of a new wireless service facility or wireless support structure within one hundred fifty (150) days of the date such an application is received; and

(3) Modification of an existing wireless service facility or wireless support structure that does not substantially change the physical dimensions of such facility or structure within sixty (60) days of the date such an application is received.

The Development Services Director may toll the running of the sixty (60), ninety (90) or one hundred fifty (150) days if he notifies the applicant within thirty (30) days of submission that its application is incomplete. The timeframes begin to run when an application is first submitted, not when it is deemed complete by the Development Services Director. A determination of incompleteness tolls the timeframes only if the Development Services Director provides notice to the applicant in writing within thirty (30) days of the application's submission, specifically delineating all missing information, and specifying the Code provision, ordinance, application instruction, or otherwise publicly-stated procedures that require the information to be submitted. Following an applicant's submission in response to a determination of incompleteness, the Development Services Director may reach a subsequent determination of incompleteness based solely on the applicant's failure to supply the specific information that was requested within the first thirty (30) days. The timeframes begin to run again when the applicant makes its supplemental submission; provided that the timeframes may be tolled again if the Development Services Director notifies the applicant within ten (10) days that the supplemental submission did not provide the specific information identified in the original notice delineating missing information.

These timeframes may be extended beyond the sixty (60), ninety (90) or one hundred fifty (150) days by mutual written consent of the applicant and the Development Services Director.

g. Written Determinations: If the Development Services Director determines the proposed wireless service facility or wireless support structure is consistent with previously- approved permits, the site's current zoning regulations, the requirements of this subsection E, and all other applicable Federal and State Statutes and regulations and City codes and ordinances, the Director is authorized to approve the application. A written determination shall state clearly the basis for the decision to approve or deny an application. If the Development Services Director denies an application, the written notice must include a basis for the denial.

h. Appeal: Any person whose application for a permit is denied shall have the right to appeal to the Board of Adjustment in compliance with section 11-4-6 of this title.

8. Construction Requirements: All wireless service facilities, wireless support structures, and other related improvements constructed within the City shall comply with the following requirements:

a. All wireless service facilities and wireless support structures shall be designed and constructed to conform to all applicable provisions of this subsection, other applicable ordinances and laws, the International Building Code, as amended, and the Federal Communications Commission (FCC), when applicable.

b. All wireless service facilities and wireless support structures shall be certified by a qualified and licensed professional engineer to conform to the latest structural standards and wind loading requirements of the International Building Code, as amended, and the Electronics Industry Association.

c. All wireless service facilities and wireless support structures shall be designed to conform with accepted electrical engineering methods and practices and to comply with the provisions of the National Electrical Code, as amended.

d. All wireless service facilities and wireless support structures shall be constructed to conform with the requirements of the Occupational Safety and Health Administration (OSHA).

e. All wireless service facilities and wireless support structures shall be designed and constructed to conform to all applicable standards of the American National Standards Institute (ANSI) Manual, as amended.

9. Signal Interference With City's Communication Infrastructure: In the event wireless service facilities interfere with the City's traffic signal system, public safety radio system, private police cell system, or other City communications infrastructure, the permit holder or facility owner shall promptly cease operation of the small cell facility causing such interference upon receiving notice from the City and refrain from operating such small cell facility in the future. The permit holder or facility owner shall respond to the City's notice to address the source of the interference as soon as practicable, but in no event later than twenty four (24) hours of receiving notice.

10. Interference With Operations And Liability:

a. The City shall not be liable to a permit holder or facility owner for any damage caused by other providers with facilities sharing the same pole or for failure of a permit holder's or facility owner's wireless service facilities for whatever reason, including damage resulting from vehicular collisions, weather-related events, or malicious attacks.

b. The City shall not be liable to a permit holder or facility owner by reason of inconvenience, annoyance, or injury to the permit holder's or facility owner's wireless service facilities or activities related thereto, arising from the necessity of repairing any portion of the public right-of-way, or from the making of any necessary alterations or improvements in, or to, any portion of the public

right-of-way or in, or to, City's fixtures, appurtenances, or equipment. The City will use reasonable efforts not to cause material interference to the operation of the wireless service facilities.

11. Continued Operation: A person receiving a permit for: a) construction of a new wireless support structure; b) substantial modification of a wireless support structure; or c) collocation of wireless service facilities inherently agrees:

a. If the wireless support structure or wireless service facilities are not used for a period of six (6) consecutive months, they will be removed by the permit holder or facility owner at its expense.

b. If the wireless support structure or wireless service facilities are installed in a location that is not in accordance with the plans approved by the City, do not comply with the provisions of this chapter, or render the public right-of-way non-compliant with applicable laws, including but not limited to the Americans With Disabilities Act, they will be removed by the permit holder or facility owner at its expense. If a permit holder or facility owner fails to remove any unauthorized wireless facility or any wireless facility that is located in an improper location within thirty (30) days after receiving written notice or the date required by the City, the permit holder or facility owner shall be subject to a penalty of up to five hundred dollars (\$500.00) per day until the wireless facility is removed or relocated to the correct area within the permitted location.

c. Should such permit holder or facility owner fail to remove the wireless support structure or wireless service facilities after ninety (90) business days from the date a Notice of Violation is issued by the City, the City may remove such structure or facilities and bill the permit holder and/or facility owner for the costs of removal and cleanup of the site.

12. Maintenance:

a. Repair: Whenever the installation, placement, attachment, repair, modification, removal, operation, use, or relocation of wireless service facilities, or any portion thereof, is required and such installation, placement, attachment, repair, modification, removal, operation, use, or relocation causes any property of the City to be damaged or to have been altered in such a manner as to make it unusable, unsafe, or in violation of any laws, the permit holder or facility owner, at its sole cost and expense, shall promptly repair and return such property to its original condition. If the permit holder or facility owner does not repair such property or perform such work as described in this subsection, then the City shall have the option to perform or cause to be performed such reasonable and necessary work on behalf of the permit holder or facility owner and to charge the permit holder or facility owner for the reasonable and actual costs incurred by the City. The permit holder or facility owner shall promptly reimburse the City for the costs.

b. Graffiti Abatement: Each permit holder or facility owner shall remove all graffiti on any of its wireless service facilities located in the public right-of-way as soon as practical, but not later than ten (10) days from the date the permit holder or facility owner receives notice thereof.

c. Tree Maintenance: Permit holders or facility owners and/or their contractors or agents shall obtain written permission from the City before trimming trees hanging over the permit holder's or facility owner's wireless service facilities to prevent branches of such trees from contacting wireless service facilities. When directed by the City, permit holders or facility owners shall trim such trees under the supervision and direction of the City. Permit holders and facility owners shall make all reasonable efforts to promote the health and well-being of any such trees, and shall not at any time trim trees in a manner that causes unsightly conditions to arise. The City shall not be liable for any damages, injuries, or claims arising from permit holders' or facility owners' actions under this subsection.

13. Inventory:

a. Permit holders shall maintain a list of its wireless service facilities located in the City and the utility as-built for associated underground appurtenances and shall provide the City an inventory of the location and/or as-built of each such wireless facility and appurtenances upon request from the City. Upon the City's written request, permit holders shall provide the information within thirty (30) days of City's request. The inventory of wireless service facilities shall include GIS coordinates, date of installation, City pole ID number (if applicable), type of pole used for installation, pole owner, and description/type of installation for each wireless facility. With respect to wireless service facilities that become inactive, the inventory shall include the same information as active installations in addition to the date the wireless service facility was deactivated and the date the wireless service facility was removed from the public right-of-way. City may compare the inventory to its records to identify any discrepancies.

b. In the event a permit holder's contact information changes and differs from the information provided on a permit application, permit holders and facility owners shall promptly provide updated contact information to the City for emergency purposes. (Ord. 2239, 3-26-2018)