

RESOLUTION NO. 2017- 109

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, SUPERSEDING RESOLUTION 2012-225, WHICH ESTABLISHED A REVISED SCHEDULE OF FEES FOR RIGHT-OF-WAY PERMITS, TO INCLUDE A WIRELESS FACILITY APPLICATION FEE AND AN ANNUAL FEE FOR THE COLLOCATION OF SMALL WIRELESS FACILITIES ON COUNTY UTILITY POLES WITHIN THE COUNTY RIGHT-OF-WAY.

WHEREAS, Collier County Resolution No. 2000-455 established a schedule of development-related review and processing fees; and

WHEREAS, the fees established in Resolution No. 2000-455 were subsequently amended and revised pursuant to Resolution Nos. 2002-479, 2003-170, 2007-162 and 2012-225 and the established fees are reflective of the actual cost of processing, reviewing, inspecting and evaluating Collier County Right-of-Way permits as set forth in attached Exhibit "A;" and

WHEREAS, in its 2017 Session, the Florida Legislature enacted the "Advanced Wireless Infrastructure Deployment Act" as codified in Section 337.401, Florida Statutes, which required local governments to allow small wireless facilities within the public right-of-way by either collocation on existing Utility Poles, or by establishing a new Utility Pole where collocation is not possible; and

WHEREAS, the Act requires that the county establish nondiscriminatory and competitively neutral rates, fees, and terms in compliance with the Act, and sets a limit of \$150 per pole for the annual rate for the collocation of small wireless facilities on County Utility Poles; and

WHEREAS, at its meeting on the 27th of June, 2017 this Board adopted an Ordinance implementing the regulations and permitting process authorized by the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

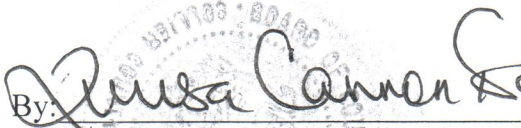
1. The Board of County Commissioners hereby declares and approves the fees set forth in the Schedule of Fees for Right-of-Way Permits, attached hereto and incorporated herein as Exhibit "A" as reasonable sums to be assessed to those who receive the benefits of those services, review, and inspections required by the Collier County Code of Laws and Ordinances, the Land Development Code and the County permitting process.
2. That all County Projects within or adjacent to the County Right-of-Way shall be exempt from the Lane Rental Fee as noted on Exhibit "A."

BE IT FURTHER RESOLVED that this Resolution relating to the Right-of-Way permit fees is recorded in the minutes of this Board and that Resolution 2012-225 is hereby superseded by the adoption of this Resolution.

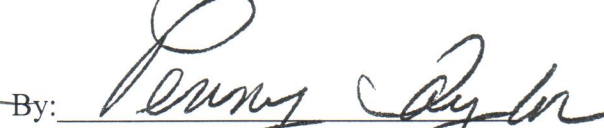
THIS RESOLUTION is adopted after motion, second and majority vote favoring adoption this 27th day of June, 2017.

ATTEST:
DWIGHT E. BROCK, Clerk

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

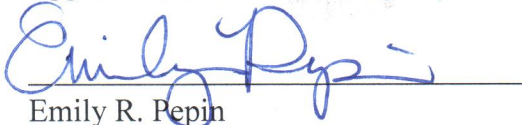
By: 

Attest as to Chairman's
signature only. Deputy Clerk

By: 

Penny Taylor, CHAIRWOMAN

Approved as to form and legality:



Emily R. Pepin
Assistant County Attorney

Exhibit "A"
Right-of-way Permits

<u>Type</u>	<u>Residential</u>	<u>Non-residential</u>	
		<u>Small</u>	<u>Large</u>
Right-of-way Construction	\$ 200.00	\$ 1000.00 (June-Nov) \$ 2000.00 (Dec-May)	\$2000.00 (June-Nov) \$4000.00 (Dec-May)
Work in the ROW (Without Lane Closures), Cost Per Day		\$ 50.00 (June-Nov) \$ 100.00 (Dec-May)	\$ 100.00 (June-Nov) \$ 200.00 (Dec-May)
Miscellaneous Events	\$ 200.00		
PSC Regulated Franchise Utility Application Fee + \$50/Day inspection fee	\$100.00		
<u>Wireless Facilities in the County ROW</u>		<u>\$100</u>	
<u>Collocation of Small Wireless Facility on a County Utility Pole</u>		<u>\$150.00 per pole annually</u>	
Renewal/Modification of unexpired or incomplete Permit	*\$ 100.00	\$ 500.00	\$ 1000.00
Re-inspection – First	\$ 100.00	\$ 100.00	\$ 100.00
Second	\$ 150.00	\$ 150.00	\$ 150.00
Third	\$ 200.00	\$ 200.00	\$ 200.00
All subsequent inspections	\$ 250.00	\$ 250.00	\$ 250.00
Jack-and-Bore/Directional Bore	\$ 500.00	\$ 1000.00	\$2000.00
Open-cut Construction	\$2000.00	\$4000.00	\$6000.00
Sprinkler Head Placement in R/W	\$ 50.00	\$ 200.00	\$ 400.00
Turn Lane Construction	\$ 500.00	\$ 1500.00	\$3000.00
County Engineering review on behalf of FDOT Drainage Permit, No Discharge into State System		\$ 500.00	\$1000.00
** County Engineering review on behalf of FDOT Drainage Permit, with Discharge into State System		\$ 1000.00	\$ 2000.00
Temporary Directional Sign Permit for Public Event		\$75.00	
After-the-Fact Permit		4 X Normal Fee (\$24000.00 max)	

* If the Renewal/Modification does not require additional staff time and field check (unexpired permit only), there will not be any fees charged

**Development two (2) acres or less are considered small

Exhibit “A”

Right-of-way Permit Notes:

1. Unjustified delays meeting permitted deadlines shall require additional fees as authorized.
2. Small Commercial Development shall be defined as a non-residential (single-family or duplex) project generating 600 vehicles trips per day or less.
3. Large Commercial Development shall be defined as a non-residential (single-family or duplex) project generating greater than 600 trips per day.
4. A right-of-way use fee (chart attached) per day shall apply to all non-residential commercial projects requiring a lane closure on a major roadway or sidewalk closure on any roadway. (chart attached). A major roadway is defined herein as being one of the following Collier County maintained roadways:

<u>Roadway Name</u>	<u>From</u>	<u>To</u>
Immokalee Road	Tamiami Trail North (US 41)	SR 29 (Immokalee)
Vanderbilt Beach Road	Tamiami Trail North (US 41)	Collier Boulevard
Pine Ridge Road	Tamiami Trail North (US 41)	Collier Boulevard
Golden Gate Parkway	Tamiami Trail North (US 41)	Collier Boulevard
Radio Road	Airport Road	Davis Boulevard
Rattlesnake Hammock Road	Tamiami Trail East (US 41)	Collier Boulevard
Goodlette-Frank Road	Tamiami Trail East (US 41)	Immokalee Road
Airport Road	Tamiami Trail East (US 41)	Immokalee Road
Livingston Road	Radio Road	Lee County Line
Santa Barbara Boulevard	Davis Boulevard	Pine Ridge Rd
Logan Boulevard	Pine Ridge Road	Lee County Line
Collier Boulevard	Judge Jolley Bridge	Immokalee Road
CR 29	Everglades City	SR 90 (US 41)
Bayshore Drive	U.S. 41	Thomasson Drive
Golden Gate Boulevard	C.R. 951	Desoto Boulevard
Vanderbilt Drive	VBR	Lee County Line
Gulfshore Boulevard	VBR	Bluebill Ave.
Oil Well Rd	Immokalee Rd	S.R. 29
Randall Boulevard	Immokalee Rd	Desoto Boulevard
Everglades Boulevard	Golden Gate Boulevard	Immokalee Rd
Naples Boulevard	Pine Ridge Road	Airport Road
County Barn Road	Davis Boulevard	Rattlesnake Hammock Road

5. No refunds of unused fees shall be allowed.
6. Lane use fees shall be calculated by Collier County and shall be due and payable at the time of permit application if a permit is issued. If a Notice of Intent to Issue a permit is provided by the County in lieu of a permit, then the lane use fee shall be due and payable at the time of issuance of the actual permit.
7. If work continues beyond the originally estimated lane use period, then additional lane use fees shall be due and payable within two working days of notice to the Permittee of such additional fees. Failure to provide the additional fees to the County within three working days of such notice shall be cause for the project to be “red-tagged” and shut down. Lane use fees shall continue to accrue during any period of shutdown and shall be added to the additional lane use fees calculated by Collier County.
8. Any deviation from the above must be approved by the ROW Permitting and Inspection manager or designee prior to implementation.
9. All future County Projects shall be exempt from the Lane Rental Fee Incentive Program.

Exhibit “A”

LANE RENTAL FEE (PER DAY) INCENTIVE PROGRAM

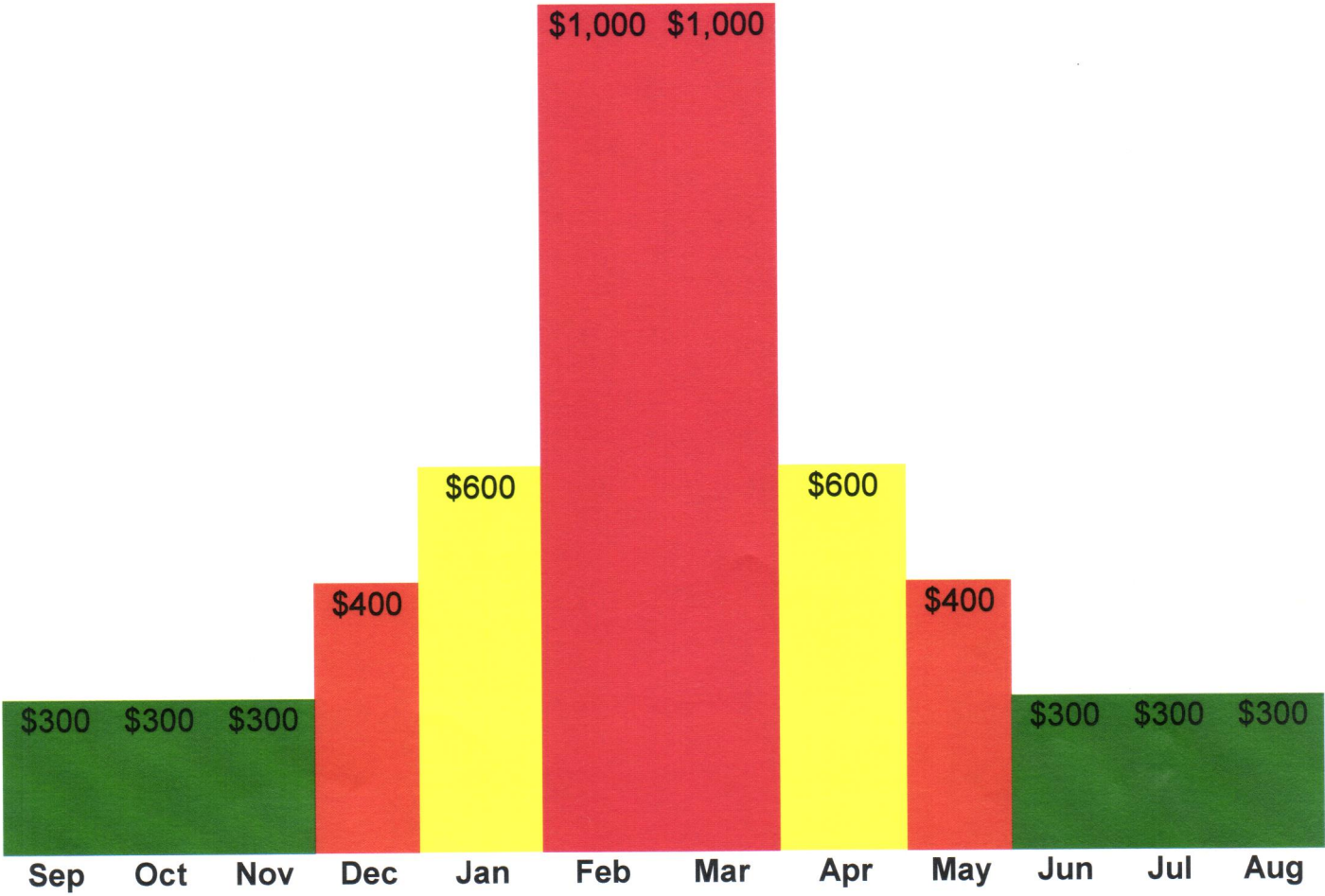


Exhibit "A"

SIDEWALK RENTAL FEE (PER DAY) INCENTIVE PROGRAM

