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Subject: Wireless Installations on Municipal Property Policy
Policy #: 02-24
Date Approved: June 05, 2024
Date Revised:

Purpose

This policy provides the framework for the approval and execution of license agreements for the installation of third-party wireless telecommunications equipment on The Town of Aylmer's (the "Town") buildings, towers, and facilities.

Background

This policy (the "Policy") provides a framework for the approval and execution of license agreements for the installation of third party wireless telecommunications equipment on buildings, lands and facilities owned by the Town, including buildings, lands, towers, light and traffic poles and other facilities (collectively "Town Property") and for the installation of carrier-owned poles on or within a Town road or road allowance (collectively the "Municipal Right-of-Way"), but excluding underground and aerial fibre installations on or within a Municipal Right-of-Way.

Definitions

Antenna – An electrical device which converts electric power into radio waves, and vice versa. It is typically used with a radio transmitter or radio receiver which is often referred to as a remote radio unit or "RRU".

Applicant - An individual, company, municipality, government agency, board or commission, or other public or private sector entity, proposing to install telecommunications equipment on Town Property or on a Municipal Right-of-Way.

Building -Town-owned building the primary use of which is for the Town's general administration purposes.

Carrier - A telecommunications service provider that provides telecommunications services and includes wireless carriers or mobile network operators.

Co-location - The placement of telecommunications equipment owned by one carrier on a tower or pole owned by a different carrier or tower consolidator, thereby creating a shared facility.

In-Building Equipment Installation - Wireless telecommunications equipment installed within a building intended to enhance cell phone reception.

License Agreement - The Town's form of telecommunications license agreement under which grants a license to a licensee to install and maintain telecommunications equipment on Town Property or on a Municipal Right-of-Way.

Licensee - An applicant that has entered into a license agreement with the Town to place telecommunications equipment on Town Property or on a Municipal Right-of-Way.

Macro Cell Equipment Installation - Wireless telecommunications equipment using large antennas that are mounted on top of or attached to a building, or an existing or new tower, not in the right-of-way. These installations also include remote radio units typically located near the antennas and have equipment cabinets at their base.

Operational Facility - A Town-owned facility or structure with the primary purpose of providing services to Town residents.

Pole - A light or traffic pole but excludes telecommunication monopoles.

Small Cell Equipment Installation - Wireless telecommunications equipment typically involves mounting small cell box/antenna(s) onto an existing, replaced pole or new pole or a monopole of the same or similar size as adjacent pole(s) in the right-of-way and parking lots. Small cell equipment may also be installed in/on other locations in the right-of-way including kiosks, and street furniture and in locations other than in the right-of-way such as on towers, in or on buildings or operational facilities. These installations may also include small equipment cabinets at their base.

Small Macro Cell Equipment Installation - Wireless telecommunications equipment typically involves adding large antennas around the top of an existing or replaced pole or new monopole in the right-of-way or on a tower in a parking lot and elsewhere, having a maximum tower height of 15 meters. These installations also include equipment cabinets at their base.

Telecommunications - Has the meaning defined under the Telecommunications Act, S.C. 1993, c.38, as same may be amended or superseded.

Telecommunications Equipment - Telecommunications infrastructure to provide wireless telecommunications services, including without limitation, antennas, lines, cables, remote radio units (RRUs), equipment, structures and/or plant.

Tower - A tower built from the ground to host telecommunications equipment. Towers may be free-standing, decorative, or guyed. Towers may also include monopoles with either flush mounted, pinwheel mounted or shrouded antennas.

Tower Consolidator - An entity whose primary business is to erect towers and/or poles for the purpose of renting space to one or more carriers or other entities wishing to site

their telecommunications equipment on a tower or pole, thereby creating a shared facility.

Policy Statement

This Policy's key objectives are:

- To simplify the approval process for applicants applying to install telecommunications equipment on Town-owned property.
- To encourage entities considering installing telecommunications equipment in Town to locate their equipment on Municipal Property.
- To support broadband coverage in the Town

Description

- Applicants will apply on the prescribed form, describing the proposed installation. The Town will consult with the applicant and if the Town agrees with the proposal, the applicant will be required to provide detailed engineering drawings for the proposed works for the Town's approval.
- Applicants must execute the Town's Licence Agreement which will set out: (i) the telecommunications equipment to be installed, (ii) a specified term with renewal options, (iii) the licence fees payable, and (iv) the terms and provisions of the licence granted.
- Applicants must obtain, at their own expense, any applicable permits and approvals, from an agency or government body, and where the telecommunications equipment installation is on a Municipal Right-of-Way, a road occupancy permit and, as necessary, a municipal consent.
- Applicants must obtain and maintain, at their own expense, the necessary radio licences from Innovation, Science and Economic Development "ISED" Canada and any other regulatory or governmental approvals required to provide wireless services. Applicants are responsible for ensuring that they comply with all applicable Federal regulatory requirements, including, without limitation, and to the extent applicable, ISED's Canada Client Procedures Circular 2-0-03 Rev. 5 and Health Canada's Safety Code 6, both are amended from time to time.
- Licensees must obtain and maintain insurance coverages satisfactory to the Town, naming the Town, as applicable, as additional insured, and provide evidence of this insurance on the Town's standard Certificate of Insurance form. Licensees shall indemnify the Town, as applicable, and save them harmless from and against any claims arising with respect to the licensee's telecommunications equipment installation and/or licence.
- Licensees must comply with all applicable Municipal protocols and procedures in connection with their telecommunications equipment or licence.

Licence Classes and Fees

- Telecommunications equipment installations on Town Property or on a Municipal Right-of-Way will be subject to fees and charges applicable to the class of licence that is issued.
- The classes of licences and their corresponding fees and charges are set forth below.

Type	Description of Fees and Charges	Amount
Installation On/In Buildings	Application Fee for Marco Cell, Small Cell and In-Building – per application	\$800
Installation On/In Buildings	Marco Cell annual license fee per building	\$6,000
Installation On/In Buildings	Macro Cell annual licence fee per antenna	\$800
Installation On/In Buildings	Small Cell annual licence fee per attachment	\$100
Installation On/In Buildings	Small Cell/In Building annual licence fee	\$0
Installations Town Right-of-Way	Municipal Right-of-Way installation application fee – per application (each application is limited to a maximum of 10 small cell attachments or one small macro cell).	\$800
Installations Town Right-of-Way	Small Cell annual licence fee per attachment and co-location attachment	\$100
Installations Town Right-of-Way	Small Macro Cell annual site licence fee (includes first carrier)	\$4,000
Installations Town Right-of-Way	Small Macro Cell annual co-location licence fee for each colocated carrier after first carrier.	15% of rent payable to licensee by co-locating carrier
Installations on Town owned Towers	Town-owned tower installation application fee – per application	\$800
Installations on Town owned Towers	Macro Cell annual site licence fee for initial 2 – 3 metres vertical dedicated space on tower.	\$8,000

Installations on Town owned Towers	Macro Cell annual site licence fee for second or subsequent 2 – 3 metres of vertical dedicated space on tower	\$4,000
Installations on Town owned Towers	Small cell annual licence per attachment on tower.	\$400
Installations on Town owned Towers	Applicant is required to agree to pay all costs related to the tower installation, remediation and/or reinforcement related to their installation.	variable
Application for Installations on privately owned lands	Application Fee	\$800
Application for installations on municipal lands not on buildings, towers, or rights of way	Application Fee	\$800
Application for installations on municipal lands not on buildings, towers, or rights of way	Small cell annual licence fee per attachment and co-location attachment.	\$100

Where advantageous to the municipality and residents (e.g. to facilitate enhanced broadband connectivity in hard to service areas), this policy provides delegated authority to the Chief Administrative Officer and Treasurer to waive and/or amend licence fees, in whole or in part, at the Town's sole discretion.

Additional Charges:

- In addition to the fees and charges set out above, the applicant shall be responsible for all costs reasonably applicable to the telecommunications equipment installation, operation, maintenance, relocation or removal, as more particularly described in the Licence Agreement.

Application Fee:

- Application fees with respect to an application for a new licence to install equipment at a new site, or an application to implement “modifications” to existing equipment under a current licence, are set out in the above Table.
- “Modifications” include but are not limited to changes in usage, changes in configuration including multi-coupling, replacement, removal, additions and/or changes to the location of the applicant’s telecommunications equipment. The Town may waive the application fee if the modifications are rudimentary in the Town’s sole opinion.

Fee Escalation:

- Annual licence fees are subject to a 3% escalation during each year of the term of the licence.
- The Town may increase, decrease or modify application fees from time to time, at the Town's sole discretion.

Non-Compliance with Policy:

- Shall result in non-approval of an application to install telecommunications equipment on Town Property or on a Municipal Right-of-Way, termination of Licence Agreement, or cancellation of permits at the sole expense of the licensee.