



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 20-0931, Version: 1

Dept/ Agency: Engineering

Action: () Ratifying (X) Authorizing () Amending

Type of Service: Adopting a Policy

Purpose: To authorize the Director of Engineering to adopt regulations implementing Ordinance 6F-b adopted by the Municipal Council on August 5, 2020 and to provide guidance to providers of wireless and wireline telecommunications seeking to place wireless and wireline telecommunications facilities in the streets.

Additional Information:

WHEREAS, providers of wireless and wireline telecommunications have expressed a desire to install wireless and wireline facilities in the streets in order to expand the capacity of communications networks in the City of Newark (the "City"); and

WHEREAS, the City finds that enabling communications providers to provide high quality wireless communications service infrastructure to serve current and future needs of the City, its residents, visitors and businesses is beneficial to the City; and

WHEREAS, the City intends that the Director of Engineering specifically, and the Department of Engineering as a whole, continue in its role of regulating and managing use of the City's streets, which includes the public right-of-way; and

WHEREAS, to that end, the Municipal Council shall be considering Ordinance 6F-b for second reading and final adoption on August 5, 2020, which establishes standards for the placement of wireless and wireline telecommunications facilities, and among other things, authorizes the Director of Engineering to adopt regulations to implement the ordinance and to provide guidance to those seeking to place facilities in the streets, in addition to such regulations as have already been established; and further authorizes the Director of Engineering to amend those regulations from time to time; and

WHEREAS, the Director of Engineering has prepared "REGULATIONS FOR PLACEMENT AND MAINTENANCE OF WIRELESS TELECOMMUNICATIONS FACILITIES," a copy of which is attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. Without in any respect limiting the authority granted to the Director of Engineering to adopt or modify consistent with the Municipal Code of the City of Newark and State Law, the "REGULATIONS FOR PLACEMENT AND MAINTENANCE OF WIRELESS

TELECOMMUNICATIONS FACILITIES,” the City Municipal Council, to the extent required by law, authorizes the issuance of said regulations in substantially the form attached hereto, and authorizes the charging and collection of the fees set forth therein.

2. The Director of Engineering, consistent with the Municipal Code of the City of Newark, is hereby authorized to amend from time to time the “REGULATIONS FOR PLACEMENT AND MAINTENANCE OF WIRELESS TELECOMMUNICATIONS FACILITIES,” as he sees fit in order to further establish additional needed standards for the placement of wireless and wireline telecommunications facilities in the streets.

3. The resolution does not affect in any manner any existing regulations for placement or modification of wireless and wireline telecommunications facilities in the streets.

4. The Director of Engineering shall file a copy of the “REGULATIONS FOR PLACEMENT AND MAINTENANCE OF WIRELESS TELECOMMUNICATIONS FACILITIES,” attached herein in the Office of the City Clerk, which shall be made available for public inspection.

STATEMENT

This resolution to the extent required by law, authorizes the action taken by the Director of the Engineering to adopt regulations implementing Ordinance 6F-b and to provide guidance to providers of wireless and wireline telecommunications seeking to place small cell wireless facilities in the streets. This resolution also further authorizes the Director of Engineering to amend those regulations from time to time as he sees fit in order to further establish additional needed standards for the placement of wireless and wireline telecommunications facilities in the streets.