



Number: \_\_\_\_\_

### Right-of-Way Registration Form

Registration is required prior to applying for a ROW permit in accordance with Right-of-Way Management ordinance. Registration expires five years from the date of issuance. Complete the information which applies to your business entity in the space provided. Completed registration form and attachments shall be returned to: The Permit Technician. Please call 972-225-6121 for questions regarding ROW registration or permits.

#### COMPANY INFORMATION

\_\_\_\_\_

Company's Legal Name (Owner of Facilities)

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

(Area Code) Telephone # \_\_\_\_\_ 24-Hour Emergency Phone # \_\_\_\_\_ Email Address \_\_\_\_\_

Contact Person 1 \_\_\_\_\_ Title \_\_\_\_\_ Phone # \_\_\_\_\_ Email Address \_\_\_\_\_

Contact Person 2 \_\_\_\_\_ Title \_\_\_\_\_ Phone # \_\_\_\_\_ Email Address \_\_\_\_\_

Is your Company authorized to do business in the State of Texas? (Please check one)  Yes  No

Name and Address of Registered Agent for Service of Process:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### ROW AUTHORIZATION

##### Authorization to use the right-of-way

☐ Franchise: Ordinance Number: \_\_\_\_\_ Date: \_\_\_\_\_

#### ADDITIONAL INFORMATION

By separate attachment please furnish the following:

- Certificate of Insurance (refer to Right-of-Way Management ordinance for requirements)
- Provide name, address, and phone number of subcontractors, and type(s) work to be performed by each.
- Other: \_\_\_\_\_

**Completed registration form and attachments shall be returned to: Permit Technician**

Date Received: \_\_\_\_\_

Complete

Bonds  Insurance  Map  Email Notification Sent \_\_\_\_\_  Incomplete  
 \_\_\_\_\_  Email Notification Sent \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**INTERNAL USE ONLY**

Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_

Complete

Bonds  Insurance  Map  Email Notification Sent \_\_\_\_\_

Incomplete

Email Notification Sent \_\_\_\_\_ Approved By: \_\_\_\_\_

**Chart –**  
**Deadlines and Other Information**

<b><u>Type of Facility</u></b>	<b><u>Permitting Time – Chapter 284</u></b>		
	<b><u>Determine Completeness</u></b>	<b><u>Approve or deny</u></b>	<b><u>Permit Fee</u></b>
Node Support Pole	30 calendar days	150 calendar days	\$1,000
Network Node	30 calendar days	60 calendar days	\$500
Transport Facility	10 calendar days	21 calendar days	

Source: Section 284.154(b) and (d)

**Denial and resubmittal of application:** Up to 30 days after denial, the applicant may cure deficiencies identified in the denial documentation and resubmit without paying another fee. The revised application must be approved or denied no later than 90 days after the date the revised application is received. Review is limited to noted deficiencies. Source Section 284.154(f)

**Grounds for denial:** Section 284.154(c) “(c) A municipality shall approve an application that does not require zoning or land use approval under this chapter unless the application or the corresponding work to be performed under the permit does not comply with the municipality’s applicable codes or other municipal rules, regulations, or other law that is consistent with this chapter.”

Denial documentation must specify all grounds for denial because that is all they have to correct to resubmit. “The municipality’s review of the revised application is limited to the deficiencies cited in the denial documentation.” Section 284.154(f)

**Consolidated permit:** “(b) A network provider that wants to install or collocate multiple network nodes inside the territorial jurisdiction of a single municipality is entitled to file a consolidated permit application with the municipality **for not more than 30 network nodes** and receive permits for the installation or collocation of those network nodes.” [Emphasis added.] (Section 284.152(b))

**Permit fee** – cost based not to exceed \$500 covering up to 5 network nodes; \$250 for each additional network node per application, and \$1,000 per application for each pole. (**Note** – there is a difference between compensation for use of the ROW and permit fee. A permit fee is a cost based fee for issuing the permit and the statute provides a cap – so if costs exceed that cap, the city cannot pass those costs on).

Source: Section 284.156(b)

**Work Exempt from permit:** (1) routine maintenance; (2) replacing or upgrading a network node or pole with a node or pole substantially similar in size that does not require excavation or closing of sidewalks or streets; (3) installation, maintenance or replacement of micro network nodes. (Section 284.157)

**Compensation for use of ROW:**

**Nodes** - \$250 annually

Source: Sec.284.053. “(a) A public right-of-way rate for use of the public right-of-way may not exceed an annual amount equal to \$250 multiplied by the number of network nodes installed in the public right-of-way in the municipality’s corporate boundaries.”

**Transport:** \$28 if not already paying ROW fees. If the Company already pays access lines fees, it most likely will not have to pay anything. (Section 284.055(a)(2)). Has been referred to by some as a “phantom fee.”

Source Section 284.055(b)(2) “(2) obtain transport service from a person that is paying municipal fees to occupy the public right-of-way that are the equivalent of not less than \$28 per node per month.”

**Collocation** \$20

Source: Section 284.056

**Other Compensation:** “Sec. 284.057. PROHIBITION ON OTHER COMPENSATION. A municipality may not require a network provider to pay any compensation other than the compensation authorized by this chapter for the right to use a public right-of-way for network nodes, node support poles, or transport facilities for network nodes.”

**Rate adjustment:** one-half of cost of living. Source section 284.054 (must notify providers in advance)

**Size:**

Micro Network Nodes - The size limits for micro network node are in the definitions (section 284.002(9)) and are length 24 inches; width 15 inches; height 12 inches and an exterior antenna not longer than 11 inches.

Network Nodes are in section 284.003 (“Limitation on Size of Network Nodes.”) and are 6 cubic feet in volume; not higher than 3 feet above the existing structure or pole; not protrude more than two feet Other equipment – 28 cubic feet

Ground equipment – not higher than 3’6” from grade or wider than 3’6” or deeper than 3’6” Protrusion – not more than two feet from out edge of the node support pose