

RESOLUTION NO. 2022-059

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING THE CITY'S SCHEDULE OF FEES AND CHARGES FOR MUNICIPAL SERVICES PERTAINING TO THE PUBLIC WORKS DEPARTMENT PERMIT PROCESSING AND REVIEW FEES FOR SMALL WIRELESS COMMUNICATION FACILITIES WITHIN PUBLIC RIGHT-OF-WAY

WHEREAS, California State law authorizes the City of Fullerton to collect fees and charges for services, provided such fees and charges do not exceed the reasonable cost of providing such service.

WHEREAS, it is necessary from time to time to amend the City's Schedule of Fees and revise the amounts charged to assist in the cost recovery of performing such services as cost of services can increase annually, and for other economical or defensible reasons.

WHEREAS, it is the City's financial practice to approve and adopt fees for new processes and permits and incorporate within the City's Schedule of Fees and Charges for the fiscal year.

WHEREAS, the Federal Communications Commission (FCC), in Declaratory Ruling and Third Report and Order, adopted September 26, 2018, held that presumptively reasonable ("safe harbor") amounts for non-recurring fees are as follows:

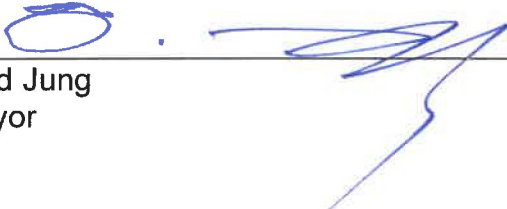
- \$500 non-recurring fee per application, which covers up to five small wireless facilities
- \$100 for each additional small wireless facility beyond five
- \$1000 per application for each new pole intended to support one or more small wireless facility
- \$270 per small wireless facility per year for all recurring fees.

WHEREAS, the City intends to use these FCC safe harbor fees until it completes a related cost study.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FULLERTON RESOLVES AS FOLLOWS:

1. City Council adopts all Fees in Attachment 1 of this Resolution pertaining to Public Works Engineering Fees and the City's Schedule of Fees and Charges for Fiscal Year 2022-23 and amends to add the new fees.
2. All prospective Fees in Attachment 1 of this Resolution shall become effective immediately upon adoption.
3. The City Clerk shall certify the adoption of this Resolution.

ADOPTED BY THE FULLERTON CITY COUNCIL ON JUNE 21, 2022.

  
\_\_\_\_\_  
Fred Jung  
Mayor

ATTEST:

  
\_\_\_\_\_  
Lucinda Williams, MMC  
City Clerk

Date

Attachments:

- Attachment 1 – Public Works Department Engineering Fees Small Wireless Communication Facility Permit

Attachment 1

Public Works Department Engineering Fees for  
Small Wireless Communication Facility Permit

1. Pursuant to the Fullerton Municipal Code, the Fees for processing locating small wireless communication facilities withing public right-of-way shall be as follows:

<b>Description</b>	<b>Fee</b>
Application fee for installation on existing City facility/pole	\$500 non-recurring fee per application, which covers up to 5 small wireless facilities, and \$100 for each additional small wireless facility.
Application fee for each new pole intended to support one or more small wireless facility.	\$1,000/each
Recurring site fee (per year) for locating a small wireless facility in the public right-of-way	\$270/each/year

City of Fullerton  
RESOLUTION CERTIFICATION

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE    ) SS  
CITY OF FULLERTON     )

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I, Lucinda Williams, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certify that the whole number of the members of the City Council of the City of Fullerton is five, and that the City Council adopted the above and foregoing Resolution No. 2022-059 at a regular meeting of the City Council held on the June 21, 2022 by the following vote:

COUNCIL MEMBERS IN FAVOR:       Jung, Whitaker, Dunlap, Silva, Zahra

COUNCIL MEMBERS OPPOSED:       None

COUNCIL MEMBERS ABSTAINED:     None

COUNCIL MEMBERS ABSENT:       None



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Lucinda Williams, MMC  
City Clerk