



**KENT COUNTY ROAD COMMISSION  
BOARD POLICY**

**No.  
508**

**Effective Date  
06-13-17**

**Revised Date**

**Communication Service Provider Facilities (CSP)**

Policy authored by Engineering Division

**A POLICY TO REGULATE SMALL CELL/WIRELESS FACILITIES IN  
THE PUBLIC RIGHT-OF-WAY**

1. No Communication Service Provider shall install, construct, or otherwise place within public right-of-way under the jurisdiction of the Kent County Road Commission (Road Commission) any Communication Service Provider Facilities, except pursuant to the provisions of this policy.
2. A Communication Service Provider must obtain a permit from the Road Commission prior to constructing any Communication Service Provider Facilities within a right-of-way under the jurisdiction of the Road Commission.
3. (a) Definition. For purposes of this section, the following terms and phrases shall be defined as follows:

*Small Cell/Wireless Network (Network)* shall mean any distributed antenna system or small cell telecommunication or data wireless network.

*Small Cell/Wireless Facilities or Small Cell/Wireless Network Facilities (Facilities)* shall mean structures of any nature installed and/or operated for the provision of telecommunication or wireless services, including, without limitation, antennas, supporting structures for antennas, poles, equipment shelters or houses, and any ancillary equipment.

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- (b) Communication Service Provider Agreement. No person shall install or operate, in whole or in part, Facilities in a Road Commission public right-of-way or other public place without first applying for, and receiving, a Small Cell/Wireless license from the Township, City or Village in a form, subject to terms and conditions deemed acceptable by the Township, City or Village. Nothing herein shall be interpreted to require the Township, City or Village to issue such a license and the Road Commission reserves the discretion to grant, deny or modify a request as it determines to be in the best interest of the Road Commission and the public it serves.

(c) METRO Act Permit. No person shall install or operate “telecommunications facilities,” as defined in the Metropolitan Extension Telecommunications Rights-Of-Way Oversight (METRO) Act, Act No. 48 of the Public Acts of 2002, as amended (the Act) without first obtaining a permit under the Act from the Township, City or Village, including any part of a Network constituting telecommunication facilities.

(d) Design Parameters. **Where allowed by the Township, City or Village**, the following minimal design parameters shall apply to Facilities in Road Commission public right-of-way:

1. The permittee should first consider co-locating on existing poles.
2. The required plans for proposed Facilities shall be legible, to scale, labeled with streets, and contain sufficient detail to clearly identify the proposed Facilities’ locations within the right-of-way and surrounding topography. Where applicable, the required plans and specifications shall include and identify any requested pole height(s).
3. The height of a pole or other supporting structure installed to accommodate a Network shall be 45 feet or less within right-of-way less than 50 feet wide, measured from section line or center of right-of-way. Taller wood poles, up to 75 feet, may be considered within right-of-way 50 feet and wider, measured from section line or center of right-of-way.
4. Unless otherwise permitted in Section (d) 6, Facilities shall be located no closer than 24 inches from an existing sidewalk or 24 inches from a proposed future sidewalk location.
5. Facilities shall be located no closer than 10 feet from any roadway pavement or curb, unless otherwise permitted in Section (d) 7.
6. Facilities shall not be located in residential plats or developments.
7. The permittee shall field-stake all proposed locations for Facilities which shall be subject to the approval of the Township, City or Village and Road Commission, as applicable. All approved Facilities’ locations shall be on a per pole/equipment/other basis. Such approvals shall be memorialized by the Road Commission permittee.
8. Once precise locations have been approved in accordance with Section (d) 7, the permittee shall provide latitude and longitude coordinates for the Facilities’ locations to the Road Commission Permit Office.
9. The permittee shall be responsible to obtain such other permits and approvals as required by law.

- (e) Compliance with Applicable Law. All Facilities installed pursuant to this policy shall be constructed to comply with all lawful federal, state and local construction and applicable telecommunication requirements.
- (f) Fees. Road Commission costs related to the issuance of a permit may be charged to a Communication Service Provider related to its installation and maintenance of Communication Service Provider Facilities in the right-of-way. Any such permit fee shall be in an amount sufficient to cover the actual administrative expenses incurred by the Road Commission that are directly related to receiving, reviewing and approving a permit, consulting with any experts deemed necessary by the Road Commission to evaluate the permit application, monitoring and inspecting the actual construction of the permitted Facilities, and implementation of the requirements of this Policy and the terms and conditions of the permit. On request of an applicant, the Road Commission will submit proof of any charges or expenses incurred. For any project or time frame, an operator can also request a written estimate from the Road Commission, in advance, of costs planned to be expended by the Road Commission.
- (g) Terms and Conditions. If a permit is granted, a Communication Service Provider must agree to abide by the terms and conditions imposed by the permit and shall comply with the engineering standards and design guidelines established by the Road Commission Engineering Division and shall execute a **Communication Service Provider Agreement** certifying agreement and compliance with these standards. The Communication Service Provider shall comply with all state and local laws, ordinances, and zoning requirements.