



## CITY OF UHLAND

15 North Old Spanish Trail

Uhland, TX 78640

512-398-7399

[city@uhlandtx.us](mailto:city@uhlandtx.us)

## RIGHT-OF-WAY WORK PERMIT APPLICATION

**\*\*DOUBLE PERMIT FEES WILL BE CHARGED FOR WORK STARTED PRIOR TO OBTAINING PERMITS\*\***

***A pre-submittal meeting is required prior to application.  
Please contact the City of Umland at 512-398-7399 to schedule an appointment.***

DATE OF APPLICATION: \_\_\_\_\_

### APPLICANT/OWNER INFORMATION:

FULL LEGAL NAME OF OWNER: \_\_\_\_\_

NAME OF OWNER'S REPRESENTATIVE: \_\_\_\_\_

OWNER'S ADDRESS: \_\_\_\_\_ STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

CONTACTS: OFFICE: \_\_\_\_\_

MOBILE: \_\_\_\_\_

FAX: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

**ISSUANCE OF A RIGHT-OF-WAY WORK PERMIT DOES NOT RELIEVE THE OWNER FROM THE NECESSITY OF OBTAINING ANY OTHER REQUIRED PERMIT(S) FROM, THE CITY, THE STATE OR ANY OTHER PERMITTING AGENCY.**

**CERTIFICATED TELECOMMUNICATIONS PROVIDERS AND NETWORK PROVIDERS MUST FILL OUT THEIR RESPECTIVE FORMS ATTACHED AS APPENDICES AS PART OF THIS RIGHT-OF-WAY WORK PERMIT APPLICATION.**

**PROJECT INFORMATION:**

**PROJECT NAME:** \_\_\_\_\_

**PROJECT ADDRESS:** \_\_\_\_\_

**DESCRIPTION AND PURPOSE OF WORK ACTIVITY:** (Telecommunication, Cable, and Network Providers need to explain the services provided through the facilities.)

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

**ROW IMPACTED** (include block #s or range of addresses if not the full street):

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

**ENGINEERING COMPANY:** \_\_\_\_\_

**ENGINEER NAME:** \_\_\_\_\_

**CONTACTS:**            **OFFICE:** \_\_\_\_\_  
                                 **MOBILE:** \_\_\_\_\_  
                                 **FAX:** \_\_\_\_\_  
                                 **E-MAIL:** \_\_\_\_\_

**CONTRACTOR COMPANY:** \_\_\_\_\_

**CONTRACTOR'S NAME:** \_\_\_\_\_

**CONTACTS:**            **OFFICE:** \_\_\_\_\_  
                                 **MOBILE:** \_\_\_\_\_  
                                 **FAX:** \_\_\_\_\_  
                                 **E-MAIL:** \_\_\_\_\_

**ADDITIONAL REQUIRED PROJECT DETAILS:**

ESTIMATED TIME TO COMPLETE THE WORK:

Number of Days/Weeks/Months: \_\_\_\_\_

Estimated Start Date: \_\_\_\_\_

Estimated End Date: \_\_\_\_\_

REQUEST AUTHORIZATION TO PERFORM EMERGENCY REPAIR OF FACILITIES IN THE PUBLIC RIGHT-OF-WAY

REQUEST APPROVAL OF APPLICATION TO INSTALL OR MODIFY UTILITY FACILITIES IN THE PUBLIC RIGHT-OF-WAY

REQUEST APPROVAL OF APPLICATION TO INSTALL OR MODIFY CABLE FACILITIES IN THE PUBLIC RIGHT-OF-WAY

CTP REQUEST FOR APPROVAL OF APPLICATION TO INSTALL OR MODIFY FACILITIES IN THE PUBLIC RIGHT-OF-WAY If Owner is a certificated telecommunication provider (CTP) under Tex. Loc. Gov't Code, Chapter 283, the attached Appendix A Chapter 283 ROW Form must be completed and submitted as part of this Right-of-Way Work Permit Application.

NETWORK PROVIDER REQUEST FOR APPROVAL OF APPLICATION TO INSTALL OR MODIFY NODE SUPPORT POLES OR NETWORK NODES IN THE PUBLIC RIGHT-OF-WAY (EXCLUDING EXEMPTED WORK UNDER §284.157, TEX. LOC. GOV'T CODE) If Owner is a network provider under Tex. Loc. Gov't Code, Chapter 284, the attached Appendix B Chapter 284 ROW Form must be completed and submitted as part of this Right-of-Way Work Permit Application.

Number of Nodes to be Installed \_\_\_\_\_

Number of Poles to be Installed \_\_\_\_\_

Number of Transport Facilities to be Installed \_\_\_\_\_

DOES THE PROPOSED WORK INCLUDE PUBLIC INFRASTRUCTURE?

YES

NO

IS THE PROPOSED WORK PART OF A CITY CIP PROJECT?

YES

NO

DOES THE PROPOSED WORK REQUIRE A LANE OR STREET CLOSURE?

YES

NO

## **CITY STANDARDS AND REQUIREMENTS:**

### **The City of Umland requires a permit:**

A right-of-way work permit must be obtained from the city before installing facilities in or upon the public right-of-way or performing any work in the public right-of-way that requires digging up, breaking up, cutting, excavating, drilling, or tunneling in or upon any public right-of-way. If emergency work in the public right-of-way that would require a permit is necessary and the city permit office is closed, the person doing the work must apply for a right-of-work permit the next business day after the emergency work.

### **The City of Umland requires site restoration:**

All excavations, alterations, backfill, repairs and other work must be made in conformance with any written specifications or requirements adopted by the City. The director may allow modifications of a specification if unusual circumstances are present, the modifications will comply with the spirit and intent of the specification, and the modification will not adversely affect the public safety or welfare. All work must be performed in a good and workmanlike manner and in accordance with all applicable federal, state, and local laws, and rules and regulations.

If a permit holder fails to properly restore the surface of the public right-of-way or other public property, abandons the work, or fails to correct a hazardous condition after notice to do so, the director may take any action necessary to restore the right-of-way, complete the work, or correct the hazardous condition at the permit holder's expense.

### **The City of Umland requires minimum vertical clearances for overhead lines:**

The minimum vertical clearance above any street shall be 18.5 feet for overhead electric lines and 15.5 feet for overhead communication, cable television, and any other lines, including, but not limited to, lines that transmit electronic, digital, and voice data and signals. Clearances for any such lines shall be greater if required by the National Electrical Safety Code and governing laws.

The minimum vertical clearance above any traffic-control signs, signals, or devices, for any wires, conductors, and cables passing near, without being attached thereto, shall be:

- (1) 4.5 feet for lines with voltages over 750 V up to 22 kV; and
- (2) 2.0 feet for lines that meet the requirements of the National Electrical Safety Code for such reduced clearance, including:
  - a. Effectively grounded guys and messengers;
  - b. Insulated communication conductors and cables;
  - c. Neutrals that are effectively grounded throughout their length and associated with circuits of 0 to 22 kV to ground; and
  - d. Certain supply cables of 300 V or less to the ground.

This vertical clearance is required from any part of any traffic-control signs, signals, or devices.

Clearances for any such lines shall be greater if required by the National Electrical Safety Code and governing laws.

Users of the public right-of-way shall ensure that all overhead lines are constructed and maintained in compliance with the National Electrical Safety Code, except where generally accepted industry standards require greater protections for the city to safely maintain, operate, construct, reconstruct, and repair any existing or planned street lighting facility, traffic signal pole, mast arm, luminaire, or other aboveground city facility, in which case such industry standards shall apply.

It is unlawful for any person to knowingly hang overhead lines at, or allow overhead lines to sag to, a height lower than that authorized by this division.

**REQUIRED SUBMITTAL DOCUMENTATION:**

(One digital copy and 6 original hard copies)

- A map, survey or plan clearly identifying the GPS coordinates of the location of the facilities and the work area.
- A current original certificate of insurance that complies with Chapter 5, Article III of the Code of Ordinances. A cable service or video service provider may be self-insured under the provisions of state law but must provide substantially the same defense and claims as an insured provider. § 66.011, Util. Code.
- A traffic control plan per the Texas Manual on Uniform Traffic Control Devices (TMUTCD) for any proposed traffic routing or lane closures. [Traffic Planning Publications - TMUTCD](#)
- If the project lies within a highway right-of-way, a copy of the permit from the state or federal authority or toll road authority.
- If the project lies within property owned by a railroad company, evidence of written authorization from the railroad company.
- A set of sealed engineering and construction plans and drawings with plan and profiles of the public right-of-way, identifying all existing utility conflicts.

**IF INSTALLING A SMALL NETWORK FACILITY:**

- \* A storm water pollution prevention plan and trench safety plan, if applicable.
- \* A set of scaled dimension drawings of proposed attachments to poles, as well as other proposed equipment associated with the permit application indicating the spacing from existing curb, public right-of-way line, driveways, sidewalks, light poles, off street pathways, and any other poles or appurtenances.
- \* For installation of a proposed pole, a sectional drawing showing the depth of anchor, scaled dimension drawings of the proposed pole and any other proposed equipment associated with the proposed installation, indicating spacing from existing curb, public right-of-way line, driveways, sidewalks, light poles, off street pathways, and any other poles or appurtenances.
- \* Construction and installation methods to be employed for protection of existing structures, fixtures, and facilities within or adjacent to the public right-of-way.
- \* Please include the appropriate PUC certificate issued for telecommunications, cable service and video service providers.

\* A letter from the property owners' association(s) evidencing compliance with the restrictive covenants, where applicable.

\* For proposed work that involves installation of facilities that will use radio frequencies, a copy of the Network Provider's Radio Station Authorization from the FCC showing that the proposed installation will be compatible with the city's systems and will not cause interference with the city's public safety radio system, traffic signal light system, or other city communications systems or components.

**SIGNATURES, REPRESENTATIONS AND AUTHORIZATIONS:**

**BY SIGNING BELOW, THE OWNER REPRESENTS AND AFFIRMS THAT HE/SHE HAS AUTHORITY TO ACT FOR THE BUSINESS ENTITY, HAS READ AND UNDERSTANDS THE RIGHT-OF-WAY WORK PERMIT APPLICATION, AND THE ANSWERS AND INFORMATION IN THIS RIGHT-OF-WAY WORK PERMIT APPLICATION, INCLUDING APPLICABLE APPENDICES, ARE TRUE AND CORRECT.**

**THE NETWORK PROVIDER FURTHER REPRESENTS AND AFFIRMS THAT THE NETWORK NODE COMPLIES WITH APPLICABLE REGULATIONS OF THE FCC, THAT THE PROPOSED NETWORK NODE WILL BE PLACED INTO ACTIVE COMMERCIAL SERVICE BY OR FOR THE NETWORK PROVIDER NO LATER THAN THE 60TH DAY AFTER THE DATE OF THE CONSTRUCTION AND FINAL TESTING OF THE NETWORK NODE IS COMPLETED, AND THAT THE OPERATION OF A NETWORK NODE WILL NOT CAUSE ANY HARMFUL RADIO FREQUENCY INTERFERENCE TO THE CITY'S FCC-AUTHORIZED MOBILE TELECOMMUNICATION OPERATION OPERATING AT THE TIME THE NETWORK NODE IS INSTALLED.**

**THE CABLE SERVICE PROVIDER OR VIDEO SERVICE PROVIDER FURTHER REPRESENTS AND AFFIRMS THAT IT HAS ATTACHED A COPY OF ITS CERTIFICATE OF FRANCHISE AUTHORITY AND WILL PAY TO THE CITY THE FRANCHISE FEE OF FIVE PERCENT OF GROSS REVENUES AS SET FORTH IN CHAPTER 66, TEX. UTIL. CODE., PAYABLE QUARTERLY AS PROVIDED IN THAT CHAPTER.**

**FURTHER, BY SIGNING BELOW, THE OWNER AUTHORIZES CITY OF UHLAND STAFF AND CONTRACTORS TO VISIT AND INSPECT THE WORK FOR WHICH THIS APPLICATION IS BEING SUBMITTED. PROOF OF OWNERSHIP/AUTHORIZATION SHALL BE SUBMITTED WITH THE APPLICATION ALONG WITH ALL OTHER SUPPORTING DOCUMENTATION AS REQUIRED BY THE CITY'S ORDINANCE AND POLICIES.**

**SIGNATURES:**

**OWNER'S SIGNATURE:**

\_\_\_\_\_

REPRESENTING:

\_\_\_\_\_

DATE:

\_\_\_\_\_

**CONTRACTOR'S SIGNATURE:**

\_\_\_\_\_

REPRESENTING:

\_\_\_\_\_

DATE:

\_\_\_\_\_

<i>Office Use Only:</i>		
<b>Project Name:</b>		
<b>Received By:</b>		<b>Date:</b>
<b>Valuation:</b>	<b>Fee Amount:</b>	<b>Paid:</b> <input type="checkbox"/> YES <input type="checkbox"/> NO
<b>Reviewed By:</b>		<b>Date:</b>
<input type="checkbox"/> <b>Approved</b>	<input type="checkbox"/> <b>Disapproved</b>	<b>Permit No:</b>
<b>Comments:</b>		

**APPENDIX A  
CITY OF UHLAND  
CHAPTER 283 ROW FORM**

**This Chapter 284 ROW Form must be completed as part of the ROW Work Permit Application.**

Right of access to use the City’s public rights-of-way under Tex. Loc. Gov’t. Code, Chapter 283, (Chapter 283) applies to wireline Public Utility Commission of Texas (PUC) certificated telecommunications providers (CTP).

A CTP is defined in Chapter 283, §283.002 as a person who has been issued a certificate by the Texas Public Utility Commission to offer local exchange telephone service or a person who provides voice service.

A “local telephone exchange” service is defined in Chapter 283, §283.002 and in Tex. Util. Code, §51.002 as telecommunications service provided within an exchange to establish connections between customer *premises* within the exchange.<sup>1</sup>

“Voice service” is defined in Chapter 283, §283.002 as voice communication services provided through wireline facilities located at least part in the ROW. The term does not include voice service provided by a commercial mobile service provider as defined by 47 USC § 332.

A CTP is required to count and report its “access lines”, and compensate each municipality in accordance with the access lines rates as adopted by the PUC, as revised annually by an inflation factor.

“Access line” is defined by Chapter 283, §283.002 (1), and in PUC Rules, as being each switched transmission path “*physically* within the public rights-of-way”, each private line termination point of a non-switched circuit “*located within* the public rights-of-way”, resulting in three categories of access lines: residential switched, business switched (including PBX type services) and private/dedicated point-to-point data services, that terminate at a customer’s premises, i.e., a retail end-user (and excluding interoffice transport lines that do not terminate at an end-user’s premises, as described in PUC Rules, P.U.C. Subst. R. 26.461(c)(1)(B), but are used to provide landline/wireline local exchange telephone services or other Chapter 283 defined access line services, P.U.C. Subst. R. 26.461(d), of “voice”, data, or private landline/wireline services).<sup>2</sup>

Chapter 283, and the PUC Rule definitions describe a landline based telecommunications service that has *physical* facilities *within* the rights-of-ways extending to the retail end users.

If a wireline CTP complies with Chapter 283, i.e. files quarterly access line reports to the PUC and compensates each municipality access line fees based on those reports, it is allowed to place its facilities within the local public rights-of-way, although (no-cost) permits can still be required.<sup>3</sup>

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<sup>1</sup> See also, PUC Subst. Rule §26.5. Definitions (13) Basic local telecommunications service; (134) Local exchange telephone service or local exchange service.

<sup>2</sup> PUC Subst. Rule §26.461 generally and subsection (d) on the three categories of access lines; See also, PUC Subst. Rule §26.465 (c) definitions of a “transmission path” and subsection (d) methodology for counting access lines.

<sup>3</sup> Chapter 283, § 283.052. EFFECT OF PAYMENT OF RIGHT-OF-WAY FEES TO MUNICIPALITY. (a) a [CTP] that complies with this chapter and commission orders issued under this chapter: (1) may erect poles or construct conduit, cable, switches, and related appurtenances and facilities and excavate within a public right-of-way to provide telecommunications service; and (2) is not subject to municipal franchise requirements....”; Chapter 283, § 283.056 (b) no cost construction permits, consistent with other like permits, may be required by a city.



The CTP Applicant's completion of this Chapter 283 ROW Form, will provide guidance to the City on ensuring that only qualified CTP entities have the benefit of Chapter 283 rights-of-way access, as narrowly allowed by Chapter 283; in other words, the completion of this form is intended to elicit the minimum amount of information from the CTP Applicant in order to assist the City in verifying that the CTP is qualified under Chapter 283 in its request to have access to use the public rights-of-way as allowed by Chapter 283, and that the CTP Applicant fully understands and agrees to its responsibilities and obligations of counting, reporting and compensating the City based on its access lines within the City's public-rights-of-way, all in accordance with Chapter 283, PUC Orders and PUC Rules.

**Completed Chapter ROW Form is to be submitted to:**

City of Umland  
City Contact: Karen Gallaher  
Address: 15 North Old Spanish Trail, Umland, TX 78640  
Email: [city@uhlandtx.us](mailto:city@uhlandtx.us)  
Telephone: (512) 398-7399

**TERMS USED IN THIS CHAPTER 283 ROW FORM:**

**"CTP Applicant"** –This is the person or entity that will actually own its facilities within the public rights-of-way, with the permit in the CTP Applicant's name.

**"CTP Applicant's Agent"** – CTP Applicant's Agent is the agent for the CTP Applicant in connection with this completing this Chapter 283 ROW Form, with written authorization to sign and submit the Chapter 283 ROW Form on the CTP Applicant's behalf.

**"CTP"** - Certificated telecommunication provider, as defined in Chapter 283 and PUC Rules.

**"Chapter 283"**-Chapter 283, Tex. Loc. Gov. Code.

**"Chapter 283 ROW Form"**-This form.

**'Permit Application"** means the City of Umland Right-of-Way Work Permit Application.

**"PUC Rules"** –Public Utility Commission of Texas Rules pertaining to Chapter 283, P.U.C. SUBST. R. § 26.461 to § 26.469.

**"Public Rights-of-Way"** as defined in Chapter 283 and PUC Rules.

**SECTION 1.00: CTP APPLICANT INFORMATION**

**1.1. CTP Information.**

- 1.1.1. **CTP Certificate number and the most recent PUC Docket No. filing pertaining to the initial issuance or renewal of the PUC Certificate.** Attach a copy of the CTP certificate, annotated with the most recent PUC Dkt. No. on issuance or renewal. Designate this as "Exhibit 1.01.1, "CTP Certificate".

1.1.2. **If CTP Applicant asserts legal authority other than or in addition to Chapter 283** that may allow placement of facilities and use of the public rights-of-way, describe in detail that governmental authority, statutory authority, or other legal authority that granted the CTP Applicant the privilege to use the public rights-of-way for placement of its facilities. *Designate this as "Exhibit 1.02.2, Permission to use ROW other than Chapter 283".*

**1.2. Representations on submitting the Chapter 283 ROW Form Application:** (Section must be initialed to constitute a completed application, if inapplicable, add to the initials "N/A" and explain why N/A in separate answer attached to the application.)

**1.3. The CTP Applicant agrees and understands that:** (All section must be initialed to constitute a completed Chapter 283 ROW Form.)

1.3.1. \_\_\_\_\_ (Initial indicating agreement) Chapter 283 municipal right-of-way access line fee compensation methodology applies equally to a CTP that owns facilities or provides facilities or capacity to another CTP in the rights-of-way of municipalities as is the "underlying CTP, and to the CTP to whom an underlying CTP has resold, leased, or is using another CTPs' facilities or is otherwise provided access lines that extend to the end-use customer's premises, as the "reseller CTP", as required by PUC Rules.<sup>5</sup>

1.3.2 \_\_\_\_\_ (Initial indicating agreement) That the CTP Applicant's current billing system is in a format to strictly comply with PUC rules that require the CTP billing system to "be sufficient to substantiate compliance with the access line reporting requirements..." and requires CTP records to be maintained "in a manner which allows for easy identification and review".<sup>6</sup>

1.3.3 \_\_\_\_\_ (Initial indicating agreement) That the CTP Applicant has, or will prior to the issuance of a permit(s), establish a Municipal Access Line Reporting System (MARS) account on the PUC website, as required by PUC Rules.<sup>7</sup>

1.3.4. \_\_\_\_\_ (Initial indicating agreement) That the CTP Applicant will file quarterly access line reports, whether they have access lines or not, as required by PUC Rules.<sup>8</sup>

1.3.5. \_\_\_\_\_ (Initial indicating agreement) That the CTP Applicant will provide "adequate proof" documents to the City as to the CTP that is reporting and paying its access line fees if the CTP Applicant is not filing reports or paying access line fees directly, as required by PUC Rules.<sup>9</sup>

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<sup>5</sup> Chapter 283, § 283.051 (a) [all CTPs required to pay access line fees], 283.055 (i), and (k) underlying CTPs need not report or pay if reseller CTPs furnished

"adequate proof" they would report and pay.

P.U.C. Subst. R. 26.467 (k) (4) "Adequate proof of reporting and compensation responsibilities." "(A) Definition of 'underlying CTP' and 'reselling CTP.' (i) An underlying CTP is a CTP that owns facilities or provides facilities or capacity to another CTP in the rights-of-way of municipalities. (ii) A reselling CTP is a CTP to whom an underlying CTP resold, leased or otherwise provided access lines that extend to the end-use customer's premises."

<sup>6</sup> P.U.C. Subst. R. §26.467(k) (2) requires that the CTP billing system "must be sufficient to substantiate compliance with the access line reporting requirements..." and P.U.C. Subst. R. §26.465(i) requires CTP records are to be maintained "in a manner which allows for easy identification and review".

<sup>7</sup> P.U.C. SUBST. R. §26.468.

<sup>8</sup> P.U.C. SUBST. R. §§26.467 (k) (3) and 26.468 (d) for filed quarterly reports, even if no access lines.

<sup>9</sup> A CTP, whether reselling or underlying, have an obligation pursuant to P.U.C. SUBST. R. §26.467(k) (4) and P.U.C. SUBST. R. § 26.467 (l) to obtain or provide adequate proof in the form of a written agreement that specifically cites, and assigns responsibility for compliance, i.e., the reporting and compensation requirements, with Chapter 283.

**SECTION 2.00: AFFIRMATION AS TO TYPE OF TELECOMMUNICATIONS WIRELINE FACILITIES.**

(All sections must be initialed to constitute a completed Chapter 283 ROW Form. If inapplicable, add to the initials "N/A", and explain why N/A in separate answer attached to this Chapter 283 ROW Form.

**2.1.** \_\_\_\_\_ (Initial indicating agreement) CTP Applicant affirms that the facilities are being installed to provide landline/wireline local exchange telephone services or other Chapter 283 defined access line services, P.U.C. Subst. R. 26.461 (c) (1) B), of "voice", data, or private landline/wireline services.

**2.2.** \_\_\_\_\_ (Initial indicating agreement) CTP Applicant affirms that some of the facilities being installed may be "interoffice transport" lines, lines that do not terminate at an end-user's premises, as described in PUC Rules, P.U.C. Subst. R. 26.461 (c) (1) (B), which lines are used to connect landline/wireline local exchange telephone services equipment or equipment for other Chapter 283 defined access line services, P.U.C. Subst. R. 26.461 (d), of "voice", data, or private landline/wireline services.<sup>10</sup>

**2.3.** \_\_\_\_\_ (Initial indicating agreement) CTP Applicant affirms that some facilities that may be installed as "interoffice" back-haul<sup>10</sup> used to connect landline/wireline local exchange telephone services equipment or equipment for other Chapter 283 defined access line services, P.U.C. Subst. R. 26.461 (d), of "voice", data, or private landline/wireline services.

**2.4.** \_\_\_\_\_ **Yes** \_\_ **No** \_\_ (Initial indicating agreement) CTP Applicant affirms that the facilities and equipment being installed are owned by the applicant.

**2.5.** \_\_\_\_\_ **Yes** \_\_ **No** \_\_ (Initial indicating agreement) CTP Applicant affirms that the facilities and equipment being installed are not and or will not be owned by an entity other than the applicant.

**NO FACILITIES AND OR EQUIPMENT TO BE INSTALLED IN THE PUBLIC RIGHTS-OF-WAY THAT ARE OR WILL BE OWNED BY ENTITIES OTHER THAN THE APPLICANT MAY BE INSTALLED UNDER THE APPLICANT'S PERMIT.**

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<sup>10</sup> P.U.C. Subst. R. 26.465 (f) (2) and (3). See also, 1999 PUC Order, at 52-53 "...replacing the term 'transmission facilities' with the term 'back-haul' facilities to provide clarity...".

**APPENDIX B  
CITY OF UHLAND  
CHAPTER 284 ROW FORM**

**This Chapter 284 ROW Form must be completed as part of the ROW Work Permit Application.**

Right of access to use the City's public rights-of-way under Tex. Loc. Gov't. Code, Chapter 284, applies to Network Providers. The terms used in this Chapter 284 ROW Form are set forth in the Design Manual adopted pursuant to Section 5-35 of the Code of Ordinances.

A Network Provider means a:

- (1) Wireless service provider; or
- (2) Person that does not provide wireless services and that is not an electric utility but builds or installs on behalf of a wireless service provider (i) network nodes or (ii) node support poles or any other structure that supports or is capable of supporting a network node.

**The completed Chapter 284 ROW Form is to be submitted to:**

City of Umland

City Contact: Karen Gallaher

Address: 15 North Old Spanish Trail, Umland, TX 78640

Email: [city@uhlandtx.us](mailto:city@uhlandtx.us)

Telephone: (512) 398-7399

**SECTION 1.00: LOCATIONS**

**1.1** Per the Design Manual, Node Support Poles may not be installed in a public right-of way:

- (1) That is adjacent to a street or thoroughfare that is:
  - (a) Not more than 50 feet wide; and
  - (b) Adjacent to single-family residential lots, other multifamily residences, or undeveloped land that is designated for residential use by zoning or deed restrictions;
- (2) In a park;
- (3) Within or on a bicycle lane, a sidewalk, walkway, or off street pathway for pedestrian and/or bicycle use;
- (4) In a Historic District;
- (5) In a Design District; or
- (6) In an Underground Requirement Area.

**1.2.** Per the Design Manual, a Network Provider may not install a Network Node:

- (1) On a Decorative Pole;
- (2) On the City's public safety radio infrastructure; or
- (3) In any public right-of-way within a Historic District, Design District, or Underground Requirement Area.

**2.3** Yes \_\_\_ No \_\_\_ Is the Network Node proposed to be installed in a Park?

**2.4** Yes \_\_\_ No \_\_\_ Is the Network Node proposed to be installed in a residential area as described in 1.1 (1) above?

## **SECTION 2.00: ADDITIONAL DOCUMENTS REQUIRED WITH APPLICATION**

The following additional documents and information must be included with the application for a permit for a Network Node or Node Support Pole:

**2.1.** The sealed engineering or construction drawings must show:

1. The exact intended location of the Network Node or Node Support Pole and its distance from a designated Historic Landmark, Park, or School, Utility Pole, other Node Support Pole, and other Network Nodes on a Service Pole, if any, with depiction of the sidewalks, ramps onto sidewalks, as required by Applicable Codes, TAS, or other law, including the Americans with Disabilities Act, walkways, and off street pathways for pedestrian and/or bicycle use, paved street surface and utility easements;
2. Any existing Utility Pole located within 500 linear feet of the proposed location of a Node Support Pole and the height of the Utility Pole;
3. Height of the proposed Node Support Pole;
4. Any existing Utility Poles or Node Support Poles located within 300 feet from the proposed Node Support Pole (Per the Design Manual a Node Support Pole may not be located within 300 feet of a Utility Pole or another Node Support Pole);
5. Distance of proposed ground equipment from the boundary line of a park, street corner or street intersection. (Per the Design Manual, ground equipment may not be located within a park or within 250 feet of the boundary line of park, street corner or street intersection);

6. Distance of proposed ground equipment from existing ground equipment that already occupies a footprint of 25 square feet or more (Per the Design Manual the proposed ground equipment may not be installed within 300 feet of existing ground equipment that already occupies a footprint of 25 square feet or more);
7. The size of the proposed Network Node and equipment to be attached to the Node Support Pole or Utility Pole, in compliance with the requirements of the Design Manual;
8. The proposed height of the Network Node and protrusion from the outer circumference of the existing structure or Pole in compliance with the requirements of the Design Manual;
9. The height of all attachments proposed to be installed on a Service Pole, in compliance with the Design Manual;
10. Where proposed Transport Facilities will be connected to the Network Node as electrical power connections, if proposing to Collocate a Network Node on a Service Pole;
11. Installations of Network Nodes on traffic signals and street signage showing compliance with the Design Manual;
12. Enclosure of Network Node facilities in an equipment box, cabinet or other unit that may include ventilation openings with external cables and wires hanging of a Pole to be sheathed or enclosed in a conduit;
13. Any Park, Historic District, or Design District adjacent to the public right-of-way in which the Network Provider proposes to install a Network Node on an existing Pole;
14. The City's zoning district in which the Node Support Pole or Network Node is proposed to be located;
15. Depiction of public right-of-way is adjacent to a street or thoroughfare that is more than 50 feet wide and adjacent to single-family residential lots, other multifamily residences, or undeveloped land that is designated for residential use by zoning or deed restrictions

**2.2.** Representative drawings or pictures must show the Network Node as intended to be Collocated on a Service Pole;

**2.3.** An industry pole load analysis, if proposing to Collocate on a Service Pole, indicating that the Service Pole to which the Network Node is to be attached will safely support the load.

**2.4.** Proposed camouflaging measures and colors for Node Support Poles as provided in the Design Manual.

**2.5.** Evidence of written authorization from an owner of a Utility Pole for attachment to the Utility Pole.