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Public Works Order No: 206499

Public Works Order No:

**REGULATIONS IMPLEMENTING THE REQUIREMENTS OF SAN FRANCISCO
PUBLIC WORKS CODE ARTICLE 25 AND REVISING AND SUPERSEDING PUBLIC
WORKS ORDER NO. 201970**

Section 1. PURPOSE

- A. Public Works adopted Public Works Order No. 179,406 on June 29, 2011 to implement the requirements of San Francisco Public Works Code Article 25, approved by the Board of Supervisors on January 4, 2011 in Ordinance No. 12-11.
- B. Public Works adopted Public Works Order No. 180,222 on May 1, 2012 to correct, amend, and clarify various aspects of Department of Public Works Order No. 179,406.
- C. On February 3, 2015, the Board of Supervisors adopted Ordinance No.18-15 amending Article 25. Ordinance No. 18-15 became effective on March 16, 2015.
- D. Public Works adopted Public Works Order No. 183,440 on March 30, 2015 to implement the requirements of Article 25 as amended by Ordinance No. 18-15.
- E. Public Works adopted Public Works Order No. 184,504 on January 29, 2016 to correct, amend, and clarify various aspects of Department of Public Works Order No. 183,440.
- F. On July 30, 2019, the Board of Supervisors adopted Ordinance No. 190-19 amending Article 25. Ordinance No. 190-19 became effective on September 9, 2019.

- G. Public Works adopted Public Works Order No. 201970 on September 19, 2019 to implement the requirements of Article 25 as amended by Ordinance No. 190-19.
- H. Public Works is adopting this Order to correct, amend, and clarify various aspects of Public Works Order No. 201970. This Order, therefore, supersedes and replaces Order No. 201970 in its entirety.

Section 2. DEFINITIONS

- A. Use of Defined Terms. Unless the context otherwise specifies or requires, when capitalized the terms defined in this Section shall, for all purposes of this Order, have the meanings specified in Section 1502 of the Public Works Code and in Section 2.B.
- B. Defined Terms.
 - 1. “Adjacent” means:
 - (a) On the same side of the street and in front of the building or the next building on either side, when used in connection with a national historic landmark, California landmark, San Francisco Landmark, structure of merit, architecturally significant building, or locally significant building;
 - (b) In front of and on the same side of the street, when used in connection with a City park or open space; and
 - (c) The Utility Pole on the same side of the street and in front of the address used in the Application, or the next property on either side of the address used in the Application, when used in connection with the street tree requirement contained in Public Works Code § 1506.
 - 2. “Applicable Law” means all applicable federal, state, and City laws, ordinances, codes, rules, regulations, orders, standard plans and specifications, as the same may be amended or adopted from time to time. “Applicable Law” also means the

requirements contained in a Utility Conditions Permit previously issued to an Applicant.

3. “Applicant” means a Person that has applied for a Personal Wireless Service Facility Site Permit or a Modification Permit. Where the Applicant is an agent for a Person that will be a Permittee, the term Applicant shall include Permittee.
4. “Base Station” means a Utility Pole or Transmission Equipment enabling the provision of FCC–licensed or authorized wireless communications between user equipment and a communications network that has been installed at a fixed location.
5. “Block Face” means the sidewalk between and including two (2) contiguous curb corners without any intervening street or other roadway, not including alleys.
6. “Business Day” means any Monday through Friday that is not observed as an official holiday by the City.
7. “CEQA” means the California Environmental Quality Act (California Public Resources Code § 21000, et seq.).
8. “Compatibility Standard” means the Planning Protected, Zoning Protected, or Park Protected Compatibility Standard applicable to the proposed location for a Personal Wireless Service Facility as fully described in Public Works Code § 1502.
9. “Complete” when referring to an Application for a Personal Wireless Service Facility Site Permit or a Modification Permit means that the Applicant has provided Public Works with: (a) all of the information required in Section 5 below; and (b) a correct address for each Utility Pole to be used in connection with the proposed Personal Wireless Service Facility.
10. “Day” means any calendar day. For the purposes hereof, the time in which an act is to be performed shall be computed by excluding the first Day and including the last. For the purposes hereof, if the time in which an act is to be performed falls on Day that is not a Business Day the time for performance shall be extended to the

following Business Day.

11. "Director" means the Director of Public Works or his or her designee.
12. "Eligible Facilities Request" means a request to modify an Existing Base Station that involves either the: (a) collocation of new Transmission Equipment; (b) removal of Transmission Equipment; or (c) replacement of Transmission Equipment.
13. "Existing Base Station" means a Base Station that contains Transmission Equipment that has been approved by Public Works in a Personal Wireless Service Facility Site Permit. An Existing Base Station shall not include Transmission Equipment consisting of fiber-optic or other communications lines installed on a Utility Pole.
14. "Emergency" means an unforeseen combination of circumstances or the resulting state that calls for immediate action in order to prevent injury to persons or property or to ensure the continuous provision of Personal Wireless Services.
15. "Graffiti" means any inscription, word, figure, marking or design that is affixed, marked, scratched, drawn or painted on a Personal Wireless Service Facility, whether permanent or temporary, without the consent of Permittee.
16. "Installation Period" means a time set forth in a Personal Wireless Service Facility Site Permit for Permittee to Substantially Complete Installation of the permitted Personal Wireless Service Facility. Unless a longer period is otherwise stated in the Permit, the Installation Period shall be one (1) year after the issuance of the Permit.
17. "Objective Standards" means the standards to determine whether a Proposed Personal Wireless Service Facility meets the applicable Tier A, B, or C Compatibility Standard set forth in Public Works Order No. 204091, as may be revised or amended from time-to-time.
18. "Order" means these Department of Public Works Regulations Implementing the Requirements of San Francisco Public

Works Code Article 25 and Revising and Superseding Public Works Order No. 201970.

19. "Personal Wireless Service Facility Site Permit" or "Permit" means a permit issued under Public Works Code Article 25 and this Order as it has been approved, amended, or renewed by Public Works, and authorizing the Permittee to install and maintain the equipment included in the Application for a Personal Wireless Service Facility on the Utility Pole identified in the Application.
20. "Public Works" means City and County of San Francisco Public Works.
21. "Public Works Code" means the S.F. Public Works Code.
22. "Start Installation" or "Starting Installation" means the date when Permittee first installs any of the equipment approved in a Permit.
23. "Substantially Change the Physical Dimensions" means to: (a) increase the height of an Existing Base Station by more than ten percent (10%) or more than ten feet (10'), whichever is greater; (b) add an appurtenance to the body of an Existing Base Station that would protrude from the edge of the Existing Base Station by more than six feet (6'); (c) install on an Existing Base Station more than the standard number of new equipment cabinets for the technology involved, or more than four (4) cabinets; (d) install equipment cabinets on the ground if there are no ground cabinets associated with an Existing Base Station; (e) install new ground cabinets that are more than ten percent (10%) larger in height or volume than any ground cabinets associated with an Existing Base Station; (f) excavate or deploy Transmission Equipment outside of the location of an Existing Base Station; or (g) defeat any elements that conceal the Transmission Equipment installed on an Existing Base Station.
24. "Substantially Complete Installation" or "Substantial Completion of Installation" means the earlier of the date when either: (a) Permittee has installed all of the Permittee's equipment approved in a Permit; or (b) a permitted Personal Wireless Service Facility is being used to provide or facilitate the provision of Personal Wireless Service.

25. "Transmission Equipment" means equipment that facilitates transmission of FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas and other relevant equipment associated with and necessary to their operation, including coaxial or fiber-optic cable, and regular and backup power supply.
26. "UCP" means a Utility Conditions Permit issued by Public Works under S.F. Administrative Code § 11.9(a).
27. "Utility Pole" means a power pole or telephone pole subject to California Public Utilities Commission General Order 95, and located within the Public Rights-of-Way.
28. "Verified Statement" means a statement that is signed by a Person with knowledge of the contents thereof.

Section 3. GENERAL REQUIREMENTS FOR PERSONAL WIRELESS SERVICE FACILITY SITE PERMITS

A. Application Processing.

1. Public Works will process each Application for a Personal Wireless Service Facility Permit separately.
2. In accordance with S.F. Campaign and Governmental Conduct Code § 3.400, Public Works shall process all Applications for Personal Wireless Service Facility Site Permits in the order in which they are received.
3. There is no limit to the number of Applications for Personal Wireless Service Facility Site Permits that an Applicant may file at any given time. Public Works, however, is not required to begin processing more than ten (10) Applications filed by any single Applicant in any period of five (5) consecutive Business Days. Public Works may include in this limit Applications that have been returned to Public Works following notice that the Application was not Complete.

4. Public Works will make a final determination to approve or deny an Application for a Personal Wireless Service Facility Site Permit within sixty (60) Days after the Application was submitted (taking into account any applicable tolling periods set forth in Section 6.B below).

B. Completion of CEQA Review Required.

Public Works shall not issue a Personal Wireless Service Facility Site Permit until the Planning Department has completed its review of the Application under CEQA.

Section 4. COMMUNITY MEETINGS

Public Works encourages Applicants for Personal Wireless Service Facility Site Permits to meet with local residents, business owners, and neighborhood groups registered with the Planning Department in affected neighborhoods in advance of filing Applications.

Section 5. APPLICATION REQUIREMENTS

An Application for a Personal Wireless Service Facility Site Permit shall not be Complete unless it contains all of the following information.

A. Application Form.

Each Applicant for a Personal Wireless Service Facility Site Permit shall submit a completed Application form.

B. Identification of Equipment.

1. An Application shall identify all equipment the Applicant intends to install on a Utility Pole.
2. The Application shall not include fiber-optic or coaxial cables attached to Utility Poles other than on the pole the Applicant intends to use for its antenna and equipment cabinets.

C. Proof of Permission.

An Application shall contain proof that the Applicant has obtained permission from the Utility Pole owner(s) to install the proposed Personal Wireless Service Facility on any existing Utility Pole, or to replace an existing Utility Pole to accommodate the proposed Personal Wireless Service Facility. Proof that the Applicant is a member in good standing of the Northern California Joint Pole Association will be sufficient for joint Utility Poles.

D. Proof of Authority to Use the Public Rights-of-Way

An Application shall contain proof the Applicant has a valid and existing Utility Conditions Permit.

E. Proof of Compliance with the Public Health Compliance Standard.

An Application shall contain proof of compliance with the Public Health Compliance Standard as follows:

1. A Verified Statement from a registered engineer to the effect that the Applicant complies with the Public Health Compliance Standard.
2. An Applicant may choose to file only one (1) Verified Statement of compliance with the Public Health Compliance Standard for every type of equipment that the Applicant intends to use with two (2) or more Applications for Personal Wireless Service Facility Site Permits. After Public Works has approved one (1) Application for a Personal Wireless Service Facility Site Permit using a particular type of equipment, when filing any subsequent Applications using the identical equipment the Applicant may file a copy of both the previously filed Verified Statement and the Department of Public Health's approval of that Verified Statement.
3. Notwithstanding the foregoing, if the Department of Public Health has ever imposed any Conditions on the Applicant's use of a particular type of equipment the Applicant shall include such information in the Application.

F. Location Drawing.

An Application shall contain a location drawing of the proposed Personal Wireless Service Facility in twenty feet (20') to one-inch (1") scale (20:1 scale) showing each of the following:

1. Street name;
2. Names of cross streets;
3. Utility Pole to be used;
4. All existing facilities on the Utility Pole; and
5. All proposed facilities on the Utility Pole;
6. All proposed signage to be placed on the equipment or on the Utility Pole.

G. Photographic Simulations and Photographs.

1. A photographic simulation of the proposed Personal Wireless Service Facility at the proposed location showing views from across and down the street; and
2. A photograph or site drawing in twenty feet (20') to one-inch (1") scale (20:1 scale) showing the location of any existing Personal Wireless Service Facilities in the Public Rights-of-Way that are within a one hundred and fifty-foot (150') radius of the proposed Personal Wireless Service Facility.

H. Proof of Meeting Objective Standards

If applicable, an Application shall contain proof that the proposed Personal Wireless Service Facility meets the Objective Standards.

I. Proof of Compliance with Insurance Requirements.

An Application shall contain a certificate of insurance in a form acceptable to

the City's Risk Manager showing that the Applicant complies with the requirements of Public Works Code § 1526.

J. Application Fees.

An Application shall include checks for any fees that are payable to each City department that must review the Application. If a City department is entitled to additional fees under Public Work Code § 1527(d), the department shall notify the Applicant at a later date.

K. Historic Preservation.

1. Planning Department Review. An Application for a Personal Wireless Service Facility shall meet all Planning Code requirements and, where necessary, shall include proof that it was reviewed by the Planning Department as follows:
 - (a) If the proposed location for the Personal Wireless Service Facility is in a S.F. Planning Code Article 10 Landmark District, the Application shall include proof that the Applicant obtained: (i) a Certificate of Appropriateness if required by the Planning Code, or (ii) verification from the Planning Department that no Certificate of Appropriateness is required.
 - (b) If the proposed location for the Personal Wireless Service Facility is in S.F. Planning Code Article 11 Conservation District, the Application shall include proof that the Applicant obtained: (i) a Permit to Alter if required by the Planning Code; or (ii) verification from the Planning Department that no Permit to Alter is required.
 - (c) An Application lacking the documentation described above shall be deemed incomplete.
2. Recreation and Park Department Review. An Application for a Personal Wireless Service Facility shall meet all Planning Code requirements and, where necessary, shall include proof that it was reviewed by the Recreation and Park Department as follows:
 - (a) An Application for a Personal Wireless Service Facility to be installed on a Utility Pole fronting City parks or open spaces and located in any of the following locations: (i) in a S.F. Planning Code Article 10 Landmark District; (ii) in front of

S.F. Planning Code Article 10 designated landmarks; (iii) in a S.F. Planning Code Article 11 Conservation Districts; or (iv) in front of S.F. Planning Code Article 11 designated buildings; or (v) in front of any of the parks and natural areas identified in Exhibit A, shall include proof that the Applicant obtained design approval from the Recreation and Park Department.

- (b) An Application lacking the documentation described above shall be deemed incomplete.

L. Proper Use of Utility Pole.

An Application shall contain a Verified Statement from a registered engineer stating that the installation of the proposed Personal Wireless Service Facility on the Utility Pole would: (1) not compromise the structural integrity of the Utility Pole; (2) be in compliance with any standards imposed by the Northern California Joint Pole Association in its Operations/Routine Handbook, or the pole owner if other than the Northern California Joint Pole Association; and (3) comply with the California Public Utilities Commission General Order 95 and/or the National Electric Safety Code.

Section 6. INITIAL REVIEW OF APPLICATIONS FOR PERSONAL WIRELESS SERVICE FACILITY SITE PERMITS

A. Completeness Review.

1. Public Works shall first determine whether an Application for a Personal Wireless Service Facility is Complete.
2. Public Works shall endeavor to notify the Applicant within three (3) Business Days of its receipt of an Application whether the Application is Complete, but shall have up to ten (10) Days to issue the notice.
3. If the Application is Complete, Public Works shall process the Application as set forth in this Section.
4. If the Application is not Complete, Public Works shall return the Application along with the statement of what additional

information Public Works requires to make the Application Complete. Public Works will not process an Application until the Applicant has returned the Application to Public Works with all of the required information.

5. Public Works may issue additional notices that an Application is not Complete if a resubmitted Application does not contain all of the information requested by Public Works. Any additional notices shall be issued within ten (10) Days of receipt of the resubmitted Application.

B. Tolling Period.

1. Incomplete Application.

- (a) The timely issuance by Public Works of a notice that an initial Application is not Complete will toll any deadline for issuing a final determination required by federal or State law.
- (b) The time-period to issue a final determination will restart on the date that Applicant resubmits its Application.
- (c) If, after the Applicant has resubmitted its Application, Public Works issues any additional notices that the Application is still not Complete, the notice will toll any deadline for issuing a final determination required by federal or State law. Upon receipt of the missing information from Applicant, the time to issue a final determination will resume from the restart date described in subsection (b) above.

2. Applicant's Agreement. Applicant and Public Works may enter into an agreement to toll any deadline for issuing a final determination that is required by federal or State law.

C. Suspension or Denial of Application for Lack of Compliance.

Public Works may suspend review of or deny a Complete Application for a Personal Wireless Facility Site Permit if Public Works has issued to Applicant a notice of deficiency related to any existing Personal Wireless Service Facility Site Permit, and Applicant has not corrected the deficiency within a reasonable time as

required by Public Works under Section 21 below.

D. Department Conditions.

At the same time that Public Works issues a determination that an Application for a Personal Wireless Service Facility Site Permit is Complete, Public Works shall notify Applicant whether it will add any Public Works Conditions to Permit.

E. Referral to Other City Departments.

Immediately following a Public Works determination that the Application is Complete, Public Works shall:

1. Refer the Application to the Department of Public Health for review under the Department of Public Health Compliance Standard.
2. If design of the proposed Personal Wireless Service Facility does not meet the Objective Standards, or is identified as a Disfavored Design, refer the Application to the Planning and/or Recreation and Park Department for review under the appropriate Compliance Standard.

Section 7. PLANNING AND RECREATION AND DEPARTMENT REVIEWS

A. Planning Department.

1. Public Works shall refer a Complete Application for a Tier A or B Personal Wireless Service Facility Site Permit to the Planning Department for review under the applicable Compatibility Standard only if the proposed Personal Wireless Service Facility Site does not meet the applicable Objective Standards, or is a Disfavored Design.
2. Public Works shall not approve an Application for a Tier A or Tier B Personal Wireless Service Facility Site Permit that has been referred to the Planning Department unless the Planning Department determines that the Application satisfies the applicable Compatibility Standard.

B. Recreation and Park Department.

1. Public Works shall refer a Complete Application for a Tier C Personal Wireless Service Facility Site Permit to the Recreation and Park Department only if the proposed Personal Wireless Service Facility Site does not meet the applicable Objective Standards.
2. Public Works shall not approve an Application for a Tier C Personal Wireless Service Facility Site Permit that has been referred to the Recreation and Park Department unless the Recreation and Park Department determines that the Application satisfies the Tier C Compatibility Standard.

Section 8. DEPARTMENT OF PUBLIC HEALTH REVIEW

A. Referral Required.

After Public Works determines that an Application for a Personal Wireless Service Facility Site Permit is Complete, Public Works shall refer Applicant's Verified Statement concerning compliance with the Public Health Compliance Standard to the Department of Public Health for review under the Public Health Compliance Standard.

B. Review and Approval Required.

1. The Department of Public Health shall review the Application in the time set forth in Public Works Code § 1507(b).
2. Public Works shall not approve an Application for a Personal Wireless Service Facility unless the Department of Public Health determines that the Application complies with the Public Health Compliance Standard.

C. Conditions.

The Department of Public Health's determination that an Application for a Personal Wireless Service Facility Site Permit complies with the Public Health Compliance Standard may include such Conditions as the Department of Public Health

deems appropriate to insure such compliance.

Section 9. PROCEDURE FOR IMPOSING CONDITIONS OF APPROVAL

A. Notice of City Department Conditions.

If Public Works or any City department reviewing an Application for a Personal Wireless Service Facility Site Permit imposes any Conditions on its approval of the Application, Public Works shall notify Applicant in writing of the Conditions.

B. Contents of Notice of City Department Conditions.

The notice of City department Conditions shall:

1. State in detail all of the Conditions required for Public Works to approve the Application for a Personal Wireless Service Facility Site Permit;
2. Identify the City department that imposed the Conditions; and
3. State that the Applicant has five (5) Business Days to notify Public Works whether it accepts the Conditions.

C. Acceptance or Rejection of Conditions.

1. If the Applicant timely accepts the Conditions, Public Works may approve the Application.
2. If the Applicant fails to timely object or propose modifications to any City department Conditions, Public Works shall treat the Conditions as rejected and deny the Application.

D. Objections to Conditions.

1. Within five (5) Business Days of receipt of notice that a City department has imposed any Conditions in its approval of an

Application for a Personal Wireless Service Facility Site Permit Applicant may send the applicable City department written objections to the Conditions and request that the department modify one or more of those Conditions.

2. At the request of Applicant in writing, Public Works may extend the time for Applicant to determine whether to object to any Conditions and/or propose modifications to its Application.
3. If Public Works accepts the modified Conditions, Public Works will issue a final approval of the Application. Otherwise, Public Works will deny the Application.

Section 10. FINAL DETERMINATIONS

A. Time to Issue.

Public Works will notify Applicant of a final determination to approve or deny the Application within sixty (60) Days of the date that an Application for a Personal Wireless Service Facility Site Permit to Public Works was submitted (taking into account any applicable tolling periods set forth in Section 6.B above).

B. Applicant's Notice that Application Should be Deemed Approved.

1. If Public Works has not issued a final determination on its Application for a Personal Wireless Service Facility Site Permit within sixty (60) Days after the Application was submitted (taking into account any applicable tolling periods set forth in Section 6.B above) as required by Government Code § 65964.1, Applicant may notify Public Works in writing that Applicant has determined that the Application should be "deemed approved" as required by State law. In the notice, Applicant shall demonstrate that it has completed all of the tasks required of Applicant up through to the day of the notice.
2. Within five (5) Business Days of receipt of the notice, Public Works will notify Applicant whether or not Public Works agrees that the Application should be deemed approved.
3. Applicant's failure to notify Public Works as set forth above shall mean that its Application will not be "deemed approved" regardless of whether Public Works has issued a final determination within sixty (60) Days after the Application was

submitted (taking into account any applicable tolling periods set forth in Section 6.B above) as required by Government Code § 65964.1.

4. Notwithstanding the foregoing, Applicant and Public Works may agree in writing to extend the deadline for issuing a final determination approving or denying an Application for a Personal Wireless Service Facility Site Permit.

Section 11. PUBLIC NOTICE

- A. Public Notice of Approval of Permit by Permittee.

Upon receipt from Public Works of a notice that an Application for a Personal Wireless Service Facility Site Permit has been approved, Permittee shall:

1. Mail notice of the Public Works final determination to approve an Application for a Personal Wireless Service Facility Site Permit and a copy of the Permit to: (a) any Person owning property within three hundred (300) feet of the proposed location of the Personal Wireless Service Facility; (b) any Person who is a tenant in any residential property within three hundred (300) feet of the proposed location of the Personal Wireless Service Facility; and (c) any neighborhood association identified by the Planning Department for any neighborhood within six hundred (600) feet of the proposed Personal Wireless Service Facility. Notice to neighborhood associations may be by electronic mail for those neighborhood associations that have designated electronic mail as their preferred method of obtaining notice.
2. Post notice of the Public Works final determination to approve an Application for a Personal Wireless Service Facility Site Permit and a copy of the Permit on the Utility Pole to be used for the proposed Personal Wireless Service Facility and on a minimum of four (4) other Utility Poles in conspicuous places within three hundred (300) feet of the approved location for the Personal Wireless Service Facility or, if four (4) Utility Poles are not available with 300 feet, in such other conspicuous places located within 300 feet of the approved Personal Wireless Service Facility.
3. Applicant shall complete such mailing and posting within five (5) Business Days of Applicant's receipt the Public Works final determination to approve the Application for a Personal Wireless Service Facility Site Permit and issue the Permit.

4. After completing the mailing and posting, Applicant shall provide Public Works with: (a) a list of Persons and groups to whom Applicant sent a copy of final determination and Permit and the date of the mailing; (b) all locations where Applicant posted a copy of final determination and Permit and the date of the posting; and (c) photographs of the posted notices.

B. Contents of Notice.

1. Applicant's notice shall contain all of the information specified in Public Works Code § 1514(a)(2).
2. Applicant's notice shall include a copy of the proposed Personal Wireless Service Facility Site Permit.

C. Language Requirement.

1. Applicant shall translate those portions of the notice of final approval required by Public Works into such language(s) that are relevant in the immediate vicinity of Applicant's proposed Personal Wireless Service Facility.
2. A language is relevant if at least twenty (20) percent of the residents in the immediate vicinity of Applicant's Personal Wireless Service Facility speak that language at home. Applicant can make this determination by reviewing the San Francisco Planning Department's Neighborhoods Socio-Economic Profiles, which can be found at <http://www.sf-planning.org/modules/showdocument.aspx?documentid=8779>
3. If Applicant is unable to determine which languages, if any, are applicable, Applicant shall consult with Public Works before issuing the notice of the final determination. Applicant shall translate the notice into any of the languages required by Public Works.

D. Manner of Posting.

Applicant shall post the notice in a manner that is secure and accessible. Placing the notice in a plastic covering is preferred in order to protect the notice from the elements. Applicant shall make reasonable efforts to inspect the posted notices at least every other day prior to the date any appeal is due, and will replace the notices if necessary.

E. Failure to Issue Proper Notice.

Public Works may revoke a Personal Wireless Service Facility Site Permit if Public Works determines that Applicant failed to comply with the notice requirements of this Section.

Section 12. INSTALLATION OF STREET TREES

A. Installation Procedure.

1. Public Works shall notify the Bureau of Urban Forestry (“Bureau”) of the proposed location for the Personal Wireless Service Facility immediately after Public Works determines that the Permit will include a Condition that the Applicant install a street tree.
2. Within five (5) Days after receipt of such notice, the Bureau will work with Permittee and the adjacent property owners to determine whether the proposed location for the Personal Wireless Service Facility is appropriate for a street tree. The Bureau will base its determination on the standards set forth in Department Order No. 178,631, Regulating the Planting, Maintenance, or Removal of Trees and Landscape Material on Public Sidewalk Areas. If so, the Bureau will select the appropriate species and locations for such street trees and landscaping for each of the Preferred Locations.
3. If the Bureau, Permittee, and the adjacent property owners determine that the proposed location for the Personal Wireless Service Facility is appropriate for a street tree, Public Works will include the required tree and location in Personal Wireless Service Facility Site Permit.
4. Permittee shall complete the installation of any street tree required in a Personal Wireless Service Facility Site Permit within six (6) months of the Applicant’s issuance of a notice of Substantial Completion of Installation.
5. Permittee shall notify the Bureau at least seventy-two (72) hours

prior to installation of the required street tree and when Permittee has completed the installation of any required street tree.

B. "In-Lieu" Payment into Adopt-A-Tree Fund.

1. If the Bureau, Permittee, and adjacent property owners determine that a street tree is inappropriate at the proposed location for the Applicant's Personal Wireless Service Facility, Public Works shall instead require the Applicant to make an "in-lieu" payment into the "Adopt-A-Tree" fund.
2. An Applicant may elect to forego the collaboration process set forth above and agree to make an "in-lieu" payment into the "Adopt- A-Tree" fund instead.
3. As specified in Public Works Code §§ 802(h) and 807(f), the amount of the "in-lieu" fee shall be \$2,230 per tree, or such adjusted amount authorized under those sections. The "in-lieu" fee shall be payable prior to the issuance of the Personal Wireless Service Facility Site Permit.

C. Bureau of Urban Forestry Fee.

1. In order to process an Application for a Personal Wireless Service Facility Site Permit in those instances where the Planning or Recreation and Park Department has required the installation of a street tree under Public Works Code § 1506, the Bureau must make a number of visits to the proposed location of the Personal Wireless Service Facility to determine: (a) whether the site is appropriate for a street tree; and, (b) if so, to further determine the appropriate species and location for the street tree.
2. Pursuant to Public Works Code § 1527(d), the Director of Public Works has determined it is unusually costly for Public Works to process such Application.
3. For every Application that requires a street tree, the Director of Public Works hereby imposes a processing fee of \$400

4. Such fee shall be due and payable to the Bureau within 10 (ten) days of Public Works notifying the Applicant that the Planning or Recreation and Park Department has required a street tree.

Section 13. INSTALLATION

A. Installation Period and Extension.

1. Permittee must Start Installation of a Personal Wireless Service Facility authorized by a Personal Wireless Service Facility Site Permit within the Installation Period unless Public Works, on the written request of Permittee, extends the Installation Period.
2. Public Works shall grant a request to extend the Installation Period only if Permittee shows that additional time is needed for reasons directly related to construction requirements. Public Works shall inform Permittee of its decision to grant or deny a request for an extension within five (5) Business Days of the request.
3. Any extension of the Installation Period granted by Public Works may be subject to additional special conditions, including, but not limited to conditions that ensure the timely Start and Substantial Completion of Installation during the extended Installation Period.
4. In no event will Public Works extend the Installation Period for more than one (1) year.

B. Starting Installation.

Permittee shall provide Public Works with a notice of Starting Installation within five (5) Business Days of Starting Installation of a Personal Wireless Service Facility.

C. Substantial Completion of Installation.

1. Permittee shall Substantially Complete Installation of a Personal Wireless Service Facility within sixty (60) Days of Starting Installation.

2. Permittee shall file with Public Works a notice of Substantial Completion of Installation within five (5) Business Days after Substantial Completion of Installation of a Personal Wireless Service Facility.
3. Permittee shall file with Public Works a Verified Statement from a registered engineer that the permitted and installed Personal Wireless Service Facility complies with the Public Health Compliance Standard within thirty (30) Business Days after Substantial Completion of Installation of a Personal Wireless Service Facility.
4. Prior to the Substantial Completion of Installation of a Personal Wireless Service Facility, Public Works may request that a Permittee provide photographs of the nearly completed Personal Wireless Service Facility in order enable the City to determine in advance of the inspection whether the Permittee has complied with the requirements of the Personal Wireless Service Facility Site Permit.

D. Failure to Timely Start and/or Substantially Complete Installation.

If Permittee fails to timely Start Installation within the Installation Period, or Substantially Complete Installation as required by this Section, Public Works may revoke the previously issued Personal Wireless Service Facility Site Permit.

Section 14. CONSTRUCTION REQUIREMENTS

A. Compliance with Permit.

Permittee's construction of a Personal Wireless Service Facility shall fully comply with Permittee's Personal Wireless Service Facility Site Permit, including any Conditions contained therein.

B. Other Permits and Authorizations.

Permittee shall obtain all other permits and authorizations from Public Works or third parties that may be required prior to any construction, maintenance, repair,

replacement, or modification of any Personal Wireless Service Facility. This shall include a temporary occupancy permit.

C. Department of Parking and Traffic.

Permittee shall contact the Department of Parking and Traffic for traffic requirements prior to beginning construction/installation.

D. Traffic Regulations.

Permittee shall conduct its construction/installation operations in accordance with the requirements of Article 11 of the S.F. Traffic Code.

E. Damage to Existing Facilities.

Permittee shall be solely responsible for any damage to existing facilities caused by Permittee's construction/installation activities.

F. Damage to the Public Rights-of-Way.

Permittee shall be solely responsible for any damage to the Public Rights-of-Way caused by Permittee's construction/installation activities.

G. City Signage.

Permittee shall be solely responsible for ensuring that any City signage removed from a Utility Pole during installation of a Personal Wireless Service Facility is replaced in the same location, unless Permittee obtains permission in writing from the City department responsible for installing and maintaining the sign to remove or relocate the sign.

H. Permit Posting.

Permittee shall post a copy of the first page of the issued Personal Wireless Service Facility Site Permit on the pole during construction and

inspection. Permittee shall remove the Permit after final inspection has been completed.

Section 15. INSPECTION

A. Time for Inspection.

1. Public Works shall inspect a permitted and installed Personal Wireless Service Facility within five (5) Business Days after receipt of notice of Substantial Completion of Installation required under Section 13(c) above.
2. Along with the notice, Permittee shall include photographs of the installed Personal Wireless Service Facility.

B. Requirements of Inspection.

Public Works shall inspect an installed Personal Wireless Service Facility to determine whether:

1. The installation is in accordance with the requirements of the Personal Wireless Service Facility Site Permit, including any Conditions imposed by any City department and accepted by Permittee.
2. The permitted Personal Wireless Service Facility complies with the Public Health Compliance Standard.
3. The Permittee has replaced any City signage that was removed from a Utility Pole during installation of a Personal Wireless Service Facility.

C. Notice of Deficiency.

Public Works shall issue a notice of deficiency if Public Works determines after an inspection that an installed Personal Wireless Service Facility is not in compliance with a Personal Wireless Service Facility Site Permit, including any Conditions imposed by any City department and accepted by Permittee, the Public Health

Compliance Standard, or any of the requirements of this Order.

Section 16. PERMIT RENEWALS

A. Renewal Allowed.

Permittee may renew a Personal Wireless Service Facility Site Permit for a Personal Wireless Service Facility that was not issued a Modification Permit for one (1) additional term of ten (10) years.

B. Renewal Application.

1. Permittee seeking to renew a Personal Wireless Service Facility Site Permit shall submit a renewal Application under this Section. The Permittee shall submit the renewal Application no later than six (6) months prior to the expiration of the term of the Permit.
2. An Application to renew a Personal Wireless Service Facility Site Permit shall contain the following:
 - (a) A completed renewal Application form;
 - (b) A Verified Statement from a registered engineer that the operation of the permitted and installed Personal Wireless Service Facility complies with the Public Health Compliance Standard; and
 - (c) A statement that the Permit may be renewed because the Permit had not been previously renewed.

C. Completeness and Eligibility Review.

1. Public Works shall first determine whether a renewal Application is Complete and eligible for renewal.
2. Public Works shall notify the Applicant within three (3) Business Days whether the renewal Application is both Complete and eligible for renewal.
3. If the renewal Application is Complete and eligible for renewal, Public Works shall process the Application as set

forth below.

4. If the renewal Application is not Complete, Public Works shall return the Application along with a statement of what additional information Public Works requires to make the Application Complete.
5. If the renewal Application is not eligible for renewal, Public Works shall deny the Application.

D. Effect of Renewal Application.

A timely filed renewal Application will extend the term of a Permit until Public Works either denies or approves the renewal Application.

E. Approval or Denial of Renewal Application.

Public Works shall refer a renewal Application that is eligible for renewal to the Department of Public Health. Public Works shall issue a final determination approving or denying a renewal Application within three (3) Business Days of receipt of a determination from the Department of Public Health that the installed Personal Wireless Service Facility complies or does not comply with the Public Health Compliance Standard and Applicable Law related to human exposure to radio frequency emissions.

F. Suspension or Denial for Lack of Compliance.

Public Works may suspend review of or deny a renewal Application if Public Works has issued a notice of deficiency to the Applicant related to any existing Personal Wireless Service Facility Site Permit, and the Applicant has not corrected the deficiency within a reasonable time as required by Public Works under Section 21 below.

G. No Public Notice of Approval.

Public notice of a Public Works determination to approve a renewal Application is not required.

H. Effect of Approval.

Public Works' approval of a renewal Application shall extend the term of a Personal Wireless Service Facility for ten (10) years from the date of the expiration of the original Permit term.

I. Denial or Failure to Renew Application.

1. If Public Works denies a renewal Application, Permittee shall promptly remove the formerly permitted Personal Wireless Service Facility from the Public Rights-of-Way unless the Applicant files an appeal of the denial with the Board of Appeals. In which case, Public Works will stay enforcement of any removal requirement until the Board of Appeals issues a determination on the Applicant's appeal.
2. If Permittee fails to timely file a renewal Application, Public Works will notify Permittee that the Permit has expired and shall require Permittee to remove the formerly permitted Personal Wireless Service Facility from the Public Rights-of-Way within thirty (30) Days from the date of the notice.

J. Permits Not Eligible for Renewal.

1. If a Personal Wireless Service Facility Site Permit is not eligible for renewal, a Permittee must file a new Application for a Personal Wireless Service Facility Site Permit.
2. If the new Application is filed within six (6) months prior to the expiration of the Permit term, the Applicant may continue to maintain the permitted Personal Wireless Service Facility under the existing Permit unless or until there is a final determination denying Permittee's application for a new Personal Wireless Service Facility Site Permit at this location.

Section 17. REMOVAL OF FACILITIES UPON EXPIRATION OR TERMINATION OF PERMIT

A. Removal Required.

Upon the expiration or termination of a Personal Wireless Service Facility Site Permit, Permittee shall at its own expense permanently remove its Personal Wireless Service Facility from the Utility Pole, including all antennas, equipment boxes, meters, cabling, conduits, mounting brackets, wireline or fiber-optic enclosures, informational warning stickers, decals, and other related equipment, and shall return the Utility Pole to the condition required by the pole owners or General Order 95.

B. Failure to Remove Permitted Equipment.

If Permittee fails to timely remove a Personal Wireless Service Facility after the expiration or termination of a Personal Wireless Service Facility Site Permit Public Works shall take all reasonable, necessary, and appropriate action in accordance with Applicable Law to remedy Permittee's failure to comply and may charge the reasonable costs actually incurred, including but not limited to administrative costs, to Permittee.

Section 18. REPLACEMENT AND REMOVAL OF EQUIPMENT

A. When Allowed.

Permittee may Replace or remove equipment used at a permitted Personal Wireless Service Facility without obtaining a Modification Permit.

B. Equipment Replacement and Removal Procedure.

1. A Permittee seeking to Replace or remove equipment installed on a Utility Pole pursuant to a Personal Wireless Service Facility Site Permit where there is no Emergency shall provide Public Works with the information required under this Section at least five (5) Business Days prior to replacing the equipment.
2. A Permittee seeking to Replace or remove equipment installed on a Utility Pole pursuant to a Personal Wireless Service Facility Site Permit on an Emergency basis shall provide Public Works with the information required under this Section within two (2) Business Days of replacing the equipment.

C. Information Required for Replacement Equipment.

When Replacing equipment installed on a permitted Personal Wireless Service Facility a Permittee shall provide Public Works with the following information:

1. The use and size of each piece of equipment the Permittee is seeking to remove from the Utility Pole; and
2. The use and size of each piece of equipment the Permittee is seeking to install on the Utility Pole to Replace existing equipment.

D. Public Works Notification.

1. Public Works shall notify a Permittee within five (5) Business Days of receipt of a request to Replace equipment installed on a Utility Pole whether the request complies with the requirements of Public Works Code § 1521.
2. If Public Works notifies the Permittee that the request does not comply, the Permittee may not Replace the Equipment. In the case of an Emergency replacement, the Permittee must remove the replacement equipment and install new replacement equipment that complies with Public Works Code § 1521.
3. Any Permittee that is denied a request to Replace equipment at a permitted Personal Wireless Service Facility may instead file an Application for a Modification Permit under Public Works Code § 1522.

Section 19. MODIFICATION PERMITS

A. Modification Permit Required.

A Modification Permit is required to replace equipment at a permitted Personal Wireless Service Facility that is not identical in size or smaller than the permitted equipment being removed or to collocate or add new equipment to a permitted Personal Wireless Service Facility.

B. Modification Permit Application.

1. If an Application for a Modification Permit is submitted under Public Works Code § 1522(c)(1), the Applicant shall submit an Eligible Facilities Request.
2. If an Application for a Modification Permit is submitted under Public Works Code §§ 1522(c)(2), 1522(c)(3) or 1522(d) the Applicant shall submit an Application for a Modification Permit.

C. Completeness Review.

1. Public Works shall first determine whether an Application for a Modification Permit is Complete.
2. Public Works shall notify the Applicant within ten (10) Business Days whether the Application for a Modification Permit is Complete.
3. If the Application for a Modification Permit is Complete, Public Works shall process the Application as set forth below.
4. If the Application for a Modification Permit is not Complete, Public Works shall return the Application along with a statement of what additional information Public Works requires to make the Application Complete. Public Works will not process an Application until the Applicant has returned the Application to Public Works with all of the required information.
5. Public Works may issue additional notices that an Application is not Complete if any resubmitted Application does not contain all of the information requested by Public Works. Any additional notices shall be issued within ten (10) Days of receipt of the resubmitted Application.

D. Tolling.

1. The timely issuance by Public Works of a notice that an Application for a Modification Permit is not Complete shall toll any deadline for issuing a final determination that is required by federal or State law.

2. The time-period will restart on the date that Applicant resubmits its Application.
3. This same rule shall apply to an additional notice that an Application for a Modification Permit is not Complete issued by Public Works after an Application has been resubmitted.

E. Referral to Department of Public Health Review.

Public Works may refer an Application for a Modification Permit to the Department of Public Health if Public Works has reason to believe that the proposed modifications to a permitted Personal Wireless Service Facility identified in the Application would result in the modified Personal Wireless Service Facility being out of compliance with the Public Health Compliance Standard.

F. Public Works Approval.

1. Public Works shall approve an Application for a Modification Permit that is an Eligible Facilities Request provided the Applicant has shown that the installation of the modified Transmission Equipment would not Substantially Change the Physical Dimensions of an Existing Base Station.
2. Public Works may approve any of the following types of Applications for Modification Permits if the Permittee complies with the requirements of Public Works Code § 1522(e)(2):
 - (a) The Permittee is seeking to install new Transmission Equipment that would Substantially Change the Physical Dimensions of an Existing Base Station.
 - (b) The Permittee is seeking to modify equipment other than Transmission Equipment.
 - (c) The Permittee is seeking to modify a Personal Wireless Service Facility that is not a Base Station.

G. Time for Public Works Approval.

1. Public Works shall make a final determination whether to approve or deny an Application for a Modification Permit within ten (10) Business Days of Public Works' determination that the Application is Complete.
2. If the Application for a Modification Permit is an Eligible Facilities Request, Public Works shall issue a final determination approving or denying the Application for a Modification Permit within sixty (60) Days after the Modification Permit Application was deemed Complete (taking into account any applicable tolling periods set forth in Section 6.B above). If Public Works has not issued a final determination approving or denying an Application for a Modification Permit within sixty (60) Days after the Modification Permit Application was deemed Complete (taking into account any applicable tolling periods set forth in Section 6.B above), Permittee may notify Public Works after the reviewing period has expired that Permittee has deemed the Modification Permit Application granted. Absent such a notice, Permittee may not claim that the Modification Permit Application has been deemed granted.
3. If the Application for a Modification Permit is not an Eligible Facilities Request, Public Works shall issue a final determination approving or denying the Application for a Modification Permit within ninety (90) Days after the Modification Permit Application was deemed Complete (taking into account any applicable tolling periods set forth in Section 6.B above). If the Applicant determines that Public Works has not issued a final determination within ninety (90) Days after the Modification Permit Application was deemed Complete (taking into account any applicable tolling periods set forth in Section 6.B above), as required by Government Code § 65964.1, Permittee may notify Public Works in writing that the Applicant has determined that the Modification Permit Application should be "deemed approved" as required by State law. Permittee's failure to notify Public Works as set forth above shall mean that its Modification Permit Application will not be "deemed approved" regardless of whether Public Works has issued a final determination within ninety (90) Days after the Modification Permit Application was deemed Complete (taking into account any applicable tolling periods set forth in Section 6.B above) as required by Government Code § 65964.1.
4. Notwithstanding the foregoing, Permittee and Public Works may agree in writing to extend the deadline for issuing a final

determination approving or denying a Modification Permit Application.

H. Suspension or Denial for Lack of Compliance.

Public Works may suspend review of or deny an Application for a Modification Permit if Public Works has issued a notice of deficiency to Permittee related to any existing Personal Wireless Service Facility Site Permit, and Permittee has not corrected the deficiency within a reasonable time as required by Public Works under Section 21 below.

I. Effect of Modification Permit on Permit Term.

1. The issuance of a Modification Permit will not start a new term. The Modification Permit will expire on the same date the Personal Wireless Service Facility Site Permit previously issued to the Permittee for that location expires.
2. Notwithstanding the foregoing, Permittee may submit a renewal Application at the same time as an Application for a Modification Permit.

J. Appeal of Public Works Determination.

A Public Works determination to deny an Application for a Modification Permit may be appealed to the Board of Appeals.

Section 20. INACTIVE OR ABANDONED PERSONAL WIRELESS SERVICE FACILITIES

A. Removal of Inactive Facilities

Permittee shall remove from the Public Rights-of-Way any Personal Wireless Services Facilities that have not been used to provide Personal Wireless Service for six (6) continuous months, unless Permittee demonstrates to Public Works that: (i) Permittee's non-use of the permitted Personal Wireless Service Facilities for six (6) months was reasonable under the circumstances; and (ii) Permittee intends to re-activate the permitted Personal Wireless Service Facilities within the next six (6) months.

B. Notice of Abandonment.

1. Public Works shall notify Permittee whenever Public Works has reason to believe that a Personal Wireless Service Facility has been abandoned because it has not been properly maintained or because it has not been used to provide Personal Wireless Service for six (6) continuous months. A Personal Wireless Service Facility that has been marked with Graffiti has not been properly maintained.
2. The notice shall state that Permittee has sixty (60) Days to remove either the entire abandoned Personal Wireless Service Facility from the Public Rights-of-Way.

C. Response to a Notice of Abandonment.

1. If Permittee disagrees with the notice of abandonment, within sixty (60) Days of receipt of the notice Permittee shall notify Public Works in writing that:
 - (a) The Personal Wireless Service Facility is in good working order;
 - (b) Permittee intends to repair or replace any equipment used for a Personal Wireless Service Facility that has not been properly maintained within thirty (30) Days; or
 - (c) Permittee will remove any Graffiti from the Personal Wireless Service Facility within thirty (30) Days.
2. At the request of Permittee in writing, Public Works may grant Permittee an extension of time to repair or replace the abandoned Personal Wireless Service Facility.

D. Failure to Remove Abandoned Facility.

1. If Permittee fails to remove the abandoned Personal Wireless

Service Facility, as required by Public Works, Public Works may remove the facility.

2. Public Works will endeavor to remove the Personal Wireless Service Facility and to return the equipment to Permittee in the same condition as it was at the time of removal. Public Works, however, does not assume any responsibility for any damage to the equipment resulting from Public Works' removal and storage of any abandoned equipment.
3. Public Works may deduct the cost of removing the abandoned Personal Wireless Service Facility from Permittee's deposit required under Public Works Code § 1523 and Section 24 below.

E. Removal of a Personal Wireless Service Facility

In removing an inactive or abandoned Personal Wireless Service Facility from the Public Rights-of-Way, Permittee shall remove from the Utility Pole all antennas, equipment boxes, meters, cabling, conduits, mounting brackets, wireline or fiber-optic enclosures, informational warning stickers, decals, and any other related equipment, and shall return the Utility Pole to the condition required by the pole owners or General Order 95.

Section 21. NOTICE OF DEFICIENCY

A. Contents of Notice.

A notice of deficiency issued pursuant to Public Works Code § 1517(b) shall:

1. State the basis for Public Works' determination that a permitted Personal Wireless Service Facility is not in compliance with a Personal Wireless Service Facility Site Permit, Public Works Code Article 25, or this Order;
2. Give Permittee reasonable time to correct the deficiency. If the notice of deficiency concerns a violation of the Public Health Compliance Standard, Public Works may require immediate compliance;

3. State Public Works' remedies if Permittee fails to take corrective action, which may include revocation of the Permit; and
 4. Notify Permittee whether Public Works intends to suspend review of or deny other pending Applications for a Personal Wireless Service Facility Site Permits should Permittee fail to timely correct the deficiency.
- B. Compliance with Notice of Deficiency.
1. Permittee shall timely comply with a notice of deficiency.
 2. If Permittee should fail to timely comply with a notice of deficiency Public Works:
 - (a) Shall take the corrective action set forth in the notice; and
 - (b) May suspend review of or deny Permittee's pending Applications for Personal Wireless Service Facility Site Permits.

Section 22. DEPOSIT

Permittee's deposit required under Public Works Code § 1523 shall be available to Public Works to secure the faithful performance of the obligations of Permittee under any Personal Wireless Service Facility Site Permit. If Permittee has not made such a deposit, Permittee shall submit and maintain with Public Works a bond, cash deposit, or other security acceptable to Public Works securing the faithful performance of the obligations of Contractor and its agent under any Permit issued under this Order. The deposit shall be in the sum of \$25,000 in favor of the "Public Works, City and County of San Francisco." If the Director has deducted any amounts from such a deposit pursuant to this Order, Permittee must restore the full amount of the deposit prior to Public Works' issuance of a subsequent Permit. Public Works shall return the deposit to Permittee should Permittee cease to operate any Personal Wireless Service Facilities in the Public Rights-of-Way.

Section 23. ADDITIONAL FEES

A. Director May Require Additional Permit Fees.

1. Pursuant to Public Works Code § 1527(d), the Director may require an Applicant for a Personal Wireless Service Facility Site Permit to pay a sum in excess of the normal Permit fees.
2. Public Works shall not approve an Application for a Personal Wireless Service Facility Site Permit unless Applicant agrees to pay these additional Permit fees when required.

B. Imposition of Additional Permit Fees for Individual Applications.

1. Any City department reviewing an Application for a Personal Wireless Service Facility Site Permit shall determine whether its review of an individual Application will be unusually costly. A City department other than Public Works shall provide Public Works with an estimate of its additional costs along with an explanation of the reasons these additional costs must be incurred.
2. Prior to requiring additional Permit fees, the Director shall notify an Applicant that it will be unusually costly for either Public Works or another City department to review an Application for a Personal Wireless Service Facility Site Permit. The notice shall include an estimate of its additional costs along with an explanation of the reasons these additional costs must be incurred, and shall offer the Applicant the opportunity to withdraw or modify the Application in order to avoid any additional Permit fees.
3. With the consent of the Applicant, the applicable City department may incur these costs and recover them as additional Permit fees.

C. Imposition of Additional Permit Fees for a Class of Permit Applications.

1. The Director may impose additional fees for a class of Applications for Personal Wireless Service Facility Site Permits where the Director has determined that processing such

Applications will be unusually costly to process.

2. To impose such additional fees, the Director must issue a Director's order stating the reasons such fees are required and necessary.
3. Once the Director establishes such fees, Public Works shall not approve an Application for a Personal Wireless Service Facility Site Permit unless and until the fee is paid, if applicable.

Section 24. COSTS FOR TECHNICAL EXPERTS

A. Additional Costs Allowed.

Pursuant to Public Works Code § 1527(f), any City department may retain the services of an expert in order to evaluate an Application for a Personal Wireless Service Facility Site Permit, and seek reimbursement for the cost of those services from an Applicant.

B. Notice Required.

Prior to incurring any reimbursable costs, a City department shall notify Applicant that it requires the services of a technical expert. The notice shall explain in detail the expert services required and offer the Applicant the opportunity to withdraw or modify the Application in order to avoid those costs.

C. Identification and Retention of Experts.

If Applicant intends to pursue the Application, the applicable City department shall then work with Applicant to identify Persons with the necessary expertise to provide the required services and to establish a budget for the expert's services. With the consent of Applicant, the applicable City department shall retain the expert to perform the required services.

SECTION 25. PUBLIC WORKS FORMS

A. Authorized Forms.

Public Works, Applicants for Personal Wireless Service Facility Site Permits or Modification Permits, and Permittees shall use the following forms authorized by this Order and attached hereto as Exhibits:

1. Application for a Personal Wireless Service Facility Site Permit
2. Notice of Completeness/Deficiency of Application
3. Notice of City Department Conditions
4. Notice of Final Determination to Deny Application
5. Notice of Final Determination to Approve Application
6. Notice of Starting Installation
7. Notice of Substantial Completion of Installation
8. Notice of Removal or Replacement of Equipment
9. Renewal Application
10. Eligible Facilities Request
11. Application for a Modification Permit
12. Notice of Completeness/Deficiency Eligible Facilities Request
13. Notice of Completeness/Deficiency of Modification Application
14. Notice of Final Determination to Approve or Deny Renewal Application
15. Notice of Final Determination to Approve or Deny Modification Application (Eligible Facilities Request)
16. Notice of Final Determination to Approve or Deny Modification Application
17. Notice of Suspension of Review of Application
18. Notice of Expiration
19. Agreement to Extend Deadline for Final Determination
20. Public Notice of Final Determination to Approve a Personal Wireless Service Facility Site Permit

B. Amendments to or New Authorized Forms.

Public Works may amend the authorized forms or prepare and issue new authorized forms as Public Works in its discretion deems necessary.

Approved

X

DocuSigned by:



Huff, Nicolas C0A758C115B741C...
Bureau Manager

X

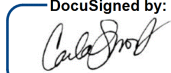
DocuSigned by:



Ko, Albert J 281DC30E04CF41A...
Deputy Director and City Engineer

X

DocuSigned by:



Short, Carla 073CF73A4EA6486...
Interim Director of Public Works