WIRELESS COMMUNICATION FACILITY/
WIRELESS SUPPORT STRUCTURE IN
RIGHT OF WAY PERMIT APPLICATION

PO Box 1908
Fort Smith, AR 72902
planning@fortsmithar.gov

Do not use this form to request a permit to build a wireless facility or support structure outside of the right of way.

Applicant:

Address:

City/State/Zip:

Point of Contact: **Phone:**

E-mail:

INDEMNIFICATION STATEMENT

I hereby affirm that I am an authorized representative of the applicant identified above and that the representations contained in this application and the attachments hereto are accurate. I agree to indemnify, and hold harmless the City of Fort Smith, its officers, agents and employees against any claims, demands, damages, lawsuits, judgements, costs, liens, losses, expenses, and attorney's fees resulting from the installation, construction, repair, replacement, operation, or maintenance of poles, small wireless facilities, or attachments to authority poles to the extent directly caused by the negligence of the wireless provider, its contractors, subcontractors, and their officers, employees, or agents.

_____
Signature Date

_____
Printed Name

_____
Title

NOTE: The City shall notify the applicant whether the application is complete within ten (10) calendar days of receipt of the application. If not, the City shall specify what information is missing or incomplete. A final decision by the City to grant or deny the application shall be made within sixty (60) calendar days for collocation and ninety (90) calendar days for new pole installations upon determining the application is complete.

Should this franchise permit be granted, it is understood that the City of Fort Smith assumes no responsibility to maintain the installation or to replace any installation damaged or destroyed by Utility or City crews in their routine maintenance work. Also, the City assumes no responsibility should service related to franchised item be interrupted during City maintenance work or injury be inflicted on any one as a result of the presence or installation of the franchised item.

For questions or concerns, please contact the Fort Smith Planning Department (479) 784-2216, planning@fortsmithar.gov., 623 Garrison Avenue, Room 331, Fort Smith, Arkansas 72901

WIRELESS COMMUNICATION FACILITY/
WIRELESS SUPPORT STRUCTURE IN
RIGHT OF WAY PERMIT PROCEDURE

All requests for franchise permits will be received by the Planning Department, which will determine if the appropriate documentation has been submitted. Additional information may be requested if necessary.

Please select the type of installation:

____ Collocation
____ Collocation on authority's pole
____ Collocation in ARDOT right of way but not on an authority pole
____ New pole in ARDOT right of way but not on an authority pole
____ New pole not in ARDOT right of way

Please submit the following information for the respective installation.
(*see A.C.A. 23-17-510(d)(2) and Fort Smith City Ordinance No. 61-19*):

1. Permit Application
2. Drawings and descriptions of the proposed facilities, non-tower support structures, and ancillary equipment (*including an illustration that shows the final appearance of the facilities);*
3. Legal Description and Map of Location/s
4. A general description of the proposed work. A description of the work to be performed, including sub-surface utilities likely to be affected or impacted by the work proposed, street cuts, sidewalk cuts, temporary right of way closing, etc.
5. Location of existing poles for small wireless facilities within 300 feet
6. Insurance - Submit proof of coverage (or self-insurance if eligible) in the minimum amount of $5,000,000 per occurrence.
7. Bond - Submit bond in the amount of $1,000.00 per wireless facility up to a total of $10,000.00
8. If the applicant proposes to collocate on, or occupy any existing structure not owned by the applicant, a letter or written statement from the owner allowing the use.
9. Application Fee - $100 for each new pole installed.
10. Applications shall be submitted to the Fort Smith Planning Department at 623 Garrison Avenue, Room 331, Fort Smith, AR 72901.

A franchise permit shall not be issued for the following:

- **Non-steel poles in the right-of-way of the Phoenix Avenue Overlay Zone, along Phoenix Avenue from State Line Road east to Old Greenwood Road, in the Massard Overlay Zone and along Massard Road – south of Zero Street extending to I-549.**

If ownership of the devices/facilities change, the owner shall notify the City and all franchise permit conditions shall apply to the new owner. If the devices/facilities are no longer in use or abandoned for any reason, the owner agrees to remove all such devices and make repairs to the location as required by City staff, at no cost to the City.

ATTEST TO THE TIMELINESS OF THE FACILITIES OPERATIONAL USE

In accordance with A.C.A. 23-17-510(d)(5) I hereby attest that the small wireless facilities will be operational for use by a wireless service provider within one (1) year after the permit issuance date. Should any delays outside the applicant's control cause a problem with the wireless facility from being operational within with one (1) year, then the applicant shall immediately contact the Planning Director to discuss a time extension.

_____

Signature Date

_____

Printed Name

_____

Title