

1

October 20, 2016
Wireless Telecomm

AK Sponsor: _____
Proposed No.: 2016-0476

1 **AMENDMENT TO PROPOSED ORDINANCE 2016-0476, VERSION 1**

2 On page 1, beginning on line 8, strike everything through page 2, line 40, and insert:

3 "BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

4 SECTION 1. A. Section 2 of this ordinance proposes changes to the annual use
5 payment currently charged for right-of-way use agreements by clarifying wireless
6 communication facility antenna support structures, establishing a new annual use
7 payment amount and revising the adjusted rate.

8 B. These fees are assessed pursuant to K.C.C.299.030.

9 SECTION 2. Ordinance 17515, Section 13, as amended, and K.C.C. 4A.675.060
10 are each hereby amended to read as follows:

11 A. The annual use payment for continuing use of the county rights-of-way ((as
12 follows)) for wireless communications facilities shall be the following amounts for 2017
13 and, for each year thereafter, the 2017 amount adjusted as provided in subsection C. of this
14 section:

Type of Equipment/Facility within the right-of-way	Use Payment
16 ((Separate)) <u>Antenna support structure</u>	\$((5,000))
17 (((such as a monopole or lattice)))	<u>10,000</u>
18 used ((solely)) for wireless antenna,	

19 with antenna/receiver transmitter
 20 array and/or equipment cabinet
 21 Antenna/receiver transmitter (on an existing or \$3,000
 22 replacement pole) and equipment cabinet
 23 Antenna/receiver transmitter (on an existing or \$2,000
 24 replacement pole) or equipment cabinet, but not both

25 B. For the purpose of this section, "replacement pole" means a new utility pole
 26 replacing an existing utility pole in the county right-of-way with no increase in the total
 27 number of utility poles in the right-of-way. Replacement poles provide extra capacity to
 28 support attached wireless telecommunications facilities.

29 C. ~~((A))~~ The amount of the annual use payments ~~((prescribed))~~ established by
 30 subsection A. of this section shall be automatically ~~((escalated))~~ adjusted annually,
 31 beginning January 1, ~~((2001))~~ 2018, and every year thereafter, ~~((for the change in))~~ using
 32 the U.S. Department of Labor, Bureau of Labor Statistics Consumer January through
 33 December Price Index for All Urban Consumers ("CPI-U") for the Seattle-Tacoma-
 34 Bremerton Statistical Metropolitan Area for the year preceding the prior calendar year of
 35 the agreement's implementation. However, if the CPI-U is negative, there will be no
 36 adjustment. In the event the CPI-U ~~((or a successor or substitute index))~~ is no longer
 37 published, a reliable government or other ~~((non-partisan))~~ nonpartisan index of inflation
 38 selected by the county shall be used to calculate the adjusted amounts."

39 Renumber the remaining sections consecutively and correct any internal references
 40 accordingly.

41 **EFFECT:**

- 42 • **Specifies granting fee-setting authority as per K.C.C.299.030.**
- 43 • **Formats fee-table to more closely match Code**
- 44 • **Fixes redundant language by removing “for the year 2017” on lines 31**
- 45 **through 32 and “or a successor or substitute index” on lines 38 thorough 39**