

**TOWN OF MORRISON, COLORADO
BOARD OF TRUSTEES**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 10, CHAPTER 1, ARTICLE M OF THE
MORRISON MUNICIPAL CODE CONCERNING CMRS FACILITIES**

WHEREAS, the Town of Morrison is a Colorado home rule municipality operating under a Charter approved by the electorate pursuant to Article XX of the Colorado Constitution and governed by its elected Board of Trustees; and

WHEREAS, the Board of Trustees has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances; and

Whereas, in the exercise of this authority, the Board of Trustees has previously adopted Chapter 1, Article M of Title 10 of the Morrison Municipal Code (the Code) concerning wireless telecommunication (CMRS) facilities, and

Whereas, the Board wishes to amend the Code to implement additional regulations concerning such facilities.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Morrison, Colorado, that:

Section 1. Municipal Code amended. Chapter 1, Article M of Title 10 of the Morrison Municipal Code, entitled “Wireless Telecommunication Facilities” is hereby amended in the manner set forth on **Exhibit A**, attached hereto and fully incorporated herein by this reference.

Section 2. Severability. If any article, section, paragraph, sentence, clause or phrase of this ordinance, or the standards adopted herein is held to be unconstitutional or invalid for any reason, such decision will not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part or parts are declared unconstitutional or invalid.

Section 3. Effective Date. This ordinance shall take effect fifteen (15) days after adoption and publication as provided by Section 3.14 of the Home Rule Charter.

INTRODUCED, READ, PASSED AND ADOPTED this ____ day of _____, 2020, by a vote of ____ ayes and ____ nays.

TOWN OF MORRISON:

Sean K. Forey, Mayor

ATTEST:

Lyndsey Paavilainen, Town Clerk

EXHIBIT A

ARTICLE M. WIRELESS TELECOMMUNICATION SERVICES

10-1M-1: DEFINITIONS

10-1M-2: APPLICATION AND APPROVAL PROCEDURES

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10-1M-10: CO-LOCATION

10-1M-11: CONCURRENT APPROVALS

10-1M-12: STANDARDS FOR SMALL CELL FACILITIES AND NETWORKS

10-1M-1: DEFINITIONS:

The following words and phrases when used in this article shall have the meanings given below:

ACCESSORY EQUIPMENT FOR A CMRS FACILITY: Equipment, including buildings and cabinets, used to protect and enable radio switching equipment, backup power and other devices, but not including antennas that is necessary for the operation of a CMRS facility.

ANTENNA: Any device used to transmit and/or receive radio or electromagnetic waves such as, but not limited to panel antennas, reflecting discs, microwave dishes, whip antennas, directional and non-directional antennas consisting of one or more elements, multiple antenna configurations, or other similar devices and configurations. Exterior apparatus designed for telephone, radio, or television communications through the sending and/or receiving of wireless communications signals.

BASE STATION: A station at a fixed location, other than a freestanding CMRS facility, that enables wireless communication between user equipment and a communications network, including any associated equipment such as, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. It includes a structure that currently supports or houses an antenna, transceiver, or other associated equipment that constitutes part of a base station. It may encompass such equipment in any technological configuration, including distributed antenna systems and small cells.

BROADBAND SERVICE: Broadband is wide bandwidth data transmission which transports multiple signals and traffic types. The medium can be coaxial cable, optical fiber, radio or twisted pair. In the context of Internet access, broadband is used to mean any high-speed Internet access that is always on and faster than traditional dial-up access.

CODE: Morrison Municipal Code.

CO-LOCATION: Includes,

1. Mounting or installing an antenna facility on a pre-existing structure; and/or
2. Modifying a structure for the purpose of mounting or installing an antenna facility on that structure.

Provided, that for purposes of eligible facilities requests, “co-location” means the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

COMMERCIAL MOBILE RADIO SERVICE (CMRS) FACILITY: An unstaffed facility consisting of equipment for the reception, switching and transmission of wireless telecommunications, including, but not limited to, personal communications service (PCS), enhanced specialized mobile radio (ESMR), paging, cellular telephone and similar technologies.

DECORATIVE POLE(S): Any pole that is uniquely found in a particular neighborhood in the Town that adds to the aesthetic of the streetscape of that neighborhood or area and is specified in a Town-adopted plan.

ELIGIBLE FACILITIES REQUEST: Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station and that involves the co-location of new transmission equipment, the removal of transmission equipment or the replacement of transmission equipment.

EQUIPMENT STORAGE SHELTER: A structure used for freestanding CMRS facilities or, where necessary, roof or building-mounted facilities to house CMRS equipment. These shelters are not intended for human habitation and shall not exceed four hundred (400) square feet.

FULLY CONCEALED FACILITY: A CRMS where:

1. The antennas, mounting apparatus, and any associated equipment are fully recessed/concealed from all sides with a structure that achieves total integration with the existing building or structure; and
2. All cable is routed internally or otherwise completely screened from view; and
3. The associated equipment is completely within the building or structure, placed in an underground vault, or is within another sidewalk element such as a mailbox, kiosk, etc. as approved by the Town.

FREESTANDING CMRS FACILITY: A CMRS facility that consists of a stand-alone support structure, antennas, and any associated equipment storage shelter.

INTERESTED PARTY: The applicant, an adjoining property owner or the Town.

LDRRC: Morrison Land Development Review Committee as defined in Morrison Subdivision Regulations.

MONOPOLE: A structure composed of a single spire used to support telecommunications equipment.

POLE(S): Utility pole, traffic signal pole, light poles or other types of poles, used primarily to support electrical wires, telephone wires, television cable, lighting, or guide posts; or are constructed for the sole purpose of supporting a CRMS facility. A Pole does not include a Tower or Support Structure.

PROVIDER: A Communications Service Provider or a Wireless Services Provider, and includes any Person that owns and/or operates within the Public ROW any Communications Facilities, Wireless Facilities, Poles built for the sole or primary purpose of supporting Communications Facilities, or Towers.

SMALL CELL FACILITY: Means either:

A. A wireless service facility that meets both of the following qualifications:

1. Each antenna is located inside an enclosure of no more than three (3) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than three (3) cubic feet; and
2. Primary equipment enclosures are not larger than twenty-eight (28) cubic feet in volume. The following associated equipment may be located outside of the primary equipment enclosure and, if so located, is not included in the calculation of equipment volume: electric meter, concealment, telecommunications demarcation box, ground-based enclosures, back-up power systems, grounding equipment, power transfer switch, and cut-off switch.

SMALL CELL NETWORK: A collection of interrelated small cell facilities designed to deliver wireless service.

STEALTH: Techniques that blend and camouflage the antennas and associated equipment. For example, architecturally screened roof-mounted antennae, building-mounted antennas painted to match the existing structure, and antennas integrated into architectural elements by bell towers, flagpoles, parking lot light poles, clock towers, decorative architectural features, etc.

SUPPORT STRUCTURE: A structure in the public right of way other than a pole or a tower to which a CRMS is attached.

STRUCTURE-MOUNTED CRMS FACILITY: A structure or building that can accommodate a CRMS facility that is mounted on the roof or facade of the structure or building. The term does not encompass a tower or any equipment associated with a tower or a utility pole, light pole, traffic signal pole or miscellaneous pole.

SUBSTANTIAL CHANGE: A modification which substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria, including a single change or a series of changes over time whether made by a single

owner or operator or different owners/operators over time, when viewed against the initial approval for the support structure:

1. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than ten percent (10%) or by the height of one (1) additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than ten percent (10%) or more than ten (10) feet, whichever is greater;
 - a. Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops;
 - b. In other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Federal Spectrum Act, effective February 22, 2012.
2. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty (20) feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six (6) feet;
3. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four (4) cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than ten percent (10%) larger in height or overall volume than any other ground cabinets associated with the structure;
4. It entails any excavation or deployment outside the current site;
5. It would defeat the concealment elements of the eligible support structure; or
6. It does not comply with conditions associated with the original siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in items 1 through 6 of this definition.

TOWER. Any freestanding structure designed and constructed primarily for the purpose of supporting one (1) or more Federal Communications Commission-licensed or authorized antennae, including self-supporting lattice towers, guy towers and monopole towers, radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers and other similar structures. The term also includes any antenna or antenna array attached to the tower structure.

10-1M-2: APPLICATION, REVIEW, AND APPROVAL PROCEDURES:

- A. No CMRS facility or equipment shall be constructed, installed or enlarged except upon approval by the Town of an application submitted in accordance with the requirements of this Article.
- B. General Application and Processing Requirements:
1. All applications for approval of a CMRS telecommunications facility shall be submitted to the Town Clerk who shall determine whether the application is complete. The Town Clerk shall confer with the LDRC to determine, based on the guidelines set forth in Section [10-1M-9](#) of this Article, whether the application shall be reviewed under the administrative process or shall be referred to the Planning Commission or the Board of Trustees for normal review, process, hearing and decision. The application shall be accompanied by a nonrefundable application fee as established by resolution of the Board of Trustees.
 2. Within thirty (30) days of application submission, the Town Clerk will determine if the application is complete, except applications for small cell(s), which shall be determined within ten (10) days.
 - a. If the application is deemed complete, notification will be provided to the applicant in writing stating the state the application was determined complete, the dates any notice(s) of incompleteness were sent to the applicant, and the date(s) of any subsequent application submittal(s).
 - b. If the application is determined to be incomplete, the Town shall provide the applicant with written notice of incompleteness, specifying the code section that requires the information. This halts the remaining deadlines until a complete application is filed. Should the Applicant fail to respond to the Town's notice of incompleteness within sixty (60) days of notification, then the Applicant shall be deemed to have cancelled the Application.
 3. Within sixty (60) days from submission of the application the Town will act on complete applications that are not a "substantial change". Such applications are considered an Eligible Facilities Request.
 - a. In the event the Town fails to act on a complete application seeking approval for an Eligible Facilities Request under this Section within the timeframe for review, the application shall be deemed approved.
 - b. The deemed approval becomes effective when the Applicant notifies the Town in writing after the review period has expired that the application has been deemed approved.
 4. Within ninety (90) days from submission of the application the Town will act on complete co-location applications that are not a substantial change in the size of a tower, or location or co-location applications for a small cell facility or small cell network, or replacement or modification of the same.
 5. Within one-hundred fifty (150) days from submission of the application the Town will act on complete applications for new CMRS facilities, co-location applications that are a substantial change, including a substantial increase in the size of the

tower or substantial increase to an existing CMRS facility that is not a small cell facility or small cell network.

- C. Submittal Requirements. All CMRS telecommunications facility applications shall include such plans, drawings, photographs and specifications, including computerized three-dimensional (3-D) simulations where necessary to understand visual or physical impacts, as are necessary for the Town to determine that the proposed installation is consistent with the standards set forth in the design, performance and site selection standards of this Article. Such application shall include, and describe where applicable, the following:
1. A project statement identifying the proposed CMRS facility and the telecommunication service to be provided by the proposed facility.
 2. A site plan shall be required and shall illustrate all existing freestanding facilities, buildings, parking, easements and landscaping existing on the site as well as any proposed CMRS facilities, setbacks, landscaping, screening or security fencing.
 3. All buildings and/or structures, including walls, fences or poles or other appurtenances, to which the proposed CMRS telecommunications equipment shelter and antenna will be attached.
 4. The proposed methods for minimizing the visibility of the proposed CMRS telecommunication facility, including, but not limited to, all screening and concealment designs, landscaping materials, and paint color samples.
 5. An indication as to whether the facility is designed to accommodate the proposed CRMS facility and allow for the co-location of equipment for additional carriers.
 6. Proof of ownership and a letter of authorization from the property owner, including a copy of the current lease agreement, if applicable, of the real property on which the CMRS telecommunications facility is proposed to be located. Additionally, the letter of authorization from the property owner shall be accompanied by a statement from the building/property owner indicating that they consent to the placement of the CMRS facility on the site and information which indicates that the lease does not preclude co-location. If the CRMS facility is proposed in the right of way, an approved agreement for use of the right of way is required.
 7. A photo simulation that illustrates "before" and "after" what the building and/or site will look like once the antennas and associated ground-mounted facilities equipment have been installed. The photos should be taken from the adjoining public street and from any adjacent residential zoning from which the antennas and equipment will be visible.
 8. Elevation drawings for each side of the building upon which any structure-mounted equipment will be visible, as well as any ground-mounted equipment. The drawings should indicate the appearance, color and material of the existing building as well as the location, height, color and material proposed for the antennas and associated equipment.
 9. A rooftop plan, which indicates the location and height for any roof-mounted antennas or equipment.

10. Evidence acceptable to the Town that the service provider shall remove the facility and equipment and restore the property to a condition substantially similar to that existing before the installation following abandonment of the facility or nonuse for a period of six (6) months. The service provider shall pay all costs and expenses for such removal and restoration. Such evidence may be in the form of an executed and enforceable agreement between the telecommunications provider and the owner of the property or a written agreement with the Town.
11. Public road or street providing access to facilities and equipment.
12. Proof of notice of the proposed application to adjacent property owners.

D. Processing.

1. Permitted Use:

- a. An application for a use designated as a permitted use in Section [10-1M-9](#) of this Article shall be reviewed in accordance with Site Development Plan Review [Chapter 4](#) of this Title and this Article.
- b. Once an [application is deemed](#) complete, the Zoning Administrator shall refer the application to the Planning Commission. The Planning Commission shall grant or deny the application based on the request and timeline determined in 10-1M-2, B. General Application and Processing Requirements.
- c. Any interested party may appeal the decision of the Planning Commission to the Board of Trustees by filing a letter of appeal with the Town Clerk within fifteen (15) days of the date of the decision by the Planning Commission.

2. Administrative [Review Application Requirements](#):

- a. An application for administrative approval shall be submitted in conformance with the submittal requirements as [listed in 10-1M-2, C. Submittal Requirements of this Article. The Zoning Administrator shall review the application for completeness and conformity with the requirements.](#)
- b. Once an [application is deemed](#) complete, the Zoning Administrator shall refer the application to the LDRC who shall render a decision within based on the request and timeline determined in 10-1M-2, B. General Application and Processing Requirements.
- c. A decision of the LDRC may be appealed by an interested party to the Planning Commission by filing a letter of appeal with the Town Clerk within fifteen (15) days of the LDRC's decision.
- d. The Planning Commission shall review the application for conformity with the criteria in this Article. The decision of the Planning Commission shall be a final decision. A copy of each decision of the LDRC and Planning Commission shall be furnished to the Town Clerk for submittal to the Board of Trustees as an information item.

3. [Third-party review of applications](#):

- a. CMRS service providers use various methodologies and analysis tools, including geographically based computer software, to determine the specific technical parameters of personal wireless services, such as expected coverage area, antenna configuration and topographic constraints that affect signal paths. In certain instances, there may be a need for expert review by a third party of the technical data submitted by the personal wireless services provider. The Town may require such a technical review to be paid for by the applicant for the CMRS facility.
 - b. The selection of the third party expert may be by mutual agreement between the applicant and Town or at the discretion of the Town, with a provision for the applicant and interested parties to comment on the proposed expert and review its qualifications. The expert review is intended to be a site-specific review of technical aspects of the CMRS facility and not a subjective review of the site selection.
 - c. The expert review of the technical submission shall address the following:
 - i. The accuracy and completeness of the submission;
 - ii. The applicability of analysis techniques and methodologies;
 - iii. The validity of conclusions reached;
 - iv. Any specific technical issues designated by the Town.
 - v.
4. Special Review Use: An application for a use designated as a use by special review in Section [10-1M-9 of this Article and](#) requiring approval under the Special Review procedure of [Article 1F of this Chapter](#), in addition to all other requirements, shall be accompanied by a site plan which shall be reviewed in accordance with the Site Development Plan Review procedure in [Chapter 4](#) of this Title. However, any CRMS facility use undergoing special review shall adhere to the processing timelines described in 10-1M-2, B. General Application and Processing Requirements, as applicable.
- E. Other Requirements: In addition to the requirements of this Article, no application for a building permit shall be accepted for review without the applicable zoning approval as determined by this Chapter.
- F. Decision: Any final decision to deny a request to place, construct or modify CMRS facilities or equipment shall be based on finding(s) that the application fails to meet the requirements of this Article or other applicable law, shall be in writing and supported by substantial evidence contained in a written record. (Ord. 273, 5-20-1997)

-----No changes to the sections below-----

10-1M-3: SITE SELECTION CRITERIA:

10-1M-4: DESIGN CRITERIA:

10-1M-5: MAXIMUM HEIGHT FOR CMRS FACILITIES:

10-1M-6: COMPLIANCE WITH FEDERAL COMMUNICATIONS COMMISSION REQUIREMENTS:

10-1M-7: ABANDONMENT AND REMOVAL:

-----No changes to the sections above-----

10-1M-8: SETBACKS:

A CMRS facility shall meet the most restrictive of the following minimum setbacks:

- A. The setback for a principal building within the applicable zoning;
- B. Twenty-five percent (25%) of the facility height, including antennas; or
- C. The facility height, including antennas, if the facility is in or adjacent to the A, RE, R1, R2, CT, C1 or C2 Zoning Districts. The Town shall consider a facility only separated by a street or public right-of-way from a zoning district as adjacent to that zoning district;
- D. Two hundred fifty feet (250') from any property within the RE and R1 Zone Districts. (Ord. 273, 5-20-1997)

10-1M-9: SCHEDULE OF ZONE DISTRICTS:

CMRS facilities shall be permitted as provided in the following schedule:

Zone District	Roof or Building Mounted Facility	Freestanding Facility
Agricultural - A	SRU	SRU
Residential Estate, Low Density Residential - RE and R1	NP	NP
High Density Residential - R2	NP	NP
Commercial Transitional - CT	AR ¹	NP
Commercial Limited, Commercial General - C1 and C2	AR ¹	NP
Multiple Use Commercial, Multiple Use Office And Multiple Use Commercial And Office - MU-C, MU-O, MU-CO ²	AR	SRU
Planned Development - PD	As Permitted On Plan	As Permitted On Plan

Zone District	Roof or Building Mounted Facility	Freestanding Facility
Industrial Districts - I	AR	P
Town Property <u>or Right of Way – Substantial Change</u>	SRU	SRU
<u>Town Property or Right of Way – Eligible Facilities Request</u>	AR ³	AR ³

Key:

Permitted Use (P): The use may be constructed and operated in the zone district, subject to applicable site plan, plat, and building code requirements.

Not Permitted (NP): The use is prohibited in the zone district.

Administrative Review (AR): The use is permitted in the zone district subject to review of an administrative plan, plat, and applicable building code requirements.

Special Review Use (SRU): Must meet standards for special review in [Article 1F of this Chapter](#) in addition to any specific standards for the use as required in this Article.

Notes:

1. Roof or building structure-mounted facilities are not permitted on any single-family residential structure.
2. Any equipment storage shelter in the MU-O, MU-C or MU-CO Zone Districts must be entirely enclosed within an attached architectural element of a building or structure that is compatible in design, color, and materials with the adjacent uses to the CMRS facility site.
3. Small cell CMRS facilities, that do not qualify as a substantial change and are considered an eligible facilities request as defined in Section 10-1M-1 of this article, are permitted uses in all zone districts, subject to administrative the review as described in this section. Those small cell CMRS facilities qualifying for administrative review shall be subject to the

Application and Approval Procedures outlined in Section 10-1M-2 of this article.

-----No changes to the sections below-----

10-1M-10: CO-LOCATION:

10-1M-11: CONCURRENT APPROVALS:

-----No changes to the sections above-----

10-1M-12: STANDARDS FOR SMALL CELL FACILITIES AND NETWORKS:

- A. Applicable Requirements: Small cell facilities and small cell networks, shall comply in all respects with the requirements of this section applicable to all CMRS facilities, with the following exceptions:
 - 1. Setback requirements; and
 - 2. Design requirements.
- B. Location: Small cell facilities are permitted in Town rights-of-way, upon facilities in these rights-of-way and on public easements owned by the Town under the following priority:
 - 1. First, on a traffic signal pole in a configuration approved by the Town, or in the case of a CDOT facility, by CDOT
 - 2. Second, a Town-owned utility pole with attachment of the small cell facilities in a configuration approved by the Town.
 - 3. Third, on a Town-owned decorative pole with attachment of the small cell facilities in a configuration approved by the Town.
 - 4. Fourth, mounted on a structure located on public property, not including rights-of-way, or private property. The mounting of small cell facilities on public facilities shall require an agreement for said use prior to installation..
- C. Height: All small cell facilities shall not exceed two (2) feet above the light pole, traffic signal or other facility or structure in which they are located, the maximum height in the relevant zone district, or as otherwise allowed by Federal law. When new utility poles are proposed as a fully concealed facility, their height shall be similar to existing utility/light poles in the vicinity.
- D. Spacing: No small cell facility shall be located within one thousand feet (1,000') of any other such facility.
- E. Design: The following design requirements apply to all small cell facilities:
 - 2. Small cell facilities located on freestanding poles shall be fully concealed within the pole structure. Said pole structure shall not be oversized beyond its normal size to contain antenna(s)/equipment in order to ensure the intent of concealment is attained.

3. Small cell facilities mounted to buildings shall be fully concealed within an architectural feature compatible with the architecture of the building. Architectural features that are not compatible or incongruent with the building design shall not be allowed
4. All accessory equipment, not within a fully concealed facility, which are located in rights-of-way shall be located below ground level. If accessory equipment is located on private property, it shall be located underground to the extent feasible. Where infeasible, equipment shall be screened from view from a living or built fully opaque screen that screens at least one (1) foot above the height of the equipment.
5. Safety: Small cell facilities in the right-of-way shall be designed and located, in the reasonable judgment of the reviewing official or body, so as to not interfere with the safe movement of pedestrians and motor vehicles, or otherwise create a safety risk to the public.
6. Relocation And Removal: All facilities in Town rights-of-way or easements shall be removed and/or relocated at the applicant's expense in the event the Town's use of the right-of-way or easement precludes the continued presence of such facilities.
7. Permitting: All small cell facilities and networks shall be reviewed pursuant to the procedure at section [10-1M-2](#) of this article. The Town may accept applications for a small cell network, provided each small cell facility shall be separately reviewed. Small cell facilities and networks shall also make application for a permit for work in the right-of-way. A traffic control plan may be required with building permits for any construction proposed within or adjacent to the right-of-way.
8. Indemnification: The operator of a small cell facility which is permitted to locate on a Town right-of-way or easement or on a Town-owned utility pole, traffic signal or other structure owned by the Town, or within a Town-owned right-of-way or easement, shall, as a condition of permit approval, indemnify the Town from and against all liability and claims arising as a result of that location or attachment, including repair and replacement of damaged poles and equipment, in a form approved by the Town Attorney.
9. Bonding: All permits for location of small cell facilities on real property not owned by the small cell permittee shall include as a condition of approval a bond, in a form approved by the Town Attorney, to guarantee payment for any damages to the real property and removal of the facility upon its abandonment.
10. Permit Expiration: A permit for a small cell facility shall expire nine (9) months after approval unless construction of the permitted structure has been initiated.