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Checklist for Municipal Codes Addressing Small Cell Installations

___ The code requires applicants to document possession of liability insurance which does not exclude coverage for health claims due to radiofrequency (RF) radiation exposure (a “pollution exclusion”). The insurance must be issued to the parent company (e.g., Verizon), not the contractor, agent or company subdivision. Self-insurance should not be accepted.

___ The code requires the applicant document significant effort to place antennas in non-residential areas, far away from schools and daycare centers, and proof that such alternate sites will not result in adequate coverage.

— The code requires applicant to post conspicuous signs of pending applications at proposed sites, and notify all property owners within 500 feet of the proposed antenna installation notification by certified mail within 5 days of application submission.

___ The code requires the applicant to document a significant gap in service which will be remedied by the proposed antenna installation.

— The code permits the municipality to hire an RF engineer to conduct random, unannounced RFR emission testing of any or all antenna installation(s) at the expense of the operator, and provides for substantial penalties for violations.

___ The code requires that RF radiation emission limits apply to the aggregate emissions of all co-located equipment, not just emissions of single antennas. In the event such emissions exceed FCC guidelines, all antennas must be turned off until the aggregate emissions are lowered to acceptable limits.

___ The code requires applicants to certify that the company is subject to all local state and federal laws, including the Americans with Disabilities Act, and that the operation of the antennas will not jeopardize the health and well being of any citizens.

___ The code requires applications and permits for all RF antennas including free-standing, pole mounted and strand-mounted antennas.

This information is intended for educational purposes only. It is not intended to offer and should not be construed as legal advice. Please consult with qualified legal experts for applications and restrictions in your state.