

Introduced in Council on above date and referred to Committee on February 27, 2024

Scranton, Pa. March 5, 2024
Committee on Community Development
on the within resolution

COMMUNITY DEVELOPMENT



City Clerk

RESOLUTION NO. 17
2024

AMENDING AND UPDATING THE CITY OF SCRANTON'S INSPECTION AND FEES CODE TO REFLECT REASONABLE APPLICATION AND INSPECTION FEES FOR NEW BROADBAND SERVICE, AND IN ACCORDANCE WITH THE CITY'S CONTRACT WITH NORTHEAST INSPECTION CONSULTANTS, LLC ("NEIC") FOR THIRD-PARTY U.C.C. ENFORCEMENT SERVICES TO INCLUDE THE SAME.

WHEREAS, on October 13, 2023, a Request for Proposals was advertised for the City of Scranton's third-party Uniform Construction Code (UCC) enforcement services, and two proposals were submitted for review; and

WHEREAS, Northeast Inspection Consultants, LLC ("NEIC") was selected as the desired vendor and service provider, at least partially due to the NEIC's familiarity and comfort with inspection and enforcement of broadband service installation, permitting, and plan review; and

WHEREAS, utility law is heavily regulated by the Pennsylvania Utility Commission and many facets of regulation are federally preempted, meaning that the City is prohibited from regulating certain aspects of service provision; and

WHEREAS, it is in the best interests of the City of Scranton and her residents that the City engage NEIC as a third-party inspection company due to the company's familiarity and expertise within this arena of municipal growth; and

WHEREAS, the rates included in this legislation are aligned with the NEIC's contract with the City of Scranton which is due for a final vote before City Council on or about February 6, 2024; and

WHEREAS, time is of the essence due to many broadband service providers being interested in developing their telecommunications network and service in the City of Scranton and are seeking to do so as of this filing.

NOW THEREFORE, BE IT RESOLVED that the City Code is hereby amended by replacing in its entirety as to Section VI of Chapter 226 (Fees, Miscellaneous) with the following:

226-10 Wireless Communications Facilities Fees

Fee Schedule

Applications

Collocated WCF	\$1,000
Small WCF (collocated)	\$500 for up to five (5) Small WCFs in single application, \$100 for each Small WCF thereafter in same application.
Small WCF (requiring new/replacement wireless support structure)	\$1,000
Tower-Based WCF	\$2,500

Inspection Fees

CERTIFIED COPY


City Clerk

For new/installation projects with construction costs estimated to be:

Under \$500,000	0.825% of total construction cost
\$500,000 to \$1,000,000	\$4,125.00 plus 0.6875% of total over \$500,000
Over \$1,000,000.....	\$7,562.50 plus 0.55% of total over \$1,000,000
Minimum Inspection Rate.....	\$41.25

Annual Fees

ROW Use Fee (per Small WCF) \$270

SECTION 1. If any section, clause, provision, or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decisions shall not affect any other section, clause, provision, or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution of any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Resolution, and the effective administration thereof.

SECTION 2. This Resolution shall become effective immediately upon approval.

SECTION 3. All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 4. This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1971, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State and Pennsylvania.

Passed by the Council

March 5, 2024

Receiving the Affirmative Votes of Council Persons

KING, SCHUSTER, ROTHCHILD, MCANDREW, SMURL

Negative NONE

[Signature]
President

Approved 3/11/2024

[Signature] Mayor

[Signature] City Clerk

Certified Copy