

City Resident Request Regarding Small Cell / Wireless Ordinance

Your Name: _____
Your Street Address: _____
City, state, zip: _____
Your phone # _____
Your email address: _____

_____ 2019
(Date)

[Mayor and City Council
City Hall Address]

[email addresses]

Dear Mayor, Vice Mayor, and City Council Members,

I am writing to express my concern about the development of any wireless ordinance that allows the potential installment of hazardous 4G/5G/small-cell antennas throughout the our community. The threats to public health, safety, privacy, security, property values, landscapes, and more must be addressed in any small cell or other wireless ordinance, and protected against. Any Urgency Ordinance and a more permanent ordinance require built-in protections for the residents of our city from this unprecedented dangerous technology. I do not feel that development of a small cell or any other wireless ordinance should be *derived through consultation with an outside agent representing industry interests and/or the FCC orders, rather than residents' concerns. That would not be operating in good faith for such an important and controversial decision, which can literally be a matter of life and death for many in our community, including me and my loved ones and neighbors.* Property values can be severely impacted, as can the aesthetics and beauty of City. **Therefore I request a well-advertised workshop be held to obtain residents input in a low-or-no-wifi environment to accommodate those sensitive to rf radiation, who will be most interested in attending, for the City to work directly with community groups to produce an updated and protective wireless ordinance,** and that during this time period, until a permanent ordinance is approved, no additional small cells shall be permitted within the city limits.

Based on review of protective wireless ordinances being produced by cities and counties all over California, there are a number of ways to ensure the best protections for the residents of the City, which I trust is your primary goal.

I ENCOURAGE YOU NOT TO VOTE IN FAVOR OF ANY CURRENT OR FUTURE DRAFT ORDINANCE UNTIL IT CONTAINS THE FOLLOWING:

- **Restrict small cells in residential areas, and sensitive zones where children, elderly and those with special/medical needs will be.** No small cell should be allowed within (a minimum) of 1000 feet from a residential property line, in any direction. Or within 1500 – 3,000 ft of civic areas, including schools, hospitals, libraries, churches, daycares, community centers, senior facilities, police and fire stations, parks, and sports fields - to the property lines. Verizon has a commercial on YouTube where they measured the distance of a 5G signal (through hills and obstacles) at a distance of greater than 3,000 feet, so there should be zero issue with these setbacks, they are a necessity. This will also reduce the ugly clutter that results from unrestricted small cell installations.
- **Restrict proximity of small cells in business areas.** No small cell should be allowed within (a minimum) of 500 feet from a business, in any direction.
- **Strong language.** Use words which are definitive, instead of suggestions which can be ignored.
- **Small cells and their related equipment weigh 90 lbs each according to industry sources.** These can lead to top-heavy, dangerous poles. Require certification by an independent engineer hired by City and paid for by permit applicants, to assure that the pole can handle this additional weight.
- **Permit approvals must be made to be discretionary rather than ministerial,** with the entire shot clock used, so the public can provide input *that can be acted on*, with a new streamlined system to accommodate objections and ADA Accommodations Requests.
- **ADA language and provisions.** The ordinance lacks language that protects Americans with disabilities, and their use of these rights-of-way and travel paths, where the small cells structures will be deployed. Small cells may make it

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impossible to occupy one's home or yard, as well, if sensitive to rf radiation. ADA protection must not be discriminatory toward those who have physical mobility disabilities only. What about citizens with EHS, pacemakers, ADD/ADHD, autoimmune, etc? Also, provide a set of directions for these requests with a timeline for granting them and incorporate into the shot clocks and beyond (which can then hold up the shot clock). These rights-of-way and public streets belong to us too, and this liability belongs to the City.

- **Require a Master Plan.** The master plan needs to be coordinated across all carriers, and provide information for each antenna project like RF exposure levels, power levels, frequencies, and location address. The master plan should also be published online with ample notice, such that citizens can provide input BEFORE the antenna is installed. REQUIRE that these companies have a plan and strategy for where they place the antennas, and enforce their compliance. This will minimize excessive, haphazard installments. If there is no plan, require it as part of permit application.
- **Require undergrounding of all equipment except antennas,** with supportive independent documentation explaining how each component works, under penalty of perjury, if challenged.
- **No Colocation!** Co-location means multiple antennas to a single pole. And despite the thinking, it does not reduce clutter. Actually, it produces a huge eyesore of a pole will multiple projections hanging off of it. It DRAWS more attention because of the extra hardware. Colocation allows poles to become scarily top-heavy, and also exposes citizens to higher doses of radiation since multiple antennas will emit from a single location. One antenna per pole, and
- **Distance between poles:** no small cells or antennas shall be permitted within 1500 feet of ANY other antenna, even from other providers, whether on new or existing street poles.
- **No cutting or disturbance of trees and landscaping – at all.** This must be forbidden! There are other towns and cities with gorgeous, old trees being chopped down or excessively trimmed to allow for small cell deployment. Not going to happen in City!
- **Provide clear-easy-to-reach City support for citizens.** We need to have a dedicated hotline/service to contact the City when issues with the small cells arise, such as noise, safety, health problems, or other complaints need to be reported. This service can be funded by the wireless providers as a part of their application/bond/yearly renewal fees.
- **Insurance for rf radiation and other injuries, and Bonds.** Require proof that the companies, annually, have adequate liability insurance (\$2 million dollars each small cell) and bonds of \$500,000 per small cell to protect against malfunction, accidents, damages, and injuries, including from exposure to nonionizing radiation for the entire year. These provide protection for the City too. Indemnification is not enough!
- **RF emissions third-party testing.** Independent third party inspections, by companies contracting with the City, must be required at least once annually, or upon request, at the expense of the telecom company owning the small cells, to ensure compliance with FCC guidelines for each pole (in total) and for each small cell on the pole, and for any collective antennas within 100 feet of each other.
- **Require notice for any residence within a mile** of a proposed small cell site, to provide ample time for residents to come forward and provide input, particularly those with medical reasons to avoid rf radiation. During noticing, large signage noticing must also be placed on prospective poles with full details of application plans in large print, including frequencies and power, size of small cell.
- **Approvals for permits may only be reissued yearly with new re-application,** with proof of having met all criteria including noticing, liability insurance as above, and bonds. *Small cells may not be upgraded without a full new application process.*
- **Require safety signage on all poles.** All poles must have necessary warning signs and RF safety information as well as company and City contact names and phone numbers. *Include total rf emission levels near bottom ten feet of poles or general area if more than one pole.*

Thank you for taking the time to consider and apply these suggestions. I would like to discuss these further, or have a representative community group discuss them, and look forward to seeing these changes in any future ordinance draft before it is voted on.

Sincerely,

Signature

Printed name