

Section 17.01 General Requirements

1. The following requirements shall apply to all small cell facilities, wireless support structures and other utilities proposed within the Town. No person shall occupy or use the right-of-way without first obtaining requisite consent of the Town. Before placing small cell facilities, wireless support structures or other related utilities in the Town, an operator must apply for and receive a small cell permit under this section, a building and/or a utility permit under Section XXX as deemed applicable by the Town. This includes co-locating small cell facilities, constructing, modifying, or replacing new wireless support structures and small cell facilities, and removing such facilities from the Town.
2. This section establishes conditions of occupancy and construction for all users of the Town, including those seeking to perform work, excavation, provision of services, or to install, construct, maintain, or repair a wireless facility including poles, utility poles, wires, equipment or fixtures of any kind by any person, including, but not limited to, public service companies, adjacent landowners, and entities that the Town may permit to place or maintain a permanent facility in the right-of-way, including, but not limited to, providers of cable services.
3. Except as otherwise provided, all permit applications governed by this section for placement, attachment, construction, reconstruction, repairs or maintenance of any facility in the Town are made to Mayor and Council.
4. Nothing in this chapter precludes the Town from applying applicable health, safety, and welfare regulations when reviewing small cell permit applications.
5. The provisions of this chapter shall not be construed to supersede any applicable federal or state law or applicable license agreement or easements, including utilities governed under Maryland Annotated Code, Public Utilities Article.