



HB 176 - The Mobile Broadband Infrastructure Leads to Development (BILD) Act

Summary of 2014 Language

ACCG

“Complete Application” for a collocation or a new tower is defined as one containing all documents, information and fees specifically enumerated in the local government’s regulations, ordinances and forms.

- A local government has 30 days, once submitted, to determine if an application for a collocation or new tower is complete. If it is not complete, the shot clock for the local government to act on an application (90 days for collocations and 150 days for new tower locations) is halted until the application is complete. The only additional information a local government can ask for in this non-complete-application process are the documents, information and fees specifically enumerated in the local government’s regulations, ordinances and forms.

Shot Clock on New Tower Applications

Federal law (FCC Rules) already requires that local governments either approve or deny an application on new wireless support structures within 150 days. The proposal simply codifies this in state statute.

Removal of Existing Towers

Local governments cannot require the removal of existing wireless support structures (towers) or wireless facilities as a condition to the approval of an application for a new wireless structure/facility unless such existing wireless support structure/facility is abandoned and owned by the applicant.

Cannot Force Towers/Equipment on Public Property

Local governments cannot require an applicant to place an antenna or other wireless communication equipment on publicly-owned land or on a publicly- or privately-owned water tank, building, or electric transmission tower as an alternative to the location proposed by the applicant.

Local Government Application Fees

Local governments cannot:

- Charge zoning, permitting or other fees for review or inspection of a new or existing wireless facility/structure in an amount greater than the amount authorized by O.C.G.A. 48-13-9(a). Note that this is the code section that governs most local government fees in that counties cannot charge more than it actually costs them to provide the review/service. In other words, counties cannot make a profit and supplement their general fund;
- Charge a zoning permitting or other fee for review or inspection of a collocation of equipment on an existing tower/structure in excess of \$500;
- Seek reimbursement from the applicant for any application fees, consultation fees, registry fees or audit fees that are based on a contingency-fee or results-based arrangement; or
- Charge a wireless service provider or wireless infrastructure provider any rental, license or other fees in excess of the fair market value for rental or use of similarly situated property to renew or extend the term of a lease or other agreement for a wireless facility/structure on such local government’s property.