

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2006 Legislative Session

Bill No. CB-2-2006
 Chapter No. 1
 Proposed and Presented by Council Member Dean
 Introduced by Council Members Dean, Peters, Exum, Harrington, Bland and Dernoga
 Co-Sponsors _____
 Date of Introduction February 7, 2006

BILL

1 AN ACT concerning

2 Telecommunications Transmission Facility Committee – Facility Inventory
 3 For the purpose of amending the procedures pertaining to the Prince George's County
 4 Telecommunications Transmission Facility Committee.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 5A. Cable Television and
 7 Telecommunications.
 8 Sections 5A-161 and 5A-163,
 9 The Prince George's County Code
 10 (2003 Edition, 2005 Supplement).

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 12 Maryland, that Sections 5A-161 and 5A-163 of the Prince George's County Code be and the
 13 same are hereby repealed and reenacted with the following amendments:

14 **SUBTITLE 5A. CABLE TELEVISION AND TELECOMMUNICATIONS.**

15 **DIVISION 2. TELECOMMUNICATIONS FRANCHISES.**

16 **Sec. 5A-161. Telecommunications Transmission Facility Committee.**

17 (a) The Telecommunications Transmission Facility Committee shall consist of:
 18 (1) The Telecommunications Transmission Facility Coordinator;
 19 (2) The Director of the Department of Environmental Resources or the Director's
 20 designee;

(3) The Director of the Department of Public Works and Transportation or the Director's designee;

(4) The Planning Director or the Director's designee;

(5) The Superintendent of Schools or the Superintendent's designee; and

(6) The Director of the Office of Information Technology and Communications or the Director's designee.

(b) The County Executive and County Council shall designate a Telecommunications Transmission Facility Coordinator.

(c) The Director shall make available to the Telecommunications Transmission Facility Committee such services and facilities as are necessary for the proper performance of its duties.

(d) The Telecommunications Transmission Facility Coordinator shall maintain a database of all telecommunications transmission facilities located in the County and those facilities proposed to be located in the County.

(e) The Telecommunications Transmission Facility Committee shall serve as a central source of information and provide technical advice on the siting of telecommunications transmission facilities for the County, the Maryland National Capital Park and Planning Commission, the Board of Education and other public landowners, private landowners, licensed telecommunication carriers, and the general public.

(f) The Telecommunications Transmission Facility Committee shall promote the appropriate and efficient location and co-location of telecommunications transmission facilities to minimize adverse impacts on other land uses in the County. The Telecommunications Transmission Facility Committee shall, among other things, evaluate the esthetic effects of locating multiple telecommunications transmission facilities in a single location or on a single structure.

(g) The Telecommunications Transmission Facility Committee shall:

(1) Review the siting of each proposed telecommunications transmission facility;

(2) Evaluate the technical rationale of proposed locations;

(3) Recommend alternative sites and techniques where appropriate to mitigate the visual impact of the proposed and alternative site;

(4) Recommend provisions governing removal of the proposed telecommunications transmission facility at the end of its useful life, including the posting of a bond or other financial guarantee;

(5) Facilitate public participation in the telecommunications transmission facility siting process; and

(6) Report annually to the County Executive and the County Council or as requested on siting policy issues.

Sec. 5A-163. Telecommunications transmission facility inventory.

(a) Prior to August 1 of each year, each agency of the County and each agency which receives County funding shall submit to the Telecommunications Transmission Facility Coordinator its telecommunications transmission facility location plan. The plan shall identify the location of each existing telecommunication transmission facility and the proposed location of each facility to be constructed by or for such agency in the succeeding two years. The plan shall be updated whenever the actual or proposed location of a facility changes.

(b) Prior to August 1 of each year, each owner of a telecommunications transmission facility in the County shall submit to the Telecommunications Transmission Facility Coordinator its telecommunication transmission facility location plan. The plan shall identify the location of each existing telecommunication transmission facility and the proposed location of each facility proposed to be constructed in the succeeding two years.

(c) [The] Before approval may be granted to site a telecommunications transmission facility in the County, the Telecommunications Transmission Facility Coordinator shall draft a master plan of actual and proposed telecommunications transmission facilities in the County and submit the master plan to the County Council for advisory approval only no later than October 1 of each year. The Council shall have thirty (30) calendar days to review and comment. The months of August and December shall not be considered when calculating the thirty (30) day period. Council may indicate approval or disapproval of the proposed plan to the thirty (30) day period by submitting a letter to the Telecommunications Transmission Facility Coordinator. The master plan shall identify areas of the County where additional sites for telecommunications transmission facilities are anticipated to be needed to provide service for public and private uses. Notice of all changes to the plan shall be made as provided in this Sub-Section.

1 SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect on forty-five (45)
2 calendar days after it becomes law.

Adopted this 7th day of March, 2006.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Thomas E. Dernoga
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.