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The Issues, People and Ideas that Define Florida Business

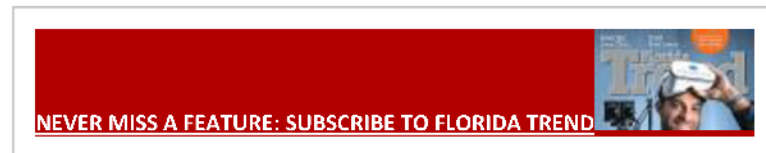
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5G TECHNOLOGY

Florida Legislature and local 5G technology issues

[Mike Vogel](#) | 4/26/2019

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To speed the installation of 5G in Florida, the Legislature in 2017 ordered cities and counties to open their rights of way, utility poles and traffic signals to wireless carriers who want to install 5G antennas and gear on them. The Legislature also capped how much rent carriers would have to pay the localities for the cell sites.

“A pretty big swipe at city and county control,” says Kraig Conn, general counsel for the Florida League of Cities. “It was a very heavy-handed approach. The Legislature left very little discretion.”

Local governments were getting up to \$2,000 per site per month for a carrier to put an antenna on a city-owned utility pole. The legislation capped the fee for 5G at \$150 annually. “A tremendous subsidy of the industry,” Conn says.

Two years later, 5G hasn’t come to Florida in a significant way. As of mid- March, few major metro governments report any significant numbers of 5G permit applications. The work that is being done consists of laying fiber to support the installation of 5G “small cells” and antennas.

One issue for the cities will be the large number of small cell sites required for 5G to work. Cell towers may be a mile apart; 5G nodes need to be closer.

Another issue: Aesthetics. Cities can impose some design and color standards, but state law allows the node equipment to be up to 28 cubic feet, about the size of a refrigerator. “While it’s called small cell, it’s not exactly small,” says Gary Resnick, chair of law firm GrayRobinson’s broadband communication practice and mayor of Broward city Wilton Manors. “It probably will decrease property values. These things are going to be on the sidewalks in front of your house, your school, your park.”

Industry representatives say the gear will look much like what’s already on poles and people will drive by them without noticing it.

Some people have questioned the effect of the transmitters on health. But the FCC, like Florida, has established regulation to prohibit localities from stopping a rapid rollout. Nationally, some 100 local governments, including Coconut Creek in Broward, are challenging the FCC order.

This year, the wireless industry, complaining that local governments still impeded 5G rollout, asked the Legislature to further protect the industry from local regulations.