

Telecommunications Ordinance Amendment

Summary of Public Comments, March 8 through March 15, 2024

Date	Feedback
2/20/2024 2:08	Before approving make sure applicant provides verified proof that electromagnetic emissions will not harm Ashland residents in any way.
2/20/2024 9:17	I'm in support of all best efforts for upgraded telecommunications throughout all of Ashland as improved connectivity has become increasingly essential - more so during emergency situations.
2/20/2024 9:24	Please go ahead with 5G. We live on Ashland St. towards the top. We get no more than two bars of signal at our home. This means we are dependent on Wi-Fi to make or receive phone calls. If the internet is down we can't get any reception which in an emergency means we could not get official announcements. We don't want a small minority to stop us getting cell service.
2/20/2024 9:52	Living in the hills above the city leaves us with only LTE. In an emergency such as fire from watershed or earthquake from the Cascadia fault would leave us without any access to communications if WiFi were to become unavailable due to electricity being cut off. 5G would allow us access to communication from Nixle or city alert system from our own home if such a situation were to happen. I see it as imperative to have 5G for safety and services. Thank you for listening!
2/20/2024 13:12	Just get this over and done with. 5+ years of kicking a can down the road is a waste of taxpayers money. Either get something done or let technology pass us by. If we the City can't get something done the telecom companies will say buh bye. Again how are the kids doing in school?

2/20/2024 16:02	<p>Better cellphone reception in Ashland especially downtown and near the southern end of Ashland is imperative. When I am in Shop-n-Kart shopping for the ingredients for a recipe it is incredibly frustrating not to be able to access the internet though there seems to have been some improvement lately. Visitors to town whether it be for OSF water sports mountain biking or visiting students at SOU are left with a poor impression of Ashland when they cannot access the internet when they are out and about. When my relatives in their 60s and 40s were in town last June and needed to check the internet while they were running errands in south Ashland they were appalled that they could not do so and questioned why Ashland was so behind the times. Adding cell signal access points will not destroy the vibe of Ashland. Sadly rampant and poorly designed housing projects glaring lighting and inadequate city and park services has already accomplished that.</p>
2/20/2024 19:29	<p>Please move this along. We need better service in this town. Parts of Ashland are essentially dead zones. 5G is essential and may likely be obsolete before Ashland gets it at this rate. It is no more dangerous than a lightbulb in your ceiling. This document is too wordy. Just simplify it and move on. It does not need the useless references to climate change as if climate change has any thing to do with antennas.</p>
2/21/2024 6:38	<p>The towers are okay. I just hope we don't feel the need to disguise them as trees. They look like something from Dr. Seuss. Or Monty Python.</p>

2/22/2024 14:38	<p>Many citizens of Ashland like myself get sick when they are around wi-fi (microwave radiation). I can no longer go to the plaza or group activities where many people are using cellphones. I can barely go to the library time limit to be there is about 30 minutes before I get a migraine headache and start itching all over due to the large cellphone tower on the fire station across the street. My partner Tom Clunie is a chiropractor and many of his patients are sick from wi-fi; some have even died from unusual cancers afib and heart failure due in part or perhaps entirely to their wifi exposure. There is a plethora of information and studies about these issues which we will provide if someone asks --much more than can be written here. Do people like me have to suffer further and likely be unable to come into downtown at all just so people can walk around talking on their phones? Heck...I've had people walk right in front of my car in Ashland because they are staring at their cellphone. I've also had almost car accidents because other drivers are texting and talking on their phones while they are driving. Ashland is a peaceful town please keep it that way for everyone.</p>
2/23/2024 5:44	<p>I oppose cell towers within the city limits. thank you</p>
2/23/2024 8:33	<p>With so much of our lives revolving around cell phones it's imperative that our city remain current with our telecommunications needs. Please proceed with installation of the proposed facilities.</p>
2/23/2024 8:38	<p>I feel strongly that adequate cellular coverage is extremely important. During the Alameda fire we were without any way to receive communication. We live in town but are in an area that does not have good cell coverage. I would like to see that the city ordinance insure that all citizens of Ashland no matter where they live will have access to cellular technology in the event of an emergency. In a disaster situation the aesthetics is of no importance.</p>

2/23/2024 8:41	Please make it easier to install cell towers. Cell phone connectivity is integral to our modern economy. Just yesterday I wanted to do a video call with a client in Ashland near Hunter Park but I was not able to because I only had one bar. There is absolutely no evidence that this band of the electromagnetic spectrum has any ill health effects. Please don't hinder our economy because of some people's icky feelings.
2/23/2024 9:23	Ashland citizens visitors businesses and organizations desperately need to have access to 5G which is safe and reliable technology. Please don't continue to lag behind. We can't remain in the "flip phone" era.
2/23/2024 9:48	Approve of the ordinance changes as made. This is long overdue and may delay the needed upgrade for emergency preparation as well as for attracting remote workers to our community.
2/23/2024 11:44	No more wireless built-ins in Ashland since the science is showing associations with brains cancers and other immune disorders.
2/23/2024 15:34	Gee willikers folks that's a loooooong ordinance. Do you think you could have made a concise summary of the debatable issues and just listed those?
2/23/2024 16:26	No New Towers. Period. Cell coverage is enough. There is no long-term research on the impact of these towers. There needs to be a citizen committee of all different perspectives on this topic and decisions for new towers must be unanimous.
2/23/2024 17:40	Please keep 5G out of Ashland and restrict cell towers maximally. The electromagnetic pollution from wireless communication is (in my humble opinion) a health hazard to lifeforms (humans and wildlife).

2/23/2024 17:44	I am in favor of the Telecommunications Ordinance Amendment. It looks to the future infrastructure needs of our community while considering the unique cultural and environmental features of Ashland. This is the right time to update this ordinance.
2/24/2024 16:18	I strongly oppose this amendment. Though it has some good reasons for asserting more local authority over tower placement one of the reasons included is completely irrational and without scientific merit: "the threat to the public health." There is absolutely NO evidence that cellular radio waves have any impact on public health.

2/28/2024 11:13

I wholeheartedly oppose the city moving forward with additional 5G telecommunications upgrades until and unless it is proven safe for our residents - especially children and older adults. We are rushing headlong into this brave new world without adequate study of its affect on us. I wholeheartedly agree with a previous commenter who stated "Before approving make sure applicant provides verified proof that electromagnetic emissions will not harm Ashland residents in any way." PLEASE consider the following credible sources urging caution and a more complete examination of 5G before you accept liability for its rollout: * The International Agency for Research on Cancer (IARC) classified radiofrequency (RF) EMF as 'possibly carcinogenic to humans' (Group 2B) and recently recommended RF exposure for re-evaluation 'with high priority' (IARC 2019) (<http://tinyurl.com/yc2zdeff>) Conclusions: 1) cancer: FRI (450 to 6 000 MHz): EMF are probably carcinogenic for humans in particular related to gliomas and acoustic neuromas; 2) reproductive developmental effects: FRI (450 to 6 000 MHz): these frequencies clearly affect male fertility and possibly female fertility too. They may have possible adverse effects on the development of embryos fetuses and newborns * State of Maine Legislature heard testimony from the Environmental Health Trust on this issue last year and created new policy based upon it -- here it is: <http://tinyurl.com/cnw82vea> * The Lancet published the following in December 2018: "Planetary Electromagnetic Pollution: It is Time to Assess its Impact" (<http://tinyurl.com/ycxsasm5>) "...mounting scientific evidence suggests that prolonged exposure to radiofrequency electromagnetic radiation has serious biological and health effects." " Unprecedented human exposure to radiofrequency electromagnetic radiation from conception until death has been occurring in the past two decades. Evidence of its effects on the CNS including altered neurodevelopment and increased risk of some neurodegenerative diseases is a major concern considering the steady increase in their incidence." * <https://jech.bmj.com/content/75/6/562> I urge this City Council to pause and reflect on the FACTS that this technology has health effects on humans that are not yet well-understood and that you will be accepting liability for potentially damaging to Ashland residents which is morally wrong and which I do not wish to pay for.

2/28/2024 15:08	<p>Hundreds of experts agree that 5G EMF Technology is extremely dangerous to all mammal species. 5G transmission towers must not be allowed anywhere near human habitat. The implementation of these 5G towers is criminal and will result in consequential prosecution of responsible parties and/or lawsuits seeking financial reparations.</p>
3/2/2024 9:18	<p>Please DO NOT allow this ordinance of telecommunications facilities to pass for I am very concerned about the general long-lasting effects of 5G radio transmissions on people animals insects minute fauna and flora and water bodies. My concerns about this adverse motion also encompasses the maintenance of such telecommunications towers the education of the employees and their personal dedication to preserving the environmental quality of our area: " WHEREAS if not adequately regulated the installation of telecommunications facilities within the City can pose a threat to the public health safety and welfare; traffic and pedestrian safety hazards negative impact to trees; creation of visual and aesthetic blights and potential safety concerns arising from improper design of excessive size heights noise or lack of camouflaging;" I for one am a long-time resident a low-emissions and low-energy user and have declined the 5G electric meter by Pacific Power for my home. I pay a higher amount for power due to this but I believe my choice is right in efforts to maintain a safety zone for myself and the wildlife that populates my property in south Ashland.</p>
3/3/2024 6:03	<p>I'm voicing my support for the current ordinance. I'm sure it's not perfect but I feel our city has been held hostage by a small group of anti-technology citizens. Please pass this ordinance.</p>
3/3/2024 8:25	<p>NO MORE 5 G TOWERS PLEASE THEY ARE HARMFUL TO ALL LIFE FORMS. WE STAND FOR PEACE HEALING AND COMMUNITY SERVING THE WHOLE. WE DO NOT COMPLY WITH THESE AGENDAS WHICH STRIVE TO TAKE AWAY OUR FREEDOMS.</p>

3/3/2024 14:04	<p>I have no position on the technical changes to the ordinance. I do recommend that the whole document be reviewed for copy editing having found the following in the first 13 pages: in 16.04.040 C line 4 - "is" does not work in this sentence the use of "collocate in this section also seems to be in conflict with the definition in G (built at the same time as the antenna or not?) [my one substantive comment} 16.04.040 P - "right-of-way" needs to be plural since you have taken out "easements" ("rights-of-way") R - last sentence "net collectible from revenue" seems to be missing a word ("amounts") to make it readily understandable (probably trying to say the entity need not include in its gross revenue the amount it has not been able to collect right?) CC - needs "the" after "defines" MM - last line needs "with" before the new language; appears to be a hyphen at the end of the fifth line (not necessary in "city structures" 16.12.030 - the new numbering which includes the 0 in .030 is erroneously stricken leaving the old .30 in place inconsistent with the other subections B - period missing at end of first sentence May these be a useful beginning for a cleaner revision to be voted on.</p>
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3/3/2024 20:28	<p>Countless peer reviewed unbiased scientific studies (NOT by the industry itself) have been done over the last two decades to prove unequivocally that the radiation from cell towers let alone even stronger microwave frequencies as with pervasive 5G is very harmful to human's brains and health. Let alone how it is affecting nature - birds and bees are dying and much more. Negative effects of 5G technology ranges from tiredness exhaustion brain fog learning challenges AD(H)D to brain tumors dementia and death. Why is Ashland City still even considering the installing of 5G and the resulting Cell Towers when we already have the potential for fast fiber optic internet in this city?? When we could become a leading place to live WITHOUT the need for the harmful technology of 5G! Is there a financial carrot persuading you to act over and above the consideration of the health and vitality of our residents here? If we make choices based on the abundance of evidence showing the contrary - that 5G is DETRIMENTAL to our health and well-being (and especially children's soft and developing brains) - we could become a leading thriving community. Let alone how the rest of the US in seeing this will increase property values etc! If more people understood one of the more significant reasons for their negative brain and body symptoms they might not be so pro getting a 'faster signal and more bars'. We managed totally well in the past with lesser technology. It is time to stop falling for the misinformation from the industry cell phone companies and everyone else pushing to make millions of dollars in profit from a very harmful technology. Please do the real research and make the right choice. Keep exploring the Fiber Optic option for Ashland - especially as it has already been started.</p>
3/3/2024 21:29	<p>Please move forward with this ordinance amendment. The group of people that have continuously opposed necessary upgrades to the telecommunications system have been wasting the city's time for years. The public forum section of council meetings are constantly hijacked by the same handful of groups about the same issues often times for years. There are no legitimate arguments for the city to not move forward. Emergency services and many many other services would greatly benefit from 5G.</p>

3/5/2024 8:55	<p>Comments for Ashland's Draft Title-16 Wireless-Facility Ordinance Submitted by Alan D. Rathsam BSME MSME PE (CA-Retired) founding member of Oregon for Safer Technology Text in quotes is taken from numbered sections in the draft ordinance. Comments precede or follow this text. 16.04.040 Definitions Comment: No definitions are included for administrative decisions and discretionary decisions yet a permit applicant is required to know in Section 16.12.080(G) which application is correct for a proposed wireless facility. These definitions should be added. "CC. 6. The facilities do not result in human exposure to radio frequency in excess of the applicable safety standards specified in 47 C.F.R. § 1.1307(b)."</p> <p>Comment: This statement is factually incorrect. There are no "safety standards" in 47 C.F.R. § 1.1307(b). No studies based on credible science have even been conducted to establish "safety standards" for RFR exposure. Actual numbers for "exposure limits" are found in "§ 1.1310 Radiofrequency radiation exposure limits " not in § 1.1307(b). It must also be specified that these are limits for the "General Population/Uncontrolled Exposure " not higher limits for "Occupational/Controlled Exposure." Comment: Exposure limits in § 1.1310 are not protecting the public from harmful radio frequency radiation (RFR). In August 2021 the Federal Court of Appeals DC Circuit found the Federal Communications Commission (FCC) to be arbitrary and capricious in failing to: review 11 000 pages of credible science that shows harm below FCC exposure limits and explain why these limits from 1996 should not be revised in light of this scientific evidence it had requested and received. Suggested text: " The facilities do not result in human exposure to radio-frequency radiation in excess of the exposure limits for the General Population/Uncontrolled Exposure specified in 47 C.F.R. § 1.1310 Radiofrequency radiation exposure limits."</p>
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"Y. Public rights-of-way include but are not limited to streets roads highways bridges alleys sidewalks trails paths utility easements and all other public ways including the subsurface under and air space over these areas but only to the extent of the City's right title interest or authority to grant a license or franchise to occupy and use such streets and easements for telecommunication facilities." Comment: Is the inclusion of utility easements on private property absolutely necessary in the PROW definition for this title or can we delete it? Utility easements traditionally for electric sewer and water lines present a serious situation when a site developer also claims to be a public utility with the authority to place a wireless facility in a lawn or close to the home without notice or the owner's permission. Utility easements usually extend closer to dwellings than other locations in the PROW definition. This is also an issue in 16.04.020(B). 16.12.020 Construction Codes Comment: In the interest of maximizing Ashland's fire-management authority in this ordinance which is fully allowed by federal law include in this section the eight engineering certifications to be required by permit applicants that are offered at no cost to Ashland by Susan Foster at the McCollough Law firm. These certifications were prepared by a professional electrical engineer and the law firm to prevent the electrical design faults in wireless facilities that caused serious fires in California. These certifications are included in the Carmel CA wireless-facility ordinance. (W. Scott McCollough was the lead attorney against the FCC in the successful August 2021 court case discussed under "Definitions.") 16.12.040 Permit Applications "6. To the extent the proposed telecommunications facility includes antenna facilities or a new pole accurate visual depictions or representations of the proposed facilities." Comment: In addition to what is typically provided as general visual depictions it can be more significant to also require specific visual depictions of the antenna facility or new pole shown next to the closest adjacent home dwelling school City office business or other sensitive building and the distance to that location.

<p>continued from message above...</p>	<p>Comment: There seems to be no requirement in the ordinance to demonstrate the need for a proposed wireless facility. It would not be a "prohibition of personal wireless communication services" to deny a permit for a telecom carrier who already has acceptable network coverage and capacity. If substantial and probative evidence is not required to show need how will the City know if "prohibition" is an issue or if the facility is necessary? Comment: It is not only important to include requirements for all substantial and probative evidence in the ordinance text for convenient reference by City decision makers; but in a court case a City defense attorney would find it convenient to show the judge all ordinance requirements for such data in a single document not in multiple City documents. 16.12.080 Review and Issuance of Permit Comment: Attorney Campanelli has provided ordinance-review comments that could be addressed and included in this section. This concerns guidance for City decision makers and a description of the appropriate probative and substantial evidence needed for their decisions. In a separate document his draft ordinance for Ashland provides important permit-decision criteria that a City can follow if the criteria are stated in the ordinance. His ordinance draft does not prevent wireless-facility installations but gives a City maximum authority to manage their placement and minimize their numbers for essential telecom services. "G. It shall be the obligation of the applicant to use the correct permit forms to explicitly and correctly identify which type of application they are filing and to provide probative evidence in the application that the proposed telecommunications facility complies with all applicable federal state and local laws rules and regulations including but not limited to applicable design standards." Comment: As indicated preciously definitions of "administrative" and "discretionary" are needed for the applicant to know which type of permit application to request. 16.16.020 Design Standards "D. Safety Requirements.</p>
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No person shall install or retain telecommunications facilities in the following locations: ~~B~~. Any location within 10 feet of any driveways for police stations fire stations or other emergency responder facilities.” Comment: This safety requirement seems to be based on the case at a California fire station where close proximity to a cell tower caused serious cognitive impairment and memory loss in first responders during emergency situations. Brain damage was documented. For this reason California fire stations are now exempted as sites for wireless facilities. Comment: The 10-foot distance from driveways does not guarantee protection from harmful radio-frequency radiation. In its final report the New Hampshire State Commission on RFR Radiation reviewed 17 references to identify 500 meters (1640 feet) as the safe distance from a wireless facility for long-term exposure “E. Notwithstanding any other provisions of this Chapter the City Manager shall have the authority to waive any provisions of this title if the City Manager determines in his or her sole discretion that the denial of an application would prohibit or effectively prohibit the provision of telecommunications services in violation of the Telecommunications Act.” Comment: This provision should be deleted as written. It gives the City Manager authority to dismiss aTitle-16 provision that the Public Works Director found to be valid justification to deny a permit application. The City Manager must not have authority to dismiss a valid permit denial in order to grant a permit based on individual choice or judgement which is the definition of sole discretion. The City Manager must justify the decision to grant a permit with substantial evidence submitted by the applicant. In the event of a dispute with the Public Works Director the decision by the City Manager must be approved by the City Council upon review of the substantial evidence. 16.16.040 Removal of Unauthorized Facilities “G.

continued from message above...	<p>If the system is maintained to ensure the maximum protection that is technically feasible to prevent electrical and fire hazards." Comment: This should read "... is not maintained ..."</p> <p>16.20.210 Franchise Agreements "If the public interest warrants as determined by the City in its sole discretion the City and a telecommunications carrier may enter into a written franchise agreement that includes terms that clarify enhance expand waive or vary the provisions of this title consistent with applicable state and federal law. The franchise may conflict with the terms of this title with the review and approval of City Council. The franchise shall be subject to the provisions of this title to the extent such provisions are not in conflict with the express provisions of any such franchise. In the event of a conflict between the express provisions of a franchise and this title the franchise shall control." Comment: Since this is another matter of sole discretion there is no requirement or provision for public notification or input in this process. The City Council has authority to dismiss provisions in this title to approve a franchise agreement without public review of the consequences for public health safety and welfare.</p>
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3/5/2024 10:40	<p>The Ashland draft 5G ordinance does not meet satisfactory requirements: The ordinance lacks critical fact-finding guidance specific evaluation criteria and substantial evidence required by City decision makers to approve or deny a permit. This is important because Federal law requires that a wireless-facility permit denial be issued in writing with reasons for the denial based on substantial evidence. No public notice is required when a 5G permit application is received for the public rights-of-way (PROW). The ordinance definition of PROW includes sidewalks trails paths and utility easements allowing the placement of wireless 5G antennas outside a bedroom window without any prior notice. These areas should not be listed in the PROW definition. No ordinance provisions are specified for fire-safety which is a federally protected right. The ordinance can adopt engineering certifications used in the Carmel CA ordinance to reduce Ashland's real threat of fires from wireless facilities. Recommendations: Integrate and use the Campanelli ordinance wording making the ordinance legal and sound. His document was paid for by donors who want Ashland to be a safe tech city. Bring Oregon for Safer Technology members to the table allowing for community inclusion and involvement. Ask for a Study Session in which Mr. Campanelli would speak and support his version of the ordinance. Thank you for your consideration.</p>
3/5/2024 13:26	<p>I am a retired health care professional who is STRONGLY OPPOSED to this ordinance. In 2013 the International Agency for Research on Cancer (IARC) published a monograph that classified radio frequency fields as possibly carcinogenic to humans (class 2B). This classification indicates that more research is probably justified. Now with the introduction of 5G non-ionizing radiation being introduced a much greater amount of radiation than 11 years ago. There is a plethora of worldwide studies documenting the serious adverse effects of this type of radiation including cancer. I myself do not knowingly suffer ill effects for this type of radiation however I have friends and past patients who are/were sensitive. They are the "canaries in the coal mine". I urge you to integrate and use the Campenelli ordinance wording making the ordinance legal and sound. His document was paid for by donors who like me want Ashland to be a safe tech city. Thank you.</p>

3/5/2024 15:14	<p>The ordinance lacks critical fact-finding guidance specific evaluation criteria and substantial evidence required by City decision makers to approve or deny a permit. This is important because Federal law requires that a wireless facility permit denial be issued in writing with reasons for the denial based on substantial evidence. My son is extremely sensitive to Wireless Radiation and we planned on sending him to OSU as Ashland is one of the last cities to not have a 5G grid and we had hope that he would be able to receive an education without getting sick. The proposed and passed 5G tower set to be erected will ruin his chances of having a safe university experience. What a shame this is and a sham under the sorry excuse as a "safety" issue. If the city of Ashland cared about the safety of their citizens they wouldn't expose the residents and innocent students at OSU to harmful radiation without consent.</p>
3/6/2024 9:46	<p>I support the revisions to the city's telecommunications ordinance with the exception of the statement that "the installation of telecommunications facilities within the City can pose a threat to the public health safety and welfare". For example 5G is a safe reliable technology and upgrading cell services in Ashland will enhance public health safety and welfare by expanding and improving emergency health and welfare services and communications. I very strongly support making it easier to upgrade our telecommunications here in Ashland. Improved connectivity for residents visitors and business is essential for the functioning of a modern economy and for emergency services. The vast majority of residents and businesses support upgrading cell services to 5G. Please do not favor the vocal minority over the exhausted majority. Ashland currently has very poor cell coverage. It is frustrating to live and work here and embarrassing for our tourism industry. Furthermore poor coverage bandwidth and slow speeds put us all at risk during emergency events. We all saw that during the Almeda fire. Please move forward with the city's telecommunications ordinance amendment and upgrade our city to 5G as soon as possible.</p>

3/6/2024 18:32

I am writing to strongly urge you to rewrite the draft of the Ashland 5G ordinance which is currently unacceptable to me and seems weak and lacking in its ability to protect residents of Ashland. Federal law requires that a wireless-facility permit denial be issued in writing with reasons for the denial based on substantial evidence. As it is written the ordinance lacks critical fact-finding guidance specific evaluation criteria and substantial evidence required by City decision makers to approve or deny a permit. I find it appalling that no public notice is required when a 5G permit application is received for the public rights-of-way (PROW) and that the ordinance definition of PROW includes sidewalks trails paths and utility easements allowing the placement of wireless 5G antennas outside a bedroom window without any prior notice. These areas should NOT be listed in the PROW definition. Where are the ordinance provisions specified for fire-safety. I have written to you before this about the fire dangers of cell towers and it alarms me that little or no heed is given this danger in a town where fire is a real threat. Have you looked at ordinances adopted by other towns? The ordinance here can adopt engineering certifications used in the Carmel CA ordinance to reduce Ashland's real threat of fires from wireless facilities. Please integrate and use the Campanelli ordinance wording which would make the ordinance legal and sound. He has a great deal of experience in this. His document was paid for by Ashland residents who want Ashland to be a safe tech city. Ask for a Study Session in which Mr. Campanelli would speak and support his version of the ordinance. It would also seem very important to include members of the Ashland community in these discussions particularly the members of Oregon for Safer Technology who have studied this issue extensively.

3/6/2024 18:53	<p>The ordinance is complex and hard to understand. That being said I feel anything we can do to encourage adoption of 5G we should be doing. The technology is important for the city in many ways including economically as we continue to diversify our economy from a quality of life point of view and for emergency response now and in the future. A small subset of citizens have health concerns (mainly misinformation-stoked) but science and the general welfare should prevail in this case. Assuming the ordinance is not significantly in opposition to that principle it should probably be passed rather than continuing the debate indefinitely.</p>
3/7/2024 9:29	<p>As another commenter mentioned please do not favor the vocal minority over the exhausted majority. Our city has poor cell phone reception already. Refusing to update to the most modern technology available is frustrating and difficult for residents unsafe in the event of a natural disaster and an embarrassment to our town in the eyes of tourists. Please move forward with the 5g rollout as soon as possible.</p>
3/7/2024 11:51	<p>Hello I came to Ashland to live in a small town community where there seemed to be an emphasis on healthy living. I was so disturbed to hear that there is a plan to add more advanced cell towers and in even more places than already existing. More and more people have been affected by the EMF radiation coming from this advanced technology. I would hope that Ashland city Council would review this carefully and consider the impact this will have on this small community.</p>

3/7/2024 15:49

Public Comment / Small Cell Facility Ordinance Amendment I recognize all stakeholders in this process; City Council Draft writers Oregon for Safer Technology City leaders and the People of Ashland in their diligence to draft a comprehensive telecommunications ordinance. Unfortunately the drafters efforts to satisfy stakeholders whose interests are at cross purposes has resulted in one side's interests dominating over the other. And in this ordinance Council drafters have chosen the side of Telecom. This has resulted in a loss to the People of Ashland. This lack of regulatory rigor is at the expense of health and safety real estate property values & property rights. I will focus on the Public Right of Way (PROW) aspect of this ordinance in my comments further down. Firstly there are innumerable problems with this ordinance: Setback distance parameters are nonexistent Fire safety parameters can be waived on a discretionary basis Regulatory and licensing parameters can be easily bypassed by allowing telecom franchising contracts. Health and safety issues have not been acknowledged Property owners have no rights to oppose or appeal a proposed installation of a WCF base station adjacent to their home No public notice of installation is required No probative evidence nor material proof of gap in service is required by Telecom Densification of networks is unregulated as no justification for gap in service is required This draft ordinance gives Telecom free rein to decide the density of small cell wireless facilities in Ashland. The draft ordinance is Telecom friendly and will lead to Radio Frequency Radiation (RFR) trespass on private property by allowing telecom full unregulated PROW access. And for a majority of Ashland homeowners PROW access is mere feet away from a residential home or business. For Example: Let's say that telecom decides there's a gap in service at Pearl Street and Meade Avenue. And in order to address this modeled 'gap in service' they decide to install a small cell base station/antennae at the PROW utility box adjacent to the home(10 feet away) of Resident 'X'. According to this ordinance not only is prior notice NOT required for telecom to give Resident 'X' before initiating this installation Resident 'X' has no recourse to appeal or deny the small cell hub installation adjacent to HIS/HER PRIVATE PROPERTY because Telecom has decided on densification .

continued from message above...	<p>Just because they say so and with no justifications needed. And the city has given them a weak ordinance in which bypassing the regulations as written are options for them. A growing number of people suffer from sensitivity to RFR and the close proximity of the PROW to many Ashland's resident's homes the increasing density of small cell wireless installations will be a chronic long term from cradle to grave exposure to an unknown likely toxic RFR product. Discretionary elements weaken the rigor of this ordinance. If telecom want to install a small cell facility they can do so through franchise agreements allowed in this ordinance and bypass the licensure clauses in favor of mutual contractual agreements vis a vis Franchise contracts as well as through a dizzying hierarchy of waiver allowances. Practically speaking this is not an ordinance but a corporate gift to Telecom. Ultimately we as victims of this dangerous ordinance will learn a painful lesson after it's too late. Ashland has a golden opportunity to strengthen its authority as a municipality against trespass from Telecommunications overreach at this crucial moment but continues to ignore the accumulated wisdom of legal experts in the Telecom domain who have GIVEN them a model ordinance from which to draw strong legal authority against corporate trespass. Council drafters have ignored that wisdom and chosen instead to draft an alternative weaker ordinance giving Telecom all the power to decide outcomes. I urge you all to consider what's at stake. The Mayor & City leaders should have scheduled a Study session prior to a first hearing of this ordinance so that the People of Ashland can study the draft and weigh in on the drafted ordinance. The timeline as is has no allowance for citizen input except in public comments to have any kind of influence with city leadership. This sets a bad precedent when leadership denies citizens a proper hearing for a potentially hazardous product in the form of small cell wireless base stations. I ask you to request to City Leaders that council drafters adopt the model ordinance that Mr. Andrew Campanelli drafted for us last month that will protect us from Telecom overreach. Telecom can still be welcome here and with proper regulatory rigor everyone benefits.</p>
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3/7/2024 20:14

I concur with the comments below especially that a full detailed unbiased public explanation is mandatory. Immediately. Dear Mayor Graham and Councilors The Ashland City Council has not explained to the people of Ashland in simple terms what the proposed amendments to AMC Chapter 16 will do. A study session focused on this ordinance should precede any further action. It is clear from previous comments made by Councilors that some of you do not understand what 5G is. The public comments published so far (https://www.ashland.or.us/SIB/files/Administration/2024/TelecommunicationsOrdinanceAmendment_2_27_24_EOD.pdf) make it clear that the public does not understand what 5G is and what the ordinance would allow. An example is Councilors repeated claims that 5G is already here and now the Council is simply trying to regulate it. Yes the "macro" cell towers along I5 already provide low (below 2 GHz) and mid (2-6 GHz) band 5G service. In fact AT&T is building a brand new 85' macro tower near the SOU stadium right now that will provide low and mid band 5G service. The ordinance purports to control the deployment of high band 5G millimeter wave "beam forming" antenna technology supporting ranges of 24 GHz to 100 GHz in the public right-of-way (PROW). This high band 5G can handle high data transfer speeds but at a short range and with difficulty penetrating obstacles like concrete walls and trees. Hundreds of 5G base stations/antennas would need to be deployed across the city and since the antennas rely on line of sight for their beam forming technology many many many base stations will be needed in the hills above the city center.

continued from message above...	<p>How many 5G base stations would be required to provide service to all Ashland residents? Who knows? If the applicant and city decide to use a franchise agreement rather than a license the requirement for the applicant to provide a map of their proposed deployment is up for negotiation. Checkout the following websites to see the extent of 5G (low and mid band) and 4G LTE coverage currently available in Ashland. As you can readily see there are very few areas in Ashland where you cannot make a phone call to request emergency services and these remote locations are probably the LAST locations that telecom would want to invest \$10 000 to put up a base station – the return on investment will simply not justify deploying 5G base stations that reach a handful of homes at most. https://www.t-mobile.com/coverage/coverage-map https://www.att.com/maps/wireless-coverage.html https://www.verizon.com/coverage-map/ These new 5G WCF's would improve your cell phone coverage if there is one nearby (within a couple hundred meters depending on the terrain and obstacles). Because of the high cost approximately \$10 000 per base station/antenna telecom will not have much incentive to deploy them in the sparsely populated areas of Ashland up in the surrounding hills where people are most concerned about access to emergency services. And some folks seem to think they will continue to function if the power goes out in an emergency. Practically speaking the amendments to Chapter 16 Telecommunications allow telecom to deploy their small cell 5G WCF's anywhere they want and for whatever reason they want provided they can jump over the very low hurdles imposed if a discretionary review is required. With the authority granted to the Public Works Director and the City Manager to waive any requirements or restrictions nominally imposed by the ordinance – in the interest of not effectively prohibiting telecom from accomplishing its wishes – it is clear that the intention of the author is to lay down the red carpet for 5G WCFs in Ashland.</p>
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continued from message above...	<p>Even if the AFD Chief declares that dotting the hills around Ashland with WCFs to provide line of sight from every home to an antenna is a public safety hazard he can be overridden by the City Manager because the overriding goal of the ordinance is to make sure that nothing be done that might effectively prohibits telecom from deploying anything it wants for whatever reason it wants. These small cell WCF are deployable in the public right-of-way (PROW) which at our house includes 10' feet of land between the street and our property line. Sidewalks and any buffer zone between them and your lot line are also in the PROW. The ordinance even permits the deployment of WCF on private land if the city holds an existing utility easement. Ashland residents may go to work in the morning and come home to see a brand new 50' 5G base station on their block and possibly very near your home and they will have had no advanced warning nor opportunity to appeal. There are no setback requirements controlling the distance from a 5G antenna to your bedroom window school synagogue church day care facility etc... The ordinance calls for applicants to get a license for which a very modest list of requirements apply. But there is a joker in the deck in the form a franchise agreement. If the city at its sole discretion decides it would rather enter into a contractual agreement with the telecom applicant it can create a franchise agreement instead of a license. And lest there be any confusion between the terms of the ordinance and those of the franchise the language in the franchise agreement rules. Yes the city council must approve the franchise agreement but this loophole significantly reduces the transparency of the application process. A license requires the applicant to describe exactly what they are doing and where but there are no explicit requirements for what must be included in a franchise agreement. And if the existing franchises with cable providers are any indication AT&T Verizon T-Mobile and their ilk will all want their own custom franchise contracts and the Council will be renegotiating the Chapter 16 Telecommunications ordinance with each new contract. The ordinance assumes that all questions of interpretation of the "rights" granted to telecom by the 1996 Telecommunications Act (TCA) have been settled but this is not true.</p>
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continued from message above...	<p>Municipalities have successfully argued that the language in the TCA supports ONLY the right of telecom to connect their mobile services to a land line – that is what the definition of telecommunications services meant back in 1996 (see the Flower Hill decision https://www.americansforresponsibletech.org/flower-hill-decision and yes I’m aware of the FCC orders. The FCC is a corrupt and captured agency). With this consideration in place municipalities have required telecom to demonstrate that there is a gap in service using dropped call records and drive tests. Municipalities have also successfully argued that telecom must choose the least intrusive means to address the service gap. There are no requirements for telecom to demonstrate a gap in service addressed with the least intrusive means in the ordinance. The ordinance will allow telecom to deploy WCFs anywhere they want for any reason except for the minor hurdle of holding a public meeting prior to installing an antenna if “discretion” is deemed to be required. In the vast majority of cases no discretion will be required and there will be no notification to the public prior to building the WCF and no chance to appeal the placement of a WCF in your front yard. The ordinance repeatedly asserts its intention to “promote the health” of the people which it does by promising to ensure that the radio frequency (RF) radiation emitted by the antennas fall below the maximum exposure limits established by the 1996 TCA limits that applied only to ionizing (heat producing) radiation. The proposed 5G WCF antennas will broadcast all bands of 5G (low mid and high) frequencies which emit non-ionizing radiation which was not even a consideration back in 1996. And to demonstrate the subservience of Congress and the Courts to telecom the TCA prohibits the rejection of a WCF by a municipality based on environment or health concerns. This is the fig leaf of promoting the public health that the Council is hiding behind – adherence to an outdated and irrelevant maximum exposure limit. Despite 5 years of persistent effort by Oregon for Safer Technologies to present evidence to the Council regarding the health impacts of RF radiation the Council has never publicly acknowledged that it is even an issue much less publicly discussed it – as other Municipalities have done.</p>
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<p>continued from message above...</p>	<p>Indeed the Environmental Health Trust and the Children’s Health Defense won an important case back in August of 2021 that required the FCC to explain why they “arbitrarily and capriciously” dismissed 11 000 pages of evidence documenting the potential impacts on the environment and human health of non-ionizing RF radiation exposure at limits far below those established by the 1996 TCA. And here we are 2 ½ years later and the FCC still refuses the order from the DC Circuit Court to explain its decision. The FCC is the maidservant of telecom with no interest in establishing real safety standards for non-ionizing RFR exposure. https://childrenshealthdefense.org/wp-content/uploads/chd-v-fcc-we-won-decision.pdfhttps://childrenshealthdefense.org/defender/5g-cell-tower-health-risks-radiation/ Councilors who support the ordinance are claiming that the definition of telecommunications services as understood back in 1996 covers ANYTHING that the FCC and telecom says it covers NOW while at the same time holding that there is absolutely no reason or requirement to consider any possible environmental or human health concerns regarding any of the new technology introduced over the last 28 years. The onus is on the party introducing a new technology – that the public cannot avoid – to prove it is safe which the FCC and telecom have utterly failed to do. It is intellectually dishonest and amoral to support this ordinance under the color of law as written. The ordinance - https://www.ashland.or.us/SIB/files/Administration/2024/AMC_Title_16_Proposed_Revisions_02122024.pdf</p>
<p>3/9/2024 0:21</p>	<p>I do not want any 5G towers near my home! This would be a very serious issue for me.</p>
<p>3/9/2024 9:41</p>	<p>Cell communication is important. Let's not make the hurdles too high nor the requirements too onerous.</p>

3/10/2024 9:48	<p>Dear Mayor Graham and Councilors It is my opinion that the proposed amendments to Chapter 16 Telecommunications permit telecom companies too much liberty in deploying their small cell 5G WCF's. These are not structures that public needs their proposed benefits are few and the long term health risks to 5G radio frequency are yet controversial.</p> <p>According to reason if we know that exposure to radiation is not good for biological systems why would we opt to increase our exposure to it unnecessarily? "Safe levels" of radiation are highly debatable. This issue mirrors the GMO/glyphosphate debate. Regardless of whether it is "safe" to eat foods sprayed with poison by reason people opt to spend much more money for pure organic food. Unfortunately the issue of 5G towers is not something that the consumer can control or monitor themselves. There is a large percentage of the population of Ashland that does not want these towers in the city at ALL let alone on or near their personal property. It is my belief that there will be much more backlash from the people of Ashland if these towers are installed than if they are not. If public health and satisfaction of the people is truly the highest concern of the city the city will not pass the proposed amendments to Chapter 16.</p>
3/10/2024 10:25	<p>I have done intensive study on the benefits both negative and positive of 5G radiation on the people of our town. And I have come to the conclusion that this new installation does not serve the people and it is dangerous and irresponsible of the city Council to want to implement this technology. The 4G technology that is now in place is extremely adequate to provide us with the information that we need to just stay informed and communicate with others. Please do not expose the people of our town to something that is unnecessary and detrimental to our health thank you.</p>

3/10/2024 11:11	<p>I am writing as a concerned community member for the proposed amendments to Chapter 16 Telecommunications permit. I don't support the installation of 5G towers as the increase in Radiation specifically around residential and school neighborhoods is a potentially dangerous action. increasing any exposure to radiation can lead to long term health detriment and putting in 5G towers will increase that risk. Please consider the health of the community and do not pass this proposed amendment.</p>
3/10/2024 11:55	<p>Hello Council... PLEASE CREATE THE STRONGEST ORDINANCE POSSIBLE USING THE KNOWLEDGE AND EXPERTISE OF ANDREW CAMPANELLI FOR THE EXPRESSED PURPOSE OF PROTECTING THE HEALTH AND WELLNESS OF ASHLAND'S CITIZENRY AS WELL AS MAINTAINING THE CITY'S ALLURE OF UNSURPASSED NATURAL BEAUTY. WE HAVE ALTERNATIVES TO UGLY CELL TOWERS! We the citizens of Ashland Oregon are fighting hard against the proliferation of CELL TOWERS in our beautiful Hamlet...indeed a special gem within the state of Oregon. People come from around the world to enjoy this city's incredible beauty theater as well as its culture of health and wellness. For these reasons I strongly urge you to do whatever you can to protect this "bee city"...this "tree city"...this city filled with citizens hoping Ashland can remain a refuge from the onslaught of unsightly radiation-spewing CELL TOWERS. Ashland already has underground cable infrastructure which can be used to access the internet. Citizens can have WiFi in their homes allowing them access to all their internet needs. It is completely unnecessary to build huge ugly CELL TOWERS here in Ashland Oregon. The proliferation of CELL TOWERS here would truly be the demise of this city's spectacular vistas as well as its health-conscious culture both huge contributors to Ashland's allure. My wife is extremely sensitive to this radiation suffering from a condition known as "electro-sensitivity." There are many others in this town with varying degrees of this condition which is caused by an adversity to cell tower-spewing RF RADIATION. Not surprising considering IT'S RADIATION...a poison that absolutely affects all living things at a cellular level. PLEASE let us not go down the same road we did with BIG TOBACCO. They hid behind their army of dishonest lawyers and doctors for decades covering up their ugly truth while millions died. We must not allow BIG TECH to destroy our beautiful city for the sole purpose of meeting their profit quotas. Thank you!</p>

3/10/2024 12:18	I am writing as a concerned community member for the proposed amendments to Chapter 16 Telecommunications permit. I don't support the installation of 5G towers as the increase in Radiation specifically around residential and school neighborhoods is a potentially dangerous action. increasing any exposure to radiation can lead to long term health detriment and putting in 5G towers will increase that risk. Please consider the health of the community and do not pass this proposed amendment.
3/11/2024 7:36	5G is not a useful or necessary investment for our community and the effects of cellular radiation IS questionable and there IS plenty of data suggesting that this radiation is dangerous to people and planet. Until we know why risk it the small moments in our lives when internet doesn't work perfectly are in important to us as humans --we must remember we are not bigger than nature.

3/11/2024 10:37

Ch 16 Ordinance Amendments intellectually dishonest and morally bankrupt At the City Council meeting on September 19 2023 during the discussion of amendments to AMC Chapter 13 – Rights-Of-Way regarding controlling the deployment of wireless communications facilities three telecom representatives: Kim Allen Wireless Policy Group Representative for Verizon Wireless Gregory Busch Busch Law Firm Attorney representing AT&T and Areej Rajput Corporate Counsel of T-Mobile basically threatened the city with legal action if they passed the ordinance as proposed. They asked for a seat at the table to rewrite the ordinance and it is evident from the proposed language in Chapter 16 – Telecommunications that they got their way. During the discussion that followed the public comments Councilor Bloom stated: “There is one group on this side that has been collaborative and that’s our citizens and I have to say that its left a really bitter pill in my mouth – the approach of the industry coming at us today – so maybe try a different tune next time.” Well it looks like Telecom may have taught the Council how to sing “Spoonful of Sugar” as the song goes: “That a spoonful of sugar helps the medicine go down”. Make no mistake the revenue potential from franchise contracts with Verizon T-Mobile and AT&T may be the just sweetener the Council needs to swallow this “bitter pill”. The Ashland City Council has not explained to the people of Ashland in simple terms what the proposed amendments to AMC Chapter 16 will do. A study session focused on this ordinance should precede any further action. It is clear from previous comments made by Councilors that some of you do not understand what 5G is. The public comments published so far make it clear that the public does not understand what 5G is and what the ordinance would allow. An example is Councilors repeated claims that 5G is already here and now the Council is simply trying to regulate it.

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message above...

Yes the "macro" cell towers along I5 already provide low (below 2 GHz) and mid (2-6 GHz) band 5G service. In fact AT&T is building a brand new 85' macro tower near the SOU stadium right now that will provide low and mid band 5G service. The ordinance purports to control the deployment of high band 5G millimeter wave "beam forming" antenna technology supporting ranges of 24 GHz to 100 GHz in the public right-of-way (PROW). This high band 5G can handle high data transfer speeds but at a short range and with difficulty penetrating obstacles like concrete walls and trees. Hundreds of 5G base stations/antennas would need to be deployed across the city and since the antennas rely on line of sight for their beam forming technology many many many base stations will be needed in the hills above the city center. How many 5G base stations would be required to provide service to all Ashland residents? Who knows? If the applicant and city decide to use a franchise agreement rather than a license the requirement for the applicant to provide a map of their proposed deployment is up for negotiation. Checkout the following websites to see the extent of 5G (low and mid band) and 4G LTE coverage currently available in Ashland. As you can readily see there are very few areas in Ashland where you cannot make a phone call to request emergency services and these remote locations are probably the LAST locations that telecom would want to invest \$10 000 to put up a base station – the return on investment will simply not justify deploying 5G base stations that reach a handful of homes at most. <https://www.t-mobile.com/coverage/coverage-map>
<https://www.att.com/maps/wireless-coverage.html> <https://www.verizon.com/coverage-map/> These new 5G WCF's would improve your cell phone coverage if there is one nearby (within a couple hundred meters depending on the terrain and obstacles).

continued from message above...	<p>Because of the high cost approximately \$10 000 per base station/antenna telecom will not have much incentive to deploy them in the sparsely populated areas of Ashland up in the surrounding hills where people are most concerned about access to emergency services. And some folks seem to think they will continue to function if the power goes out in an emergency. Practically speaking the amendments to Chapter 16 Telecommunications allow telecom to deploy their small cell 5G WCF's anywhere they want and for whatever reason they want provided they can jump over the very low hurdles imposed if a discretionary review is required. With the authority granted to the Public Works Director and the City Manager to waive any requirements or restrictions nominally imposed by the ordinance – in the interest of not effectively prohibiting telecom from accomplishing its wishes – it is clear that the intention of the author (Councilor Dahle) is to lay down the red carpet for 5G WCFs in Ashland. Even if the AFD Chief declares that dotting the hills around Ashland with WCFs to provide line of sight from every home to an antenna is a public safety hazard he can be overridden by the City Manager because the overriding goal of the ordinance is to make sure that nothing be done that might effectively prohibit telecom from deploying anything it wants for whatever reason it wants. These small cell WCF are deployable in the public right-of-way (PROW) which at our house includes 10' feet of land between the street and our property line. Sidewalks and any buffer zone between them and your lot line are also in the PROW. The ordinance even permits the deployment of WCF on private land if the city holds an existing utility easement. Ashland residents may go to work in the morning and come home to see a brand new 50' 5G base station on their block and possibly very near your home and they will have had no advanced warning nor opportunity to appeal. There are no setback requirements controlling the distance from a 5G antenna to your bedroom window school synagogue church day care facility etc... The ordinance calls for applicants to get a license for which a very modest list of requirements apply. But there is a joker in the deck in the form a franchise agreement.</p>
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continued from message above...	<p>The ordinance repeatedly asserts its intention to “promote the health” of the people which it does by promising to ensure that the radio frequency (RF) radiation emitted by the antennas fall below the maximum exposure limits established by the 1996 TCA limits that applied only to ionizing (heat producing) radiation. The proposed 5G WCF antennas will broadcast all bands of 5G (low mid and high) frequencies which emit non-ionizing radiation which was not even a consideration back in 1996. And to demonstrate the subservience of Congress and the Courts to telecom the TCA prohibits the rejection of a WCF by a municipality based on environment or health concerns. This is the fig leaf of promoting the public health that the Council is hiding behind – adherence to an outdated and irrelevant maximum exposure limit. Despite 5 years of persistent effort by Oregon for Safer Technologies to present evidence to the Council regarding the health impacts of RF radiation the Council has never publicly acknowledged that it is even an issue much less publicly discussed it – as other Municipalities have done. Indeed the Environmental Health Trust and the Children’s Health Defense won an important case back in August of 2021 that required the FCC to explain why they “arbitrarily and capriciously” dismissed 11 000 pages of evidence documenting the potential impacts on the environment and human health of non-ionizing RF radiation exposure at limits far below those established by the 1996 TCA. And here we are 2 ½ years later and the FCC still refuses the order from the DC Circuit Court to explain its decision. The FCC is the maidservant of telecom with no interest in establishing real safety standards for non-ionizing RFR exposure. https://childrenshealthdefense.org/wp-content/uploads/chd-v-fcc-we-won-decision.pdf https://childrenshealthdefense.org/emr/emf-wireless-health-impacts/ Councilors who support the ordinance are claiming that the definition of telecommunications services as understood back in 1996 covers ANYTHING that the FCC and telecom says it covers NOW while at the same time holding that there is absolutely no reason or requirement to consider any possible environmental or human health concerns regarding any of the new technology introduced over the last 28 years.</p>
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continued from message above...	<p>The onus is on the party introducing a new technology — that the public cannot avoid — to prove it is safe which the FCC and telecom have utterly failed to do. It is intellectually dishonest and amoral to support this ordinance under the color of law as written.</p>
3/11/2024 12:09	<p>I've noticed many members of the Ashland community have expressed several concerns over the proposed telecomm 5G wireless ordinance. While I support the concerns that have already been expressed (no public notice for 5G PROW permits poor definition of PROW ignoring fire safety ignoring offers of assistance from OST etc.) I noticed that the proposed telecomm 5G wireless ordinance does not address energy efficiency issues related to the equipment that will be installed. Since there could be hundreds of small 5G cells installed the energy losses will be significant. Energy inefficient telecomm wireless equipment is in wide use in the USA Canada and Australia. The rest of the world uses telecomm wireless equipment that consumes about one to ten percent of the electricity needed for the same functionality. Please include an energy efficiency requirement in the proposed telecomm 5G wireless ordinance that requires telecomm providers to use the most energy efficient wireless equipment available for ALL of their wireless products including 5G. Reducing the energy consumed by telecomm wireless equipment will save money and reduce the amount of pollution created by telecomm wireless services.</p>

3/11/2024 17:19

Hello Councilors I am writing with great concern that the ordinance that you have proposed to use for Ashland does not cut the mustard! Nope it is dull and lacks key points that will end up making you all responsible for making Ashland a safe haven for Big Tech to move with abandon throughout the city ...in the end!! It is most disturbing that a cell tower is going to be right next to the SOU Gym and very close to the Dorms! This will expose young students to high radiation levels 24/7! Not to mention the grammar school that is close-by and the Head Start pre-school! Wow! I am located 2 blocks away and will be forced to cover my house with a protective shield of wire and other shielding...unless I can sell. But now that the FEDS have upped insurance home sales are way down! Big tech is not interested in anything but making money...they have done 0 studies on the safety of wire-less at least they have not let these studies out to the public if they have! The studies would be to telling! You may not have all the power as a local jurisdiction and the State plays a huge role I agree but YOU must consider your neighbors and the people that put you on the council in good faith that you would do the best job poss to serve the interests of the public!! Please reject this ordinance and/or make the corrections that Andrew Campenelli has suggested and let the ordinance have his stamp of approval! We the public have put up the money to do this! It isn't out of Ashland coffers...what is stopping you? What is going on that you are not revealing??? We need transparency now!! <https://safetechinternational.org/dna-and-developmental-damage-from-cell-towers-on-the-greek-island-of-samos-effects-on-insects-flowers-and-vegetables/>

3/11/2024 17:39	<p>The proposed Telecommunications Ordinance is weak vague and does not protect Ashland's citizens or its wild life. Ashland is a unique place with a health conscious population. This Ordinance does not reflect the best of Ashland. It gives the telecommunication companies all of the rights but leaves us with no say in where 5G installations are placed or if they are safe. Countless scientific studies call into question the safety and health-risks of 5G. Ashland's government needs to be protective of its citizens not just put forward weak ordinances that play into the hands of powerful corporate interests at the expense of our town. Concerned citizens have spent their own money (I contributed myself) to have a real and protective ordinance for Ashland that would put our city into the forefront in Oregon in protecting our town from corporate overreach and bullying. Please adopt the Campanelli Ordinance.</p>
3/11/2024 21:31	<p>Please have a heart and use wisdom to discern regarding 5g proposals. There is much evidence of the harm. Do you want our young students and our city population to suffer from cancers and more caused by 5g radiation? Please read the studies and choose health sanity and kindness over greed. ABSOLUTELY NO to 5g!!!</p>
3/12/2024 14:39	<p>The city's current proposed 5G ordinance is weak. It doesn't keep us safe from a technology that has never been safety tested and could cause fires and reduce property values.</p>

3/12/2024 16:27	<p>Hello Council members I am writing in opposition to the new Telecom ordinance. I do not believe that adequate study has been undertaken in order to determine safety for the public. While I currently live in Talent I lived in Ashland for many years and still spend many waking hours in the town. The Almeda Fire came very close to my home and I am keenly aware of fire danger with regards to telecom and power lines. I know that the City of Carmel CA has stated provisions for fire safety as it relates to wireless facilities. Also Andrew Campanelli was hired (after local fundraising by Oregon 4 Safer Technology) and has written a legal and safe ordinance which I think should be adopted by the City of Ashland. Ashland has a great reputation for being a small town concerned with wellbeing health and outdoor recreation. Tourists flock here for more than just the Shakespeare Festival. They know a good place to visit and some end up moving here. Please help keep Ashland a healthy place to visit and live by not allowing the telecom lobbyists to get their way without the necessary due diligence that is the responsibility of elected officials. Better to do due diligence now than to have a shameful public health situation later. There are many studies showing the harms of EMF and 5G that I have seen over the past few years. Besides being harmful to people children in particular with their developing brains they are also very hard on our pollinators. Thank you for your time and hopefully for your reconsideration.</p>
3/12/2024 16:51	<p>It appears to me that Ashland City council members are about to authorize the city-wide installation of 5G technology WITHOUT adequate consideration of the known harmful effects of this technology. Each member needs to decide for themselves if they want it on their conscience that they chose not to explore do-diligence when the people of Ashland become ill from EMF poisoning. The more reasonable route would be to allow time for further consideration of potential health impacts. Communities in the USA have banned 5G – there's no reason why a better informed Ashland City Council can't do the same in the interest of protecting public health.</p>
3/12/2024 18:27	<p>5G harms are health. I'm against 5G Do not come to Ashland</p>

3/12/2024 18:46

It is beyond comprehension that the City of Ashland considers this an actual ordinance for anyone to consider. The defects are many but the PROW definition which will allow placement of 5G antennas anywhere and everywhere and WITHOUT notification can only suggest that this ordinance has been drawn up by your friendly 5G Sales Provider. The City has been provided with hours and hours of information explaining that 5G has never been tested or proven to be safe or to be harmless to the environment and humans. The City has been provided with references to hundreds of peer-reviewed studies and research that demonstrate the harm caused by 5G emissions to humans beings animals the environment - in fact to all living entities. The City has had the opportunity to halt 5G. The City is instead to determined to subject its people to exposures of radiation that have been proven to be harmful even lethal to EMF sensitives and certainly promising to hamper healthy child development since the smaller size of the child's skull and body allow deeper penetration of destructive EMFs. Under no circumstances does this ordinance deserve a reading or the waste of anyone's time listening. If the City were honestly interested in the health and welfare of its people it would long ago have hired an expert in the field to draw up an ordinance that would protect from the undeniable harm of EMFs. The City clearly seems after all these years of talk talk talk most interested in promoting and supporting the giant Big Tech Industry.

3/12/2024 18:49

The Ashland draft 5G ordinance is weak and unacceptable for many reasons. The ordinance lacks critical fact-finding guidance specific evaluation criteria and substantial evidence required by City decision makers to approve or deny a permit. This is important because Federal law requires that a wireless-facility permit denial be issued in writing with reasons for the denial based on substantial evidence. No public notice is required when a 5G permit application is received for the public rights-of-way (PROW). The ordinance definition of PROW includes sidewalks trails paths and utility easements allowing the placement of wireless 5G antennas outside a bedroom window without any prior notice. These areas should not be listed in the PROW definition. No ordinance provisions are specified for fire-safety which is a federally protected right. The ordinance can adopt engineering certifications used in the Carmel CA ordinance to reduce Ashland's real threat of fires from wireless facilities. Please: Integrate and use the Campanelli ordinance wording making the ordinance legal and sound. His document was paid for by donors who want Ashland to be a safe tech city. Bring Oregon for Safer Technology members to the table allowing for community inclusion and involvement. Please create a Study Session in which Mr. Campanelli would speak and support his version of the ordinance. Thank you

3/12/2024 19:11	<p>Dear Ashland City Council Thank you for your good work in these challenging times. Please consider the immense amount of evidence of the need for a careful and protective ordinance. Many many citizens have presented these studies many times over the course of 5 plus years. The ordinance in order to provide effective protection needs to include specific evaluation criteria to substantiate reasons for approval or denial that would then stand in accord with Federal law. We do not want 5G antennas outside of our bedroom windows or in places where the public would like to move about without danger of its hazards be it from the radiation it emits to the fire hazard it presents. What is particularly unnerving is that we will soon have available a high speed internet of a much safer technology with Fiber making any ostensible advantage of 5G unnecessary and an enormous waste. Please integrate and use the Campanelli ordinance wording making the ordinance legal and sound. Please bring Oregon for Safer Technology members to the table allowing for community inclusion and involvement. And could we have a study session in which Mr. Campanelli would speak and support his version of the ordinance. Thank you so much for your consideration. With all good care.</p>
3/12/2024 19:27	<p>There is so much evidence that microwave radiation is harmful and that the damage is dose and time related. The FCC is another regulatory agency captured by the monied corporations it is supposed to regulate. Despite THOUSANDS of studies in recent years raising the alarm about health consideration regarding wi-fi the FCC hasn't changed its guidelines since 1996 and says it has no interest in doing so. Please carefully study this article https://expose-news.com/2024/03/12/health-impacts-of-electromagnetic-fields-emf/ We need YOU to stand up for the job of protecting our health that the FCC is refusing to do. I know people who have moved away from Ashland because of excess radiation. Our household is also considering doing the same if this issue isn't resolved sensibly. Already our lives have been greatly restricted here in Ashland to avoid egregious exposures no concerts or restaurants anymore avoiding main street altogether and so much more. Please protect Ashland!</p>

3/12/2024 20:00

I am a business owner and mother of 3 living in Ashland. I am writing in opposition of approving the city ordinance for Title 16. As with other policies and decisions being made by Ashland City Council there are serious gaps in what's being proposed and can not be passed as is currently written. I stand by Oregon for Safer Tech and the detailed information that was shared by Andrew Campanelli including "the current code and proposed draft do not require applicants to provide evidence in the absence of which no representative of the City can lawfully deny an application for approval of the installation of a wireless facility." So any cell or tech company would be permitted by this ordinance to place a 5G base tower anywhere they want without the council or the people of Ashland's approval. With the authority granted to the Public Works Director and the City Manager to waive any requirements or restrictions nominally imposed by the ordinance – in the interest of not effectively prohibiting telecom from accomplishing its wishes – it is clear that the intention is to lay down the red carpet for 5G WCFs in Ashland. Even if the AFD Chief declares that dotting the hills around Ashland with WCFs to provide line of sight from every home to an antenna is a public safety hazard he can be overridden by the City Manager because the overriding goal of the ordinance is to make sure that nothing be done that might effectively prohibits telecom from deploying anything it wants for whatever reason it wants. The ordinance even permits the deployment of WCF on private land if the city holds an existing utility easement. Ashland residents may go to work in the morning and come home to see a brand new 50' 5G base station on their block and possibly very near their home and they will have had no advanced warning nor an opportunity to appeal. There are no setback requirements controlling the distance from a 5G antenna to my bedroom window my daughters school our city churches our community day care facilities etc... come on! Do better Ashland. Please consider integrating and using the Campanelli ordinance wording in making the ordinance legal and sound. His document was paid for by donors who want Ashland to be a safe tech city. Please bring Oregon for Safer Technology members to the table allowing for community inclusion and involvement and ask for a Study Session in which Mr. Campanelli would speak and support his version of the ordinance. I sincerely appreciate you considering my comment.

<p>3/13/2024 7:08</p>	<p>Good day. Thank you to the city for taking testimony. I have a Ph.D. in Electrical and Computer Engineering from the University of Illinois in Urbana-Champaign. I am aware of the commercial interest in pursuing 5G and am equally aware how safe guards put in place to protect the citizens are inadequately addressed. The impact of low power direct current fields on the growth of plants was studied in the earliest days in the burgeoning electromagnetic field in monasteries among other locations. It has been known for decades that people doing something as seemingly innocuous as watching TV will transition from alpha-wave brain patterns to delta-wave which is a sleep state. As the technology has advanced over 200 years our military and academic institutions spend enormous funds to study and develop electromagnetic technologies to measure control manipulate etc... fields through the human body for everything from disease detection and prevention to battle field engagements. I am including the observations from Oregon for Safer Technology since they are thorough. I will add that any reference to the work completed by the Oregon Health Authority should not be cited as a reason the technology is safe since it has many flaws and is well detailed here: https://ehtrust.org/oregon-department-of-health-report-on-wi-fi-health-effects-documentation-of-scientific-errors/. The Ashland draft 5G ordinance is weak and unacceptable for many reasons. Include one or more of these reasons in your written or oral comments to the City. •The ordinance lacks critical fact-finding guidance specific evaluation criteria and substantial evidence required by City decision makers to approve or deny a permit. This is important because Federal law requires that a wireless-facility permit denial be issued in writing with reasons for the denial based on substantial evidence. •No public notice is required when a 5G permit application is received for the public rights-of-way (PROW). •The ordinance definition of PROW includes sidewalks trails paths and utility easements allowing the placement of wireless 5G antennas outside a bedroom window without any prior notice. These areas should not be listed in the PROW definition. •No ordinance provisions are specified for fire-safety which is a federally protected right. The ordinance can adopt engineering certifications used in the Carmel CA ordinance to reduce Ashland's real threat of fires from wireless facilities. Please use these recommended solutions: •Integrate and use the Campanelli ordinance wording making the ordinance legal and sound. His document was paid for by donors who want Ashland to be a safe tech city. •Bring Oregon for Safer Technology members to the table allowing for community inclusion and involvement. •Ask for a Study Session in which Mr. Campanelli would speak and support his version of the ordinance. Respectfully submitted.</p>
<p>3/13/2024 9:08</p>	<p>Dear City Council Members I've written numerous times about this issue but also want to clarify and urge you to utilize the ordinance as the attorney Campanelli has written and proposes. I believe it is a much more thorough document that will be of benefit to the community.</p>

3/13/2024 9:48	<p>This ordinance is flawed and does nothing to prevent small cell antennas from invading Ashland. There is no definitive guidelines by which decision makers would grant or deny a permit. There is no provision for public notice nor comment. There is no restriction on where these antennas would go. Why not choose a lawyer who is chosen by the people for the people? Use the draft written by Andrew Campanelli. Collaborate with the Safe Tech community use all the resources available to the city not the resources that pretend to have Ashland's best interests in mind. This decision is paramount to the future of Ashland. This is Ashland's decisive moment with choices that will impact the future of our sweet hamlet. -Do we need more tech here and by increasing use do we put our loved ones as well as our beloved wildlife at risk of disease and poor health? -Do we wait until we know what we need? Fiber is coming to Ashland making 5G unnecessary and a waste of precious resources. -Do we prevent health and fire crises forego this snake oil and protect people not corporations? If other cities can legally protect its citizens from unnecessary RF radiation why won't we? Please make the right choices say no to this ordinance.</p>
3/13/2024 10:36	<p>Please see the detailed comments provided via email to Sabrina Cotta Interim City Manager / Deputy City Manager via email at sabrina.cotta@ashland.or.us with a cc. to the Ashland City Council at council@ashland.or.us. The email subject is "Verizon Comments Regarding Ordinance Amending AMC Title 16 Telecommunications - Ashland OR" sent today. The message includes two pdf attachments. The first is a comment letter submitted by myself on behalf of Verizon. The second is detailed comments on the ordinance language in detail. We appreciate this opportunity to provide feedback on this important ordinance. Thank you very much for your time. Please feel free to reach out to me at the email address above if you there are any questions regarding Verizon's comments. - Lelah Vaga Vice President of Jurisdiction Relations Wireless Policy Group LLC on behalf of Verizon.</p>
continued from message above...	<p>Verizon comment letter</p>

continued from message above...	Verizon comments on the Ordinance
continued from message above...	2nd Verizon comment letter on March 18, 2024
continued from message above...	Verizon comments to Resolution 2024-07 Design Standards

3/13/2024 11:22

On November 7 of last year I sent a letter to the Mayor and the city council documenting the fire danger posed by cell towers demonstrating the need for local governments to exercise the powers reserved for them by Congress to regulate issues pertaining to public safety including fire safety by the 1996 Telecommunications Act. I provided extensive documentation of the numerous fires that have been caused by lack of governmental oversight and faulty cell tower designs including fires which burned vast areas and caused billions of dollars of property damage and loss of human life.

In this letter I included extensive excerpts from a white paper prepared last year by fire consultant Susan Foster including the following key points: "We present examples below of failure to scrutinize electrical equipment and utilize professional engineers to help protect life health and property. These examples will be familiar to every member of the Planning Commission and we trust will serve as a reminder to all of us that engineering rigor and proof of work applied early in the process will protect the City from potentially catastrophic failures later on. We also provide several examples of the ways electrical fires can start in cell towers and why the new small cell infrastructure poses unique threats. In addition we demonstrate that setbacks and separation will accommodate telecommunications yet allow enough space and distance for residents to escape should an electrical fire still occur. Electrical fires cannot be extinguished by homeowners or even firefighters until power to the facility is cut by the utility. In some instances de-energization of a cell tower has taken over 60 minutes. In such a circumstance distance from residences schools and other buildings may mean the difference between life and death. Homeowners should never fight a cell tower fire even if it is directly in front of their home. To fight an electrical fire before the tower has been de-energized by the local utility (10 to 60 minutes) risks electrocution. Residents must flee their homes in the event of an electrical fire and that is why distance between towers and setbacks from homes is critical."

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I also included the specific steps that Ashland's WCF ordinance should adopt in order to ensure safe electrical designs are employed in any and all wireless communications facilities allowed to be installed within the jurisdiction of the city and the specific reasons such steps are necessary as detailed in this white paper: "This white paper explains the Community's proposed safety design and application content requirements. The new language is necessary because of the recent discovery that national state and local electrical codes have expressed or implicit exemptions for "public utilities." There are similar exemptions in NFPA documents. Therefore merely adopting the Electric Code will do nothing. There are generally accepted standards for most other buildings and structures including installations that house extensive and complicated electronics with similar characteristics to those employed as part of a WCF. The Community's proposed design standards incorporate those standards. In other words we basically eliminated the "exception" so the general standards can apply. As a result and consistent with FCC rules the city will be enforcing "generally applicable building structural electrical and safety codes and other laws codifying objective standards reasonably related to health and safety." Separately the Community's proposal sets out the information that must be contained in the application. The design is important but it is equally crucial that applicants be required to show their work provided in a way that allows for independent verification and analysis. Only then can residents be assured that every possible step has been taken to minimize the risk of yet another wildfire caused or made worse by equipment breakdown in a WCF. This paper provides specific and detailed explanations for the requirements we propose to help mitigate the profound fire risks in Malibu. It explains what we need by way of engineering up-front design and what is required for the telecommunications carrier to "show its work" in the permit application. Carriers will have their own professional engineers run their equipment through basic tests or produce standard design diagrams with an engineer's seal.

continued from message above...	<p>Those scrutinizing the application will be able to independently verify the work was indeed done by the appropriate qualified personnel. This design and application content rigor should catch most design flaws that could if left undetected put Malibu at greater risk for fire. Our proposal requires just over a dozen documents in the Application signed off on by a professional engineer employed by telecom. Those documents will be reviewed by Malibu's permitting and enforcement departments and if everything is in order facilities will be approved for installation in the city. We are simply asking carriers to do due diligence and submit the right paperwork to the City when they apply. The following General Plan policies and implementation measures would be advanced as part of this Ordinance:</p> <ul style="list-style-type: none">o Policy 1.1.2: The City shall minimize the risk of loss from fire.o Policy 1.1.3: The City shall reduce the amount of non-essential toxic and hazardous substances.o Work with other agencies to ensure effective and efficient fire suppression prevention and rescue services. Develop guidelines and standards for all new and remodel structures to utilize fire-resistant building materials and designs and if feasible to be sited to minimize fire hazards. <p>Each of the 14 steps below represents a document to be included in each WCF application. Each document must be sealed by a professional engineer licensed in the state or Oregon. Documents A through E are routinely produced by commercially available software such as E-TAP or POWER TOOLS. Documents F through H are produced with CAD programs such as AutoCAD. Document I is required by all codes. Document J is a reaffirmation that all parties understand the service entrance switch is not readily accessible. Documents K L and M include information all employers are required to provide to their workers. (v) Electrical and Structural Safety Information.</p>
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continued from message above...	<p>(H) An elevation drawing of the equipment and the service disconnecting means; REASON FOR REQUIRING THIS DOCUMENT: This drawing shows how the equipment will look once installed. It is critical to ensure the workspace has adequate room to operate safely. WHY THIS DOCUMENT IS IMPORTANT: Performing work on electrical equipment is hazardous. Workers are entitled to sufficient room to safely work and to escape if an arc develops. REASON FOR REQUIRING THIS DOCUMENT: The CEC requires that electric equipment be labeled. WHY THIS DOCUMENT IS IMPORTANT: This is necessary to ensure that first responders or electrical workers safely de-energize the correct equipment. REASON FOR REQUIRING THIS DOCUMENT: The CEC specifies that the service disconnecting means be readily accessible which generally means operable without a ladder. To prevent vandalism of communication systems in public right of ways the service disconnecting means may be mounted out of reach from the ground. WHY THIS DOCUMENT IS IMPORTANT: To prevent casual vandalism the service disconnect may be mounted at a height not reachable from ground level. (K) A demonstration there will be instructions for de energizing the equipment by First Responders. REASON FOR REQUIRING THIS DOCUMENT: Certain electric equipment must be de-energized in a specific sequence to ensure safety. WHY THIS DOCUMENT IS IMPORTANT: Certain electrical equipment can create an additional hazard if de-energized in the incorrect sequences. (L) A list of toxic substances that may develop during arcing or fire that may impede fire suppression efforts; 17 REASON FOR REQUIRING THIS DOCUMENT: The intense heat of an electrical arc may turn non-hazardous substances into hazardous substances. Special protective equipment may be required. WHY THIS DOCUMENT IS IMPORTANT: Electric arcs instantly reach temperatures of thousands of degrees. Normally non-hazardous material may become hazards. Metals may vaporize and damage lungs. (M) A list of hazards that may develop during arcing or fire that may impede fire suppression efforts; REASON FOR REQUIRING THIS DOCUMENT: Arcing or fire may create a pressure wave that can imperil life health and property. WHY THIS DOCUMENT IS IMPORTANT: Electric arcing can vaporize copper or aluminum.</p>
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continued from message above...	<p>Copper expands 67 000 times when converted from solid to vapor which can cause an air blast that throws an individual several feet with fatal force. (N) Structural Safety Information. The structural/civil engineering documents as recommended by an Oregon licensed professional civil or structural engineer employed by Center for Municipal Solutions." The following day I received new information from attorney W. Scott McCollough that underlines the problem with unsafe electrical designs in small cell (5G) installations and relayed this information to the Mayor and city council as well: "There is a design defect in virtually every small cell that has been installed over the last few years. Here is what we said in some recent comments on 19 applications in Malibu – all T-Mobile: 1. Design Defect Is Apparent From The Plan Information That Is Provided The design information that has been supplied for each of the applications also reveals one and perhaps two significant flaws. One flaw is apparent in every application. The second may be present for all but some of the applications do not contain sufficient information to tell. Engineer Anderson's attached opinion addresses the two applications he was able to review (WRP 22-018 7311.5 Birdview and WRP 23-008 28395.5 Pacific Coast Highway) in the short time that was afforded. For both WRP 22-018 and WRP 23-008 Engineer Anderson notes that "[t]he plans show No. 14 AWG Copper branch circuitry protected by a 20 Amp circuit breaker. This would not be allowed in an installation governed by the National Electrical Code and it does not follow good / safe engineering practices." For WRP 23-008 he observes that the "plans also show No. 10 AWG Copper conductors protected by a 60 Amp circuit breaker. This would not be approved in an installation governed by the National Electrical Code and it does not follow good / safe engineering practices." The plans for WRP 22-018 do not reveal supply current or protection for the service entrance conductors so it is not possible to discern if they are overrated through excessive breaker capacity. 14 gauge wire is rated for 15 Amps. Using 14 AWG with a 20 Amp breaker will result in overheating and therefore a risk of electrical fire. 12 gauge wire is necessary for a 20 Amp breaker. Similarly 10 gauge wire is rated for 30 Amps. A 60 Amp breaker will once again overheat the conductor.</p>
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continued from message above...	<p>It can melt and then cause a fire. Instead 6 gauge wire is required. The plans demonstrate that the applicant has failed to employ the correct conductors for the overcurrent protection that was used in the design. The materials for many of the projects contain "Equipment Spec" Sheets for the antennas and radios contemplated for these projects. Page 45 of that material directly cautions against the very design that was used. The relevant discussion is reproduced below. The equipment specifications state significantly lower Maximum Allowed Fuse ratings than the applicant has employed here. Note 2 directly says that exceeding the maximum will violate "the relevant safety standard." It is clear that none of the studies required by Checklist Item 16 have been performed or submitted. The Short Circuit and Coordination Study would have revealed that the conductors were not coordinated with the breakers. The Voltage Drop & Load Flow Study and Load Calculation would have also allowed a reviewer to discover the mismatches between sources conductors and load. But even on their face the designs demonstrate lack of safe design. The applications must be rejected due to unsafe design. Applicant must be required to redesign each of these projects to ensure none of them include oversized breakers in relation to the wire gauge thereby possibly allowing overheating and therefore a fire. Any redesign submission must include full and complete information to determine the supply current and protection for all sources conductors and load. If this is not required Malibu will soon experience another devastating fire because of conductor failure due to excessive load. Another telecom-initiated fire will destroy this town." What was the response from the city council to these documented fire safety risks posed by cell towers? DEAFENING SILENCE. I received not a single word from any council member that even so much as acknowledged the receipt of my letters let alone any indication that they deemed this information worthy of their concern.</p>
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We have heard repeated assurances over the past months from council member Jeff Dahl who has been the council's designated point person for this ordinance that he would be transparent share information and maintain communication with concerned citizens to keep them informed of developments and that both he and the council were seeking to develop an ordinance that would give the city the maximum regulatory power granted under the 1996 telecommunications act to determine the design and placement of wireless communications facilities in Ashland. We know that the city's regulatory power under the telecom act includes matters that pertain to FIRE SAFETY. We shall assume that the city council would unanimously agree that FIRE SAFETY is an issue of critical importance to all Ashland citizens and that the council has the duty and obligation to act to ensure that citizens are not being put at unnecessary risk of a catastrophic fire in our city from any unsafe electrical installation. The council has been informed repeatedly of the measures that must be written into Ashland's wireless facilities ordinance in order to ensure that they will be able to exercise their undisputed power to regulate WCF installations in a manner that will provide FIRE SAFETY for citizens. Let me repeat attorney Andrew Capanelli's points on why this draft ordinance FAILS to meet the requirements necessary to provide the least assurance of FIRE SAFETY: "The draft ordinance contains multiple "gaps" that would allow a sophisticated site developer to force City acceptance of proposed wireless communication facilities (WCFs) in whatever locations and numbers it chooses without City approval or recourse. The information to follow summarizes some of these weak provisions and their implications. 1. The draft ordinance does not provide fact-finding guidance to authorized City decision makers to: (a) apprise them of what factual determinations they are required to make (under federal law) when deciding wireless facility applications (b) apprise them of what probative evidence they should require applicants to provide them to enable them to make such fact-finding determinations and without which federal law would prohibit them from denying any specific application. This information is essential for both the administrative and discretionary permit-approval processes.

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Under federal law if any of the City decision makers including the Planning Division Staff Public Works Director and City Manager make any decision to deny an application or request for approval for the installation of a wireless facility federal law requires (a) that their decision be in writing (b) such writing must set forth the reasons for the denial and (c) such decision must be based upon "substantial evidence " which under the currently proposed code applicants are not required to produce. Alternatively stated the current code and proposed draft do not require applicants to provide evidence in the absence of which no representative of the City can lawfully deny an application for approval of the installation of a wireless facility. 2. The ordinance has no provision for public notification or a public hearing prior to an administrative review of WCF permits in the public rights-of-way (PROW). This becomes problematic when a permit application is approved and a WCF appears unexpectedly on property with no prior opportunity for the owner to raise objections or describe adverse WCF effects on the property. 3. The inclusion of sidewalks and utility easements in the PROW definition is an issue because these features are found on or near most homes and dwellings. It's obvious that a WCF installation near a sidewalk is often near a home. Utility easements traditionally for electric sewer and water lines present a more serious situation when a site developer also claims to be a public utility with the authority to place a WCF in a lawn or close to a home without the owner's permission. 4. Whereas statements in the draft ordinance are worded well to express the intent of the ordinance. An especially important additional statement needed to address the rollout of numerous small-cell and 5G WCFs would be the "intent of the City to limit the number of these facilities by requiring strategic WCF placement and preventing redundant infrastructure." 5. The City's draft ordinance does not yet include provisions for Ashland fire safety. Legal ordinance text has been offered to Ashland gratis by Susan Foster at McCollough Law Firm Lyons CO. This text is taken from the Carmel CA WCF ordinance and specifies professional engineering certifications to assure WCF fire safety. Cities have no legal restrictions on the extent of ordinance provisions to minimize fire risk from WCFs especially in a high-risk environment for fire as we have in Ashland." I strongly urge the city council to REJECT the draft Title-16 Wireless-Facility Ordinance as written and work with attorney Andrew Capanelli to adopt ordinance language that will ensure the city retains maximum authority to protect the safety of Ashland residents.

3/13/2024 12:29	<p>The Ashland draft 5G ordinance is weak and unacceptable for many reasons. Include one or more of these reasons in your written or oral comments to the City. The ordinance lacks critical fact-finding guidance specific evaluation criteria and substantial evidence required by City decision makers to approve or deny a permit. This is important because Federal law requires that a wireless-facility permit denial be issued in writing with reasons for the denial based on substantial evidence. No public notice is required when a 5G permit application is received for the public rights-of-way (PROW). The ordinance definition of PROW includes sidewalks trails paths and utility easements allowing the placement of wireless 5G antennas outside a bedroom window without any prior notice. These areas should not be listed in the PROW definition. No ordinance provisions are specified for fire-safety which is a federally protected right. The ordinance can adopt engineering certifications used in the Carmel CA ordinance to reduce Ashland's real threat of fires from wireless facilities. Include these recommended solutions: Integrate and use the Campanelli ordinance wording making the ordinance legal and sound. His document was paid for by donors who want Ashland to be a safe tech city. Bring Oregon for Safer Technology members to the table allowing for community inclusion and involvement. Ask for a Study Session in which Mr. Campanelli would speak and support his version of the ordinance.</p>
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3/13/2024 14:34

This ordinance has multiple gaps. It does not provide fact-finding guidance to authorize current and future city decision makers to make factual decisions regarding:

- Placement of Wireless Communication Facilities (WCF)
- Reasons for or denial of WCFs applications
- Requirements for WCF applicants to provide evidence of need
- Provisions for public notification or a public hearing regarding WCF permits in the Public-Rights-of-Way
- Provisions for fire safety

These are the findings of Andrew Campanelli the go-to expert attorney for city councils nationwide to prevent the overreach of unnecessary and redundant telecommunication cell towers and WCFs. Now for a story ~ This is a true story about the citizens of Ashland and how citizens all over the country find themselves doing what federal and local governments are not doing to protect human health and all of life. It starts with \$\$\$ in politics. We all know there is money in politics. As it relates to this telecommunication ordinance consider the following: The Telecom Industry spent \$1.2 billion lobbying Congress between 1998 and 2018 (Forbes Magazine) making them the third largest lobbyist in the United States. Who knows how much they have spent since then trying to influence your decisions. What did this money buy? Answer: Telecom friendly legislation. The most egregious laws purchased by lobbyist dollars make it impossible to prohibit the placement of cell towers or any WCFs based on health effects from radiation. Why? Even if I knew nothing about this topic I would be suspicious. I would think... 'There must be negative health effects. Why else would they need such a law? The Federal Communication Commission (FCC) is an agency created to regulate the Telecom Industry. Why then have they refused to update their woefully outdated 1996 radiation exposure limits for human health during these last 26 years of technological and wireless proliferation? Even if I knew nothing about this topic I would assume they had something to hide. In 2021 the U.S. Court of Appeals (DC Circuit) assumed this too and ordered them to update these outdated standards. So far the FCC has refused to update these 1996 standards by filing appeal after appeal – a game you get to play when your pockets are deep. A little research reveals that there is a revolving door of executives serving roles within the FCC and then landing lucrative positions within Telecom corporations for all the favors they have grant them. This is a tired story that we're all tired of – captured agencies the fox guarding the hen house etc. And now it is coming to our town. Some might believe that we are powerless to do anything about it. But we are not... In fact over the past five years many determined and dedicated citizens in Ashland have been doing research educating themselves sharing independent-funded research with elected Ashland officials and holding events to inform the greater community about the negative impact of wireless radiation on human health and all life forms.

continued from message above...	<p>At the same time these citizens continue to support a fully-fiber-to-home city by championing Ashland Fiber Network's expansion and ability to outperform wireless technology in speed security safety (health and fire) and to keep our \$\$\$ local. When Ashland city councilors were coming and going thru a series of political upheavals Ashland citizens reached out to newly elected councilors to share their collective knowledge research and accumulated expertise on the subject of wireless radiation. They shared study after independent study with City Councilors to bring them up to speed on wireless radiation. They shared names of cities and contacts within those cities who had created protective ordinances. Finally they recommended Ashland hire Andrew Campanelli the top Telecom attorney in the country responsible for writing dozens of Telecom ordinances throughout the US including most recently Carmel CA. That advice was not taken. We have to ask why? Instead the city relied on a League of Oregon Cities (LOC) template ordinance. Ashland citizens attended the first reading of that LOC draft ordinance on September 19 2023 and pointed out its inadequacies and the fact that the Telecom Industry had helped to write it – again the fox guarding the hen house. Fortunately in a 4 to 3 vote the city council sent the LOC draft back to the drawing board. Ashland citizens decided it was time to take concrete action after years of educating and collaborating in good faith with city government. They held multiple public educational events and raised \$14 000. They hired Andrew Campanelli. At last Ashland would have an ordinance that would provide fact-finding guidance for current and future city decision makers to follow. Finally this ordinance would include fire safety provisions limits on redundant WCFs and their placement. Public notice and public hearings would be required prior to an administrative review of a WCF permit in the Public-Right-of-Way. The citizens would have a say before a cell tower ended up in front of their house school business etc. We would be a city for the people by the people. How then did we end up with this draft Ordinance before us now? What would cause the city to spend more taxpayer money to hire another attorney to craft yet another Telecom friendly ordinance? The question that begs to be answered.... Is there money influence in Ashland politics? The people of Ashland have exercised their civic duty by participating and collaborating with city government in good faith. How will this story end? Will the city councilors take from the Campanelli ordinance what is missing from this draft Title-16 Wireless-Facility Ordinance? If not why not? The citizens of Ashland will be holding you accountable to answer this question.</p>
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3/13/2024 15:08

I have been dismayed to see that some of the public has fallen for the Telecom PR campaign and believes all telecommunication technology is perfectly safe and uniformly desirable. But there is a large and growing segment of the Ashland and other enlightened communities that is willing to research the existing peer-reviewed science documenting that the very opposite is true. <https://ehtrust.org/science-on-health-risks-of-cell-towers-5g-exposure-small-cell-densification-and-new-wireless-networks/> Although the Telecommunications Act of 1996 (!) disallows challenges based on human health effects that threat is of critical importance to Ashland residents. However radio frequency radiation's other negative effects provide ample justification for a city to regulate and regulate restrict installations within its jurisdiction. One priority topic is the threat of fire. To quote a comment submitted by Alan D. Rathsam: "In the interest of maximizing Ashland's fire-management authority in this ordinance which is fully allowed by federal law include in this section the eight engineering certifications to be required by permit applicants that are offered at no cost to Ashland by Susan Foster at the McCollough law firm. These certifications were prepared by a professional electrical engineer and the law firm to prevent the electrical design faults in wireless facilities that caused serious fires in California. These certifications are included in the Carmel CA wireless-facility ordinance..." Another critical consideration is proof of the need for a facility in order to prevent "prohibition of personal wireless communication services." Attorney Andrew Campanelli's draft ordinance and his comments on this proposed ordinance can provide guidance on maintaining Ashland's control of this and other provisions. Why has the City ignored the advice of this expert in its haste to relinquish local control to the Telecom industry? Setbacks from various land uses should be established by Ashland not by the Telecoms. This is one of the most significant issues addressed in the growing number of local ordinances adopted by communities in the US and around the world. <https://ehtrust.org/usa-city-ordinances-to-limit-and-control-wireless-facilities-small-cells-in-rights-of-ways/> For these and other reasons I strongly urge you to scrap this draft and seek a true cell tower expert to be certain that Ashland's own interests are protected in a new city ordinance. ☒

3/13/2024 20:13	<p>I am a local physician and I have significant concerns about how the proposed ordinance for introducing 5G technology in Ashland may adversely affect the health and well being of our community. I see a lack of clear communication and understanding around the ordinance and 5G technology both among Ashland City Council members and the broader public. I believe there's a pressing need for more open and straightforward communication and a comprehensive study session on 5G should be conducted before moving forward with the ordinance. While lower bands of 5G are already being provided through existing infrastructure this ordinance aims to support the rollout of high-band 5G requiring a much denser network of antennas. I question the practicality and necessity of this extensive deployment especially in less populated areas considering the high costs involved and the potential limited demand. Furthermore I'm concerned that the ordinance could grant telecom companies too much freedom to install 5G infrastructure with insufficient oversight potentially endangering public spaces and community welfare. I also question the ordinance's stance on health and environmental safety particularly its reliance on outdated RF radiation exposure limits amid ongoing debates about the safety of 5G radiation. I believe the ordinance could favor telecom expansion at the expense of community health safety and participation in local decision-making processes. I advocate for a reevaluation of the ordinance under stricter more transparent and inclusive conditions.</p>
3/13/2024 21:34	<p>Dear Council Members I am against this Amendment to the Ordinance. In addition to the concerns that are rightfully expressed by many against this proposal due to probable health effects and other reasons another strong consideration should be the potential decrease in home values and the loss in property taxes to the county and revenues to the city. Here are some articles about a decrease of up to 20% in property values with the implementation of 5G technology in neighborhoods. https://www.nationalbusinesspost.com/cell-towers-impact-home-values/ https://www.emfanalysis.com/property-values-declining-cell-towers/ If you make the choice to allow a potentially damaging technology in to the city and when someone is able to prove the economic or health harm in a court of law we residents of Ashland will be on the hook to pay the damages. Thank You</p>

3/14/2024 9:07	<p>Listen to an Oregon land use attorney's personal response to my inquiry. "Hi , I spoke with Andrew today. It sounds like you are in good hands. I suggest you continue to move forward under his advice and if during proceedings on his ordinance and issue of Oregon law arises that you reach back out to our office for assistance. Thank you." Jennifer Bragar jbragar@tomasilegal.com Tomasi Bragar DuBay 121 SW Morrison Street Suite 1850 Portland Oregon 97204 Tel: 503-894-9900 Fax: 971-544-7236 http://www.tomasilegal.com Let's hire this woman to vet and edit the Campanelli draft. It is the only respectable and responsible thing to do since residents have paid for Campanelli's services/draft and it is just in need of fine tuning. Let's make Ashland a safe tech city while conforming to Federal law. Thank you</p>
3/14/2024 12:12	<p>Hello Here are some of my comments about the ordinance. The ordinance lacks critical fact finding guidance specific evaluation criteria and substantial evidence required by City decision makers to approve or deny a permit. No public notice is required when a 5G permit application is received for the public right of way (PROW). The ordinance definition of PROW includes sidewalks trails paths and utility easements allowing the placement of wireless 5G antennas outside a bedroom window without prior notice. These areas should not be listed in the PROW definition. Finally no ordinances are specified for fire safety. What are you thinking?</p>

3/14/2024 13:59

Hello Councilors I am writing to let you see at least 30 examples of what other jurisdictions have included in their ordinances for protecting the public and residential and educational spaces from harmful wireless radiation exposure from cell antenna base stations. The cities of Mill Valley San Anselmo and other Marin County cities in California have adopted many or all of these items into their ordinances. 30 Examples of Municipal Wireless Equipment Regulations (compiled from the ordinances of many different U.S. cities)

- 1. Prohibit small cell wireless installations in residential areas near schools and near healthcare and recreation facilities.
- 2. Require small cell installations to be 1500 feet away from the above zones.
- 3. Require 1500 feet between all wireless facility installations.
- 4. Installations must be re-located if/when they would interfere with a public project.
- 5. Residents within 1500 feet to 1/4 mile from an installation must be notified immediately of a permit being considered for a wireless facility installation.
- 6. An annual recertification fee must be paid by the permitted facilities.
- 7. The permittee must defend and indemnify the city from any liabilities arising from permits and the installation operation and maintenance of wireless installations.
- 8. An escrow account must be established by permittee for payment of city-hired independent experts to assess the need for coverage establish baseline levels of radio frequency radiation before and after installation as well as perform random annual reassessments of signal strength and density from the installation.
- 9. A city commission or committee should be appointed to study wireless and small cell wireless communications safety.
- 10. The city visual character must be protected by specific design and placement requirements.
- 11. Wireless communications are required to be located in commercial or industrial zones.
- 12. Antennas must connect to an already-existing pole that can support its weight.
- 13. Attachment of any antennas to trees is disallowed.
- 14. Servicing wires must be installed within the width of the existing utility and meters panels disconnect switches and other associated improvements must be placed in inconspicuous locations.
- 15. An encroachment permit must be obtained for any work in the right-of-way.

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message above...

16. Cellular signal coverage is considered to be adequate within that area surrounding a Base Station facility where the predicted or measured median field strength of the transmitted signal is such that the majority of the time transceivers properly installed and operated will be able to communicate with the base station. It is acceptable for there to be holes within the area of Adequate Coverage where the signal is less than -75 dBm as long as the signal regains its strength to greater than -75 dBm further from the Base Station.

17. Capacity is considered to be adequate if the Grade of Service (GOS) is p.05 or better for median traffic levels offered during the typical busy hour as assessed by direct measurement of the Personal Wireless Service Facility in question.

18. Poles must meet ADA standards.

19. Equipment must not interfere with other equipment on the pole not obstruct or interfere with access to or operation of street lights or traffic controls devices on the poles.

20. All accessory equipment excepting the antenna must be installed underground.

21. The City reserves the right to require the least intrusive alternative for communications coverage.

22. The City can deny outright an incomplete application "without prejudice". This stops the shot clock and allows an application to be resubmitted all over again with repayment of the fees.

23. The design standards thermal and noise standards must preserve the scenic and historic nature of the City.

24. Wireless facilities must be promptly removed when no longer needed and must be replaced with smaller facilities as feasible.

25. Wireless facilities are limited to a maximum height of 24 feet above the height of the existing pole and 7 feet above a street light standard.

26. The City requires a fee schedule of \$500.00 per pole as a matter of doing business.

27. There must be a 4 foot warning sign on the wireless antenna pole.

28. Each wireless facility shall consist of no more than 1 antenna per user and capable of providing communication for at least 2 users.

29. An Urgency Ordinance can be approved by the City Council to declare a moratorium on placement of small cell wireless facilities until safety studies can be completed and verified to the satisfaction of the City.

30. Alternatively a resolution can be passed to halt the installation of any small cell wireless facilities within the City because it is immoral to subject citizens to a technology that has not been proven to be safe. Please realize that those of us who suffer from being harmed by wireless radiation will find it untenable to have antenna base station close to our homes and shopping areas.

3/14/2024 14:55

The City of Ashland's draft 5G ordinance is weak and unacceptable for many reasons: 1. The ordinance lacks critical fact-finding guidance specific evaluation criteria and substantial evidence required by the City to approve or deny a permit. 2. No public notice is required when a 5G permit application is received for the public rights-of-way (PROW). The ordinance definition of PROW includes sidewalks trails paths and utility easements allowing the placement of wireless 5G antennas outside a bedroom window without any prior notice. These areas should not be listed in the PROW definition. 3. No ordinance provisions are specified for fire-safety which is a federally protected right. The ordinance can adopt engineering certifications used in the Carmel CA ordinance to reduce Ashland's real threat of fires from wireless facilities. Not only that but there are several documented reports of firefighters adverse health effects when cell towers were located on or near fire stations. More studies need to be done before you install at SOU where students may be affected. <https://mdsafetech.org/cell-tower-health-effects/> <https://www.iaff.org/cell-tower-radiation/> I request you bring Oregon for Safer Technology members to the table allowing for community inclusion and involvement of cell tower locations. I request you review and integrate the use of attorney Mr. Campanelli wording for a legal and sound ordinance. His document was paid for by donors like myself who want Ashland to be a safe tech city. Please allow a Study Session in which Mr. Campanelli would speak and support his version of the ordinance. Thank you.

3/14/2024 15:11

I strongly urge the Mayor and City council to reject this amendment that would give the green light to the Telecomm companies to craft and implement their own franchise plan without oversight and with unregulated full access to PROW throughout the city. With the plethora of independent research and recent state and city regulations of Telecomm I think we need a full study session for council and citizens to better understand the science that has prompted these current regulations on Telecomm. Many municipalities after having done their due diligence by bringing in independent experts in the medical Telecomm physics and environmental fields and listening to the presentations the Mayor and the council members have voted against the kind of amendments that we are being asked to consider. With AFN in Ashland we have another expandable safer option. Imagine what it would be like: If Ashland gives the Telecomm companies the green light to roll out 5G they way they would suggest we will be in a similar situation to Farragut TN whose citizens were unable to convince the City officials to regulate the placement of the 5G and now have cell towers in the PROW between the sidewalk and curb which exposes them to continual 5G 24/7 located within 10-15 ft of their homes. This had a 20% decrease in their property values and Telecomm can at any time increase the number and height of the cell instruments.

<https://www.knoxfocus.com/archives/this-weeks-focus/farragut-5g-controversy-continues/> Below are several recent city or state rejections of 5G Telecomm amendments the number of which are growing as the outdated FCC regulations have been shown by independent research to be no longer accurate after 27 years. Existing law is quite clear that the FCC's been remanded in federal court and their human exposure rules "are up for current review." However the FCC has not complied with the court's order to review their electromagnetic radiation exposure limits and explain how its standards adequately protect human health."

<p>continued from message above...</p>	<p>Should be rely on the safety stated by the 1996 FCC Telecomm act when excellent studies like the recent Harvard study documents that the FCC is a captured agency where its leadership is filled with individuals with strong telecomm industry ties: "Captured Agency: How the Federal Communications Commission Is Dominated by the Industries It Presumably Regulates": https://ethics.harvard.edu/files/center-for-ethics/files/capturedagency_alster.pdf WHO: http://www.bioinitiative.org/bioinitiative-working-group-issues-a-no-confidence-letter-to-the-who-emf-program-manager/ Over 250 of the world's leading EMF scientists and biologists have signed a formal appeal to the World Health Organization with a clear plan to inform and protect the public from wireless radiation: https://www.emfscientist.org/ https://www.spandidos-publications.com/10.3892/ijo.2017.4046 RECENT City/State regulation of Telecomm: 1) STAMFORD CT rejects 5G plan: https://www.coreysdigs.com/health-science/connecticut-city-rejects-5g-plan-test-case-for-opposing-nationwide-rollout/ https://ctexaminer.com/2023/10/26/stamford-bd-of-reps-committee-votes-to-block-state-5g-telecoms-installations/ The (Stamford) Board of Representatives has rejected an agreement brokered by the governor's office that set terms for allowing telecommunications carriers to install 5G equipment on city-owned utility poles in PROW. https://ctexaminer.com/2023/11/09/stamford-rejects-deal-allowing-5g-on-city-owned-utility-polls CD Stamford Presentation: https://ehtrust.org/science-policy-and-law-of-5g-4g-and-wireless-the-health-and-environment-impacts/ Representatives said they were persuaded by research presented during an October meeting of the board's Land Use Committee ... that "a growing body of scientific evidence links cell phone radiofrequency (RF) radiation to a broad range of harmful effects at legally allowed levels including cancer memory damage and impacts on brain development the endocrine system thyroid function reproduction and DNA/genetic damage ." (Panagopoulos et al. 2021 Lai 2021 Smith-Roe et al. 2020 Davis et al 2023 ICBE-EMF 2022 Lai and Levitt 2022 Hardell and Carlberg 2017 Miller et al. 2018 Belpomme et al 2018 Directorate-General for Parliamentary Research Services European Parliament 2021).</p>
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Environmental impacts include harm to birds bees and trees (Levitt et al 2022 Levitt et al 2021).... (<https://www.frontiersin.org/journals/public-health/articles/10.3389/fpubh.2022.1000840/full#.Y4BW1VF7NQw.twitter>)” according to telecommunications attorney Joe Sandri. “Compliance is a major area where you (municipalities) have 100% authority ” he stated....“The city has the right to independently monitor wireless networks for compliance with the FCC’s ancient exposure rules so the city should be given the opportunity to object” to telecom applications to place 5G antenna on publicly owned utility poles.”

The Council should insist carriers provide “detailed studies for public review and scientific analysis to prove that they’re complying ” with existing human RF exposure standards prior to considering requests for new 5G installations since FCC has not complied with with the court’s order to review their electromagnetic radiation exposure limits and explain how its standards adequately protect human health. • The city of Carmel by the Sea CA. • The New Hampshire House introduced Bill 1487 “An ACT relative to the health effects of 5G technology” states: <https://ehtrust.org/new-hampshire-proposes-bipartisan-bill-on-health-effects-of-5g-technology/> Findings: The general court strongly encourages the state to move forward with the deployment of fiber optic cable connectivity internal wired connections and optical wireless to serve all commercial and public properties statewide. • Decrease in property values up to 20%: <https://ehtrust.org/cell-phone-towers-lower-property-values-documentation-research>

<https://www.montgomerycountymd.gov/COUNCIL/Resources/Files/agenda/col/2022/20220913/testimony/item7-ZenaCarmelJessup.pdf> ASHLAND’s AFN alternative to 5G: Extend and expand coverage to areas that have lessened access to cell service: In contacting AFN yesterday they verified with the City’s go ahead they can expand the fiber network and coaxial cables to provide more free community internet WIFI where internet calls can be made in the current difficult to connect zones throughout Ashland. Their Fiber network provides 1GB + download speeds and with specialty routers currently made in Holland and available in the US can significantly mitigate the detrimental affects of WIFI. I urge use of the precautionary principle in your consideration of the implications of this amendment.

3/14/2024 15:28

I am strongly opposed to the amended draft telecom ordinance for the same reasons I wrote in opposition to the first proposed ordinance submitted to the council by a former city attorney who had I believe put it together himself relying on ordinances from other cities that had already made their compromises. The draft is inadequate and not sufficiently protective of the city or its citizens. I regret that the City did not use the expertise of Andrew Campanelli a specialist in this complicated area of assisting cities to create a telecom ordinance that avoids pitfalls. The giddy promotion of 5G as almost a human right avoids the question of risks. The Whereas' in the draft show a sympathy for the industry's "needs" with language that describes protections for the health and well being of the citizens that I think cannot be guaranteed. The health risks of radiation are increasingly well known yet adverse health results cannot be used as a reason for opposing the policies of the telecoms. Mine was one of the households that opted out of the city's move to 'Smart" Meters a smaller version of the current problem- constant exposure to radiation. Happily Ashland gave residents a choice. The telecoms will not. They know they would be vulnerable on this issue and so indemnified themselves in the Telecommunication Act. The enhanced 5G signal has a shorter range of coverage hence the necessity of placing towers and small cells much closer together much closer. That means greater citizen exposures. The city must be sure it can control its jurisdictions. Rights of private property public right of ways permit criteria and enforcement must be clear. We are currently confronting the threats from 5G next there will be 6G and other Gs down the road. Years after implementation there will be admissions that the threats were real after all. Too late for those exposed. Remember smoking? The Precautionary Principle says if there is a threat and the science is not clear don't take the risk. We don't have to have 5G. We need to get this right and vetted by technical experts that can assure the city of its power to regulate placement and jurisdiction. Rushing invites regrets.

3/14/2024 16:46

To the Ashland Oregon City Council members Mayor City Attorney and City Manager: I am very concerned about the currently proposed ordinance that would allow unsafe and inadequately studied installations of 5G towers in Ashland that could likely cause detrimental health effects and injuries as well as possible fire hazards. Further study is needed before any decisions should be made about this. Both Oregon for Safer Technology members and Andrew Campanelli should be included in the city's research study sessions and decision-making process to assure unbiased and safe decision-making and representation of the residents of Ashland. Some of the flaws and weak points of the currently proposed ordinance are as follows:

- The ordinance definition of PROW includes sidewalks trails paths and utility easements allowing the placement of wireless 5G antennas outside a bedroom window without any prior notice. These areas should not be listed in the PROW definition.
- No ordinance provisions are specified for fire-safety which is a federally protected right. The ordinance can adopt engineering certifications used in the Carmel CA ordinance to reduce Ashland's real threat of fires from wireless facilities.
- There is substantial evidence of personal injury from ongoing or long-term exposure to cell signals in many communities across the country and the world.

You City Council members and other Ashland officials should be concerned about the shortcomings and lack of adequate study of all the above. Mr. Campanelli is well-studied and experienced in the entire subject of cell tower safety and legalities and had written up a proposed ordinance that was carefully worded and paid for by local residents who are concerned about the safety of cell tower installations in Ashland that would impact vulnerable populations as well as all of us. Yet his proposed ordinance was rejected by the city in favor of the ordinance written up by the Ashland City Attorney. Please include Oregon for Safer Technology in the discovery and decision-making process. Please also include Mr. Campanelli to participate in and have some say over the ordinance. To exclude him and OST is foolish and contrary to the City's duty to protect and represent the city's residents. To continue on the path of pushing through and accepting without adequate further research the currently proposed ordinance is a recipe for health injuries and City Officials' legal liability.

3/14/2024 17:02

I have been watching the evolution of the intended telecommunications ordinance and have personally contributed to the fund to pay Mr. Campanelli to write a possible ordinance that would address the concerns of many of us Ashland citizens. I am hopeful that you will take his proposal into consideration as this is a very serious matter to a lot of us. Many of us are members or supporters of Oregon for Safer Technology . We would also like to be included in the development of this ordinance. Hopefully you will represent us in the creation of this ordinance. I've written previously but would like to restate that whatever ordinance is approved it must include critical fact finding guidance specific evaluation criteria and substantial evidence in order for a permit to be approved or denied. Also I can't speak for everyone but I want to be notified if a 5G permit application has been received for a public right away located by my property. I can't imagine that anyone will be happy about having a wireless 5G antenna anywhere near their property. This could have multiple effects on my property value as well as any unknown effects on my health from additional wireless signals in close proximity to where I live. In addition your proposed ordinance does not include provisions for fire safety. I already have nightmares about fires starting in Ashland. Why are we allowing a greater risk. I understand that Ashland Fiber Network is being upgraded. I've used the current system for years. Why do we need 5G in the city anyhow?

3/14/2024 23:58

Ashland residents deserve a well-crafted telecommunications ordinance. The Council has a legal and moral obligation to ensure the greatest protection possible. The current draft is not crafted to disallow an installation close to a residence for example – according to the PROW definition. A quote from a citizen activist published in an article by Children’s Health Defense about a law suit brought against LA County related to 5G expansion:

<https://childrenshealthdefense.org/defender/chd-lawsuit-5g-infrastructure-los-angeles/> “Fiber First LA member Julie Levine who attended the hearing said the judge pointed out that the county has the ability – and the responsibility – to have protective ordinances within what is allowable by the Federal Communications Commission (FCC).” Local citizens working with Andrew Campanelli (who is highly regarded nationally for his work in crafting protective ordinances in other jurisdictions) can provide the Council and Ashland residents with a protective ordinance. It appears to be gift the Ashland Council should embrace. There is no good reason not to have a very protective ordinance. Reports from all over the world are mounting. People are becoming sick as cell towers are increasingly being installed closer and closer to residential housing college campuses small neighborhood commercial areas near grade schools and more. Check out: Six New Case Reports of Microwave Illness/Electrosensitivity after 5G installation: Electrosensitivity Science: <https://mdsafetech.org/science/es-science> Additionally the following is a long report but pages 1-4 paint the picture of how harmful the radiation really is to so many. The many that are each – a canary in a coal mine – except now there are more and more and more of these sick people. And what about kids who can’t explain these horrid symptoms: Clinical Practice Guidelines for EHS – Proceedings from a Symposium on the Impacts of Wireless Technology on Health: https://irp-cdn.multiscreensite.com/562d25c6/files/uploaded/Clinical%20Practice%20Guidelines%20for%20EHS%20and%20Symposium%20Proceedings_October%202020.pdf (You can find the link at <https://mdsafetech.org/science/es-science>) Please protect Ashland residents by developing the most protective ordinance that you can possibly develop. Protective of Ashland residents. Not protective of the Telecom Industry.

3/15/2024 8:06

Countless peer reviewed unbiased scientific studies (NOT by the industry itself) have been done over the last two decades to prove unequivocally that the radiation from cell towers let alone even stronger microwave frequencies as with pervasive 5G is very harmful to human's brains and health. Let alone how it is affecting nature - birds and bees are dying and much more. Negative effects of 5G technology ranges from tiredness exhaustion brain fog learning challenges AD(H)D to brain tumors dementia and death. Why is Ashland City still even considering the installing of 5G and the resulting Cell Towers when we already have the potential for fast fiber optic internet in this city?? When we could become a leading place to live WITHOUT the need for the harmful technology of 5G! Is there a financial carrot persuading you to act over and above the consideration of the health and vitality of our residents here? If we make choices based on the abundance of evidence showing the contrary - that 5G is DETRIMENTAL to our health and well-being (and especially children's soft and developing brains) - we could become a leading thriving community. Let alone how the rest of the US in seeing this will increase property values etc! If more people understood one of the more significant reasons for their negative brain and body symptoms they might not be so pro getting a 'faster signal and more bars'. We managed totally well in the past with lesser technology. It is time to stop falling for the misinformation from the industry cell phone companies and everyone else pushing to make millions of dollars in profit from a very harmful technology. Please do the real research and make the right choice. Keep exploring the Fiber Optic option for Ashland - especially as it has already been started.

3/15/2024 9:31

Dear Ms. Cotta: On behalf of AT&T I am writing to express concern regarding specific sections of the proposed City of Ashland ("City") ordinance amending Title 16 of the Ashland Municipal Code. We ask that the City revise the draft ordinance to improve clarity address conflicting language and address inconsistencies with federal law. Gross Revenue Fees Imposed by Section 16.24.070 Are Impermissible Under Federal Law. AT&T's priority is to provide stable consistent connections to our customers and we are constantly assessing and upgrading our network to respond to the tremendous increase in demand for mobile data. Small wireless facilities are one solution to providing additional coverage and capacity to AT&T's network in areas with high demand for wireless data so it is important that communities adopt workable codes and standards for such facilities. The Federal Communications Commission ("FCC") has clearly stated that costs must be related to maintaining the right of way as required under the Telecom Act. In 2018 the FCC addressed the limits imposed by Sections 253 and 332 of the Telecom Act on a local jurisdiction's regulation of small wireless facility deployment. The FCC concluded that right of way access fees and other fees violate Sections 253 or 332(c)(7) unless three conditions are met: (1) the fees are a reasonable approximation of the local government's costs (2) only objectively reasonable costs are factored into those fees and (3) the fees are no higher than the fees charged to similarly-situated competitors in similar situations. Additionally courts have recognized that "gross revenue fees generally are not based on the costs associated with an entity's use of the ROW and where that is the case are preempted under Section 253(a)." The City's proposal to charge telecommunications users of the right of way a gross revenue fee is in clear conflict with federal law. Gross revenue fees are not related to the cost of maintaining the right of way and are not reasonable to apply to a telecommunications provider where potentially one facility in the City's right of way would immediately be treated the same as a competitor with many more facilities occupying the right of way but be charged the same amount. AT&T therefore requests that the City remove the gross revenue fees charged on telecommunications providers from its draft ordinance. Design Standards for Small Wireless Facilities Lack Clarity in Critical Sections. There are several sections in the ordinance that as drafted are either unclear or do not provide guidance on how the proposed code should be applied when reviewed by City staff. First Section 16.12.080.B.1 lists factors that the Public Works Director must evaluate when deciding whether to approve an application subject to discretionary review.

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message above...

Subsection B.1.c ends on the pair of conjunctions “and/or”. This ambiguity of “and/or” introduces significant confusion as to which criteria should apply for any given application. Without specifically choosing “and” or “or” at the end of this subsection the code is critically unclear as to when any of these subsections would apply to an application. We ask that the City resolve this ambiguity.

Second Section 16.12.080A.2.d does not define the distance from a proposed facility where the surrounding poles must be “a similar height.” The ambiguity in this section comes from both the unspecified distance as well as what constitutes a “similar height.” In order to reduce confusion in reviewing applications AT&T asks that this section specifically state the distance and what constitutes a “similar height.”

Finally Section 16.12.080.1.d as it is drafted is an impermissible local regulation of radio frequency (“RF”) emissions. The FCC has sole and exclusive jurisdiction over the regulation of RF emissions. Under the Telecommunications Act of 1996 no State or local government may regulate the placement construction and modification of personal wireless service facilities on the basis of the environmental effects of RF emissions to the extent that such facilities comply with the FCC’s regulations concerning such emissions. 47 U.S.C. § 332(c)(7)(B)(iv). While the first half of Section 16.12.080.1.d of the draft ordinance refers to the FCC’s regulations and guidelines the section’s latter half imposes a requirement that does not cite any specific FCC rule or regulation. When a local jurisdiction’s code includes references to terms in federal law without specifically citing the applicable statute rule or regulation it becomes unclear to both City reviewers and applicants alike as to how best to demonstrate compliance. AT&T is committed to complying with federal RF emissions safety standards. In order to conclusively demonstrate that we meet federal regulations we ask that the City either specifically cite the applicable federal statute FCC rule or regulation it is requiring applicants to comply with or remove the language in this subsection that is not a direct citation to federal law. It is AT&T’s goal to serve the City by improving service to Ashland residents businesses and first responders. We hope that the City will revise the draft ordinance to provide clarity in the design standards and address the sections that conflict with federal law. Sincerely Gregory Busch Outside Counsel for AT&T