



CITY OF NELSON

Suite 101, 310 Ward Street, Nelson, BC V1L 5S4
 Phone: (250) 352-5511 Fax: (250) 352-2131 Website: http://www.nelson.ca/

APPLICATION FOR DARK FIBRE OPTIC SERVICE

FOR OFFICE USE:

APPLICATION # _____

DATE OF APPLICATION: _____

FOR APPLICANT TO COMPLETE:

Business Name: _____	Property Owner: _____
Property Owner: _____	Property Owner: _____
Applicant Name: _____	Phone Numbers: _____
Mailing Address: _____	
Fax: _____	Email: _____

DARK FIBRE OPTIC LOCATION AND SERVICE DETAILS:

	Agreement Summary (Enter Details)	Explanations/Notes	Bylaw References
Street Address:		Enter the Street Address	
Legal Description:		Enter the Legal Description of the Property	
City of Nelson Business License Number:		Enter the City of Nelson Business License(s) <i>A City of Nelson Business License is required to lease the city fibre connection.</i>	<i>Optical Fibre Service Bylaw#3270, section 3.2</i>
Fibre Optic Panel Location Description:		Enter a description of the Fibre Optic Panel Location <i>The City's Fibre Optic Panel must be located in a shared space that is accessible by all building tenants. This is typically a shared communication room, closet or basement.</i>	<i>Optical Fibre Service Bylaw#3270, section 3.7</i>
Number of Fibre Connections/strand		Enter the desired number of fibre connections/strand <i>Each building has at least one fibre connection and the application must be approved by the building owner.</i> <i>A building is assessed by the City of Nelson for the number of fibre connections potentially required for its business tenants. An assessment is completed that determines the estimated construction costs to connect Nelson fibre to the building.</i>	<i>Optical Fibre Service Bylaw#3270, section 3.5</i> <i>Fees and Charges Bylaw No. 3092, 2008 (2015-5-4)</i>

		<p>Typically, the building owner pays for the construction costs, then recovers the costs from the tenants using the fibre. Estimated construction costs vary depending on the nearest proximity to available fibre, but the average is a one time cost of \$2,000 per building fibre connection.</p> <p>Each business in a building has at least one fibre connection. Each business has a <u>direct</u> relationship with the City of Nelson for monthly fibre billing.</p>	
Type/Speed of Service: 100Mbps OR 1000Mbps/1GB		<p>Enter a description of the type/speed of service desired and how the service will be used.</p> <p>Typically for single location businesses, a 100MB connection is recommended.</p> <p>For businesses with multiple locations, additional connections may be required/desired.</p>	Fees and Charges Bylaw No. 3092, 2008 (2015-5-4)
Commencement Date of Monthly Service:		<p>Enter the estimated commencement date</p> <p>The Commencement date is the date that the monthly fibre billing will start. Fibre and Network installations will have already been completed and the fibre will be available for use.</p>	Optical Fibre Service Bylaw#3270, section 3.5
Monthly Fibre Rates:		<p>\$x Per Month - Per Business, Per Location</p> <p>Monthly Fibre Billings and Payments are completed between the City of Nelson and the user of the fibre.</p> <p>Payments can also be made quarterly or annually, as requested by the fibre user.</p> <p>Business that interconnect office locations will pay the monthly fee per office location.</p>	Optical Fibre Service Bylaw#3270, section 3.2 Fees and Charges Bylaw No. 3092, 2008 (2015-5-4)
Costs Excluded in Fibre Agreement:	<ul style="list-style-type: none"> X Monthly Internet Service Provider fees; X Any wiring or equipment not directly related to the fibre connection X Any location improvements such as Routers, UPS, Network Switches 	<p>Businesses will incur additional Internet Service Provider fees, on top of the fibre utility fee.</p> <p>Businesses may incur additional networking equipment costs, if their networking equipment needs upgrading, to enable them to take full advantage of the fibre network speeds.</p> <p>When connecting the fibre to customer networking equipment, ensure that the ports match or exceed the speed of fibre service, which is a minimum of 100Mbps.</p> <p>In addition, internal business</p>	Services not provided by the City of Nelson Optical Fibre Service Bylaw#3270, PART 3 Optical Fibre Service Bylaw#3270, PART 6

			equipment, such as computers may need to be upgraded to take advantage of improved network speeds. Staying current with computing technologies is recommended for businesses.	
One-time Installation Costs:				
	Estimated Construction Costs	\$ INSERT COST ESTIMATE	<p>Fibre Connection Feasibility and Costs are evaluated prior to completing an application for Fibre service. Contact the City of Nelson IT department 352-8289 for construction estimates and information on the process for fibre applications.</p> <p>Either the building or the tenant can pay the construction costs. The payment arrangement is between the building owner and the tenant.</p> <p>A building tenant requires authorization from the building owner for any building construction. The tenant may apply for fibre service on behalf of the building owner.</p>	Optical Fibre Service Bylaw#3270, PART 4
	Administrative Fee	\$250.00	The administrative fee covers the City of Nelson staff time to setup the connection for accounting and technical purposes.	Optical Fibre Service Bylaw#3270, section 4.1
	Deposit (due on signing)	(50% * Estimated Construction costs) + \$250	The deposit ensures that the customer is committed to proceed with the installation, after which connection parts and contracted labour can be secured. Full payment, rather than a deposit is preferred and accepted, at the applicant's discretion.	Optical Fibre Service Bylaw#3270, section 4.4
	(Balance of actual construction costs due on Commencement Date)			Optical Fibre Service Bylaw#3270, section 4.4

PROPOSED FIBRE INSTALLATION OVERVIEW ATTACHED:

Application

1. The Applicant hereby applies to the City for access to and the supply of Dark Fibre optic cable capability. The Applicant acknowledges and agrees that approval of this application by the City will form a contract between the Applicant and the City regarding the Service.
2. The Applicant agrees and acknowledges that all expressions used in this application are as defined in Bylaw No. 3270, 2013.

Provision of Service

3. The City will provide the Service for the Customer's use in accordance with the terms and conditions of Bylaw No. 3270, 2013, as amended, revised, consolidated or replaced from time to time and the terms and conditions of the approved application.

Consent to Enter Premises

4. The Applicant hereby consents to the installation of equipment and fibre optic cables ("Equipment") by the City in order to connect the Premises to the Network, and hereby grants an irrevocable non-exclusive license to the City and its contractors to access the Premises to install and maintain the Equipment. The license described herein will remain irrevocable with respect to the outdoor portion of the Premises and shall, with respect to the indoor portion of the Premises, terminate on the date that the Equipment is removed from the Premises by the City.
5. The Applicant agrees and acknowledges that installation of the Equipment and connecting the Premises to the Network may involve modification of the Premises, and the Applicant releases the City and its contractors from any liability for such modifications.

Liability Limitation and Indemnity

6. The Applicant acknowledges and agrees that the City is providing the Service of Dark Fibre only and that the City is not responsible for any additional services provided by a Network Operator or Internet Service Provider.
7. The Applicant (or Applicant as Customer) hereby indemnifies the City from any damages, losses, liability, charges, fines, costs and expenses of any nature which the City may incur which arise out of or in connection with the Customer's unauthorized use of, or tampering with, the Service or Equipment.
8. Where the Applicant is not the Registered Owner of the Premises, the consent of each Registered Owner is required. Each Registered Owner, by signing the Consent below, agrees to be bound by all the terms and conditions of Bylaw No. 3270, 2013 and the terms and conditions in this Application.

If the applicant is not the registered property owner,

1. **Complete the application**, on behalf of the registered property owner, and **attach a letter of authorization** from the property owner(s)

OR

2. **Ensure that the owner signs the following authorization** on this application

Registered Property Owner(s) - Authorization

Printed Name: _____

Printed Name: _____

Signature: _____

Signature: _____

Date: _____

Date: _____

If the applicant is the registered property and business owner, complete the following:

By signing below, I, the **applicant**, in his/her personal capacity and in his/her capacity as the authorized representative of the owner, agrees to be bound by the terms and conditions of this application.

Furthermore, I hereby acknowledge that one-time installation fees and monthly Fibre fees are established by Council in the City of Nelson Fees and Charges Bylaw.

Business Owner(s) - Authorization

Printed Name: _____

Printed Name: _____

Signature: _____

Signature: _____

Date: _____

Date: _____

The Corporation of the City of Nelson - Authorization

Printed Name: _____

Printed Name: _____

Signature: _____

Signature: _____

Date: _____

Date: _____

All parties understand and agree that an electronic reproduction of this signed document remains as valid as the original.