



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:** *This information is collected for the fibre optic cable utility connection construction and management purposes. Contact information is required to notify customers of infrastructure updates and disruptions, where customers would be directly affected.*

<b>Customer</b>	
<b>Name(s):</b> _____	<b>Property Owner:</b> _____
_____	<b>Property Owner:</b> _____
<i>NOTE: "Customer" can be Fibre User, Building Owner or Fibre Sharing Provider</i>	<b>Phone Numbers:</b> _____
<b>Mailing Address:</b> _____	
<b>Fax:</b> _____	<b>Email:</b> _____

**DARK FIBRE OPTIC LOCATION AND SERVICE DETAILS:**

	<b>Agreement Summary</b>
<b>Street Address</b>	Enter the Street Address
<b>Legal Description</b>	Enter the Legal Description of the Property
<b>Fibre Optic Panel Location Description</b>	Enter a description of the Fibre Optic Panel Location <i>– determines install location for construction planning</i>
<b>Number of Fibre Connections/strand</b>	Enter the desired number of fibre connections/strands <i>– determines rate</i>
<b>Type/Speed of Service:</b> <i>1Gbps or 10Gbps</i>	Enter the type/speed of service desired – <i>determines rate</i>
<b>Type of Customer</b>	Identify the fibre customer  <i>– determines rate category to apply and who to invoice for fibre</i>  <ol style="list-style-type: none"> <li>1. Building owner</li> <li>2. Commercial Business</li> <li>3. Residential</li> <li>4. Non-Profit</li> <li>5. Sharing Provider (Residential or Commercial)</li> <li>6. Public Sector/Govt</li> </ol>
<b>Single Detached or</b>	Identify the building type

<b>Multi-Unit</b>	– <i>determines rate</i>
<b>Multi-Unit Building – Fibre Sharing</b>	Provide a general overview of the multi-unit building sharing proposal – <i>determines rate, user count and fibre billings manager</i>  <ol style="list-style-type: none"> <li>1. Is the fibre intended to be shared?</li> <li>2. Enter the number of units wanting to share the fibre</li> <li>3. Enter who will manage the billings for the fibre sharing arrangement, on behalf of users sharing... this is often the building owner or sharing provider.</li> </ol>
<b>Commencement Date of Monthly/Annual Service:</b>	Enter the estimated commencement date – <i>determines start date of monthly or annual billing</i>
<b>Monthly/Annual Fibre Rates:</b>	\$x Per Month/Year- Per Customer, Per Location - <i>Rate applied</i>
<b><u>Costs Excluded</u> in Fibre Agreement:</b>	<input checked="" type="checkbox"/> Monthly Internet Service Provider fees; <input checked="" type="checkbox"/> Any wiring or equipment not directly related to the fibre connection <input checked="" type="checkbox"/> Any location improvements such as Routers, UPS, Network Switches

<b>One-time Installation Costs:</b>	
Estimated Fibre Provisioning Construction Costs	\$ INSERT COST ESTIMATE
Administrative Fee	\$250.00
Deposit ( <b>due on signing</b> )	(50% * Estimated Construction costs) + \$250
	(Balance of actual construction costs due on Commencement Date)

**PROPOSED FIBRE INSTALLATION OVERVIEW ATTACHED:**

*Provide a description of the proposed fibre installation and usage, including building communication rooms and building electrical service or telecomm entry points.*

## **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.

### Fibre User / 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.