

Memorandum

REPORT TO: City Commission

FROM: Greg Sullivan, City Attorney
Jennifer A. Giuttari, Assistant City Attorney

SUBJECT: Special Presentation on Changes to the Wireless Code provisions in the Bozeman Municipal Code

MEETING DATE: March 3, 2026

AGENDA ITEM TYPE: Plan/Report/Study

RECOMMENDATION: None.

STRATEGIC PLAN: 4.3 Strategic Infrastructure Choices: Prioritize long-term investment and maintenance for existing and new infrastructure.

BACKGROUND: On March 11, 2025, the City entered into a professional services agreement with CityScape Consultants for legal services. Specifically, CityScape agreed to:

1. Evaluate the City's wireless and telecommunication facility code to ensure it is properly regulating the location, placement, dimensions, and design of wireless and telecommunication facilities, and to ensure that the Bozeman Municipal Code complies with federal and state law;
2. Review the City's application and permitting process for encroachments in the right of way, including reviewing if it complies with federal and state law, and with best practices; and
3. Assist the City in developing model terms for when the City is leasing space on and in city facilities for telecommunication and/or wireless purposes, or for use when the City is renegotiating existing leases and licenses, including but not limited to conduit leases.

During this special presentation, staff will present an update on the findings of this research, and the review conducted of the City's wireless and telecommunications code and its related procedures in light of changes in federal law.

UNRESOLVED ISSUES: None.

ALTERNATIVES: As identified by the City Commission.

FISCAL EFFECTS: None.

Report compiled on: February 17, 2026