



ONDO STATE GOVERNMENT

APPLICATION PROCESS AND GUIDELINES FOR OBTAINING RIGHT OF WAY PERMIT IN ONDOSTATE

In pursuant of Ondo State Information Technology Agency Law 2020, all individuals and Telecommunication organizations seeking to erect or construct any wireless communication mast tower, lay cable or other utilities infrastructures in Ondo State must go through the following process:

RELEVANT MDAS TO INTERACT WITH

- (i) Ondo State Information Technology Agency (SITA)
- (ii) Ondo State Internal Revenue Services (ODIRS)

STAGE 1:

PROCESSES FOR OBTAINING RIGHT OF WAY

Requirements

i. Documents required for obtaining a licence/permit

- Evidence of Company registration with CAC as appropriate
- Evidence of payment for the permit (E-receipt)
- Evidence of approval of location
- Evidence of payment of three (3) years Tax Clearance and Development Levy
- One Passport-sized Photograph
- Photo ID: National ID Card or International Passport or Driver's License or Voter's Card
- License(s) to operate
- Construction/installation/development/repair (site and design plan)
- Relevant assessment(s) e.g. EIA, social impact assessment, etc. with mitigation plan.

STAGE 2:

PROCESSES AND PROCEDURE TO OBTAIN THE APPROVAL FOR RIGHT OF WAY PERMIT

- ii. Telecommunication companies or existing utility infrastructure owners who intend to lay, construct or install any Utility Infrastructure must first register with SITA.
- iii. Telecommunication companies or existing utility infrastructure owners who intend to lay construct or install any Utility Infrastructure of temporary nature for use within a limited period of time not exceeding 3 (three) months shall apply for a temporary permit from the Agency and the Agency would process further for approval.
- iv. Before temporary permits/licenses are issued, the Agency shall within a period of one month verify the validity of the existing tower, mast, cables or energy utilities and may direct that an alternative tower or mast be erected within 3,000 feet of the location where

the equipment is located

- v. All completed applications and required documents are to be submitted before licenses/permit can be granted. The issuance of permit/licenses will take within 21 days upon submission of completed applications and required documents, unless it concludes based on information presented to it that:
 - I. The requested permit is not within its jurisdiction;
 - II. the application is incomplete; or if completed as proposed in the application, the Utility Infrastructure will not comply with one or more provisions of this Law or any planning laws or regulations;
 - III. the requested permit pertains to any activity that is likely to affect public health and safety adversely;
 - IV. the requested permit shall require an extended period that shall be approved by the Accounting Officer of the Agency.

CONDITION FOR RIGHT OF WAY APPROVAL

Permits and approvals shall be approved or refused based on the following considerations;

- Safety of persons and property
- minimum disruption or disturbance of public infrastructure, service or business activities; good maintenance of existing infrastructure;
- commitment to decommission infrastructure when no longer required; failure to present relevant credentials or 3certifications as a licensed operator which are required for a permit or class of permit
- undertaking to allow certain information being made public or available under minimal restrictions; commitment to notify changes to information previously submitted to the Agency;
- (h) failure to comply with mandatory specification and designs; compliance with developmental plans; (j)
- satisfactory Environmental Impact Assessment Report; (k) necessity of the Utility Infrastructure, any any other valid reasons by the Agency.
- Renewal of Permits or licenses issued pursuant to the provisions of this Law permits or shall be renewed annually by the Agency at such rates not higher licenses than ten percent (10%) of the prevailing permit rate.
- The current fees payable for the issuance of permits/ licenses are as prescribed in Schedule 1 to this Law. Project (2)
- All owners or operators of Utility Infrastructures within the Monitoring State shall pay to the Agency a Project Monitoring Fee of not less Fee than 10% of the permit rate.
- Permit holders may sell or transfer their rights in any permit permits issued by the Agency, provided that the prior consent of the Agency is obtained. The Agency, shall

after giving its consent, invalidate the existing permit and re-issue it to the new holder on existing terms or upon such additional terms as the Agency may determine.
Environment Impact

- As part of the requirements for obtaining any permit or Assessment approval under this Law, applicants for permits or approvals shall Report prepare and submit an Environmental Impact Assessment Report containing details of the potential long-term and short-term effects of such infrastructural development and the areas affected by such infrastructure.
- mjoiji The Agency shall maintain a registry of permits and database 3database of permits and of all Utility Infrastructure within the State, either by itself or utility infrastructure through a third party appointed by the Agency for that purpose; (2) The Agency shall retain all technical, historical biographic information submitted by all permit holders in respect of any permit and infrastructure
- The Agency shall make best efforts to protect confidential information related to business or trade secrets or processes divulged or submitted by permit holders or applicants for any permit in the process of complying with any part of this Law; (4) The Agency shall from time to time issue Guidelines and procedures for classifying information as public, restricted or private and stating the procedure for granting access to third parties or members of the public to any information classified as public or restricted information

Once the above conditions are met, the Agency would process further for approval.

STAGE 3:

PAYMENTS AND PROCESSING

- Obtain payment advice from the Agency
- Pay the prescribed fee into ODSG account in any designated bank operating within the State using the revenue code on the payment advice
- Obtain the bank teller for exchange of e-receipt from ODIRS at Revenue House, Igbatoro Road, Akure, Ondo State
- Bring the e-receipt to the Agency for processing the approval
- The time frame for the processing of the permit is within 5 to 45 days after the submission of the required documents

PAYMENT FEE AS REQUIRED

Telecom (Fibre Optic)

This fee is applicable to pave and unpaved roads in urban and rural areas.

- Permit/license application fee – N20,000
- Permit rate – N145 per linear meter
- Project monitoring fee – Not less than 10% of the permit rate
- URFACE INFRASTRUCTURE: Towers/Masts/Rooftop Structures

1. UNDERGROUND INFRASTRUCTURE:

(a) RIGHT OF WAY(RoW) FEE:

Company Category: - Telecom Operators/ Oil and Gas/Water/Power/Energy

	Details	Application Fee (NGN)	Permit Rate (NGN)	Annual Maintenance Fee (NGN)	Monitoring Project Rate (NGN)
i.	Telecom (Fibre Optic Cable)	20,000.00	145.00/1linear meter	145.00/1linear meter	500.00/1linear meter

Permit fee for Company Category: - Micro-Finance Banks/Insurance and others

S/N	Tower Structure Category	Application and Processing Fee (NGN)	Permit Rate (NGN)	Annual Safety and Inspection Fee (NGN) (10% of Permit Rate)	Monitoring Project Rate (NGN) (10% of Permit Fee)
1.	Roofto	20,000.00	250,000.00	25,000.00	25,000.00
ii.	10 meters and above Ground Level GL	20,000.00	400,000.00	40,000.00	40,000.00

• PENALTY FEE:

i.	Penalty for non-payment of applicable fees/charges.	50% of the applicable fee infringed in addition to the applicable fee.
ii.	Any site sealed for non-compliance with existing laws, rules and regulations stipulated by the Agency	20% of the applicable fee infringed in addition to the applicable fee.
iii.	Penalty for general non-compliance with existing laws, rules and regulations with regard to technical standards, approved drawings and specifications and other processes and/ or procedures stipulated by the Agency.	N50,000 per day for each day the infringement continues.

STAGE 4:

COLLECTION OF LICENSE/PERMIT

After all necessary document has been provided the successful applicant are notified via text or call for collection of their licenses/permit. Collection is done between 8:00am and 4pm (Monday – Friday, excluding public holidays).

ENQUIRES

For more information, enquiry, or complaints please contact Ondo State Information Technology Agency Adekunle Ajasin Road Opposite Police Microfinance Bank Akure, Ondo State between 8:00am and 4pm (Monday – Friday, excluding public holidays) you can also reach us via our hotline on +2349159582020, +2349159582121 or email us at sita@ondostate.gov.ng

Signed:

**The Permanent Secretary,
Ondo State Information Technology Agency (SITA)**

