

CELL TOWER ORDINANCE

ADOPTED OCTOBER 1, 1998

A. The following site and developmental requirements shall apply:

1. A minimum site of point seven five(.75) acre and must have road access.
2. The use of guyed wires is strictly prohibited within Residential districts.
3. The base of the tower and wire cable supports shall be fenced with a minimum five(5) foot high fence.

B. Special Performance Standards

1. All towers shall be set back from all adjacent property lines at least a distance equal to the height of the tower plus 50 feet; provided that the planning commission is authorized to approve a lesser minimum setback in circumstances where the tower is designed, in the event of failure, to fold-over or otherwise collapse within a fall zone less than the total height of the tower. The planning commission determination as to the appropriate minimum required setback shall be based on the tower design and other pertinent circumstances of each individual application, and shall be made pursuant to the general standards for special exception use approval in this Ordinance.
2. Accessory structures are limited to uses associated with the operation of the tower and may not be located any closer to any property line than thirty (30') feet.
3. Accessory structures shall not exceed six hundred (600) square feet of gross building area.
4. All buffer yard requirements within the zoning ordinance shall be met.
5. All towers shall be equipped with an anti-climbing device to prevent unauthorized access.
6. The plans of the tower construction shall be certified by a registered structural engineer.
7. The applicant shall provide verification that the antenna mount and structure have been reviewed and approved by a professional engineer and that the installation is in compliance with all applicable codes.
8. All towers must meet the standards of the Federal Aviation Administration and the Federal Communications Commission.
9. Communication towers in excess of one hundred (100') feet in height above grade level shall be prohibited within a two (2) mile radius of a public airport or 1/2 mile radius of a helipad.
10. No part of any tower or antenna shall be constructed, located or maintained at any time, permanently or temporarily, on or upon any required setback area for the district in which the antenna or tower is to be located. In no case shall a tower or antenna be located within thirty (30') feet of a property line.
11. Metal towers shall be constructed of, or treated with, corrosive-resistance material.
12. Antennae and metal towers shall be grounded for protection against a direct strike by lightning and shall comply as to electrical wiring and connections with all applicable local statutes, regulations and standards.
13. Towers with antennae shall be designed to withstand a uniform wind loading as prescribed in the building code.
14. All signals and remote control conductors low energy extending substantially horizontally above the ground between a tower or antenna and a structure, or between towers, shall be at least eight (8') feet above the ground at all points, unless buried under ground.
15. Towers shall be located so that they do not interfere with reception in nearby residential areas.

CELL TOWER ORDINANCE (CONT.)

16. Towers shall be located so there is room for vehicles doing maintenance to maneuver on the property owned and or leased by the applicant.
17. The base of the tower shall occupy no more than five hundred (500) square feet.
18. Minimum spacing between tower locations shall be ten(10) miles in order to prevent a concentration of towers in one area.
19. Height of the tower shall not exceed one hundred and seventh five (175') feet from grade within a residential district, two hundred (200') feet from grade within a Commercial District, and three hundred (300') feet from grade within a Light Industrial & Recreational Forest District.
20. Towers shall not be artificially lighted unless required by the Federal Aviation Administration.
21. Existing on-site vegetation shall be preserved to the maximum extent practicable.
22. There shall not be displayed advertising or identification of any kind intended to be visible from the ground or other structures, except as required for emergency purposes.
23. The antenna shall be painted to match the exterior treatment of the tower. The chosen paint scheme should be designed to minimize off-site visibility of the antenna. To be approved by the Zoning Board.
24. Structures shall be subject to any state and federal regulations concerning non-ionizing electromagnetic radiation. If more restrictive state or federal standards are adopted in the future, the antenna shall be made to conform to the extent required by such standard or the Special Use approval will be subject to revocation by the Township Board. Cost for testing and verification of compliance shall be borne by the operator of the antenna.
25. There shall be no employees located on the site on a permanent basis to service or maintain the antenna. Occasional or temporary repair and service activities are excluded from this restriction.
26. All parking and drive areas must be maintained while tower is in existent.
27. Where the property adjoins any residentially or commercially zoned property or land use, the developer shall plant two (2) alternating rows of evergreen trees with a minimum height of five (5') feet on twenty (20') foot centers along the entire perimeter of the tower and related structures. In no case shall the evergreens be any closer than ten (10') feet to any structure.
28. All towers shall be inspected at regular intervals, no less than once a year, and serviced as frequently as may be necessary, to maintain the tower in a safe and weather-withstanding condition. Reports of all inspections and servicing shall be made available to the Township upon written request.
29. The tower shall be removed by the user of the property or owner or lessee within six (6) months of being abandoned. Return property to its original state.

Punishment for the violation of a Township ordinance shall not exceed a fine of \$500.00, or imprisonment for 90 days, or both, in discretion of the court.