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## **PRICE COUNTY TELECOMMUNICATIONS TOWER, ANTENNA AND FACILITIES ORDINANCE**

The purpose and intent of this chapter is to provide a uniform and comprehensive set of standards for the development and installation of telecommunication and related facilities. The regulations contained herein are designed to protect and promote public health, safety, community welfare and the aesthetic quality of Price County as set forth within the goals, objectives and policies of the Price County Zoning Ordinance, to encourage managed development of telecommunications infrastructure, while at the same time not unduly restricting the development of needed telecommunications facilities.

### **SECTION I: GENERAL PROVISIONS**

- A. It is intended that Price County shall apply these regulations to accomplish the following:
1. Minimize adverse visual effects of telecommunication towers, antennas and related facilities through design and siting standards.
  2. Maintain and ensure that a non-discriminatory, competitive and broad range of telecommunications services and high quality telecommunications infrastructure consistent with the Federal Telecommunications Act of 1996 are provided to serve the community, as well as serve as an important and effective part of the Price County's police, fire and emergency response network.
  3. Provide a process for obtaining necessary permits for telecommunication facilities while at the same time protecting the interests of the Price County citizens.
  4. Protect environmentally sensitive areas of Price County by regulating the location, design and operation of telecommunication towers, antennas and related facilities.
  5. Encourage the use of alternative support structures, co-location of new antennas on existing telecommunication towers, camouflaged towers, and construction of towers with the ability to locate three or more providers.

Furthermore, this Ordinance is not intended to regulate residential satellite dishes or residential television antennas that are used privately. Additionally, it is not intended to regulate satellite dishes/antennas whose regulation is prohibited by sec. 59.69(4d), or its successor sections, of the Wisconsin Statutes as amended from time to time or as preempted by Federal Law.

### **SECTION II: EXEMPT FROM COUNTY REVIEW**

This Ordinance does not apply to the following:

1. The use of all television antenna, satellite dishes and receive only antennas, provided that the primary use of the property is not a telecommunications facility and that the antenna use is accessory to the primary use of the property.
2. Amateur Radio. This Ordinance shall not govern the installation of any antenna and supporting towers, poles and masts that is owned and/or operated by a federally licensed amateur radio operator or, is used exclusively for receive-only antennas.
3. Mobile services providing public information coverage of news events of a temporary or emergency nature.
4. Free standing (Ground Mounted Antenna) antennas (not supported on or attached to a building) and supporting towers, poles or masts and equipment buildings 350 square feet or less in size, may be installed without a zoning permit when the overall height of the antennas and their

supporting structures do not exceed a height of 45 feet above the original grade at the site of the installation. Antennas, supporting towers, poles or masts and equipment building to be located in exclusively agricultural zoning district are subject to meeting the requirements of Wisconsin State Statute 91.01 (10) as amended from time to time.

5. Antennas installed on, or attached to, any existing building (Building Mounted Antenna), an existing telecommunication tower, or alternative support structure and their equipment buildings 350 square feet or less in size, when the height of the antenna and its supporting tower, pole or mast is 30 feet or less above the highest part of the building or alternative support structure to which it is attached. Antennas, installed on, or attached to, any existing building, and existing telecommunication tower, or alternative support structure and their equipment buildings to be located in an exclusively agricultural zoning district are subject to meeting the requirements of Wisconsin State Statute 91.01 (10) as amended from time to time.
6. Utility Pole Mounted Antennas if the height of the antenna is 30 feet or less above the highest part of the utility pole.

### **SECTION III: AREAS LIMITING TELECOMMUNICATION FACILITY LOCATIONS**

Telecommunications facilities may be permitted, subject to Conditional Use review and approval by the Price County Zoning Committee but are subject to review and approval of the Federal Aviation Administration (FAA), Wisconsin State Bureau of Aeronautics and other appropriate agencies, if applicable.

1. 1 mile radius from heliports
2. 1 mile radius from private airport runway(s)
3. 3 mile radius from public use airport runway(s)

### **SECTION IV: AREAS PROHIBITING TELECOMMUNICATION FACILITY LOCATION**

No telecommunications facilities, except exempt facilities as defined in Section II, shall be permitted within historic sites and districts listed on the National Register of Historic Places, natural areas and critical species habitats, wetlands, floodplains, or Conservancy Districts (C-1).

### **SECTION V. CONDITIONAL USE APPLICATION**

Locating and constructing a telecommunication tower or a new alternative support structure, including the buildings or other supporting equipment used in connection with said tower shall require a Conditional use Permit. The Zoning Committee may authorize the Zoning Administration to issue a Conditional Use Permit after review and a public hearing, provided that such Conditional Use is in accordance with the purpose and intent of this Ordinance and all other applicable Zoning Ordinances.

1. **Submittal Information:** For all telecommunication facilities, except exempt facilities as defined in Section II, the Zoning Administration shall require the following information to accompany every application. Said information shall include, but may not be limited to:
  1. Completed Conditional Use Permit Application and fee of \$1000.00
  2. Original signature of applicant and landowner (if the telecommunication facility is located in an easement or pursuant to a ground lease, the beneficiaries of the easement or ground lease and underlying property owner must authorize the application).

3. The identity of the carrier, provider, applicant, landowner and service provider and their legal status,
4. The name, address and telephone number of the officer, agent and/or employee responsible for the accuracy of the application,
5. A plat of survey, showing the parcel boundaries, tower, facilities, location, access, landscaping and fencing,
6. A written legal description of the site,
7. In the case of a leased site, a lease agreement or binding lease memorandum which shows on its face that it does not preclude the tower owner from entering into leases on the tower with other provider(s) and the legal description and amount of property leased,
8. A description of the telecommunications services that the applicant offers or provides, to persons, firms, businesses or institutions,
9. Federal Communication Commission (FCC) license numbers and registration numbers, if applicable,
10. Copies of Finding of No Significant Impacts (FONSI) statement from the FCC or Environmental Impact Study (EIS), if applicable,
11. An alternatives analysis shall be prepared by the actual applicant or on behalf of the applicant by its designated technical representative, except for exempt facilities as defined in Section II, subject to the review and approval of the Zoning Committee, which identifies all reasonable, technically feasible, alternative locations and/or facilities within 1/2 mile radius of the proposed site which could provide the proposed telecommunication service. The intention of the alternatives analysis is to present alternative strategies which could minimize the number, size, and adverse environmental impacts of facilities necessary to provide the needed services to Price County.

The analysis shall address the potential for co-location and the potential to locate facilities as close as possible to the intended service area. It shall also explain the rationale for selection of the proposed site in view of the relative merits of any of the feasible alternatives. Approval of the project is subject to the review and approval of the Price County Zoning Committee. The County may require independent verification of this analysis at the applicant's expense, the consultant or the alternate chosen by the Zoning Committee from a list mutually agreed upon by the County and the Telecommunications Industry.

12. Plans indicating security measures (i.e. access, fencing, lighting, etc.)
13. Shall include a tabular and map inventory of all of the applicants' existing telecommunications towers that are located within Price County and including all of the applicant's existing towers within fifteen hundred (1,500) feet of the County boundary. The inventory shall specify the location, height, type and design of each of the applicant's existing telecommunication towers, and the ability of the tower or antenna structure to accommodate additional co-location antennas.
14. A report prepared by an Engineer licensed by the State of Wisconsin certifying the structural design of the tower and its ability to accommodate additional antennas.

15. Proof of liability coverage
  16. Such other information as the Zoning Committee may reasonably require.
  17. Copies of an Affidavit of Notification indicating that the airport operator and airport property owner(s), within the areas limiting telecommunication facility locations as identified under Section III, if applicable, have been notified via certified mail.
2. **Co-Location.** All tower owners shall make available unused space for co-location of other telecommunication facilities, including space for those entities providing similar, competing services. Co-location is not required if the host facility can demonstrate that the addition of the new service or facilities would impair existing service or cause the host to go offline. All co-located and multiple-user telecommunication support facilities shall be designed for compatible joining to facilitate site sharing.
  3. **Technical Review.** The Zoning Department, upon direction of the Price County Zoning Committee, may employ on behalf of the County an independent technical expert, agreed upon by both the Zoning Committee and the applicant, to review materials submitted in those cases where a technical demonstration of unavoidable need or unavailability of alternatives has been determined necessary by the Committee based upon substantial evidence. The applicant shall pay all the costs of said review. The payment to the Zoning Department shall be due upon receipt of the invoice. All invoices, fees and charges accumulated for the technical review must be paid in full prior to the issuance of the Conditional Use Permit.
  4. **Submittals Required following the Conditional Use Approval.** For each Conditional Use Permit approved by the Price County Zoning Committee the applicant shall submit the following before the Conditional Use Permit will be issued:
    - A. Copies of the determination of no hazard from the Federal Aviation Administration (FAA) including any aeronautical study determination or other findings and the Wisconsin State Bureau of Aeronautics, if applicable.
    - B. Copies of any Environmental Assessment (EA) reports on Form 600 or Form 854 submitted to the Federal Communication Commission (FCC), if applicable.
    - C. Copies of any filings submitted to the Federal Communication Commission (FCC) shall be submitted within 30 days of filing, subject to the review of the Zoning Administrator.
    - D. Proof of Bond as security for removal.

## SECTION VI: ANNUAL INFORMATION REPORT

The purpose of the annual review report under this Section is to provide the County with accurate and current information concerning the telecommunications tower owners and providers who offer or provide telecommunications services within the County, or that own or operate telecommunication facilities with the County, to assist the County in enforcement of this Chapter, and to assist the County in monitoring compliance with the Conditional Use Permit and this Ordinance. The County Zoning Department will give a 30 day notice prior to the January 31 deadline of the requirements.

1. **Annual Information Report.** All telecommunications tower owners of any new or existing telecommunication tower shall submit annually on or before January 31 of each year, to the Zoning Department a Telecommunications Facility Annual Information Report. The Annual Report shall include the tower owner name(s), address(s), phone number(s), contact person(s), annual review fee, proof of bond as security for removal. The tower owner shall supply the tower height and current

occupancy, if applicable. The tower owner shall certify that the tower is still being used. This information shall be submitted on a county form, designated for such use, and shall become evidence of compliance.

2. **Annual Information Report Fee.** Following the conditional use approval, every year thereafter the tower owner shall submit, on or before January 31 of each year, to the Zoning Department the annual review fee of \$200.00 per tower site. The fee submittal is the responsibility of each tower owner. Failure to provide this information shall result in a civil forfeiture of \$297.00 per day until the information is received by the Price County Zoning Department.

## **SECTION VII: REMOVAL/SECURITY FOR REMOVAL**

1. **Removal.** It is the express policy of Price County and this ordinance that telecommunications facilities be removed once they are no longer in use and not a functional part of providing telecommunications service and that it is the telecommunications tower owner responsibility to remove such facilities and restore the site to its original condition or a condition approved by the Price County Zoning Department. This restoration shall include removal of any subsurface structure or foundation, including concrete, used to support the telecommunications facility down to 10 feet below the surface. This depth of removal requirement may be modified by the Price County Zoning Committee after public hearing and review. After a telecommunications facility is no longer in operation, the tower owner shall have 90 days to effect removal and restoration unless weather prohibits such efforts.
2. **Security for Removal.** The telecommunications tower owner shall provide to Price County, prior to the issuance of the Conditional Use Permit or the issuance of a zoning permit, a performance bond in the amount of Twenty Thousand Dollars (\$20,000) or a bond equal to a written estimate from a qualified tower removal contractor to guarantee that the telecommunications facility will be removed when no longer in operation. Price County will be named as obligee in the bond and must approve the bonding company.

## **SECTION VIII: PREEXISTING TELECOMMUNICATION TOWERS**

1. **Non-conforming and conforming** telecommunication towers, and facilities may add to, move or replace the tower and facilities upon review and approval of a Price County zoning permit by the Price County Zoning Department. An existing telecommunication tower may be increased in height a maximum of fifty (50) feet, relocated or reconstructed within fifty (50) feet of its existing location to accommodate co-location subject to meeting all other sections of this ordinance except Sections III and X. Routine maintenance and repair on telecommunications facilities is permitted.
2. **Existing Use Review**
  - A. **Existing Use Review for Those Towers Structurally Capable to Co-locate.**

Beginning February 28, 2000, all tele-communications tower owners, applicable to the requirements of this Ordinance operating in Price County prior to the adoption of this ordinance, shall provide the information required under Section VI(1) of this Ordinance (except proof of bond and proof of insurance), and submit documents that confirm the tower is capable of co-location and pay an annual fee of \$200 per tower site. Failure to provide this information shall result in a civil forfeiture of \$297 per day until the information is received by the Price County Zoning Department.
  - B. **Existing Use Review for Those Towers Structurally Incapable for Co-Location.**

Beginning February 28, 2000, all tele-communications tower owners, applicable to the

requirements of this Ordinance, operating in Price County prior to the adoption of this Ordinance, shall provide the information required under Section VI(1) of this Ordinance (except proof of bond and proof of insurance), and submit documents that the tower is structurally incapable of co-location, and pay a one time fee of \$200 per tower site. Failure to provide this information shall result in a civil forfeiture of \$297 per day until the information is received by the Price County Zoning Department.

## SECTION IX: COMPLIANCE

1. **Revocation.** Grounds for revocation of the Conditional Use Permit, pursuant to Sections 17.0 and 10.0 of the Price County Zoning Ordinance and Shoreland Zoning Ordinance respectively shall be limited to one of the following findings as determined by the Price County Zoning Committee:
  - A. The owner of such site, service provider and/or tower owner fails to comply with the requirements of this ordinance as it existed at the time of the issuance of the Conditional Use Permit;
  - B. The permittee has failed to comply with the conditions of approval imposed;
  - C. The facility has not been properly maintained;
  
2. **Revocation Process.**
  - A. The owner of such site, service provider and/or tower owner shall be notified by certified mail of noncompliance by the Price County Zoning Department.
  - B. The owner shall comply with such notice within 60 days to the satisfaction of the Price County Zoning Department.
  - C. If compliance is not obtained within 60 days, Price County Zoning Department shall notify the Price County Zoning Committee of the noncompliance and request permission to proceed with the revocation process. (This time period may be extended by staff to adjust for seasonal limitations.)
  - D. The Price County Zoning Department shall petition the Price County Board for a public hearing before the Price County Zoning Committee following publication of a Class 2 notice in the legal newspaper for Price County.
  - E. A copy of a hearing notice shall be mailed certified to the owner of record of the tower site at least two weeks prior to the hearing date.
  - F. The Price County Zoning Administrator or agent of the Price County Zoning Department shall appear at the hearing before the Price County Zoning Committee to present the evidence of noncompliance. All other interested parties may also give testimony to the Committee.
  - G. In compliance with the procedures of a Conditional Use hearing, a written decision of the Price County Zoning Committee will be made.
  
2. **Abandonment.** Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned. Time may be extended upon review and approval of the Price County Zoning Committee, if the tower owner demonstrates a good faith effort to secure new tenants. In such circumstances, the following shall apply:
  - A. The owner of such site, antenna or tower and the property owner upon which the site is located shall remove said antenna and/or tower including all supporting equipment and building(s) within ninety (90) days of receipt of First Class US Certified Mail notice from the Zoning Department notifying the owner of such abandonment. If removal to the

satisfaction of the Zoning Department does not occur within said ninety (90) days, the Price County Corporation Counsel may order removal utilizing the established bond as provided under Section V and salvage said antenna or tower and all supporting equipment and building. If there are two or more users of a single tower, then this provision shall not become effective until all operations of the tower cease.

- B. The recipient of a Conditional Use Permit or zoning permit for a tele-communications facility under this ordinance shall notify the Price County Zoning Department within 30 days of when the facility is no longer in operation.

## **SECTION X: STRUCTURAL, DESIGN AND ENVIRONMENTAL STANDARDS (EXCEPT EXEMPT FACILITIES AS DEFINED IN SECTION II)**

1. **Tower, Antenna and Facilities Requirements.** All telecommunication facilities, shall be designed to blend into the surrounding environment to the greatest extent feasible. To this end, all of the following measures shall be implemented:
  - A. All telecommunications facilities shall comply at all times with all Federal Communication Commission (FCC) rules, regulations, and standards. To that end no telecommunication facility or combination of facilities shall produce at any time power densities in any inhabited area that exceed the Federal Communication Commission (FCC) adopted standard for human exposure, as amended, or any more restrictive standard subsequently adopted or promulgated by the Federal Government. All tele-communications tower and antenna shall meet or exceed the standards and regulations, in place at the time of the issuance of the Conditional Use Permit, of the Federal Aviation Administration (FAA), the Wisconsin State Bureau of Aeronautics, Occupational Safety and Health Association (OSHA), the Federal Communication Commission (FCC) and any other agency of the State and/or Federal Government with the authority to regulate towers and antennas,
  - B. Telecommunication towers shall be constructed out of metal or other nonflammable material, unless specifically permitted by the County to be otherwise;
  - C. All ground mounted telecommunication towers shall be self-supporting monopoles or lattice towers except where satisfactory evidence is submitted to the Zoning Committee that a guyed tower is required;
  - D. Satellite dish and parabolic antennas shall be situated as close to the ground as possible to reduce visual impact without compromising their function;
  - E. Telecommunication support facilities (i.e., equipment rooms, utilities, and equipment enclosures) shall be constructed out of nonreflective materials (visible exterior surfaces only). Telecommunication support facilities shall be no taller than one story fifteen feet (15') in height, measured from the original grade at the base of the facility to the top of the structure, and shall be designed to blend with existing architecture in the area or shall be screened from sight by mature landscaping, and shall be located or designed to minimize their visibility; and,
  - F. Telecommunications towers, facilities and antennas shall be designed and constructed in accordance with the State of Wisconsin Uniform Building Code, National Electrical Code, Uniform Plumbing Code, Uniform Mechanical Code, and Uniform Fire Code, Price County Subdivision Control Ordinance, Price County Shoreland Ordinance, Price County Private Sewage Ordinance, Electronic Industries Association (EIA), American National Steel Institute Standards (ANSI), American National Standards Institute (ANSI), and Electronic Industry Assoc/Telecommunication Industry Association (EITT/TIA)222-E(Federal Standard) or C (State of Wisconsin Standard), 3., in effect at the time of manufacture;
  - G. The maximum height of an antenna platform located on a roof top shall be twenty (20) feet above the roof.

- H. Telecommunication facilities shall not interfere with or obstruct existing or proposed public safety, fire protection or Supervisory Controlled Automated Data Acquisition (SCADA) operation telecommunication facilities. Any actual interference and/or obstruction shall be corrected by the applicant at no cost to the County.
2. **Height.** The height of a telecommunication tower shall be measured from the original grade at the base of said tower to the highest part of the tower itself. In the case of building mounted towers the height of the tower includes the height of the portion of the building on which it is mounted. In the case of "crankup" or other similar towers whose height can be adjusted, the height of the tower shall be the maximum height to which it is capable of being raised.
3. **Lighting.** Telecommunications towers shall not be artificially lighted unless required by the Federal Aviation Administration (FAA) or other applicable regulatory authority.
4. **Site Development, Roads and Parking.**
- A. A leased parcel intended for the location of new telecommunication tower(s) and equipment building(s) shall maintain a minimum parcel size of twenty-five hundred (2,500) square feet. The Price County Zoning Committee may modify the leased parcel size requirement after public hearing and review.
  - B. A parcel owned by the telecommunication carrier and/or provider and intended for the location of new telecommunication tower(s) and equipment building(s) shall meet the minimum size requirement of the zoning district.
  - C. All sites must be served by a minimum thirty (30) foot wide easement with a turn around. The Price County Zoning Committee may modify the easement and turn around requirement after public hearing and review. All sites shall use existing access points and roads whenever possible. The access point to the site shall be approved by the Price County Highway Department, State of Wisconsin Department of Transportation, or the applicable Town depending on road jurisdiction.
  - D. All sites must have an assigned Fire Number or 911 Number for Emergency Response.
5. **Vegetation Protection and Facility Screening.**
- A. Except exempt facilities as defined in Section II, all telecommunications facilities shall be installed in such a manner so as to minimize disturbance to existing native vegetation and shall include suitable mature landscaping to screen the facility, where necessary. For purposes of this section, "mature landscaping" shall mean trees, shrubs or other vegetation of a size that will provide the appropriate level of visual screening immediately upon installation.
  - B. Upon project completion, the owner(s)/operator(s) of the facility shall be responsible for maintenance and replacement of all required landscaping during the current growing season
  - C. Facility structures and equipment, including supporting structures, shall be located, designed and screened to blend with the existing natural or built surroundings, so as to reduce visual impacts.
6. **Fire Prevention.** All telecommunication facilities shall be designed and operated in accordance with all applicable codes regarding fire prevention.
- 7.
8. **Noise and Traffic.** All telecommunication facilities shall be constructed and operated in such a manner so as to minimize the amount of disruption caused to nearby properties. To that end all the following measures shall be implemented for all telecommunication facilities, except exempt facilities as defined in Section II:
- A. Noise producing construction activities shall only take place on weekdays (Monday through Saturday, non-holiday) between the hours of 6:00 am and 6:00 pm, except in times of emergency repair; and

- B. Backup generators shall only be operated during power outages and for testing and maintenance purposes.

**SECTION XI: SEPARATION AND SETBACK REQUIREMENTS**

1. **Minimum Separation** between Telecommunication Towers (by tower type).

<i>Proposed Tower Type</i>	<i>Lattice</i>	<i>Guyed</i>	<i>Monopole - 85 ft in height or greater</i>
Lattice	1500 ft	1500 ft	750 ft
Guyed	1500 ft	1500 ft	750 ft
Monopole	750 ft	750 ft	750 ft

- A. Two (2) towers may be permitted to be located within 100 feet of each other subject to Conditional Use review and approval of the Price County Zoning Committee and subject to meeting the setback requirements.
- B. Three (3) towers may be permitted subject to Conditional Use review and approval of the Price County Zoning Committee when needed to satisfy the requirements of AM Broadcast operations.
- C. Camouflaged towers are exempt from separation between towers requirement listed above.

2. **Setbacks.** All setbacks shall be measured from the base of the tower or structure.

- A. Setbacks from all habitable residential buildings, except buildings located on the subject parcel. All new towers shall be setback a distance equal to 125% of the height of the tower.
- B. Setbacks from all historic sites and districts. All new towers shall be setback a distance equal to 125% of the height of the tower from historic sites and districts.
- C. Setbacks from the road right of ways of all streets. All new towers shall be setback from all streets a minimum as defined in Price County Zoning Ordinances.
- D. Setbacks from property lines. All new towers shall be setback a minimum of fifty (50) feet from all property lines. (This requirement does not apply to the boundary of the leased parcel unless the leased parcel boundary is also a property line.) This setback requirement may be modified by the Price County Zoning Committee after public hearing and review.
- E. Setback from the Ordinary High Water Mark (OHWM). All new towers shall be setback a minimum of seventy-five (75) feet from the OHWM of a navigable stream or creek and a minimum of 125% of the tower height from the OHWM of a navigable river, lake, or flowage.
- F. Guy-wire Anchor Setback. All guy wire anchors shall be at least twenty-five (25) feet from all property lines. This setback requirement may be modified by the Price County Zoning Committee after public hearing and review.

**SECTION XII: ZONING PERMITS**

Price County zoning permit is required from the Zoning Department, following procedures of Section 17.0 of the Price County Zoning Ordinance, for the location of all telecommunication facilities, except exempt facilities as defined in Section II. The applicant shall submit information required under Section 17.0, Conditional Use Application, except the conditional use application and fee. Facilities proposed to

be co-located on facilities previously approved under this Ordinance shall be exempt from submitting information required under Section V, but shall be required to submit a zoning permit application for review and approval per Section 17.0 of the Price County Zoning Ordinances.

1. **Permitted Uses:**

- A. **Locating/Installing** an antenna that adds no more than fifty (50) feet to the height of a new or existing alternative support structure or an existing telecommunication tower, including placement of additional buildings or other supporting equipment used in connection with said antenna subject to meeting all other sections of this Ordinance except Section V and if located on land zoned exclusively agricultural is subject to meeting the requirements of Wisconsin State Statute 91.01 (10) as amended from time to time.
- B. **Existing Non-conforming and conforming** Telecommunication Towers, Antennas and Facilities may be increased one time during the life of the tower a maximum of fifty (50) feet in order to accommodate co-location. A telecommunication tower which is being relocated or reconstructed to accommodate co-location may be relocated within fifty (50) feet of its existing location, with the review and approval of the Price County Zoning Department and shall be subject to meeting other sections of this Ordinance except Section V and subject to meeting FAA/State Bureau of Aeronautics requirements. Routine maintenance and repair on telecommunications facilities is allowed.

**SECTION XIII: APPEAL PROCEDURES**

- 1. **Certiorari.** A person aggrieved by any decision of the Price County Zoning Department or Zoning Committee, regarding the siting of a telecommunications facility may, within 30 days, after the filing of the decision in the office of the Price County Zoning Department, commence an action seeking the remedy available by certiorari.
- 2. **Severability.** If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance. The Price County Board declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more such provisions be declared unconstitutional or invalid.
- 3. **Publication.** This ordinance shall be published in the manner and form required by the Wisconsin Statutes as amended from time to time, and shall be effective on the date of publication.
- 4. **Fee Revisions.**
  - A. Upon recommendation of the Price County Zoning Committee, the Price County Board of Supervisors shall, from time to time, establish and review fees for application processing, annual information, existing information review fees, security for removal bonds, and any other fees the County Board may deem appropriate as it applies to this ordinance.
  - B. No application shall be considered filed with the County unless and until said application is accompanied by the appropriate application fees.

**SECTION XIV: DEFINITIONS**

**Alternative Support Structure** - Clock towers, steeples, silos, light poles, water towers, buildings or similar structures that may support telecommunication facilities.

**Antenna** - Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves when such system is either external to or attached to the exterior of a structure. Antennas shall include devices having active elements extending in any direction, and any directional beam type arrays having elements carried by and

disposed from a generally horizontal boom that may be mounted upon and rotated through a vertical mast or tower interconnecting the boom and antenna support, all of which elements are deemed to be a part of the antenna.

**Antenna Building Mounted** - Any antenna, other than an antenna with its supports resting on the ground, directly attached or affixed to a building.

**Antenna Ground Mounted** - Any antenna with its base placed directly on the ground.

**Building** - Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal unit, process, equipment, goods, or materials of any kind.

**Camouflaged Tower** - Any telecommunication tower that due to design or appearance entirely hides, obscures, or conceals the presence of the tower and antennas.

**Guyed Tower** - A telecommunications tower that is supported in whole or in part by guy wires and ground anchors or other means of support besides the superstructure of the tower itself.

**Height, Telecommunications Tower** - The distance measured from the original grade at the base of the tower to the highest point of the tower. This measurement excludes any attached antennas, protection devices (e.g. lightning rods) and lighting.

**Lattice Tower** - A telecommunication tower that consists of vertical and horizontal supports and crossed metal braces.

**Monopole** - A telecommunication tower of a single pole design.

**Navigable Stream or Lake** - As designated on the United States Geological Survey (USGS) map and/or the Price County Zoning maps.

**Non-Conforming** - Any pre-existing telecommunications facility that was in existence prior to the adoption of this ordinance and that has not been issued a conditional use permit or was issued a conditional use permit prior to the adoption date of this Ordinance. This definition shall only apply to this specific ordinance and shall not apply to other Price County Zoning Ordinances.

**Operation** - Means other than nominal use; when a facility is used regularly as an integral part of an active system or telecommunications it shall be deemed in operation.

**Platform** - A support system that may be used to connect antennas and antenna arrays to telecommunication towers or alternative support structures.

**Satellite Dish** - A device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, or cornucopia shaped and is used to transmit and/or receive electromagnetic signals. This definition is meant to include, but is not limited to, what are commonly referred to as satellite earth stations, TVROs and satellite microwave antennas.

**Telecommunications Facility** - A facility, site, or location that contains one or more antennas, telecommunication towers, alternative support structures, satellite dish antennas, other similar communication devices, and support equipment which is used for transmitting, receiving, or relaying telecommunications signals, excluding those facilities exempted under Section 4.15.030.

**Telecommunication Facility CoLocated** - A telecommunication facility comprised of a single

telecommunication tower or building supporting multiple antennas, dishes, or similar devices owned or used by more than one public or private entity.

**Telecommunication Support Facility** - The telecommunication equipment buildings and equipment cabinets.

**Telecommunications Tower** - Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including camouflaged towers, lattice towers, guy towers, or monopole towers. This includes radio and television transmission towers, microwave towers, and comm-carrier towers. It shall exclude alternative support structures and those facilities exempted under Section 4.15.030.

**Utility Pole Mounted Antenna** - An antenna attached, without regard to mounting, to or upon an existing or replacement electric transmission or distribution pole, street light, traffic signal, athletic field light, utility support structure or other similar structure approved by the Price County Zoning Department.

PRICE COUNTY  
TELECOMMUNICATION  
TOWERS, ANTENNAS, AND  
RELATED FACILITIES  
ORDINANCE