

## Chapter 30

# REGULATION OF WIRELESS TELECOMMUNICATION

### **16-30-030 Definitions. Definitions to Be Included**

1. Equipment Enclosure. A structure, shelter, cabinet, or vault used to house and protect the electronic equipment necessary for processing wireless communication signals and other telecommunication equipment.
2. Antenna. Any system of wires, poles, rods, arms, reflecting discs or similar devices of various sizes, materials, and shapes including but not limited to solid or wire-mesh dish, horn, spherical or bar configurations used for wireless transmission. Types of antennas include, but are not limited to the following:
  - a. Wall Mounted Antenna. Any antenna mounted directly to the fascia or outside walls of a structure, existing parapet walls, penthouses, or mechanical equipment rooms, with no portion of the antenna extending above the roofline of such structures.
  - b. Roof Mounted Antenna. An antenna mounted directly to the roof of a building, mechanical penthouse or parapet enclosure wall that is on the rooftop of a building.
  - c. Top-hat Antenna- spatial array of antennas, generally located on a freestanding structure, where the visible width of antennas and antenna mounting structures are more than two (2) feet in width as viewed looking directly at the structure.
3. Antenna Support Structure. A structure, the principal purpose of which is for location of antennas. Types of antenna support structures may include:
  - a. Monopole. A standing antenna support structure placed directly on the ground to support one or more antennas.
  - b. Lattice Tower. A multiple sided, open steel frame structure used to support one or more antennas. Lattice towers and guyed structures are not allowed in any zone except, towers under 70' that are owned and operated by a federally licensed amateur radio station operator or are used exclusively for receive only antennas.
4. Co-Location. A telecommunications facility that includes a single antenna support structure, but more than one telecommunications provider's antennas and telecommunication equipment.
5. Cell on Wheels (COW). A mobile temporary telecommunications facility which is located and operated on a trailer for 30 days or less.
6. Telecommunications Equipment. Equipment used in a telecommunications facility other than the Antenna, Antenna Support Structure, or Equipment Enclosures. Telecommunications equipment may include, but is not limited to electronic equipment necessary for processing wireless communication signals, air conditioning, backup power supplies, and emergency generators.
7. Telecommunications Facility. An unmanned structure which consists of antennas, antenna support structures, telecommunications equipment, equipment enclosures as defined herein, that transmit and/or receive voice and/or data communications through radio signals such as, but not limited to "cellular" or "PCS" (Personal Communications System) communications and paging systems, whether commercially or privately operated. Such sites typically require the construction of transmission support structures, access roads, fences, and any other attendant infrastructure. A monopole by itself without an accompanying lease agreement or other agency agreement acceptable to the County Attorney with a wireless telecommunications provider company does not qualify as a Wireless Telecommunications Facility. Towers under 70' that are owned and operated by a federally licensed amateur radio station operator or are used exclusively for receive only antennas are except from this ordinance.
8. Non-Stealth Design. Any antenna or equipment enclosures not camouflaged in a manner to blend with surrounding land uses, features or architecture. Non-stealth design does not conceal the intended use of the telecommunications facility. A monopole with equipment enclosures above the ground and unscreened would be considered non-stealth.
9. Stealth. Antennas, antenna support structures and telecommunication equipment enclosures camouflaged or designed to blend with surrounding land uses, features, and architecture, thus minimizing the aesthetic impact on adjacent uses, thereby concealing the intended use and appearance of the telecommunications facility such as heavy landscaping, or installing telecommunications equipment within existing buildings, behind vegetative screening, or placing equipment enclosures underground, thus preserving or striving to maintain the rural aesthetics of Morgan County. A flush wall mount antenna that is painted the same color as the background and located on a building where the telecommunications equipment is located inside the building would be one example of stealth design. Other examples of stealth design include, but may not necessarily be limited to roof mount antennas, utility pole antennas, light or flag

poles, artificial rocks or trees.