

ORDINANCE NO. 8052

AN ORDINANCE AMENDING  
ARTICLE 5, SECTION 5-14 OF THE ZONING CODE  
CITY OF GRANITE CITY, ILLINOIS

WHEREAS, the City of Granite City is a home rule unit pursuant to article 7, section 6, of the Illinois State Constitution of 1970; and

WHEREAS, the City of Granite City has determined it is necessary to amend the establish regulations for towers, antennae, and telecommunication facilities in the City to protect residential areas and land uses; minimize adverse impacts; and maintain compliance with the City's property maintenance laws, ordinances, and regulations.

WHEREAS, the amendment to Section 5-14 of the Zoning Code is in compliance with Illinois law.

NOW, THEREFORE; it is hereby ordained and decreed as follows:

1. Article 5, Section 5-14 of the Granite City Zoning Code, also known as Ordinance 3818, is hereby amended to delete section 4(e) Impact Fee.
2. The attached Article 5, Section 5-14 shall be codified into the Granite City Zoning Code.
3. This Ordinance takes effect upon passage.

Date Passed 20th May, 2008

APPROVED: Ed Hagnauer  
Mayor Edward Hagnauer

ATTEST:

Judy Whitaker  
City Clerk, Judy Whitaker

## TELECOMMUNICATIONS SERVICES AND FACILITIES

### 1. PURPOSE

The purpose of this Section is to establish regulations for towers, antennae, and telecommunication facilities that:

- a. Protect residential areas and land uses by minimizing adverse impacts.
- b. Encourage the location of telecommunications facilities on City owned property.
- c. Enhance the ability to provide telecommunications services to the community quickly, effectively and efficiently.
- d. Promote collocation and the shared use of towers, and to encourage the attachment of antennae to existing facilities.
- e. Reduce the need for new towers.
- f. Minimize adverse visual impacts by design, landscape screening, and camouflage.
- g. Avoid potential damage to property.
- h. Ensure that telecommunications facilities, towers and antennae do not compromise public safety communications.

### 2. DEFINITIONS

**Alternative Tower Structure:** includes clock towers, bell steeples, light poles and similar alternative design mounting structures. This term also includes any antenna or antennae array attached to the alternative tower structure.

**Antenna:** any exterior transmitting or receiving devise(s) mounted

on a tower, building or structure and used in communications that radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

**FAA:** Federal Aviation Administration.

**FCC:** Federal Communications Commission.

**Lattice or Self-Supporting Tower:** a tower that has open-framed supports on three (3) or four (4) sides and is constructed without guy wires and ground anchors.

**Monopole:** a tower consisting of a single-pole constructed without guy wires or ground anchors.

**Telecommunications Facilities:** the plant, equipment and property, including but not limited to; cables, wires, conduits, ducts, pedestals, antennae, towers, telecommunications support facilities, alternative tower structures, electronics and other appurtenances; used to transmit, receive, distribute, provide or offer telecommunications services.

**Telecommunications Service:** the providing or offering for rent, sale, lease, or in exchange for other value received; of the transmittal of voice, data, image, graphic and video programming information between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite or similar facilities.

**Telecommunications Support Facilities:** support buildings, structures and equipment cabinets containing electrical and

mechanical equipment and devices used for the reception of or transmission of voice, data image, graphic and video programming information between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite or similar facilities.

**Tower:** any structure designed and constructed primarily for the purpose of supporting one or more antennae, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, and other similar structures. This term also includes any antenna or antennae array attached to the tower structure.

**Tower Height:** when referring to a tower or other alternative tower structure, the distance measured from the lowest point on the ground within ten (10) feet of the structure to the highest point on the tower or other alternative tower structure, including the base pad and any antenna.

### 3. APPLICABILITY

a. New Towers and Antennae. All new towers or antennae in the City shall be subject to these regulations including pre-existing towers where new antennae are proposed to be installed.

b. Pre-Existing Towers or Antennae. Pre-existing towers and pre-existing antennae in place prior to the date of the adoption of this ordinance shall be required to meet the requirements of Sections 4 and 6.

c. Assignment or Sale. If a tower is sold, or the use of the tower is assigned or sold; the new owner or assignee shall notify the City and shall be subject to the regulations contained in this ordinance including the requirement of a Special Use Permit.

#### 4. REQUIREMENTS

a. Permits and Approvals. Owners of telecommunications facilities shall certify that all permits and approvals required by law have been obtained and shall file copies of same.

b. Business License. Owners and/or operators of telecommunications facilities shall obtain a Business License from the City.

c. Municipal Antenna. All owners of Telecommunication Towers shall allow the City to place its antenna and other radio or communication equipment on the tower, free of charge, where said antenna or equipment does not interfere with the operation of owner's antenna and equipment. Violation of this provision shall result in revocation of permit.

d. Removal Bond. A removal bond in the amount of \$20,000.00 must be posted with the City Clerk prior to the issuance of a building permit. The removal bond must be accompanied by surety for the full amount of the bond, and said surety must be a business licensed by the State of Illinois to act as surety. The surety shall remain in full force and effect so long as the

telecommunication tower and related equipment remain.

e. OMITTED

f. Separation. Separation distances between towers shall be one-half (½) mile.

g. Setbacks. Telecommunications facilities, towers and antennae must be set back a distance equal to at least 100 percent of the height of the facility from any adjoining lot line. Accessory buildings must satisfy the minimum zoning district setback requirements.

h. Support facilities. The telecommunications support facility shall have maximum gross floor space of 240 square feet and maximum height of 10 feet.

i. Aesthetics. Antennae and towers shall be monopole style in C-4 and C-5. Antennae and towers shall maintain a galvanized steel finish or be painted to reduce visual obtrusiveness. Accessory buildings, supporting equipment, and related structures shall use materials and colors that blend into the natural setting and surrounding buildings.

j. Security Fencing. Telecommunications facilities shall be enclosed by sight proof security fencing or walls not less than eight (8) feet in height and shall also be equipped with an acceptable anti-climbing design.

k. Landscaping. Telecommunications facilities, towers and antennae shall be landscaped with a green space at least ten (10)

feet wide. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible.

l. Signs. A permanent plaque must be placed outside the facility stating the owner's name, address, and phone number. No other signs shall be allowed on the antenna, tower, or facility.

m. Lighting. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.

## 5. TELECOMMUNICATIONS FACILITIES PERMITS

a. Where Permitted. Telecommunications towers, antennae and facilities are permitted in the following zoning districts: Agricultural and Industrial [M -1, M -2, M -3, M -4, M -5]. They may also be permitted in zoning districts C -4 and C -5.

b. Special Use Permit. A Telecommunications Facilities Permit shall be required. Also, a Special Use Permit shall be required. Applications shall be submitted in the same manner as applications for a Special Use Permits.

c. Information Required. Applicants for a Telecommunications Facilities Permit shall submit:

1. The name, address, and telephone number of the owner and lessee of the parcel of land and the owner and operator of the telecommunications facility. Additionally, the Registered Illinois Agent for each.

2. The name, address, and telephone number of the telecommunications company which will be collocating on the facility.

3. A scaled site plan.

4. Legal description of the parcel of land.

5. A landscape plan showing specific landscape materials, fencing, and illumination.

6. Coverage prediction maps showing the area served both prior to and after construction.

7. A collocation affidavit stating that space on the proposed tower will be made available to future users when technically possible and upon commercially reasonable terms.

8. A description of the unsuitability of existing towers, other structures or alternative technology.

9. An inter-modulation study.

10. A certified statement by a licensed structural engineer attesting to the structural integrity of the facility, its ability to hold additional antennae, and that it will not interfere with public safety communications or reception of radio, television and other communications services.

11. An inventory of the applicant's existing telecommunications facilities, or sites which have been approved, or for which applications or petitions for approval have already been filed; that are either within the jurisdiction of the City or

within one and one-half (1 ½) miles.

12. An application fee of \$750.00.

6. REMOVAL OF FACILITIES

a. The owners of the property and/or the Telecommunications Facilities shall notify the City of their intent to cease operation of such facilities at least sixty (60) days prior to such termination of operation.

b. The owners of the property and/or the Telecommunications Facilities shall notify the City of any intent to sell such facilities or use of such facilities at least sixty (60) days prior to the sale.

c. Any telecommunications facility, tower, or antenna that is not operated for a continuous period of twelve (12) months shall be considered abandoned.

d. Upon receipt of the notice of intent to cease operations, or the determination of abandonment; the Zoning Administrator shall send a "Notice to Remove" to the owner of the telecommunications facility and the owner of the property by certified mail.

e. The owners shall have sixty (60) days after the mailing of the notice to remove all of the facility, including footings and foundation.

f. If the telecommunications facility is not removed within the sixty (60) days, the City may use the removal bond to remove such facility and may pursue any and all other available legal

remedies.

g. Any delay by the City in taking action to enforce the removal shall not waive the City's right to take any action at a later time.