

**Resolution No. 7-1207**

**WHEREAS**, there does exist the Iowa County Telecommunications Tower, Antenna, and Facilities Siting Ordinance duly adopted by the Iowa County Board of Supervisors for the purpose of providing a uniform and comprehensive set of standards for the development and installation of telecommunication and related facilities;

**WHEREAS**, the administration of said ordinance has revealed the need to revise the required application information;

**WHEREAS**, the revision process has also identified other areas where changes would clarify the ordinance intent and make it more effective;

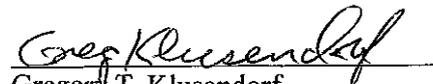
**WHEREAS**, the Iowa County Planning and Zoning Commission has held more than one public meeting in addition to a public hearing on November 28, 2007 to consider said revisions;

**NOW THEREFORE BE IT RESOLVED THAT** the Iowa County Board of Supervisors hereby amends by replacement the sections of the Iowa County Telecommunications Tower, Antenna, and Facilities Siting Ordinance as recommended by the Iowa County Planning and Zoning Commission and shown in the annotated portions of the attached draft (see Attachment A).

Adopted this 18th day of December, 2007

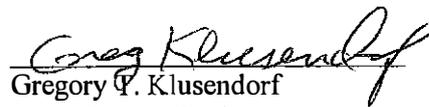
  
Mark Masters  
Iowa County Chairman

ATTEST:

  
Gregory T. Klusendorf  
Iowa County Clerk

**CERTIFICATION OF ADOPTION**

This is to certify that the County Board of Iowa County duly adopted the above resolution on the 18th day of December, 2007.

  
Gregory T. Klusendorf  
Iowa County Clerk  
Iowa County, Wisconsin

## **Attachment A**

1. Revise the Table of Contents to include “7.00 Annual Informational Report” and renumber accordingly.
2. Insert the following as Section 1.00(6): Maintain and ensure that a nondiscriminatory, 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 Iowa County’s police, fire and emergency response network.
3. Add to Section 2.0 Definitions: Commission: the Iowa County Planning & Zoning Commission
4. Revise Section 3.00(2) to read: Amateur radio towers are exempt from the provisions of this Ordinance, including the installation of any antenna and supporting towers, poles and masts that are owned and/or operated by a federally licensed amateur radio operator or is used exclusively for receive-only antennas.
5. Revise Section 4.00 to read: Telecommunications facilities may be considered as a conditional use permit only in the following zoning districts: A-1, AR-1, AB-1 B-2, B-3 and B-4.
6. Replace “Zoning, Planning, Sanitation and Rural Planning Commission” throughout the ordinance with “Commission”
7. Delete from Section 6.00: (j) Copies of approvals from the Federal Aviation Administration (FAA) including any aeronautical study determination or other findings and the Wisconsin State Bureau of Aeronautics, if applicable.
8. Delete from Section 6.00: (k) Copies of any Environmental Assessment (EA) reports on Form 600 or Form 854 submitted to the Federal Communication commission (FCC) if applicable.
9. Delete from Section 6.00: (m) Copies of Findings of No Significant Impacts (FONSI) statement from the Federal Communication Commission (FCC) or Environmental Impact Study (EIS) if applicable.
10. Revise the first sentence of Section 6.00(j) to read: 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 3.00, subject to the review and approval of the Commission, which identifies up to three reasonable, technically feasible, alternative locations and/or facilities which would provide the proposed telecommunication service.

11. Add to Section 6.00: (r) Proof of liability coverage.
12. Add to Section 6.00: (s) Certified statement from a radio frequency (RF) engineer showing the coverage of the proposed facility.
13. Renumber Section 6.00 accordingly.
14. Replace Section 6.00(4) with:

**Conditions to Granting Conditional Use Permits.** For each conditional use permit approved by the Commission the applicant shall submit a fee set by County Board Resolution before the conditional use permit will be issued. The granting of each conditional use permit by the Commission shall be conditional and the applicant shall submit the following to the Commission's satisfaction 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 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 relating to any telecommunications facility located in Iowa County submitted to the Federal Communication Commission (FCC) shall be submitted within 30 days of filing.
- d) Copies of Finding of No Significant Impacts (FONSI) statement from the Federal Communication Commission (FCC), if applicable.
- e) NIER (non-ionizing electromagnetic radiation) exposure studies.
- f) Application for an Iowa County zoning permit with applicable fee.

15. Insert Section 7.00 to read:

**7.00 Annual Information Report.**

The purpose of the annual report under this section is to provide Iowa County with accurate and current information concerning the telecommunications facility owners and providers who offer or provide telecommunications services within the County, or that own or operate telecommunications facilities within the County, to assist the County in enforcement of this Ordinance. The Office of Planning & Development will give a 30-day notice prior to the annual deadline of these 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 Office of Planning & Development, a Telecommunications Facility Annual Information

Report. This annual report shall include the tower owner name(s), address(es), phone number(s), contact person(s), annual review fee and proof of bond as security for removal. The tower owner shall supply the tower height and current occupancy. 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 owners shall submit, on or before January 31 of each year, to the Office of Planning & Development the annual review fee of \$250 per tower site. The fee submittal is the responsibility of each tower owner. Failure to provide this information shall result in a daily civil forfeiture until the information is received by the Office of Planning & Development.

16. Renumber the sections throughout for consistency

17. Revise the forfeiture in paragraph four of Section 15.00 to be “no less than Ten Dollars (\$10.00) nor more than Five Hundred Dollars (\$500.00)”