

ORDINANCE NO. 2015-306

AN ORDINANCE OF THE TOWN OF WALDEN, TENNESSEE
AMENDING TITLE 20, CHAPTER 4 RELATING TO AMATEUR RADIO STATIONS,
TELECOMMUNICATION AND WIRELESS COMMUNICATION FACILITIES

WHEREAS, the Board of Mayor and Aldermen adopted Title 20, Chapter 4 of the Municipal Code in 1998 as amended in 1999 to provide a uniform and comprehensive set of standards for the placement of amateur radio stations, telecommunication and wireless communication facilities; and

WHEREAS, the Board desires to revise the regulations to clarify certain provisions of the Ordinance and to better encourage co-location and site-sharing on existing structures.

NOW, THEREFORE, BE IT ORDAINED by the Board as follows:

SECTION 1: That Municipal Code Section 20-401 be amended to delete in their entirety subsections (9) and (12) and by substituting therefor the following:

(9) "Telecommunications facility" or "TCF." A facility, other than a WCF or an amateur radio station, that transmits and/or receives electromagnetic signals and may include omni-directional antennae, directional antennae, parabolic antennae, microwave dishes or horns, and other types of equipment for the transmission and/or receipt of such signals.

(12) "Wireless communication facility" or "WCF." A facility for the transmission and or reception of wireless communication services, usually consisting of an antenna array, transmission cables, an equipment facility, and a support structure to achieve the necessary elevation.

SECTION 2: That Municipal Code Section 20-406 be amended as follows:

a) To delete Section 20-406(8) in its entirety and by substituting therefor:

(8) Appeals. Any person, firm, or corporation aggrieved by any decision of the Board of Mayor and Aldermen may appeal as provided by law to a court of competent jurisdiction.

b) To amend Section 20-406(9)(e)(i) to add "amateur radio station" and "TCF" to "WCF", so that the second clause of the first sentence of subsection (e)(i) provides, in pertinent part, "provided that the applicable development standards may be reduced or waived so long as the approval of the WCF, amateur radio station or TCF meets the goals and purposes of section 20-402."

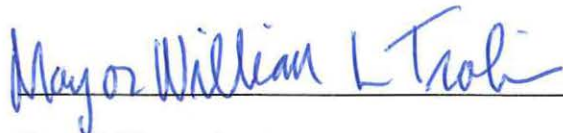
c) To amend Section 20-406(9)(e)(ii)(A) so that it provides: "The WCF, amateur radio station or TCF would result in probable significant adverse visual impacts on nearby residences."

d) To delete Section 20-406(9)(h) in its entirety and by substituting therefor:

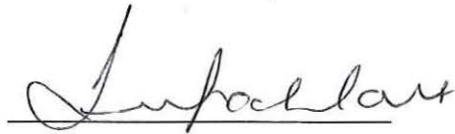
(f) Appeals. Any person, firm, or corporation aggrieved by any decision of the Board of Mayor and Aldermen may appeal as provided by law to a court of competent jurisdiction.

Effective Date. The ordinances and amendment describe above shall take effect upon their adoption and publication, the public welfare requiring it.

SO ORDAINED, this 13 day of October, 2015.



Mayor William Trohanis



Fern Lockhart, Recorder

PASSED ON FIRST READING:

VOTE ON FIRST READING: 2 AYE

0 NO

Date: 9/8/2015

PASSED ON SECOND READING:

VOTE ON SECOND READING: 3 AYE

0 NO

Date: 10/13/15

Approved as to form:

Town Attorney

11/25/2015 9:25 AM

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PUBLIC NOTICE

TOWN OF WALDEN, TENNESSEE
THE TOWN OF WALDEN'S BOARD
OF MAYOR AND ALDERMEN
PASSED ON FINAL READING OR-
DINANCE NO. 2015-306, AN ORDI-
NANCE AMENDING THE TOWN OF
WALDEN'S TELECOMMUNICA-
TION ORDINANCE.

MAYOR WILLIAM TROHANIS

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TOWN OF WALDEN, TENNESSEE

PUBLIC NOTICE

THE TOWN OF WALDEN'S BOARD OF MAYOR AND ALDERMEN PASSED ON FINAL READING ORDINANCE NO.
2015-306, AN ORDINANCE AMENDING THE TOWN OF WALDEN'S TELECOMMUNICATION ORDINANCE.

MAYOR WILLIAM TROHANIS

If any further information is required regarding this matter, please contact me at 886-4362.

Sincerely,

Fern Lockhart, Recorder