

TOWNSHIP OF OHIO

ORDINANCE NO. 203

AN ORDINANCE OF THE TOWNSHIP OF OHIO, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 103, ADOPTED APRIL 20, 1978, THE ZONING ORDINANCE OF THE TOWNSHIP OF OHIO, TO: (1) ADD A DEFINITION FOR COMMUNICATIONS FACILITIES; (2) ADD COMMUNICATIONS FACILITIES AS USES BY SPECIAL EXCEPTION IN AN M-1 DISTRICT; AND (3) ADD EXPRESS STANDARDS AND CRITERIA FOR GRANTING COMMUNICATIONS FACILITIES AS USES BY SPECIAL EXCEPTION.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Ohio, Allegheny County, Pennsylvania and it is hereby ordained and enacted by and with the authority of the same as follows:

SECTION 1. In Article II, Section 132-3, the following new definitions are hereby inserted in alphabetical order:

Communications Facilities - Any communications tower and its associated structures operated by any person, agency or corporation, not otherwise a public utility, as defined herein, who or which furnishes mobile domestic cellular radio telecommunications services, or other communications services for public or private use.

Tower Site: - Any lot or parcel on which communications facilities, as defined herein, are located or proposed to be located.

SECTION 2. In Article IV, the following new Section 132-17, Paragraph C, is hereby inserted:

Communications Facilities, subject to:

(a) The minimum sit area required shall be as follows:

Single Tower Not Exceeding 200 feet in Height:	1 acre
Single Tower Not Exceeding 200 feet in Height:	2 acres
Tower Site Proposed Initially or Cumulatively for Two (2) or More Towers	5 acres

- (b) Any existing or proposed tower site shall not be located within two thousand (2,000) feet of any other existing or proposed tower site, measured from nearest property line to nearest property line.
- (c) Shared use of towers and tower sites shall be encouraged. If shared use of an existing or approved tower or an existing or approved tower site is not proposed, the applicant shall demonstrate that the proposed equipment cannot be accommodated on an existing or approved tower or an existing or approved tower site for the following reasons:
- (1) The proposed equipment would exceed the structural capacity of the existing or approved towers and reinforcement of the existing or approved towers cannot be accomplished at a reasonable cost.
 - (2) The proposed equipment will cause RF (Radio Frequency) interference with other existing or proposed equipment for that tower or that existing or approved tower site and the interference cannot be prevented at a reasonable cost.
 - (3) Existing or approved towers or the existing or approved tower site do not have adequate space to accommodate the proposed equipment.
 - (4) Addition of the proposed equipment would result in NIER (Nonionizing Electromagnetic Radiation) levels which exceed any adopted local, Federal or State emission standards.
 - (5) There are other valid reasons that make it impractical to place the proposed

equipment on any existing or proposed tower or any existing or approved tower site.

- (d) Shared use shall be conditioned upon the applicant's agreement to pay a reasonable fee and the cost of adapting existing facilities to the proposed use reasonably required to accommodate the shared use.
- (e) Communications facilities and their associated structures may exceed the height limitations of the District, provided they shall be set back from any property line or public street right-of way a minimum distance of fifty percent (50%) of the tower height or greater, if necessary, to guarantee that in the event of collapse, the structure shall not fall on any adjacent property and all ice-fall or debris from tower failure shall be contained on the tower site.
- (f) No communications facility shall be located within five hundred (500) feet of any property line located in any "B" or "R" Zoning District.
- (g) Unless the essential communications facility is located on a building, the tower structure shall be completely enclosed by a six (6) foot high chain link or similar fence with self-latching gate to limit accessibility to the general public, unless the entire property is secured by such a fence.
- (h) All guy wires and all guyed towers shall be clearly marked so as to be visible at all times. All guy wires shall be located a minimum of twenty-five (25) feet from any property line.
- (i) The applicant shall submit evidence that the tower and its method of installation has been designed by a registered engineer and is certified by that registered engineer to be structurally sound and able to withstand wind and other loads in accordance with accepted engineering practice.
- (j) The tower shall be subject to any applicable Federal Aviation Administration (FAA) and Airport Zoning regulations.
- (k) No sign or other structure shall be mounted on the tower, except as may be required or

approved by the FCC, FAA or other governmental agency.

- (l) All lighting shall be shielded and reflected away from adjoining properties.
- (m) A minimum of two (2) off street parking spaces shall be provided on the tower site, plus one (1) off street parking space for each on-site personnel.
- (n) Existing vegetation on the site shall be preserved to the maximum extent possible.
- (o) A minimum twenty (20) foot easement or right of way for access shall be provided to the tower which is adequate to accommodate maintenance and emergency vehicles and which is improved with a dust-free, all-weather surface sufficient to accommodate the weight of vehicles proposed to use the easement or right of way subject to approval by the Township Supervisors. The right of way or easement shall be maintained by the landowner or lessee.

SECTION 3.

In Article X, Section 132-52, Paragraph C(3), the following subparagraph (C) is inserted:

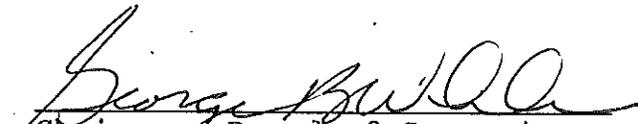
- (c) Special structures as set forth in Section 132-17 (A), (B) and (C).

SECTION 4.

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED THIS 13th DAY OF November, 1995.

TOWNSHIP OF OHIO


Chairman, Board of Supervisors

ATTEST:


Township Secretary