

ORDINANCE NUMBER: 2016-22

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR
THE VILLAGE OF CHERRY VALLEY, ILLINOIS
CHAPTER 82: ZONING, ARTICLE VIII, BUILDING COMPOSITION
RESTRICTIONS, SECTION 82-482-COMMUNICATION ANTENNA SUPPORT
STRUCTURE REGULATIONS**

WHEREAS, the President and Board of Trustees of the Village of Cherry Valley, Illinois, have received multiple inquiries regarding the construction of cell towers within the Village; and

WHEREAS, the President and Board of Trustees of the Village of Cherry Valley, Illinois, have reviewed its current ordinances and believe that the applicable ordinances require updating; and

WHEREAS, the President and Board of Trustees of the Village of Cherry Valley, Illinois, on September 21, 2015, have previously passed Resolution 2015-11, “A Resolution Establishing a Moratorium on Cell Tower Zoning Applications”, which placed a six (6) month moratorium on cell tower zoning applications to allow the President and Board of Trustees of the Village to properly review the applications and current laws; and

WHEREAS, a thorough study of model ordinances and ordinances adopted in neighboring communities pertaining to cell towers has since been conducted and completed; and

WHEREAS, the President and Board of Trustees of the Village of Cherry Valley, Illinois, now wish to replace the Village’s current ordinance providing for communication antenna support structure in its entirety; and

WHEREAS, in order to modify the sections of Chapter 82: Zoning, Article VIII, Building Composition Restrictions, Section 82-482-Communication Antenna Support Structure Regulations of the Code of Ordinances for the Village of Cherry Valley, Illinois, it is necessary to enact this ordinance.

NOW, WHEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, AS FOLLOWS:

SECTION 1: The above-recitals are incorporated herein and made a part hereof.

SECTION 2: Chapter 82: Zoning, Article VIII, Building Composition Restrictions, Section 82-482-Communication Antenna Support Structure Regulations is hereby deleted in its entirety and is hereby replaced with a new Section 82-482, to be entitled “Wireless Communication Facilities”, which shall read as follows:

1. Purpose

(a) Purpose. The purpose of this Section is to provide specific regulations for the placement, construction and modification of personal wireless service facilities. The provisions of this Section are not intended to and shall not be interpreted to prohibit the provision of personal wireless services, nor shall they be applied so as to unreasonably discriminate between providers of functionally equivalent wireless services. To the extent that any provision of this Section is inconsistent with or in conflict with any other provision of this Zoning Ordinance or any ordinance of the Village, the provisions of this Section shall control.

(b) The purpose of this Section is to also establish general guidelines for the siting of wireless communications towers and antennas. The goals of this Section are to:

1. Protect residential areas and land uses from potential adverse impacts of towers and antennas, and to encourage the location of towers in non-residential areas;
2. Minimize the total number of towers throughout the community and encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers;
3. Encourage users of towers and antennas to locate them in areas where the adverse impact on the community is minimal, and to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening and innovative camouflaging techniques;
4. Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively and efficiently;
5. Consider the impact of communications towers on the public health and safety, and avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures.

In furtherance of these goals, the Village shall give due consideration to the Village's comprehensive planning documents, zoning map, existing land uses, and environmentally sensitive areas in approving sites for the location of towers and antennas.

(c) When reviewing any request for approval required under this Section, the Village shall act within a reasonable period of time after the request is filed, taking into account the nature and scope of the request. Any decision to deny such a request shall be in writing and supported by substantial evidence contained in a written record.

2. Definitions

As used in this Section, the following terms shall have the meanings set forth below:

Alternative Tower Structure: Shall mean man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna: Shall mean any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications, which radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

Antenna Support Structure: Shall mean any structure utilized for the principal purpose of supporting an antenna.

Backhaul Network: Shall mean the lines that connect a provider's tower/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

FAA: Shall mean the Federal Aviation Administration

FCC: Shall mean the Federal Communications Commission.

Height: Shall, when referring to a tower or other structure, mean the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna.

Pre-Existing Towers, Pre-Existing Antennas: Shall mean any tower or antenna for which a building permit, special use permit, or similar approval has been properly granted prior to the effective date of this Section, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures and the like, as well as the structure and any support thereto.

3. General Provisions

- (a) New Towers and Antennas: All new towers or antennas in the Village shall be subject to these regulations, except as provided in Sections 3(b) through 3(d), inclusive.
- (b) Amateur Radio Station Operators and Receive Only Antennas. This Section shall not govern any tower or the installation of any antenna, less than 70 feet in height and owned and operated by a federally-licenses amateur radio station operator, or any tower or antennas when used exclusively for receive only use. Said antennas are governed by Section 7, herein.
- (c) Pre-Existing Towers or Antennas. Pre-existing towers and pre-existing antennas shall not be required to meet the requirements of this Section, other than the requirements of Sections 3(e)(7) and Sections 3(e)(8) herein.
- (d) AM Array. For purposes of implementing this Section, an AM array, consisting of one or more tower units and supporting ground system which functions as one AM broadcasting antenna, shall be considered one tower. Measurements for setbacks and

separation distances shall be measured from the outer perimeter of the towers included in the AM array. Additional tower units may be added within the perimeter of the AM array by right.

(e) General Requirements

1. Principal or Accessory Use. Antennas and towers may be considered either principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot.
2. Lot Size. For purposes of determining whether the installation of a tower or antenna complies with zoning district regulations, including but not limited to setback requirements, lot-coverage requirements and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lot.
3. Inventory of Existing Sites. Each applicant for an antenna and/or tower shall provide to the Village an inventory of existing towers, antennas, or sites approved for towers and antennas, that are either within the jurisdiction of the Village or within 1 ½ miles of the corporate border, including specific information about the location, height and design of each tower. The Village may share such information with other applicants applying for approvals or special use permits, or other organizations seeking to locate antennas within the Village, provided that the Village is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.
4. Aesthetics. Towers and antennas shall meet the following requirements:
 - a. Towers shall maintain a galvanized steel finish or, subject to the applicable standards of the FAA, be painted a neutral color to reduce visual impact.
 - b. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend them into the natural setting, surrounding land uses, and buildings.
 - c. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
 - d. Barbed or razor wire fencing is not permitted.

- e. Prior to the issuance of a building permit for a tower, the applicant shall obtain approval of tower materials and colors, exterior building design, site lighting and landscaping through the Village's project review procedures.
5. 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 shall cause minimal disturbance to the surrounding views.
6. Height. No freestanding facility may rise more than 100 feet above curb level, or 150 feet in an Industrial (I) district. The height limit may be increased to 110 feet for any additional user and to 120 feet for two additional users.
7. State or Federal Requirements. All towers shall meet or exceed current standards and regulations of the FAA, the FCC, and any other state or federal government agency with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas shall bring them into compliance with said standards and regulations within six months of their effective date, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to achieve such compliance shall constitute grounds for the removal of the tower or antenna at the owner's expense.
8. Building Codes and Safety Standards. To ensure the structural integrity of towers, the owner of a tower shall maintain it in compliance with standards contained in applicable state or Village building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the Village concludes that a tower fails to comply with such codes and standards and that it constitutes a danger to persons or property, then upon written notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards. Failure to achieve such compliance within said thirty (30) days shall constitute grounds for the removal of the tower or antenna at the owner's expense.
9. Measurement. For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in the Village irrespective of municipal and county jurisdictional boundaries.
10. Not Essential Services. Towers and antennas shall be regulated and permitted pursuant to this Section and shall not be regulated or permitted as essential services, public utilities or private utilities.
11. Franchises. Owners and/or operators of towers or antennas shall certify that all franchises required by law for the construction and/or operation of a wireless communication system in the Village have been obtained and shall file a copy of all required franchises with the Village.

12. Public Notice. For purposes of this Section, any special use request, variance request, or appeal of an approved use or special use shall require public notice to all abutting property owners and all property owners of properties that are located within the corresponding separation distance listed in Table 1 herein, in addition to any other notice required by this Ordinance.
 13. Signs. No signs shall be allowed on an antenna or tower unless required by the FAA or FCC or other applicable authority.
 14. Buildings and Support Equipment. Buildings and support equipment associated with antennas or towers shall comply with the requirements of this Section.
 15. Multiple Antenna/Tower Plan. The Village encourages the users of towers and antennas to submit a single application for approval of multiple towers and/or antenna sites.
- (f) Permitted Uses. Antennas or towers located on property owned, leased, or otherwise controlled by the Village, provided a license, lease, or similar means of approval authorizing such antenna or tower has been issued by the Village, are deemed to be permitted uses and shall not require a special use permit.
- (g) Review and Approval Procedures. A building permit and special use permit is required for each new wireless tower installation.
- a. When a wireless tower facility requires special use approval, such approval must be obtained before any building permit may issue.
 - b. If the Planning & Zoning Commission does not make a recommendation on a special use application for a wireless tower facility within 120 days after the application is filed, the Planning & Zoning Commission will be deemed to have recommended approval of the special use permit, provided that this limitation does not apply during any period of time during which consideration of the application has been delayed at the request of the applicant. Final decisions on any such special use permit application must be made by the Village Board of Trustees by ordinance.
 - c. Each applicant requesting a permit for a wireless communication facility must submit an application and fee as determined, from time to time, by separate ordinance or resolution of the Village Board, as well as a scaled site plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals, showing:
 - i. The location and dimension of all improvements;

- ii. Information concerning topography;
 - iii. Radio frequency coverage
 - iv. Tower height requirements and setbacks;
 - v. Drives, parking, fencing, landscaping, and adjacent uses; and
 - vi. Any other information deemed by the Planning & Zoning Commission to be necessary to assess compliance with the Zoning Ordinance.
- d. A new tower shall not be permitted unless the applicant demonstrates to the reasonable satisfaction of the Planning & Zoning Commission that no existing tower, structure or alternative technology that does not require the use of towers or structures can accommodate the applicant's proposed wireless tower and/or antenna. An applicant shall submit information related to the availability of suitable existing towers, other structures, or alternative technology. Evidence submitted to demonstrate that no existing tower, structure or alternative technology can accommodate the applicant's proposed antenna may consist of any of the following:
- i. No existing towers or structures are located within the geographic area which meets the applicant's engineering requirements;
 - ii. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements;
 - iii. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment;
 - iv. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna;
 - v. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable;
 - vi. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable; and
 - vii. The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable micro cell

network using multiple low-powered transmitters/receivers attached to a wire line system, is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.

- e. Approved wireless communication facilities may be transferred to successors and assigns of the approved party, subject to all the conditions that apply to initial approval.
- (h) **Setbacks.** The following setback requirements shall apply to all towers for which a special use permit is required; however, the Village Board of Trustees may reduce the standard setback requirements if the goals of the Section are better served:
 - a. Towers must be set back a distance equal so that if the tower and one-half of the length of any portion of the tower that is horizontal or perpendicular to the tower base is laid on the ground from the tower base in any direction that no part of the tower extends beyond the zoning lot boundaries.
 - b. Guys and accessory buildings must satisfy the minimum zoning district setback requirements.
- (i) **Separation.** The following separation requirements shall apply to all towers and antennas for which a special use permit is required, however, the Village Board of Trustees may reduce the standard separation requirements in accordance with Section 3(l), herein.
 - a. Separation from off-site uses/designated areas.
 - i. Tower separation shall be measured from the base of the tower to the lot or property line of the off-site uses and/or designated areas as specified or otherwise provided for in Table 1.
 - ii. Separation requirements for towers shall comply with the minimum standards established in Table 1.
 - b. Separation distances between towers. Separation distances between towers shall apply to and be measured between the proposed tower and pre-existing towers. Separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the base of the proposed tower. Separation distances listed in linear feet shall be as shown in Table 2.
- (j) **Security Fencing.** Towers shall be enclosed by security fencing not less than six (6) feet in height and shall also be equipped with an appropriate anti-climbing device. The Village Board of Trustees may, however, waive such requirements, as it deems appropriate.

(k) Landscaping. The following requirements shall govern the landscaping surrounding towers for which a special use permit is required.

- a. Tower facilities shall be landscaped with a plant material buffer that screens the view of the tower compound. At a minimum, the buffer shall consist of a landscaped strip at least four feet wide outside the perimeter of the compound. In locations where the visual impact of the tower will be minimal, the landscaping requirement may be reduced by the Village Board of Trustees.
- b. Existing mature tree growth and natural land forms on the site shall be preserved to the greatest extent possible. In some cases, such as towers, sited on large, wooded lots, existing natural growth around the perimeter of the property may be a sufficient buffer.
- c. Landscaping plans shall be submitted to the Village for required review and approval prior to the issuance of a required building permit.

| Table 1 | Separation Distance Between Towers and Off-Site Uses |
|---|--|
| Off-Site Use/Designated Area: | Separation Distance: |
| Detached Single-Family Residential Units | 500 feet or 300% height of tower, whichever is greater |
| Vacant Residential zoned land which is either platted or has preliminary subdivision plat approval which is not expired | 400 feet or 300% height of tower, whichever is greater |
| Vacant unplatted residentially zoned land, including any unplatted residential use properties without a valid preliminary subdivision plat or valid development plan approval and any R3 or R4 residentially zoned land | 100 feet or 150% height of tower, whichever is greater |
| Existing multi-family residential units greater than duplex units | 100 feet or 150% height of tower, whichever is greater |
| Non-residentially zoned lands or non-residential uses | None; only setbacks apply |

| Table 2: Separation Distances Between Towers | Lattice | Guyed | Monopole Greater Than 75 Feet Tall | Monopole Less Than 75 Feet Tall |
|---|---------|-------|------------------------------------|---------------------------------|
| Lattice | 5,000 | 5,000 | 1,500 | 750 |
| Guyed | 5,000 | 5,000 | 1,500 | 750 |
| Monopole Greater Than 75 Feet Tall | 1,500 | 1,500 | 1,500 | 750 |

| | | | | |
|---------------------------------|-----|-----|-----|-----|
| Monopole Less Than 75 Feet Tall | 750 | 750 | 750 | 750 |
|---------------------------------|-----|-----|-----|-----|

- (l) Variances/Modifications. The Planning & Zoning Commission may recommend, and the Village Board of Trustees may approve, variations to modify any of the non-federally-mandated requirements of this Section pertaining to height limitations, setback requirements, and screening or landscaping if it determines that the goals of this Section are better served thereby.
- a. Setback requirements may be modified if the applicant shows, to the satisfaction of the Planning & Zoning Commission and the Village Board of Trustees, that such modification will result in a reduction of the visual impact of the wireless communication facility.
 - b. The height increases authorized in Section 3(e)(6) are available only if the applicant shows, to the satisfaction of the Planning & Zoning Commission and Village Board of Trustees, that:
 - i. The facility will be constructed to safely and effectively accommodate co-location of one or more wireless communication facilities comparable in weight, size and surface area to the applicant’s wireless communication facility; and
 - ii. Certified letters have been sent to all other wireless carriers licensed to serve the Cherry Valley market notifying them of the construction of the wireless communication facility and its availability for co-location.

4. Buildings or Other Equipment Storage

- a. Antennas Mounted on Structures or Rooftops. The equipment cabinet or structure used in association with antennas shall comply with the following:
 - i. The equipment cabinet or structure shall not contain more than 300 square feet of gross floor area or be greater than 15 feet in height. In addition, for buildings and structures which are less than 50 feet in height, the related unmanned equipment structure, if having 150 or more square feet of gross floor area or a height of 10 or more feet, shall be located on the ground and not on the roof of the structure.
 - ii. If the equipment structure is located on the roof of a building, the area of the equipment structure and other equipment or structures shall not occupy more than 150 square feet or 20 percent of the roof area, whichever is greater.

- iii. Equipment storage buildings or cabinets shall comply with all applicable building codes.
- b. Antennas Mounted on Utility Poles or Light Poles. The equipment cabinet or structure used in association with antennas shall be located in accordance with the following:
 - i. In residential districts, the equipment cabinet or structure may be located:
 - 1. In a side yard provided the cabinet or structure is no greater than four (4) feet in height or 24 square feet in gross floor area, and the cabinet/structure is located a minimum of five (5) feet from all lot lines. The cabinet/structure shall be screened by an evergreen hedge with an ultimate height of at least 42 to 48 inches and a planted height of at least 36 inches.
 - 2. In a rear yard, provided the cabinet or structure is no greater than six (6) feet in height or 24 square feet in gross floor area. The cabinet/structure shall be screened by an evergreen hedge with an ultimate height of eight (8) feet and a planted height of at least 36 inches.
 - 3. The cabinet or structure may not be located in a front yard or side yard abutting a street.
 - ii. In commercial or industrial districts the equipment cabinet or structure shall be no greater than six (6) feet in height or 64 square feet in gross floor area. The structure or cabinet shall be screened by an evergreen hedge with an ultimate height of eight (8) feet and a planted height of at least 36 inches. In all other instances, structures or cabinets shall be screened from view of all residential properties which abut or are directly across the street from the structure or cabinet by a solid fence six (6) feet in height or an evergreen hedge with an ultimate height of eight (8) feet and a planted height of at least 36 inches. The cabinet or structure may not be located in a front yard or side yard abutting a street.
- c. Antennas Located on Towers. The related unmanned equipment structure shall not contain more than 300 square feet of gross floor area or be more than fifteen (15) feet in height, and shall be located in accordance with the minimum yard requirements of the zoning district in which located.
- d. Modification of Building Size Requirements. The requirements of Section 4(a) and 4(b) of this Ordinance may be modified by the Village Board of Trustees in the case of uses permitted by special use to encourage collocation.

5. Removal of Abandoned Antennas and Towers. Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within 90 days of receipt of notice from the Village advising the owner of such abandonment. Failure to remove an abandoned antenna or tower within said 90 days shall be grounds to remove the tower or antenna at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

6. Nonconforming Towers or Antennas

- a. Expansion of Non-Conforming Use. Towers and antennas constructed or installed in accordance with the provisions of this Ordinance shall not be deemed to constitute the expansion of a nonconforming use or structure.
- b. Pre-Existing Towers. Pre-existing towers shall be allowed to continue their usage as they presently exist. Routine maintenance, including replacement with a new tower of like construction and height, shall be permitted on such pre-existing towers. New construction other than routine maintenance on a pre-existing tower shall comply with the requirements of this Chapter.
- c. Rebuilding Damaged or Destroyed Nonconforming Towers or Antennas. Notwithstanding Section 5 herein, nonconforming towers or antennas that are damaged or destroyed may be rebuilt without first having to obtain administrative approval or a special use permit, and without having to meet the separation requirements specified herein. The type, height and location of the tower onsite shall be of the same type and intensity of the original tower. Building permits to rebuild the facility shall comply with the building codes in effect at the time of permit application and shall be obtained within 180 days from the date the facility is damaged or destroyed. If no permit is obtained within said 180 days or if said permit expires, the tower or antenna shall be deemed abandoned as specified herein.

7. Amateur Radio Facilities with Surface Area over 10 Square Feet. In any zoning district, any antenna and antenna support structure having a combined surface area greater than 10 square feet or having any single dimension exceeding 12 feet that is capable of transmitting and/or receiving signals and is licensed by the FCC as an amateur radio facility or is capable of receiving signals must satisfy each of the following conditions:

- a. Number Limited. No more than one such antenna support structure with a surface area greater than 10 square feet or any single dimension exceeding 12 feet may be located on any zoning lot.
- b. Height Limited. No such antenna support structure shall, if ground mounted, exceed 75 feet in height or, if attached to a building pursuant to these regulations, the height herein specified.

- c. Attachment to Buildings Limited. No such antenna or its support structure shall be attached to a principal or accessory structure unless all of the following conditions are satisfied:
 - i. Height. The antenna and its support structure shall not extend more than 20 feet above the highest point of the building or structure on which it is mounted.
 - ii. Mounting. The antenna and its support structure shall not be attached to or mounted upon any building appurtenance, including a chimney. The antenna and its support structure shall not be mounted or attached to the front of any principal building or to the side of any building facing a street, including any portion of the building facing any street. The antenna and its support structure shall be designed to withstand a wind force of 80 miles per hour on its own and without the support of guy wires.
 - iii. Grounding. The antenna and its support structure shall be bonded to a grounding rod.
 - iv. Other Standards. The antenna support structure shall satisfy such other design and construction standards as the Village Board of Trustees reasonably determines are necessary to ensure safe construction and maintenance of the antenna and its support structure.
- d. Setback from Street. No such antenna or its support structure shall be erected or maintained closer to any street than the wall of the principal building to which it is accessory that is nearest to such street.
- e. Setbacks from Adjacent Buildings. No such antenna or its support structure shall be located in any required side yard or near than one-half the height of the antenna and support structure to any habitable building on any adjacent property.
- f. Zoning Regulations for Antennas and Antenna Support Structures in All Zoning Districts.
 - i. Certificate of Compliance. In addition to any other provisions, no antenna or antenna support structure permitted under this Ordinance shall be constructed, altered, or enlarged in the Village unless a certificate of zoning compliance has been issued by the Village.
 - ii. Unless specifically provided to the contrary, when the regulations of this Ordinance are more restrictive than any other regulations generally applicable within the zoning districts, the provisions of this Ordinance shall apply.

- iii. For purposes of this Ordinance, the surface area of an antenna and its support structure shall be determined by adding together the actual surface area of each solid element or part of the antenna or its support structure, where “solid” is defined to include all air spaces that are fully bounded by solid elements.
- iv. Except as otherwise expressly provided in this Ordinance, all such antennae and antennae support structures shall be subject to the provisions of this Ordinance applicable to accessory uses and structures.
- v. The foregoing special regulations shall not apply to antennae and antennae support structures owned or maintained by the Village.

SECTION 3: Except as modified in Sections 82-482 above, the Code Sections as they previously existed and were printed shall remain in full force and effect.

SECTION 4: This Ordinance shall become in full force and effect from and after its approval, passage and publication in pamphlet form.

PASSED UPON MOTION BY: GARY MAITLAND

SECONDED BY: SALLY HOLLEMBEAK

BY ROLL CALL VOTE THIS 7TH DAY OF JUNE, 2016

AS FOLLOWS:

VOTING “AYE”: STEPEHN APPELL, JEFF FUSTIN, GARY MAITLAND,
SALLY HOLLEMBEAK, DAVID SCHROEDER

VOTING “NAY”: NONE

ABSENT, ABSTAIN, OTHER: NANCY BELT

APPROVED JUNE 7, 2016

ATTEST:


KATHY TRIMBLE, DEPUTY CLERK


JIM E. CLAEYSSEN, VILLAGE PRESIDENT