

PREPARED BY:

VILLAGE OF CHANNAHON
24555 S. NAVAJO DRIVE
CHANNAHON, IL 60410

MAIL TO:

VILLAGE OF CHANNAHON
24555 S. NAVAJO DRIVE
CHANNAHON, IL 60410

RECORDER'S STAMP

ORDINANCE NO. 1658

**AN ORDINANCE OF THE VILLAGE OF CHANNAHON,
WILL AND GRUNDY COUNTIES, STATE OF ILLINOIS
AMENDING THE VILLAGE CODE OF ORDINANCES TITLE XV,
CHAPTER 159 (TELECOMMUNICATION ORDINANCE)**

**ADOPTED BY THE
BOARD OF TRUSTEES
VILLAGE OF CHANNAHON**

THIS 15th DAY OF August, 2011

**PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF CHANNAHON, WILL AND GRUNDY COUNTIES, ILLINOIS**

THIS 15th DAY OF August, 2011

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AMENDING THE VILLAGE CODE OF ORDINANCES TITLE XV,
CHAPTER 159 (TELECOMMUNICATION ORDINANCE)**

WHEREAS, the Village of Channahon is a home rule municipal corporation;
and

WHEREAS, local regulation of the placement, construction and modification of wireless service facilities is authorized by 47 U.S.C. 332(c)(7) of the Telecommunications Act of 1996;

WHEREAS, on September 21, 2009, the Corporate Authorities approved an ordinance amending Title XV to include Chapter 159: Telecommunication Facilities, Towers and Antennas thus regulating the location and development of wireless service facilities within in Village; and

WHEREAS, public bodies may own property and operate within residential zoning districts throughout the Village as a permissible use; and

WHEREAS, while the property of public bodies may be in a Residential District, the use of properties by public bodies is by nature not residential; and

WHEREAS, the Village Planning and Zoning Commission has carefully considered that although public bodies may be located and operate in residential zoning districts they do not pose a conflict to adjacent residential properties and uses; and

WHEREAS, the Village Planning and Zoning Commission recognizes that personal wireless facilities located on alternative tower structures or already existing structures is a benefit to the Village;

WHEREAS, the Village has through its Planning and Zoning Commission conducted a public hearing on August 8, 2011, to consider the amendment to Title XV, Land Usage, Chapter 159: Telecommunication Facilities, Towers and Antennas of the Village Code of Ordinances and given full consideration to the evidence available and full consideration for the record, consisting of the staff recommendation, the documents on file with the Village, and the testimony of all interested parties, and

WHEREAS, the Corporate Authorities of the Village after due and careful consideration, have concluded that it is in the best interest of the Village of Channahon that this amendment be made to Title XV, Land Usage, Chapter 159 of the Village Code of Ordinances; and

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHANNAHON WILL AND GRUNDY COUNTIES, ILLINOIS IN THE EXERCISE OF ITS HOME RULE AND OTHER POWERS AS FOLLOWS:

SECTION 1. That Title XV, Land Usage, Chapter 159.006, Special Development Provisions be amended by to include the following:

- (A) Location
 - (3) Towers and PWF located on publicly-owned land not being used for residential purposes are permitted in any zoning district by special use authorization.
- (E) Height Limitations
 - (3) PWF located in an Alternative Tower Structure or on an existing approved tower or structure may exceed the height restrictions by special use authorization.

SECTION 2. FINDINGS

The preamble to this ordinance constitutes the findings of the Planning and Zoning Commission and Village Board of Trustees.

SECTION 3 SEVERABILITY.

If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 3. REPEALER.

All ordinances, resolutions, orders or parts thereof, which conflict with the provisions of this Ordinance, is to the extent of such conflict, hereby repealed.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form.

PASSED this 15th day of August, 2011 with 5 members voting aye, 0 members voting nay, the President not voting, with 1 members abstaining or passing and said vote being:

MILITELLO aye

NASH aye

GRECO aye

McMILLIN aye

SLOCUM aye

PAPESH Absent

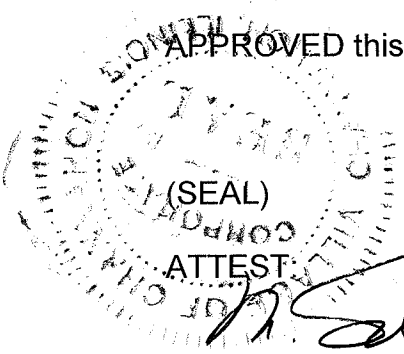


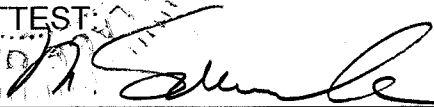
JANET SCHUMACHER, Village Clerk

APPROVED this 15th day of August, 2011.



JOSEPH COOK, Village President





JANET SCHUMACHER, Village Clerk