

## Ordinance 09-2017

### AN ORDINANCE TO AMEND SECTION 1274.06, OF THE CODIFIED ORDINANCES REGARDING DISH ANTENNAS

**WHEREAS**, the codified ordinances of Minerva Park includes a section specifying the rules and regulations governing dish antennas (Chapter 1274.06, Dish Antennas); and

**WHEREAS**, it is necessary and appropriate to revisit, clarify, and update regulations from time to time; and

**WHEREAS**, the Planning and Zoning Commission recommended that the ordinance language be clarified regarding dish antennas;

**NOW, THEREFORE, be it ordained by the Council of the Village of Minerva Park, Franklin County, State of Ohio, that:**

**Section 1.** Section 1274.06 is hereby amended to read as follows:

- (a) **Intent.** This Ordinance seeks to reduce the visual impact of dish antennas and prevent dish antennas from blocking fire lanes and utility easements.
- (b) Within residential districts, the following provisions shall apply to satellite ground stations or other antennas designed to transmit or receive radio or television signals to or from earth satellites:
  - (1). Ground mounted satellite antennas must meet the following provisions:
    - (A.) Not exceed one in number at any one address.
    - (B.) Be located behind the front building line or front facade whichever is further from the street Right-of-Way and not exceed six feet in height.
    - (C.) Be no closer than four feet to the rear or side property line.
    - (D.) Be no closer than one foot to any easement.
    - (E.) Have all associated wiring buried below grade.
    - (F.) Utilize a support structure consisting of one galvanized or aluminum pipe mounted in 8" in diameter and 24" deep or larger concrete footing.
    - (G.) Be capable of withstanding a wind force of up to seventy miles per hour without the use of supporting guy wires.
    - (H.) Must be removed when no longer being used.
  - (2) Roof or wall mounted satellite antennas must meet the following provisions:
    - (A.) Not exceed one in number at any one address.
    - (B.) Such stations or antennas shall be mounted directly on the roof or wall of the house and shall not be mounted on appurtenances such as chimneys, towers, spires, utility poles, or trees.
    - (C.) Shall not extend over seven feet above the ridge line of the house.
    - (D.) All associated wiring must not be visible from the ground.
    - (E.) Be capable of withstand a wind force of up to seventy miles per hour without the use of supporting guy wires.
- (c) A dish antenna, when installed in any Commercial or Industrial Zoning Districts must receive a permit originated by and approved by the Planning & Zoning Commission shall:
  - (1) meet the requirements of the residential zoned installation with the following exceptions:
    - (A.) Dish antenna size shall not exceed five feet in diameter.

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- (B.) The top of the antenna shall not extend ten feet above grade or surrounding roof surface.
- (C.) Shall meet the residential requirements of an antenna installation if it is installed within twenty-five feet of residentially zoned property.

(d) A zoning variance for the installation of dish antennas shall be required if the installation does not meet all of the requirements of the zoned property.

- (e). Penalty. Violation or failure to comply with any of the provisions of this section shall be considered a minor misdemeanor punishable per day per occurrence. Nothing herein shall prevent the Village from taking corrective action or such other lawful action, including civil actions at law or equity, including temporary restraining orders, preliminary injunctions and permanent injunctions, as is necessary to prevent or remedy any violations.

**Section 2.** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

**Section 3.** All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

**Section 4.** This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

**/S/ Lynn Eisentrout**

Lynn Eisentrout, Mayor

First Reading: April 24, 2017  
Second Reading: May 8, 2017  
Third Reading: May 22, 2017  
Passed: May 22, 2017

**ATTEST**

**APPROVED AS TO FORM**

**/S/ Kimberly Pulley**

Kimberly Pulley, Fiscal Officer

**/S/ Eugene Hollins**

Solicitor