

CITY OF LeROY

ILLINOIS

ORDINANCE NO. 250

AN ORDINANCE AMENDING CHAPTER 21, ZONING, SECTION 21.03(i),
ADDITIONAL PERMITTED USES, MUNICIPAL CODE OF LEROY, ILLINOIS
1975 (AS AMENDED).

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF LeROY

THIS 19th DAY OF August, 1985.

Published in pamphlet form by authority of the
City Council of the City of LeRoy, McLean County,
Illinois, this 20th day of August,
1985.

ORDINANCE NO. 250

AN ORDINANCE AMENDING CHAPTER 21, ZONING, SECTION 21.03 (i), ADDITIONAL PERMITTED USES, MUNICIPAL CODE OF LEROY, ILLINOIS 1975 (AS AMENDED).

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, (hereinafter referred to as "CITY"), are aware that "dish-type" antennas are becoming more available to be used to receive satellite radio and television signals; and

WHEREAS, it is the desire of the CITY to permit the use by property owners of their property subject to reasonable regulations, and to protect the right of other property owners; and

WHEREAS, CITY is aware of its duties to protect the health, safety and welfare of all of the residents of the City of LeRoy, McLean County, Illinois,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of LeRoy, Illinois, in lawful meeting assembled, as follows:

Section 1. That Section 21.03(i), Additional Permitted Uses, of Chapter 21, ZONING, Municipal Code of LeRoy, Illinois 1975 (as amended), is hereby further amended by addition of new sub-sub-section 3., in words and figures as follows:

"3. Regulation of Dish-Type Satellite Signal-Receiving Antennas. An additional permitted use which is hereby provided for without the need of obtaining a consent to an additional permitted use by application to the zoning board of appeals is provided for hereinafter in regard to dish-type satellite signal-receiving antennas:

(A). Definitions.

(1). "Dish-Type Satellite Signal-Receiving Antennas", also referred to as "Earth-Stations" or "Ground-Stations" shall mean one, or a combination of two or more of the following:

(aa). A signal-receiving device (antenna, dish-antenna or dish-type antenna), the purpose of which is to receive communication or other signals from satellites in earth orbit and other extraterrestrial sources.

(bb). A low-noise amplifier (LNA) which is situated at the focal point of the receiving component and the purpose of which is to magnify, store, transfer and/or transmit electronic or light signals.

(cc). A coaxial cable, the purpose of which is to carry or transmit such signals to a receiver.

(2). "Receiver" shall mean a television set or radio receiver.

(3). "Dish" shall mean that part of a satellite signal-receiving antenna characteristically shaped like a saucer or dish.

(4). "Grounding Rod" shall mean a metal pole permanently positioned in the earth to serve as an electrical conductor through which electrical current may safely pass and dissipate.

(B). Permit Required. No person, firm partnership, corporation, trust or other legal entity shall construct an earth station without a permit, nor shall construction commence without a building permit, nor shall construction commence before a building permit is issued in accordance with 21.17(d) of Chapter 21, LeRoy Municipal Code 1975 (as amended).

(C). Application for Permit. The owner or occupant with written permission from the owner, of any lot, premises or parcel of land within the City of LeRoy, who desires to construct an earth-station on said lot, premises or land parcel, must first obtain a permit to do so from the City of LeRoy Zoning Officer. The Zoning Officer shall issue such permit, provided the applicant submits a written application upon forms provided and approved by the Zoning Officer, along with a plot plan of the lot, premises or land parcel attached, showing the exact location and dimensions of the proposed earth-station; a description of the kind of earth-station proposed; the exact location and dimension of all buildings or structures; dimension and construction plans and specifications, showing the elevations of proposed earth-station upon completion, and such other information as the zoning Officer may reasonably require from time to time. Each application shall specify among other things the name and address of the owner of the real estate; the applicant's name and address; the contractor or other firm or entity who prepared the construction plans and specifications, or who will be actually constructing the earth-station. The applicant shall present documentation of the possession of any license or permit required by any federal, state or local agency pertaining to the ownership, construction or operation of an earth-station. The applicant shall submit with each application such sums as are required to be submitted with other applications for building permits under this zoning code, and the fee for such application shall be determined in the same manner.

(D). Location of Earth Station.

(1). Ground-Mounted.

(aa). No earth-station shall be constructed in any front or side yard, but shall be constructed to the rear of the residence or main structure unless a variance is granted in accordance with the other provisions of this zoning code by the Zoning Board of Appeals.

(bb). No earth-station, including its concrete base slab or other sub-structure, shall be constructed less than 10 feet from any property line or easement way except in accordance with Section 21.09(e)3.-b of this zoning code allowing for a "zero" set-back in regard to certain accessory uses or structures adjacent to a rear or side-lot line when such rear or side-lot line is bordered by an alley or alley-way owned by the CITY, and except where side yard or rear yard set-back requirements may be less than 10 feet in accordance with other provisions of this zoning ordinance such as set forth under Section 21.09(e) 3.-a.

(cc). No earth-station shall be linked, physically or electronically, to a receiver which is not located on the same lot, premises or parcel of land as is the earth-station.

(dd). An earth-station shall not exceed a grade height of 15 feet.

(ee). All structural supports shall be of metal.

(ff). Wiring between an earth-station and a receiver shall be placed at least 4 inches beneath the surface of the ground within rigid conduit.

(gg). Such earth-station shall be designed to withstand a wind-force of seventy-five (75) miles per hour without the use of supporting guy wires.

(hh). Any driving motor shall be limited to 110v maximum power design and be encased in protective guards.

(ii). An earth-station must be bonded to a grounding rod.

(jj). No earth-station shall be constructed upon the roof-top of any garage, residential dwelling, church, school, apartment building, hospital or any other commercial building or structure unless the same shall be constructed under the provisions set forth hereinafter for Roof-Mounted Stations.

(kk). All earth-stations, unless roof-mounted or of a portable or temporary type, shall be constructed in such manner as to be permanently attached to the ground in accordance with the preceding specifications of this sub-section (D) (1).

(2). Portable and Temporary Mounted.

(aa). Earth-stations may be located on the premises of a residence or main structure in compliance with the location requirements for ground-mounted earth-stations or roof-mounted earth-stations, and in compliance with all other requirements relating to the same except for requirements concerning permanent attachment to the ground or structure, when such earth-stations are of a portable nature and are to be located on the premises for a temporary period of time only, and when such temporary location on the premises is for the purposes of testing or demonstrating the earth-station or equipment related to the use thereof, such demonstration or testing being for the use and convenience of the occupant or occupants of the premises only.

(bb). Such temporary location shall only be for a period not to exceed 30 continuous days, and such 30 continuous day period as to such testing or demonstration uses of a portable earth-station shall not occur more than twice in any twelve continuous months period. Any one period of less than 30 days utilized for such testing or demonstration purposes shall count the same as if the full 30 day period had been used.

(3). Roof-Mounted.

(aa). Earth-stations shall be mounted in a permanent manner directly upon the roof of a primary or accessory structure and shall not be mounted on appurtenances such as chimneys, towers, trees, poles or spires.

(bb). An earth-station shall not exceed a height of more than 3 feet above the roof upon which it is mounted.

(cc). An earth-station "dish" shall not exceed 3 feet in diameter.

(dd). An earth-station shall be designed to withstand a wind-force of eighty-five (85) miles per hour without the use of any supporting guy-wires.

(ee). Any driving motor shall be limited to 110v maximum power design and encased in protective guards.

(ff). An earth station must be bonded to a grounding rod.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

PASSED by the City Council of the City of LeRoy, Illinois, on the 19th day of August, 1985.

Aldermen elected 6

Aldermen present 6

AYES David King, Michael Hillard, Jerry Davis, Michael Hanafin,
Gary Builta, Patrick Derby

NAYS None

Juanita Dagley
Juanita Dagley, City Clerk
of the City of LeRoy, Illinois

APPROVED by the Mayor of the City of LeRoy, Illinois, this 19th day
of August, 1985.

Jack Moss
Jack Moss, Mayor of the
City of LeRoy, Illinois

ATTEST:

(seal)

Juanita Dagley
Juanita Dagley, City Clerk
of the City of LeRoy, Illinois

CERTIFICATE

I, JUANITA DAGLEY, certify that I am the duly elected and acting municipal clerk of the City of LeRoy, McLean County, Illinois.

I further certify that on August 19, 1985, the Corporate Authorities of such municipality passed and approved Ordinance No. 250, entitled:

AN ORDINANCE AMENDING CHAPTER 21, ZONING, SECTION 21.03 (i), ADDITIONAL PERMITTED USES, MUNICIPAL CODE OF LEROY, ILLINOIS 1975 (AS AMENDED),

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 250, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on August 20, 1985, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at LeRoy, Illinois, this 19th day of August, 1985.

(seal)

Juanita Dagley
Municipal Clerk

