

2007-#2

STATE OF WISCONSIN

TOWN OF CHILTON

CALUMET COUNTY

TOWN OF CHILTON LIGHTING ORDINANCE

An Ordinance regulating external lighting of telecommunication towers, antennas, wind energy systems (WES) and related facilities.

The Town Board of Chilton, Calumet County, Wisconsin, in order to provide for the orderly growth and development of the Town of Chilton, and enhancement of health, safety, and general welfare of the public, does ordain as follows:

A. Purpose and Intent.

1. This Ordinance is adopted by the Town pursuant to Wis. Stat. §§60.10(2)(c), 60.22(3) and 61.34.
2. The purpose and intent of this Ordinance is to provide a uniform and comprehensive set of standards for the external lighting of telecommunication towers, antennas, wind energy systems and related facilities. The regulations contained herein are designed to protect and promote public health, safety, community welfare and the aesthetic quality of the Town of Chilton.

B. Definitions. For the purpose this Ordinance, the following terms and phrases shall have the meaning ascribed to them in this Section:

1. Antenna: Any system of wires, poles, rods, reflecting disks, or similar devices used for the transmission or reception of electromagnetic waves, when such system is either external to or attached to the exterior of a structure. "Antennas" shall include devices having active elements extending in any direction, and directional beam type arrays having elements carried by and disposed from a generally horizontal boom that may be mounted upon and rotated through a vertical mast or tower interconnecting the boom and antenna support, all of which elements are deemed to be part of the antenna.
2. Height: The distance measured from the grade of the property as existed prior to the construction of the telecommunications tower, antenna, wind energy system, or related facility at the base of such facility to its highest point.
3. Telecommunications Tower. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including camouflage towers, lattice towers, guy towers, or monopole

towers. This includes radio and television transmission towers, microwave towers, and common-carrier towers.

4. Wind Energy System. "Wind Energy System" means equipment that converts and then stores or transfers energy from the wind into usable forms of energy on a large, industrial scale for commercial. or utility purposes. Small scale wind systems of less than 170 feet in height with a 60-foot rotor diameter and a nameplate capacity of less than 100 kilowatts or less are exempt from this definition and the provisions of this Ordinance.

C. Regulations. It is intended that the Town shall apply these regulations to accomplish the following:

1. To minimize the adverse visual effects of the external lighting of telecommunication towers, antennas, wind energy systems and related facilities including, but not limited to, any facilities which require lighting by the Federal Aviation Administration regulations.
2. All external lighting of structures in excess of 200' including, but not limited to telecommunication towers, antennas, wind energy systems and related facilities shall comply with the Federal Aviation Administration minimum lighting requirements and standards only and shall be of the lowest lighting intensity allowed pursuant to the Federal Aviation Administration requirements and standards. Any Owner or Operator of a telecommunication tower, antenna, wind energy system, or related facility, shall not use strobe lighting, intermittent white lighting, and shall instead utilize constant red lighting. If intermittent lighting is required pursuant to the minimum Federal Aviation Administration requirements and standards, the Owner/Operator shall use intermittent red lighting.
3. Any and all external lighting of telecommunication towers, antennas, wind energy systems and related facilities which require lighting pursuant to Federal Aviation Administration requirements and standards shall be constructed to be shielded from the ground to the maximum level allowed by Federal Aviation Administration requirements and standards in an effort to lessen any impact of such lighting on the surrounding areas.
4. If several lighting alternatives are available that meet the Federal Aviation Administration requirements and standards for external lighting of telecommunication towers, antennas, wind energy systems and related facilities, the external lighting alternative that causes the least visual impact as set forth by the Town Board shall be utilized.
5. Any ground or support external lighting of telecommunication towers, antennas, wind energy systems and related facilities shall be on poles with

a maximum height of 25 feet from the ground and shall be shaded to provide down lighting only in an effort to minimize the impact of such lighting on the surrounding areas. When any and all maintenance of the structures described herein has been completed, such maintenance lighting shall be eliminated.

D. Severability.

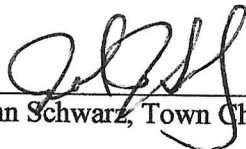
If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a Court of competent jurisdiction, such judgment shall not affect the remainder of this Ordinance.

E. Effective Date.

This Ordinance shall take effect upon passage and posting or publication as provided by law.


Adopted this 29th day of October, 2007.

Town of Chilton, Calumet County, Wisconsin



John Schwarz, Town Chair

Attest:



Doug Koffarnus, Town Clerk