

- (a) Design and installation of all towers and antennas shall comply with the manufacturers and engineers specifications. Plans shall be approved by an engineer licensed by the State of Wisconsin certifying the structural design.
- (b) The applicant and/or agent have plans indicating security measures (i.e. access, fencing, lighting, etc.).
- (c) For new wireless service support structures, the applicant has obtained a report prepared by an engineer licensed by the State of Wisconsin certifying the structural design of the tower and its ability to accommodate additional antennas.
- (d) The applicant and/or agent have proof of liability coverage.
- (e) The applicant and/or agent have copies of an Affidavit of Notification indicating that all operators and owners of airports located within five (5) miles of the proposed site have been notified via certified mail and proof that the tower meets airport height restrictions.
- (f) The facility or co-location is designed to promote site sharing, such that space is reasonably available to co-locators and such that communication towers and necessary appurtenances, including but not limited to parking areas, access road, and utilities, are shared by site users whenever possible.
- (g) The applicant and/or agent have obtained all Federal Communications Commission (FCC) license numbers and registration numbers if applicable.
  - 1. A of Findings of No Significant Impacts (FONSI) statement from the Federal Communications Commission (FCC) or Environmental Assessment or Environmental Impact Study (EIS), if applicable; a copy of which shall be submitted to the Vilas County Zoning Office prior to construction.
  - 2. Copies of the determination of no hazard from the Federal Aviation Administration (FAA) including any aeronautical study determination or other findings, if applicable; a copy of which shall be submitted to the Vilas County Zoning Office prior to construction.
  - 3. FAA approval letters shall be submitted to Vilas County Zoning Office prior to construction.
- (h) No application to place, construct or modify a telecommunications tower may be denied on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with applicable FCC emissions standards.
- (i) No land may be subdivided for the purpose of providing space for a tower unless all lot size requirements for the applicable zoning district are met and subdivision approval is obtained. On a parcel that already has a principal use, the facilities shall be considered an accessory use. A pre-existing lot of record may be leased provided that all requirements of this ordinance can be met and a Zoning Permit is issued.
- (j) If the location of the proposed wireless service support structure or wireless service facility is on leased land, the lease agreement may not preclude the lessee from entering into leases on the site with other provider(s) and no other lease provision shall operate as a bar to co-location of other providers. Written authorization for siting the wireless communication facilities from the property owner must be provided.

**27.07 Class 2 Co-location and Public Safety Towers That are Owned and Operated by Federal, State, County, or other Local Municipal Governments**

(1) Application Process

- (a) *Information Report.* A Zoning permit is not required for a class 2 co-location or a public safety tower owned and operated by federal, state, county, or other local municipal governments. It is a permitted use with the submittal of an Information Report. The Information Report must contain the following information:

1. The name, business address, and the contact individual, of the property owner, site location address, legal description and computer tax parcel number for the proposed or affected support structure, and/or the proposed wireless service facility.
2. If the intent is to modify an existing support structure, and/or the proposed wireless service facility, a construction plan shall be submitted, which describes the proposed modifications, the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications. Any change in occupancy of the wireless service facility shall be submitted on an Information Report.
3. The purpose of the report under this subsection is to provide the County with accurate and current information concerning the wireless service facility owners, providers and modifications provided by wireless services within the County, or that own or operate wireless service facilities within the County, to assist the County in enforcement of this subsection, and to assist the County in monitoring compliance with local, state and federal laws.
4. The Report shall include the wireless service support structure owner's name(s), address(s), phone number(s), contact person(s). The support structure owner shall supply the wireless service support structure height and/or current occupancy, if applicable, the number of co-location positions designated, occupied or vacant. This information shall be submitted to the County and shall become evidence of compliance.
5. If the Planning and Zoning Department does not believe that the Information Report is complete, the Planning and Zoning Department shall notify the applicant in writing, within 5 days of receiving the Report, that the Information report is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit the Information Report as often as necessary until it is complete.
6. Within 45 days of its receipt of a complete Information Report, the Planning and Zoning Department shall complete all of the following or the applicant may consider the Information Report approved, except that the applicant and the Planning and Zoning Department may agree in writing to an extension of the 45 day period:
  - a. Review the Information Report to determine whether it complies with all applicable aspects of the County's Ordinance and statutory limitations.
  - b. Make a final decision whether to approve or disapprove the Information Report.
  - c. Notify the applicant, in writing, of its final decision.
  - d. If the decision is to disapprove the Information Report, include with the written notification substantial evidence which supports the decision.
7. Fees: No fee to file an Information Report.

**27.08 Wireless Internet Service**

- (1) Wireless internet service support structures/facilities require the same application process as in 27.06 and/or 27.07 above.
- (2) Exception.
  - (a) Wireless internet service provider towers mounted on the ground that do not exceed 200 feet in height and which have a base which can be encompassed within a circle of 2-foot radius, excluding guy wires and associated anchors.