

The maximum height of any Communications Tower shall be two hundred (200') feet; provided, however, that such height may be increased to no more than two hundred fifty (250') feet, provided the required setbacks from adjoining property lines (not lease lines) are increased by one (1') foot for each one (1') foot of height in excess of two hundred (200') feet.

The base of a Communications Tower shall be landscaped so as to screen the foundation and base and Communications Equipment Building from abutting properties.

The Communications Equipment Building shall comply with the required yards and height requirements of the applicable Zoning District for an accessory structure.

The applicant shall submit certification from a Pennsylvania registered professional engineer that a proposed Communications Tower will be designed and constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/Telecommunications Industry Association and applicable requirements of the Township's Building Code.

The applicant shall submit a copy of its current Federal Communications Commission license; the name, address, and emergency telephone number for the operator of the Communications Tower; and a Certificate of Insurance evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering the Communications Tower and Communications Antennas.

All guy wires associated with guyed Communications Towers shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure.

The site of a Communications Tower shall be secured by a fence with a maximum height of eight (8') feet to limit accessibility by the general public.

No signs or lights shall be mounted on a Communications Tower, except as may be required by the Federal Communications Commission, Federal Aviation Administration, or other governmental agency which has jurisdiction.

If a Communications Tower remains unused for a period of twelve (12) consecutive months, the owner or operator shall dismantle and remove the Communications Tower within six (6) months of the expiration of such twelve (12) month period.

The location of any Communications Tower and/or Communications Equipment Building shall comply with all natural resource protection standards of any federal, state, or local law, regulation, or ordinance.

The following buffer planting shall be located around the perimeter of a security fence:

(i) An evergreen screen shall be planted that consists of either a hedge, planted three (3') feet on center maximum, or a row of evergreen trees planted ten (10') feet on center maximum;

(ii) Existing vegetation shall be preserved to the maximum extent possible;

Towers and antennae shall be designed to withstand wind gusts of at least one hundred (100) miles per hour.

An antenna may not be located on a building or structure that is listed on a historic register or is in a historic district.

Section 5. Section 407.3 - Special Purpose District: Uses Permitted by Special Exception, shall be amended to add the following:

“(g) Communications Towers and Communications Equipment Buildings subject to the standards for communication towers as special exceptions as set forth in Section 406.7.”

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 7. The provisions of this Ordinance are severable. If a part of this Ordinance is declared to be unconstitutional, illegal, or invalid, the validity of the remaining provisions shall be unaffected by such.

Section 8. This Ordinance shall take effect from and after its approval and adoption as provided by law.

ENACTED and ORDAINED into an Ordinance and passed by the Township of Rush on this 19th day of June, 2001.

RUSH TOWNSHIP BOARD OF SUPERVISORS

ATTEST:

Carol Ann Opet
Secretary

(SEAL)

By: John H. Schickman
Chairman
Frank J. Belokh
Supervisor
George A. Pinney
Supervisor