

ORDINANCE NO. 246

AN ORDINANCE OF SOUTH HEIDELBERG TOWNSHIP, BERKS COUNTY, PENNSYLVANIA TO AMEND THE SOUTHWESTERN BERKS COUNTY ZONING ORDINANCE OF 2009, AS AMENDED, TO REVISE REGULATIONS GOVERNING COMMUNICATIONS TOWERS AND ANTENNAE.

BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained by the Board of Supervisors of the Township of South Heidelberg, Berks County, Pennsylvania that the Southwestern Berks County Zoning Ordinance of 2009, as amended (the "Ordinance") is hereby amended as follows:

Section 1. Article II, Section 201(4) of the Southwestern Berks County Zoning Ordinance is amended to incorporate or revise the following definitions:

Antennae: Any exterior transmitting or receiving device mounted on a telecommunications Tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

Communications Antenna: Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communications signals, including without limitation omnidirectional or whip Antennae and directional or panel Antennae, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence mounted satellite dishes or television Antennae or amateur radio equipment including without limitation ham or citizen band radio Antennae.

Communications Equipment Building: An unmanned Building or cabinet containing communications equipment required for the operation of Communications Antennae. The area shall not exceed 250 square feet.

Communications Tower (Tower): A Structure other than a Building, such as a monopole Tower, designed and used to support Communications Antennae, including Distributed Antenna Systems.

Context Sensitive: A design concept applicable to transportation networks, development patterns, streets, alleys, buildings, architecture, pedestrian amenities, open spaces, landscaping, streetscaping, accessory structures, utility poles, Wireless Communication Facilities, and the like, in which the design of the aforementioned item(s) is complimentary to and integrated with the aesthetics of its adjacent environs, which may range in scope, at the discretion of the Municipality, from the immediate area surrounding the item in question to the Municipality as a whole. Also may be referred to as 'Context Sensitivity'.

