

ORDINANCE 901 AMENDMENTS

The Township Zoning Ordinance is hereby amended by the incorporation therein of the following definitions:

As used in this article, the following terms shall have the meanings indicated:

"Antenna"-any system of wires, rods, discs, panels, flat panels, dishes, whips, or other similar devices used for the transmission or reception of wireless signals. An "antenna" may include an omnidirectional antenna (rod), directional antenna (panel), parabolic antenna (disc) or any other wireless antenna. An antenna shall not include "tower-based wireless communications facilities" defined below.

"Co-Location"-The mounting of one or more WCFs, including antennae, on an existing tower-based WCF, or on any structure that already supports at least one non-tower WCF.

"Distributed Antenna Systems (DAS)"- Network of spatially separated antenna sites connected to a common source that provides wireless service within a geographic area or structure.

"Emergency"- A condition that: Constitutes a clear and immediate danger to the health, welfare, or safety of the public; or Has caused or is likely to cause facilities in the rights-of-way to be unusable and result in loss of the services provided"

"FCC"-Federal Communications Commission.

"Non-Tower Wireless Communications Facility (Non-Tower WCF)"- All non-tower wireless communications facilities, including, but not limited to, antennae and related equipment. Non-tower WCF shall not include support structures for antennae or any related equipment that is mounted to the ground or at ground-level.

"Related Equipment" - Any piece of equipment related to, incident to, or necessary for, the operation of a tower-based WCF or non-tower WCF. By way of illustration, not limitation, "related equipment" includes generators and base stations.

"Right of Way (ROW)" , For Non-Tower Wireless Communication Facilities only. The surface of and space above and below any real property in the Township in which the Township has a regulatory interest, or interest as a trustee for the public, as such interests now or hereafter exist, including, but not limited to, all streets, highways, avenues, roads, alleys, sidewalks, tunnels, viaducts, bridges, skyways, or any other public place, area or property under the control of the Township, and any unrestricted public or utility easements established, dedicated, platted, improved or devoted for utility purposes, but excluding lands other than streets that are owned by the Township. The phrase "in the right(s)-of-way" and means in, on, over, along, above and/or under the right(s)-of-way.

For the purpose of this article, ROW shall include streets and roads owned by Pike County, the Commonwealth of Pennsylvania, and any other Pennsylvania state agencies.

“Stealth Technology” - Camouflaging methods applied to wireless communications towers, antennae and other facilities which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted antennae, building-mounted antennae painted to match the existing structure and facilities constructed to resemble trees, shrubs, and light poles.

“Substantially Change”- a) Any increase in the height of a wireless support structure by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater, except that the mounting of the proposed wireless communications facility may exceed the size limits set forth herein if necessary to avoid interference with existing antennae; or
b) Any further increase in the height of a wireless support structure which has already been extended by more than 10% of its originally approved height or by the height of one additional antenna array.

“WBCA”- Pennsylvania Wireless Broadband Collocation Act (53 P.S. § 11702.1 et seq.)”

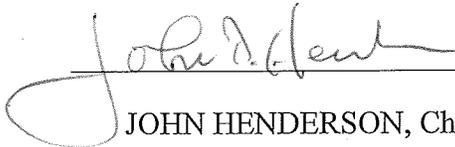
“Wireless”-Transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, PCS, microwave, satellite, or radio signals.

“Wireless Communications Facility (WCF)”- The antennae, nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics and other equipment used for the purpose of transmitting, receiving, distributing, providing, or accommodating wireless communications services.

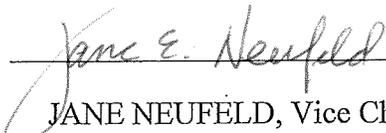
“Wireless Communications Facility Applicant (WCF Applicant)”- Any person that applies for a wireless communication facility building permit, zoning approval and/or permission to use the public right-of-way (ROW) or other Township-owned land or property.

Ordained and enacted this 19 day of December, 2018.

Delaware Township Board of Supervisors



JOHN HENDERSON, Chairman

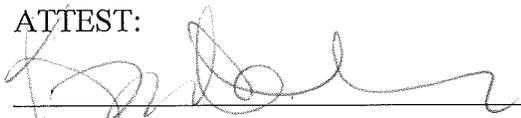


JANE NEUFELD, Vice Chairman



RICK KOHLER, Supervisor

ATTEST:



KRISTA PREDMORE, Township Administrator