

BOROUGH OF WEST VIEW
ORDINANCE NO. 1504

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 290, ZONING, OF THE BOROUGH OF WEST VIEW CODE, SPECIFICALLY AS TO SMALL WIRELESS FACILITIES.

NOW, THEREFORE, be it Ordained and Enacted by the Council of the Borough of West View, Allegheny County, Pennsylvania, that Section 290 of the Borough of West View Code, Zoning, is hereby amended as follows:

1. That Article II, Terminology, Section 290-9, Definitions, is hereby amended to include a definition for “Antenna-Small Wireless Facility”, as follows:
 - A. Small Wireless Facilities
 1. Mounted on structures 50 feet or lower in height, including their antennas; or
 2. Mounted on structures no more than 10 percent taller than other adjacent structures; or
 3. That do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater.
 - B. Each antenna associated with the deployment, excluding associated equipment, is no more than 3 cubic feet in volume;
 - C. All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume.
 - D. The facilities do not require antenna structure registration under FCC rules;
 - E. The facilities do not result in human exposure to radio frequency radiation in excess of the applicable safety standards specified by the FCC.
2. That Article V, Use Regulations, Section 290-20(i), Accessory Uses, shall be amended to include aesthetic requirement for small wireless facilities as follows:
3. That Article X, Administrative Procedures, Section 290-40, Schedule of Fees, shall be amended to include the following fees as to Small Wireless Facilities:
 - A. Non-Recurring Fees: \$500.00 for non-recurring fees, including a single up-front application that includes up to five small wireless facilities, with an additional \$100.00 for each small wireless facility beyond five; or \$1,000.00 for non-recurring fees for a new pole intended to support one or more small wireless facilities.
 - B. Recurring Fees: \$270.00 per small wireless facility, including antennas and poles, per year for all recurring fees, including any possible ROW

access fee or attachment fees to municipally-owned structures in the ROW.

4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such holding shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared severable.
5. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
6. Effective Date. This Ordinance shall become immediately effective upon the date of execution.

ORDAINED AND ENACTED THIS 14th day of March, 2019.

ATTEST:

BOROUGH OF WEST VIEW

Chief of Police Bruce A. Fromlak
Borough Secretary

William F. Aguglia
Council President

Approved as to form:

Mayor John R. Henry