

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 097-006

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 5 ("BUILDINGS AND BUILDING REGULATIONS"), ARTICLE XII OF THE CODE OF ORDINANCES RELATING TO SATELLITE EARTH STATIONS BY INCREASING THE SIZE OF SATELLITE EARTH STATIONS WHICH ARE GENERALLY EXEMPT FROM THE REGULATIONS FROM 24 INCHES TO ONE METER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. Amendment. Chapter 5 ("Buildings and Building Regulations") of the Code of Ordinances of the Town of Addison, Texas is hereby amended in the following particulars, and all other chapters, articles, sections, paragraphs, sentences, phrases and words of the said Code are not amended but are hereby ratified, verified, approved and affirmed:

A. Article XII ("Satellite Earth Stations") is hereby amended by amending Section 5-286 so that it shall hereafter read as follows (additions are underlined; deletions are ~~struck-through~~):

Sec. 5-286. Size, location, etc.

- (a) Satellite earth stations shall:
- (1) Not exceed 10 feet in height from the ground to the highest point of the station;
 - (2) Not exceed 10 feet in diameter;
 - (3) Be installed, constructed or placed in the back 1/2 of the lot;
 - (4) Be screened from view on all sides by a solid fence, wall or landscaping to a minimum height that shall be equal to the tallest point of the structure at its operating height; provided, however, that no fence or wall used as a screening device shall exceed the height permitted by the City's fence regulations, and to the extent that the maximum operating height of the satellite dish exceeds the permitted maximum height of a fence or wall, landscaping shall be used as a screening device. Screening shall be of a

material that is compatible with the building materials or landscaping, as appropriate, used in the area;

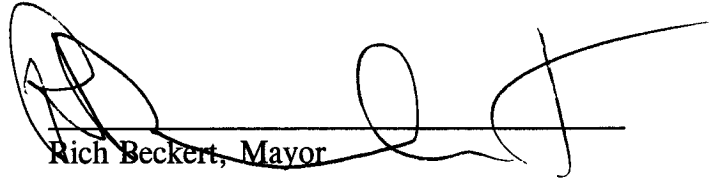
- (5) Conform to all building and electrical codes, including proper grounding;
 - (6) Shall not be portable or moveable; and
 - (7) Shall be of a forest green, black, brown or grey color or other neutral color designed to blend in with the surroundings.
- (b) A satellite earth station which is one (1) meter ~~two (2) feet~~ or less in diameter:
- (1) which is to be located or placed on property which is zoned for residential use shall not be required to comply with paragraph (a)(1) or (a)(4) of this section; provided, however, that no such satellite earth station shall be located or placed on or within property so that the satellite earth station is visible from a public street or other public right-of-way (exclusive of public alleys); or
 - (2) which is to be located or placed on property zoned for commercial or industrial use shall be exempt from the terms of this article.
- (c) No lot or parcel of land in any district shall have, at any one time, more than one satellite earth station."

Section 2. Savings. This Ordinance shall be cumulative of all other ordinances of the City affecting zoning and satellite earth stations and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those Ordinances are in direct conflict with the provisions of this Ordinance.

Section 3. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

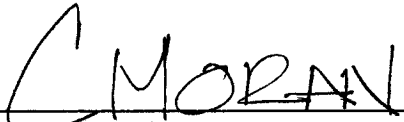
Section 4. Effective date. This Ordinance shall become effective from and after its date of passage and publication as provided by law.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 25th day of February, 1997.



Rich Beckert, Mayor

ATTEST:



Carmen Moran, City Secretary

[SEAL]

APPROVED AS TO FORM:



Ken Dippel, City Attorney