

# WATAUGA COUNTY WIRELESS TELECOMMUNICATIONS ORDINANCE

## I. Purpose and Legislative Intent.

The purpose of this Wireless Telecommunications Ordinance is to provide for the public health, safety and welfare by ensuring that residents, businesses and public safety operations in Watauga County have reliable access to telecommunications networks and state of the art mobile broadband communications services while also minimizing adverse impacts created by wireless facilities and structures. To accomplish the above stated objectives and to ensure that the placement, construction or modification of wireless telecommunications facilities complies with all applicable federal and state laws, including without limitation Section 6409 of the federal Middle Class Tax Relief and Job Creation Act of 2012, 47 U.S.C. 1455(a), and NCGS §153A, Article 18, Part 3B, Watauga County adopts this single comprehensive wireless telecommunications ordinance. This Ordinance is enacted pursuant to the general police powers granted by NCGS §153A-121. By enacting this Ordinance it is the County's intent to:

- A. Minimize external impacts (i.e. visual impacts and generator noise) on surrounding areas;
- B. Encourage cooperation among carriers and joint use of new and existing wireless structures in an effort to minimize the necessity for new structures;
- C. Encourage use of existing buildings and suitable alternative structures for wireless facility use in an effort to minimize the number of new structures;
- D. Encourage concealed wireless structures;
- E. Encourage concealed antenna designs;
- F. Encourage concealed cables and feed lines;
- G. Minimize visual impacts on Major Mountain Ridges to the greatest extent possible.

## II. Definitions.

For the purposes of this Ordinance, the following definitions apply:

**Abandonment** – Cessation of use of a wireless support structure for wireless telecommunications activity for at least the minimum period of time specified under this ordinance.

**Accessory Equipment** - Any equipment serving or being used in conjunction with a wireless facility or wireless support structure. The term includes utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or similar structures.

**Administrative Approval** - Approval that the Administrator or designee is authorized to grant after administrative review.

**Administrative Review** - Non-discretionary evaluation of an application by the Administrator or designee. This process is not subject to a public hearing. The procedures for administrative review are established in Section IV. of this Ordinance.

**Administrator** - The person or persons assigned by the Board of Commissioners to enforce this ordinance.

**Antenna** - Communications equipment that transmits, receives or transmits and receives electromagnetic radio signals used in the provision of all types of wireless communications services.

**Base Station** - A station at a specific site authorized to communicate with mobile stations, generally consisting of radio transceivers, antennas, coaxial cables, power supplies and other associated electronics.

**Carrier on Wheels or Cell on Wheels (COW)** - A portable self-contained wireless facility that can be moved to a location and set up to provide wireless services on a temporary or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.

**Collocation** - The placement or installation of wireless facilities on existing structures, including electrical transmission towers, water towers, buildings and other structures capable of structurally supporting the attachment of wireless facilities in compliance with applicable codes.

**Commercial or Industrial Area** – A parcel of land on which commercial or industry activity is actually conducted and the area along the highway extending outward 800 feet from and beyond such activity.

**Concealed Wireless Facility** - Any wireless facility that is integrated as an architectural feature of an existing structure or any new wireless support structure designed to camouflage or conceal the presence of antennas or towers so that the purpose of the facility or wireless support structure is not readily apparent to a casual observer.

**Electrical Transmission Tower** - An electrical transmission structure used to support high voltage overhead power lines. The term shall not include any utility pole.

**Eligible Facilities Request** – A request for modification of an existing wireless tower or base station that involves collocation of new transmission equipment or replacement of transmission equipment but does not include a substantial modification.

**Equipment Compound** - An area surrounding or near the base of a wireless support structure within which are located wireless facilities.

**Existing Structure** - A wireless support structure, erected prior to the application for an eligible facilities request, collocation or substantial modification under this ordinance that is capable of supporting the attachment of wireless facilities. The term includes but is not limited to, electrical transmission towers, buildings and water towers. The term shall not include any utility pole.

**Fall Zone** - The area in which a wireless support structure may be expected to fall in the event of a structural failure as measured by engineering standards.

**Major Mountain Ridge** – A ridge with an elevation higher than 3000 feet above mean sea level and an elevation 500 feet or more above the elevation of an adjacent valley floor including all land within 100 feet below the elevation of any portion of such line or surface along the crest.

**Monopole** – A single, freestanding pole-type structure supporting one or more antennas. For the purposes of this Ordinance, a monopole is not a tower or a utility pole.

**Ordinary Maintenance** - Ensuring that wireless facilities and wireless support structures are kept in good operating condition. Ordinary maintenance includes inspections, testing and modifications that maintain functional capacity and structural integrity; for example, the strengthening of a wireless support structure's foundation or of the wireless support structure itself. Ordinary maintenance includes replacing antennas of a similar size, weight, shape and color and accessory equipment within an existing equipment compound and relocating the antennas to different height levels on an existing monopole or tower upon which they are currently located. Ordinary maintenance does not include substantial modifications.

**Replacement Pole** – Pole of equal proportions and of equal height or such other height that would not constitute a substantial modification to an existing structure in order to support wireless facilities or to accommodate collocation. Requires removal of the wireless support structure it replaces.

**Substantial Modification** - The mounting of a proposed wireless facility or wireless facilities on a wireless support structure that substantially changes the physical dimensions of the support structure. A mounting is presumed to be a substantial modification if it meets any one or more of the following criteria:

- (i) increases the existing vertical height of the wireless support structure by (a) more than ten percent (10%), or (b) the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet, whichever is greater;
- (ii) adds an appurtenance to the body of a wireless support structure that protrudes horizontally from the edge of the wireless support structure more than twenty (20) feet, or more than the width of the wireless support structure at the level of the appurtenance, whichever is greater (except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable);
- (iii) increases the square footage of the existing equipment compound by more than 2,500 square feet.

**Tower** - A lattice-type structure, guyed or freestanding, that supports one or more antennas.

**Utility Pole** - A structure owned and/or operated by a public utility, municipality, electric membership corporation or rural electric cooperative that is designed specifically for and used to carry lines, cables, or wires for telephone, cable television, or electricity, or to provide lighting.

**Water Tower** - A water storage tank, or a standpipe or an elevated tank situated on a support structure, originally constructed for use as a reservoir or facility to store or deliver water.

**Wireless Facility or Wireless Facilities** - The set of equipment and network components, exclusive of the underlying wireless support structure, including, but not limited to, antennas, accessory equipment, transmitters, receivers, base stations, power supplies, cabling and associated equipment necessary to provide wireless telecommunications services.

**Wireless Support Structure** - A freestanding structure, such as a monopole or tower, designed to support wireless facilities. This definition does not include utility poles.

### **III. Approvals Required for Wireless Facilities and Wireless Support Structures.**

(A) *Administrative Review and Approval.* The following types of applications are subject to the review process as provided in Section IV. No other type of site plan review is necessary:

- (1) New wireless support structures that are 60 feet or less in height.
- (2) New wireless support structures that are 100 feet or less in height and separated from residential dwellings by a distance of 300 feet or more.
- (3) New wireless support structures that are 140 feet or less in height located within commercial or industrial areas and separated from residential dwellings by a distance of 300 feet or more.
- (4) Concealed wireless facilities that are 140 feet or less in height and separated from residential dwellings by a distance of 300 feet or more.
- (5) Monopoles or replacement poles located on public property or within utility easements or rights-of-way.
- (6) COWs, if the use of the COW is either not in response to a declaration of an emergency or disaster by the Governor, or will last in excess of one hundred-twenty (120) days.
- (7) Substantial modifications.
- (8) Collocations.

(B) *Board Review and Approval.* Any application for wireless facilities and/or wireless support structures not subject to administrative review and approval pursuant to this Ordinance shall be permitted upon the granting of a Special Use permit by the Watauga County Board of Adjustment.

(C) *Exempt from Review and Approval.* The following are exempt from all County approval processes and requirements:

- (1) Removal or replacement of transmission equipment on an existing wireless tower or base station that does not result in a substantial modification as defined in this ordinance.
- (2) Ordinary maintenance of existing wireless facilities and wireless support structures, as defined in this Ordinance.
- (3) Wireless facilities placed on utility poles.
- (4) COWs placed for a period of not more than one hundred twenty (120) days at any location within the County or after a declaration of an emergency or a disaster by the Governor.
- (5) Antennas or antenna support structures of amateur radio operators 90 feet or less in height.
- (6) New and existing wireless support structures and facilities owned by governmental agencies and designed for non-commercial emergency communications.

#### **IV. Administrative Review and Approval Process.**

(A) *Content of Application Package for New Sites.* All administrative review application packages must contain the following:

- (1) Administrative review application form signed by the owner, or the applicant in accordance with item (2) below;
- (2) Non-owner applicants must provide a copy of a lease or letter of authorization from the property owner evidencing applicant's authority to pursue the application. Such submissions need not disclose financial lease terms; and
- (3) Site plans detailing proposed improvements which comply with this ordinance. Drawings must depict improvements related to the applicable requirements including property boundaries, setbacks, topography, elevation sketch, and dimensions of improvements.
- (4) Documentation from a North Carolina licensed professional engineer including calculation of the fall zone and certification that the wireless support structure has sufficient structural integrity to accommodate the required number of additional users as provided in this ordinance. Design of the support structure shall be in accordance with the latest ANSI/EIA/TIA-222 standards. Tower foundation design shall be in accordance with Chapter 18 of the NC Building Code. Grounding and electrical service equipment shall be in accordance with the National Electric Code. Watauga County is located within a *Special Wind Region* that will impact structural design of wireless structures and foundations.

(B) *Content of Application Package for Other Sites/Facilities.* All administrative review application packages must contain the following:

(1) Administrative review application form signed by the owner, or the applicant in accordance with item (A) (2) above;

(2) For collocations and substantial modifications, written verification from a North Carolina licensed professional engineer certifying that the host support structure is structurally and mechanically capable of supporting the proposed additional antenna or configuration of antennas. Watauga County is located within a *Special Wind Region* that will impact structural design of wireless structures and foundations.

(3) For substantial modifications, drawings depicting the improvements along with their dimensions.

(C) *Fees.* Permit fees are pursuant to the Planning & Inspections Fee Schedule. The fees for Collocation, Substantial Modifications, New Wireless Support Structures and Special Use permit applications include the Building Inspector's review and approval of structural and electrical systems that are subject to the North Carolina State Building Code and the National Electric Code respectively.

(D) *Procedure and Timing.*

(1) Applications for Collocation, Monopole or Replacement Pole, Concealed Wireless Facility, Non-exempt COW or Substantial Modification. Within thirty (30) days of the receipt of an application for a collocation, a monopole or replacement pole, a concealed wireless facility, a non-exempt COW or a substantial modification, the Administrator will:

(a) Review the application for conformity with this Ordinance. An application under this Section IV.D.1 is deemed to be complete unless the Administrator notifies the applicant in writing, within fourteen (14) calendar days of submission of the application of the specific deficiencies in the application which, if cured, would make the application complete. Upon receipt of a timely written notice that an application is deficient, an applicant may take fourteen (14) calendar days from receiving such notice to cure the specific deficiencies. If the applicant cures the deficiencies within ten fourteen (14) calendar days, the application shall be reviewed and processed within thirty (30) calendar days from the initial date the application was received. If the applicant requires a period of time beyond fourteen (14) calendar days to cure the specific deficiencies, the thirty (30) calendar days deadline for review shall be extended by the same period of time;

(b) Make a final decision to approve the collocation application or approve or disapprove other applications under this Section D (1); and

(c) Advise the applicant in writing of the final decision. If the Administrator denies an application, written justification of the denial, which must be based on substantial evidence of inconsistencies between the application and this Ordinance, must be provided.

(d) Failure to issue a written decision within thirty (30) calendar days shall constitute an approval of the application.

(2) Applications for New Wireless Support Structures That Are Subject to Administrative Review and Approval. Within forty five (45) calendar days of the receipt of an application for a new wireless support structure that is subject to administrative review and approval under this Ordinance, the Administrator will:

(a) Review the application for conformity with this Ordinance. An application under this Section IV.D.2 is deemed to be complete unless the Administrator notifies the applicant in writing, within fifteen (15) calendar days of submission of the application of the specific deficiencies in the application which, if cured, would make the application complete. Upon receipt of a timely written notice that an application is deficient, an applicant may take fifteen (15) calendar days from receiving such notice to cure the specific deficiencies. If the applicant cures the deficiencies within fifteen (15) calendar days, the application shall be reviewed and processed within forty five (45) calendar days from the initial date the application was received. If the applicant requires a period of time beyond fifteen (15) calendar days to cure the specific deficiencies, the forty five calendar days deadline for review shall be extended by the same period of time;

(b) Make a final decision to approve or disapprove the application; and

(c) Advise the applicant in writing of the final decision. If the Administrator denies an application, written justification of the denial, which must be based on substantial evidence of inconsistencies between the application and this Ordinance, must be provided.

(d) Failure to issue a written decision within forty five (45) calendar days shall constitute an approval of the application.

(3) Building Permits associated with Items (1) and (2) above. A Building Inspector shall issue a building permit following approval of the application under administrative review in accordance with the process and standards of this ordinance and the North Carolina State Building Code.

## **V. Special Use Permit Process.**

(A) Any wireless facility or wireless support structures not meeting the requirements of Section III.A or III.C above, may be permitted upon the granting of a Special Use permit, subject to:

(1) The submission requirements of Section V.B below; and

(2) The applicable standards of Section VI below; and

(3) The requirements of the Special Use permit approval.

(B) *Content of Special Use Permit Application Package.* All Special Use permit application packages must contain the following:

- (1) Special Use Permit application form signed by the owner, or the applicant in accordance with item (2) below;
- (2) Non-owner applicants must provide a copy of lease or letter of authorization from the property owner evidencing applicant's authority to pursue the application. Such submissions need not disclose financial lease terms;
- (3) Written description and scaled drawings of the proposed wireless support structure or wireless facility, including structure height, ground and structure design, and proposed materials;
- (4) Number of proposed antennas and their height above ground level, including the proposed placement of antennas on the wireless support structure;
- (5) Line-of-sight diagram or photo simulation, showing the proposed wireless support structure set against the skyline and viewed from at least four (4) directions within the surrounding areas;
- (6) A statement that the proposed wireless support structure will be made available for collocation to other service providers at commercially reasonable rates, provided space is available and consistent with Section VI(A)(1)(a) of this Ordinance.

(C) *Fees.* The total fees for reviewing a Special Use permit application with proposed wireless facilities shall be considered together as one application requiring only a single application fee.

(D) *Procedure and Timing.* Within one hundred fifty (150) calendar days of the receipt of an application under Section V. of this Ordinance, the Administrator will:

- (1) Complete the process for reviewing the application for conformity with ordinances applicable to Special Use permits, including conducting a hearing in accordance with the Board's Rules of Procedure. An application under this Section V. is deemed to be complete unless the Administrator notifies the applicant in writing, within thirty (30) calendar days of submission of the application of the specific deficiencies in the application which, if cured, would make the application complete. Upon receipt of a timely written notice that an application is deficient, an applicant may take thirty (30) calendar days from receiving such notice to cure the specific deficiencies. If the applicant cures the deficiencies within thirty (30) calendar days, the application shall be reviewed and processed within one hundred fifty (150) calendar days from the initial date the application was received. If the applicant requires a period of time beyond thirty (30) calendar days to cure the specific deficiencies, the one hundred fifty (150) calendar days deadline for review shall be extended by the same period of time;
- (2) Make a final decision to approve or disapprove the application; and



- (3) Advise the applicant in writing of its final decision. If the Board denies an application, it must provide written justification of the denial.
- (4) Failure to issue a written decision within one hundred fifty (150) calendar days shall constitute an approval of the application.
- (5) Building Permits. A Building Inspector shall issue a building permit following the Board's approval of the Special Use Permit and in accordance with the North Carolina State Building Code.

## **VI. General Standards and Design Requirements.**

### *(A) Design*

- (1) Wireless support structures:
  - (a) Shall be engineered and constructed to accommodate a minimum number of collocations based upon their height as follows:
    - (i) Support structures 60 to 100 feet in height shall support at least two (2) telecommunications providers;
    - (ii) Support structures greater than 100 feet shall support at least three (3) telecommunications providers;
  - (b) The equipment compound area surrounding the wireless support structure must be of sufficient size to accommodate accessory equipment for the appropriate number of telecommunications providers in accordance with Section VI(A)(1)(a).
- (2) Concealed wireless facilities are required on Major Mountain Ridges. Concealed wireless facilities shall be designed to accommodate the collocation of other antennas whenever economically and technically feasible. Antennas must be enclosed, camouflaged, screened, obscured or otherwise not readily apparent to a casual observer.
- (3) Upon request of the applicant, the Board or Administrator may waive the requirement that new wireless support structures accommodate the collocation of other service providers if it finds that collocation at the site is not essential to the public interest, or that the construction of a shorter support structure with fewer antennas will promote community compatibility.
- (4) A monopole or replacement pole shall be permitted within utility easements or rights-of-way, in accordance with the following requirements:
  - (a) The utility easement or right-of-way shall be a minimum of one hundred (100) feet in width.

(b) The easement or right-of-way shall contain overhead utility transmission and/or distribution structures that are eighty (80) feet or greater in height.

(c) The height of the monopole or replacement pole may not exceed by more than thirty (30) feet the height of existing utility support structures.

(d) Monopoles and the accessory equipment shall be set back a minimum of fifteen (15) feet from all boundaries of the easement or right-of-way.

(e) Single carrier monopoles may be used within utility easements and rights-of-way due to the height restriction imposed by Subsection (c) above.

(f) Poles that use the structure of a utility tower for support are permitted. Such poles may extend up to twenty (20) feet above the height of the utility tower.

(5) Generators shall be located within equipment shelters or enclosed to limit noise levels.

**(B) *Setbacks***

(1) Unless otherwise stated herein, each wireless support structure shall be set back from all property lines a distance equal to its engineered fall zone.

**(C) *Height***

(1) Substantial Modifications and newly erected Wireless Support Structures shall not exceed the permitted height except by Special Use Permit granted by the Board of Adjustment.

**(D) *Aesthetics***

(1) **Lighting and Marking.** Wireless facilities or wireless support structures shall not be lighted or marked unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).

(2) **Signage.** Signs located at the wireless facility shall be limited to ownership and contact information, FCC antenna registration number (if required) and any other information as required by government regulation. Commercial advertising is strictly prohibited. Notwithstanding the foregoing, nothing in this Ordinance shall prohibit signage that is approved for other uses on property on which wireless facilities are located (*e.g.*, approved signage at locations on which concealed facilities are located).

**(E) *Accessory Equipment.*** Accessory equipment, including any buildings, cabinets or shelters, shall be used only to house equipment and other supplies in support of the operation of the wireless facility or wireless support structure. Any equipment not used in direct support of such operation shall not be stored on the site.

(F) *Fencing*

(1) Ground mounted accessory equipment and wireless support structures shall be secured and enclosed with a fence not less than six (6) feet in height as deemed appropriate by the Board or Administrator.

(2) The Board or Administrator may waive the requirement of Section VI.F.1 if it is deemed that a fence is not appropriate or needed at the proposed location.

(G) *Landscaping*. The equipment compound shall be screened with landscaping native to the area and suitable for planting in USDA Hardiness Zone 6a. All plants, including the root ball dimensions or container size to trunk caliper ratio, shall conform to ANSI Z60.1 “American Standard for Nursery Stock” latest edition. Quantity, ratio and minimum sizes of trees and shrubs shall be as follows:

(1) Deciduous and/or Evergreen trees – twenty (20) feet maximum spacing. Trees shall have a minimum height of six (6) feet upon planting. Deciduous trees shall have a minimum two (2) inch caliper.

(2) Shrubs – six (6) feet maximum spacing. Shrubs shall be a minimum height of eighteen (18) inches upon planting.

**VII. Miscellaneous Provisions.**

(A) *Abandonment and Removal*. If a wireless support structure is abandoned, and it remains abandoned for a period in excess of twelve (12) consecutive months, the County may require that such wireless support structure be removed only after first providing written notice to the owner of the wireless support structure and giving the owner the opportunity to take such action(s) as may be necessary to reclaim the wireless support structure within sixty (60) days of receipt of said written notice. In the event the owner of the wireless support structure fails to reclaim the wireless support structure within the sixty (60) day period, the owner of the wireless support structure shall be required to remove the same within six (6) months thereafter. The County shall ensure and enforce removal by means of its existing regulatory authority, with costs of removal charged to the owner.

(B) *Multiple Uses on a Single Parcel or Lot*. Wireless facilities and wireless support structures may be located on a parcel containing another principal use on the same site or may be the principal use itself.

**VIII. Wireless Facilities and Wireless Support Structures in Existence on the Date of Adoption of this Ordinance.**

(A) Wireless facilities and wireless support structures that were legally permitted on or before the date this Ordinance was enacted shall be considered a permitted and lawful use as long as they remain compliant with the permit issued.

(B) *Activities at Non-Conforming Wireless Support Structures*. Notwithstanding any provision of this Ordinance:

(1) Ordinary maintenance may be performed on a non-conforming wireless support structure or wireless facility.

(2) Collocation of wireless facilities on an existing non-conforming wireless support structure shall not be construed as an expansion, enlargement or increase in intensity of a non-conforming structure and/or use and shall be permitted through the administrative approval process defined in Section IV; provided that the collocation does not substantially modify the size of the equipment compound at that location or otherwise substantially modify the existing non-conformity.

(3) Substantial modifications may be made to non-conforming wireless support structures utilizing the Special Use permit process defined in Section V of this Ordinance.

## **IX. Jurisdiction**

The provisions of this Ordinance shall be applicable only to unincorporated areas of Watauga County which are not included in the extraterritorial jurisdiction of a municipality.

## **X. National Park Service Review**

When new wireless support structures or substantial modifications are proposed within one mile of the Blue Ridge Parkway centerline and within the Parkway viewshed, the applicant shall inform the National Park Service and seek recommendations. Park Service recommendations shall be given reasonable consideration and documentation of this consideration shall be provided to the Ordinance Administrator. The Park Service shall be afforded thirty (30) days to respond to the applicant's initial request.

## **XI. Valle Crucis Historic District**

Wireless support structures shall be prohibited within the Valle Crucis Historic District.

## **XII. Permit Expiration**

A permit issued pursuant to this ordinance expires 24 months after the date of issuance if the work authorized has not commenced. No work authorized by a permit that has expired may thereafter be performed until a new permit has been secured.

## **XIII. Appeal and Variance Provisions**

(A) An appeal for review of any order, requirement, decision, or determination made by the Ordinance Administrator may be made by a petitioner who has standing to challenge the decision being appealed. Such appeal shall be submitted in writing to the Board of Adjustment within thirty (30) days from receipt of actual or constructive notice of order, requirement, decision, or determination. The Board shall decide the appeal based upon its findings of fact and the intent of the ordinance. The effect of this decision shall not be to vary the terms of the ordinance, but rather to interpret it.

(B) A request for a variance shall be submitted by the applicant in writing to the Watauga County Board of Adjustment. The request shall be accompanied by:

- (1) Identification of the ordinance provision(s) responsible for the alleged hardship.
- (2) The reason(s) for seeking the variance(s).
- (3) Any conditions that are proposed by the applicant to mitigate possible adverse effects of the proposed variance(s).

The Board may grant a variance upon finding that all of the following conditions exist:

- (1) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- (2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
- (3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
- (4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

## **X. Ordinance Violations**

A violation of this Ordinance shall be a misdemeanor subject to the penalties and enforcement provisions of North Carolina General Statute § 153A-123, specifically including injunctions, abatement orders and civil penalties as provided by said statute.

## **XI. Severability**

Should any section or provision of this ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

## **XII. Repeal**

This ordinance replaces, in its entirety, the existing ordinance entitled Ordinance To Regulate Wireless Communication Towers In Watauga County, adopted May 20, 1997 and amended September 18, 2012 and September 17, 2013. The previous ordinance shall be repealed as of the effective date of this ordinance.

**XIII. Effective Date**

**ADOPTED** this the 16<sup>th</sup> day of February, 2016.

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Jimmy Hodges, Chairman  
Watauga County Board of Commissioners

ATTEST:

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Anita J. Fogle, Clerk to the Board