

ORDINANCE NO. 391

AN ORDINANCE OF THE CITY OF WATHENA, KANSAS ESTABLISHING RULES AND REGULATIONS FOR THE INSTALLATION OR RELOCATION OF SATELLITE ANTENNAS AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, the Governing Body of the City of Wathena deems it necessary for the protection of the health, safety and welfare of its residents and property owners that satellite antennas be properly located, installed and constructed.

NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS:

SECTION 1. DEFINITION. As used in this Ordinance, satellite antenna shall mean any antenna of the parabolic or dish type and all equipment attached thereto or used therewith for the purpose of receiving television signals from a satellite.

SECTION 2. RESTRICTIONS ON PLACEMENT OF SATELLITE ANTENNAS. Except as provided herein no satellite antenna shall be installed or existing satellite antennas structurally altered or relocated within the City of Wathena, Kansas.

SECTION 3. SATELLITE ANTENNA REGULATIONS. Before any satellite antenna is placed outside of a building the following conditions, regulations and requirements shall be complied with:

- (a) A building permit shall be obtained from the City of Wathena. A drawing showing the proposed location of the satellite antenna shall be attached to the application for a permit. The procedure for obtaining a permit shall be pursuant to the provisions of Ordinance 244 of the City of Wathena.
- (b) There shall be no more than one permit issued for the placement of a satellite antenna on any residential lot.
- (c) The maximum height for a satellite antenna shall be fifteen feet.
- (d) The maximum diameter for a satellite antenna shall be fifteen feet.
- (e) All satellite antennas shall be mounted at ground level and no satellite antenna shall be mounted on a tower or a similar form of structural support.
- (f) All satellite antennas shall be permanently affixed with mounting attachment to assure stability.

- (g) All cables and lines serving a satellite antenna shall be located underground.
- (h) No satellite antenna shall be placed at any location which will block the view of traffic from streets or alleys.

SECTION 4. EXEMPTION FROM REGULATIONS. Any person installing a satellite antenna which is three feet or less in diameter and which is roof-mounted shall not be required to comply with the provisions of this Ordinance.

SECTION 5. VARIANCE. The Board of Zoning Appeals of the City of Wathena may grant variances from the provisions of this Ordinance upon a showing that compliance would cause undue hardship and a variance would not be detrimental to adjoining property owners, the neighborhood or the City of Wathena. All appeals for a variance shall be pursuant to the provisions of K.S.A. 12-715.

SECTION 6. PENALTIES. Any person convicted of violating any of the provisions of this Ordinance shall be punished by a fine of not more than Two Hundred Dollars (\$200.00) or be sentenced to a term of confinement of not to exceed thirty (30) days or by both such fine and imprisonment or any combination thereof.

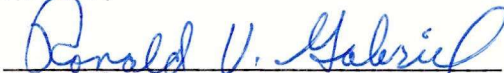
SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in the official City newspaper.

PASSED by the Council and APPROVED by the Mayor this 4th day of February, 1986.



Mayor

ATTEST:



City Clerk