

TOWN OF DUNN
Ordinance No. 12-4

**ORDINANCE ESTABLISHING TEMPORARY MORATORIUM ON THE SITING AND
CONSTRUCTION OF TELECOMMUNICATION FACILITIES**

The Town Board of Supervisors of the Town of Dunn, Dane County, Wisconsin does ordain as follows:

Section 1. Legislative Findings. The Town of Dunn ("Town") has experienced an increased interest in the siting and construction of towers and tower accessory structures for the provision of telecommunications services (together "Tower" or "Towers"). The Town Board does hereby declare that a temporary moratorium on the zoning approval of Towers is a necessary measure in order to permit the Town the time to develop the appropriate land use plans for the siting and construction of Towers. The Town Board specifically finds that the moratorium is necessary for the following reasons:

- a) To accommodate the communication needs of Town residents and businesses while protecting the public health, safety and general welfare;
- b) To assure an appropriate pattern of Town sitings;
- c) To facilitate the provision of wireless communication facilities through careful siting and design standards;
- d) To minimize adverse visual effects of Towers through careful siting and design standards;
- e) To preserve the Town's remaining agricultural land uses;
- f) To avoid potential damage to adjacent properties from the construction and operation of Towers through structural standards and setback requirements; and
- g) To maximize the use of existing Towers, buildings or structures to accommodate new wireless communication antennas in order to reduce the number of Towers needed to serve the industry.

Section 2. Authority. This Ordinance is adopted pursuant to Wisconsin Statutes including secs. 59.69, 60.10(2)(c), 60.22, 61.35, and 62.23, Wisc. Stats.

Section 3. Moratorium on Siting/Construction of Towers. Except as provided in this Ordinance, the Town Board does hereby declare a moratorium on approval of rezoning requests and on recommendations of approval of requests for conditional use permits, to allow the siting and construction of Towers. The temporary moratorium shall expire eight months after its effective date unless otherwise extended by the Town Board. During this temporary moratorium, the Town will take reasonable steps to allow Dane County to process applications and petitions, to the extent such steps are consistent with the intent of this temporary moratorium. The temporary moratorium shall not apply to:

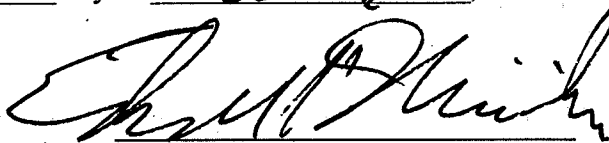
- (a) The placement of antennas on existing Towers;
- (b) The repair or replacement of an existing, permitted Tower, provided the repair or replacement does not increase the height or materially alter the existing accessory structure.

Section 4. Existing Rights. Nothing contained in this moratorium Ordinance is intended to impair or impede the rights of owners of existing Towers already located in the Town.

Section 5. Interpretation. This Ordinance shall be liberally construed to accomplish its intended purposes. Nothing contained in this Ordinance is intended to limit the continuation of lawful nonconforming uses or structures.

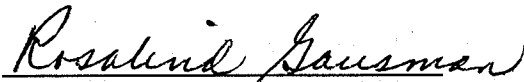
Section 6. Effective Date. This Ordinance shall take effect the day after passage and publication as required by law.

Dated this 21 day of November, 2000.



Town Chairperson

Attest:



Town Clerk