

**BUCHANAN CHARTER TOWNSHIP**

**ORDINANCE NO. 129-2024**

**AN ORDINANCE TO AMEND THE COMMUNICATION TOWER ORDINANCE**

**THE CHARTER TOWNSHIP OF BUCHANAN HEREBY ORDAINS:**

**Section 1.** Amend Section 80-3. Section 80-3 of the Buchanan Township Communication Tower Ordinance is amended to read in its entirety as follows:

**§ 80-3 Definitions.**

For the purpose of this chapter, certain terms and words used herein shall have the following meaning:

**CO-LOCATION**

The location of two or more wireless communication providers of wireless communication facilities on a common structure, tower, or building, in an effort to reduce the overall number of structures required to support wireless communication antennas with the community.

**FEASIBILITY OF CO-LOCATION**

Co-location shall be deemed to be feasible, for purposes of this section, where all of the following are met:

- A. The wireless communication provider entity under consideration for co-location will undertake to pay market rent or other market compensation for co-location.
- B. The site on which co-location is being considered, taking into consideration reasonable modification or replacement of a facility, is able to provide structural support.
- C. The co-location being considered is technologically reasonable; e.g., the co-location will not result in unreasonable interference given appropriate physical and other adjustments in relation to the structure, antennas, and the like.
- D. The height of the structure necessary for co-location will not be increased beyond a point deemed to be permissible by the Township, taking into consideration the several standards contained in § 80-9 of this chapter.


## TELECOMMUNICATION TOWER

Includes all structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to, radio towers, television towers, telephone devices and exchanges, microwave relay facilities, telephone transmission equipment building(s) and private and commercial mobile radio facilities. Not included within this definition are citizen band radio facilities, short-wave receiving facilities, radio and television broadcast reception facilities, federally licensed amateur (ham) radio facilities, satellite dishes, and governmental towers. Any ancillary building or structure to a governmental tower is subject to site plan review.

**Section 2. Severability.** Should any portion of this Ordinance be found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

**Section 3. Repealer.** Any ordinance or parts of ordinances in conflict with this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect.

**Section 4. Effective date.** This Ordinance is effective immediately following publication.

  
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Wendi Heyliger, Clerk  
Buchanan Charter Township  
Berrien County, Michigan

### MOTION TO ADOPT ORDINANCE:

Proposed by Board member: Heyliger

Supported by Board member: Gordon

Roll Call:

Ayes: Ferris, Huebner, Gordon, Byrdak, Cole-Crocker, Ramirez, Heyliger

Nays:


Abstain:

Absent:

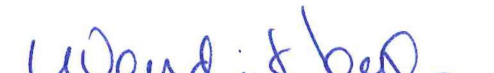
### ORDINANCE DECLARED ENACTED

The foregoing Ordinance was enacted by the Buchanan Charter Township Board of Trustees, Berrien County, State of Michigan on the 25 day of April, 2024 and approved by its Supervisor and Clerk on said date.

BUCHANAN CHARTER TOWNSHIP By:

  
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Malinda Cole-Crocker, Supervisor

and by

  
\_\_\_\_\_  
Wendi Heyliger, Clerk