

TITLE 9

WIRELESS COMMUNICATION FACILITIES

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CHAPTER 1 PURPOSE

- SECTION 1.** The Village of Sherrard recognizes that the Village of Sherrard desires to encourage the orderly development of wireless communication technologies for the benefit of the Village of Sherrard and its citizens. The Village of Sherrard also recognizes the character of the communities of the Village.
- SECTION 2.** As a matter of public policy, the Village of Sherrard aims to encourage the delivery of new wireless technologies throughout the Village while controlling the proliferation of communication towers. Such development activities will promote and protect the health, safety, prosperity, and general welfare of persons living in Sherrard, Illinois.
- SECTION 3.** Specifically, this Wireless Communication Facility Telecommunications Overlay Districts Ordinance is designed to achieve the following:
- A. Encourage the location of wireless communication facilities onto existing structures to reduce the number of new communication towers needed within the Village of Sherrard, Illinois.
 - B. Encourage collocation and site sharing of new and existing wireless communication facilities.
 - C. Provide a range of locations for wireless communication facilities in various zoning districts.
 - D. Control the type of tower facility constructed, when towers are permitted.
 - E. Establish adequate development and design criteria to enhance the ability of providers of telecommunications services to provide service to the community quickly, effectively, and efficiently.
 - F. Protect residential, historic preservation areas, and scenic corridors from the uncontrolled development of wireless communication facilities by requiring reasonable siting conditions.
 - G. Promote the use of suitable sites (public and private) for the location of wireless antennae, towers, and/or wireless communication facilities.
 - H. Ensure the harmonious, orderly and efficient growth and development of the Village of Sherrard.
 - I. Stabilize the economy of the Village of Sherrard through the continued use of the Village's suitable public resources.
 - J. Provide Overlay Districts in which the zoning regulations permit the development of wireless communication facilities which are consistent with the requirements of the Telecommunications Act of 1996 and in the best interest of the future of the Village of Sherrard, Illinois.
 - K. Provide clear performance standards addressing the siting of wireless communication facilities.
 - L. Streamline and expedite the permitting procedures to effect compliance with the Federal Telecommunications Act of 1996.

CHAPTER 2
CERTAIN USES NOT COVERED BY THIS ORDINANCE

SECTION 1. Nothing in this Ordinance shall reduce any of the permitted uses of any zoned property within the Village of Sherrard. Nothing in this Ordinance shall affect the right of a property owner to use or develop their property consistent with existing zoning regulations. Nothing in the ordinance shall affect the right of a property owner to continue any legal nonconforming use.

CHAPTER 3 INTERPRETATION AND DEFINITIONS

- SECTION 1.** To the extent this Ordinance conflicts with Zoning Ordinance, Sign Ordinance, or any other ordinance of the Village of Sherrard, this Ordinance shall control.
- SECTION 2.** For the purposes of this Ordinance, words used in the present tense include the future tense; words in the singular number include the plural number, and words in the plural number include the singular number; the word "shall" is mandatory; the word "may" is permissive; the word "used" includes "designed" and "intended" or arranged to be used or occupied; and the word "person" includes a firm, association, organization, partnership, trust, foundation, company or corporation as well as an individual.
- SECTION 3.** For the purposes of this Ordinance, certain words, phrases and terms used herein shall be interpreted as stated in this Chapter. The Zoning Administrator shall define any word, phrase or term not defined herein. The interpretation shall be based upon its common and ordinary usage in the region.
- SECTION 4.** For the purposes of this Ordinance, all definitions defined herein are in addition to all definitions in the Village of Sherrard Zoning Ordinance.

ANTENNA ARRAY. One or more rods, panels, discs, or similar devices used for the transmission or reception of radio frequency signals, which may include omni-directional antenna (rod), directional antenna (panel), and parabolic antenna (disc). The Antenna Array does not include the Support Structure.

ATTACHED WIRELESS COMMUNICATION FACILITY. An Antenna Array that is attached to an existing building or structure (Attachment Structure), which structures shall include, but not be limited to, utility poles, signs, water towers, roof tops, towers with any accompanying pole or device (Attachment Device) which attaches the Antenna Array to the existing building or structure and associated connection cables, and an Equipment Facility which may be located either inside or outside of the Attachment Structure.

COLLOCATION/SITE SHARING. Use of a common Wireless Communication Facility or common site by more than one wireless communication license holder or by one wireless license holder for more than one type of communications technology and/or placement of a Wireless Communication Facility on a structure owned or operated by a utility or other public entity.

EQUIPMENT FACILITY. Any structure used to contain ancillary equipment for a Wireless Communication Facility which includes cabinets, shelters, a build-out of an existing structure, pedestals, and other similar structures.

FEDERAL AVIATION ADMINISTRATION. FAA.

FEDERAL COMMUNICATIONS COMMISSION. FCC.

FTA. Federal Telecommunications Act of 1996.

HEIGHT. When referring to a Wireless Communication Facility, height shall mean the distance measured from ground level to the highest point on the Wireless Communication Facility, excluding the Antenna Array.

SETBACK. The required distance from the property line of the parcel on which the Wireless Communication Facility is located to the base of the Support Structure and equipment shelter or cabinet where applicable, or, in the case of guy-wire supports, the guy anchors.

SUPPORT STRUCTURE. A structure designed and constructed specifically to support an Antenna Array, and may include a monopole, self supporting (lattice) tower, guy-wire-support tower and other similar structures. Any device (Attachment Device) which is used to attach an Attached Wireless Communication Facility to an existing building or structure (Attachment Structure) shall be excluded from the definition of and regulations applicable to Support Structures.

TEMPORARY WIRELESS COMMUNICATION FACILITY. A Wireless Communication Facility to be placed in use for ninety (90) or few days.

TOWER USE PERMIT (TUP). A permit issued by the Village of Sherrard specifically for the location, construction and use of a Wireless Communication Facility subject to an approved site plan and any special conditions determined by the Zoning Administrator to be appropriate under the provision of this Ordinance.

WIRELESS COMMUNICATIONS. Any personal wireless services as defined in the Telecommunications Act of 1996, which includes FCC licensed commercial wireless telecommunications services including cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, and similar services that currently exist.

WIRELESS COMMUNICATION FACILITY. Any unstaffed facility for the transmission and/or reception of wireless telecommunications services, usually consisting of an Antenna Array, connection cables, an Equipment Facility, and a Support Structure to achieve the necessary elevation.

CHAPTER 4 DESIGNATION AND APPLICABILITY

- SECTION 1. PERMIT REQUIRED.** No person, firm, or corporation shall install or construct any Wireless Communication Facility unless and until a Tower Use Permit (TUP) has been issued pursuant to the requirements of this Ordinance.
- SECTION 2. PRE-EXISTING WIRELESS COMMUNICATION FACILITY.** Wireless Communication Facilities for which a permit has been issued prior to the effective date of this Ordinance shall be considered a nonconforming use and shall not be required to meet the requirements of this Ordinance.
- SECTION 3. AMATEUR RADIO EXCLUSION.** This Ordinance shall not govern the installation of any amateur radio facility that is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive only antennas. Such installations shall comply with any other applicable provisions of the zoning code.
- SECTION 4. RELATIONSHIP TO OTHER ORDINANCES.** This Ordinance shall supersede all conflicting requirements of other ordinances regarding the locating and permitting of Wireless Communication Facilities.
- SECTION 5. AIRPORT ZONING.** Any Wireless Communication Facility located or proposed to be located in airport areas governed by the Federal Aviation Administration shall also comply with the provisions of all applicable local, state and federal airport regulations.
- SECTION 6. BUILDING CODES.** Construction of all Wireless Communication Facilities shall comply with the requirements of the Sherrard, Illinois building codes and permitting process in addition to the requirements of this Ordinance.

CHAPTER 5 ALLOWABLE USES/DEVELOPMENT CRITERIA

Allowable uses, subject to the limitations within each Overlay District, will include the underlying zoning district plus Wireless Communication Facilities in compliance with the following development criteria.

SECTION 1. HEIGHT STANDARDS. The following height standards shall apply to all Wireless Communication Facility installations.

- A. **Attached Wireless Communication Facilities.** Attached Wireless Communication Facilities shall not add more than twenty feet (20') to the height of the existing building or structure to which it is attached (Attachment Structure). However, antenna attachments to existing communication towers shall not increase the height of tower above the maximum permitted height of that tower.

SECTION 2. SETBACK STANDARDS. The following setback standards shall apply to all Wireless Communication Facility installations.

- A. **Attached Wireless Communication Facilities.** Attached Wireless Communication Facilities shall meet the setback provisions of the zoning district in which they are located. However, an Attached Wireless Communication Facility Antenna Array may extend up to 30 inches horizontally beyond the edge of the Attachment Structure so long as the Antenna Array does not encroach upon an adjoining parcel.
- B. **Wireless Communication Facilities With Monopole Support Structures.** Wireless Communication Facilities with Monopole Support Structure shall meet the setback requirements for principle structures of the underlying zoning district in which they are located.

SECTION 3. LANDSCAPING. The following landscaping requirements shall apply to all Wireless Communication Facility installations.

- A. **New Construction.** New Wireless Communication Facilities with Support Structures and Attached Wireless Communication Facilities with new building construction shall be landscaped in accordance with the applicable provisions of the landscape ordinance that may now or hereafter be adopted.
- B. **Land Form Preservation.** Existing mature tree growth and natural land form on the site shall be preserved to the extent feasible; provided however, that vegetation that causes interference with the antennas or inhibits access to the Equipment Facility may be trimmed or removed.
- C. **Existing Vegetation.** Existing vegetation on a Wireless Communication Facility site may be used in lieu of required landscaping where approved by the Zoning Administrator.

SECTION 4. AESTHETICS, PLACEMENT, MATERIALS AND COLORS. Wireless Communication Facilities shall be designed so as to be compatible with the existing structures and surrounds to the extent feasible, including placement in a location which is consistent with proper functioning of the Wireless Communication Facility, the use of compatible or neutral colors, or camouflage technology.

SECTION 5. LIGHTING AND SIGNAGE. The following lighting and signage requirements shall apply to all Wireless Communication Facility installations.

- A. **Artificial Illumination.** Wireless Communication Facilities shall not be artificially illuminated, directly or indirectly, except for:
 - 1. Security and safety lighting of equipment buildings if such lighting is appropriately down shielded to keep light within the boundaries of the site.
 - 2. Such illumination of the Wireless Communication Facility as may be required by the FAA or other applicable authority installed in a manner to minimize impacts on adjacent residences.
 - 3. Unless otherwise required by the FAA or other applicable authority, the required light shall be red and shielded upward.
- B. **Signage.** Wireless Communication Facilities shall not display any signage, logos, decals, symbols or any messages of a commercial or noncommercial nature, except for a small message containing provider identification and emergency telephone numbers and such other information as may be required by local, state, or federal regulations governing Wireless Communication Facilities.

SECTION 6. FENCING. Wireless Communication Facilities with Support Structures shall be enclosed by an opaque fence (excluding slatted chain link) not less than six feet (6') in height. Security features may be incorporated into the buffer and landscaping requirements for the site. Nothing herein shall prevent fencing that is necessary to meet requirements of state or federal agencies.

SECTION 7. RADIO FREQUENCY EMISSIONS/SOUND. The following radio frequency emissions standards shall apply to all Wireless Communication Facility installation.

- A. **Radio Frequency Impact.** The FTA gives the FCC jurisdiction of the regulation of Radio Frequency (RF) emissions, and Wireless Communication Facilities that do not exceed the FCC standards shall not be conditioned or denied on the basis of RF impact.
- B. **FCC Compliance.** In order to provide information to its citizens, copies of ongoing FCC information concerning Wireless Communication Facilities and RF emissions standards may be requested. Applicants for Wireless Communication Facilities shall be required to provide information with the application on the measurement of the effective radiated power of the facility and how this meets the FCC standards.
- C. **Sound Prohibited.** No unusual sound emissions such as alarms, bells, buzzers, or the like are permitted.

SECTION 8. STRUCTURAL INTEGRITY. Wireless Communication Facilities with Support Structures shall be constructed to the Electronics Industries Association/Telecommunications Industries Association (EIA/TIA) 222 Revision F Standard entitled "Structural Standards for Steel Antenna Towers and Antenna Support Structures" (or equivalent), as it may be updated and amended. Each Support Structure shall be capable of supporting multiple antenna arrays.

SECTION 9. COLLOCATION AGREEMENT. All applicants for Wireless Communication Facilities are required to submit a statement with the application agreeing to allow and reasonably market collocation opportunities to other Wireless Communication Facility users. The statement shall include the applicant's policy regarding collocation of other providers and the methodology to be used by the applicant in determining reasonable rates to be charged other providers. The Collocation Agreement shall be considered a condition of

issuance of a TUP (Tower Use Permit). A TUP shall not be issued unless the applicant complies with the collocation policy outlined in Chapter 8 of this Ordinance.

CHAPTER 6 REVIEW PROCESS

SECTION 1. The applicable development criteria referred to herein are those set forth in Chapter 5 of this Ordinance.

SECTION 2. WIRELESS COMMUNICATION FACILITIES AS A PART OF A COORDINATED DEVELOPMENT APPROVAL. Wireless Communication Facilities as part of a proposed residential or nonresidential subdivision, planned unit development, site plan, conditional rezoning, or other coordinated development approval shall be reviewed and approved through those processes.

SECTION 3. WIRELESS COMMUNICATION FACILITIES FOR TEMPORARY TERM. Temporary Wireless Communication Facilities may be permitted by administrative approval for a term not to exceed 90 days. Once granted, a temporary Wireless Communication Facility permit may be extended for an additional 90 days upon evidence of need by the applicant. In case of emergency (e.g., storm damage to an existing tower or other circumstances resulting in the interruption of existing service) the administrative review shall be expedited to the extent feasible.

CHAPTER 7 APPROVAL PROCESS

SECTION 1. APPLICATION SUBMISSION. All applicants for a Tower Use Permit, regardless of Wireless Communication Facility type, shall submit an application in accordance with the requirements of this Chapter.

- A. **Application Contents.** Each applicant requesting a TUP under this Ordinance shall submit a sealed complete set of drawings prepared by a licensed architect and engineer that will include a site plan, elevation view and other supporting drawings, calculations and other documentation showing the location and dimensions of the wireless communication facility and all improvements associated therewith, including information concerning specifications, antenna locations, equipment facility and shelters, landscaping, parking, access, fencing and, if relevant as determined by staff, topography, adjacent uses and existing vegetation. Applicants proposing to collocate on an existing Wireless Communication Facility shall include a Radio Frequency Intermodulation Study with their application.
- B. **Submission Requirements.** Application for a TUP shall be submitted to the Zoning Administrator on forms prescribed by the Village of Sherrard. The application shall be accompanied by a site plan containing the information described above and a copy of the appropriate FCC license. If Community Development Board review is required, the application and site plan shall be placed on the next available Board agenda in accordance with the agenda deadlines established by the Board.
- C. **Application Fees.** A plan review fee of \$500 and a Radio Frequency Intermodulation Study review fee of \$500 (collocation applicants only) shall accompany each application. These fees may be used by the Village of Sherrard to engage an engineer(s) or other qualified consultant(s) to review the technical aspects of the application and Radio Frequency Intermodulation Study (if required).
- D. **Technical Assistance.** In the Course of its consideration of an application, the Village of Sherrard, the Zoning Administrator, the Community Development Board or the Village Board may deem it necessary, in complex situations, to employ an engineer(s) or other consultant(s) qualified in the design and installation of Wireless Communication Facilities to assist the Village of Sherrard in the technical aspects of the application. In such cases, any additional reasonable costs incurred by the Village of Sherrard not to exceed One Thousand Five Hundred Dollars (\$1,500.00) for the technical review and recommendation shall be reimbursed by the applicant prior to the final hearing on the TUP.

SECTION 2. ADMINISTRATIVE REVIEW. The following administrative review process shall apply to all Wireless Communication Facility applications eligible for administrative review.

- A. **Review Authority.** Review of Wireless Communication Facilities under this Chapter shall be conducted by the Zoning Administrator or his designee and the Village's consultant upon filing a Wireless Communication Facility application.
- B. **Review Criteria.** Each application shall be reviewed for compliance with the development criteria specified in Chapter 5.
- C. **Timing of Decision.** The Zoning Administrator shall render a decision on the Wireless Communication Facility Application by written response to the applicant

within ten (10) business days after receipt of the complete application, except that an extension may be agreed upon by the applicant. Any application that is not reviewed within ten (10) business days shall be submitted to the Community Development Board for review.

- D. **Deferral.** The Zoning Administrator may defer administrative approval of Wireless Communication Facilities for any reason. Deferral of administrative approval shall require submission to the Community Development Board for review.
- E. **Application Denial.** If administrative approval is not obtained or is denied due to noncompliance with the development criteria, the applicant may appeal the denial by applying for Community Development Board review.
- F. **Application Approval.** If the TUP application is in compliance with the development criteria and otherwise meets the requirements of this Chapter, the Zoning Administrator shall issue a Tower Use Permit.

SECTION 3. COMMUNITY DEVELOPMENT BOARD REVIEW. The following shall apply to all Tower Use Permit applications requiring submission to the Community Development Board.

- A. **Review Authority.** The Community Development Board shall be the review authority for TUP applications not eligible for administrative review or otherwise referred to the commission.
- B. **Notice.** Notice of the application and the public hearing by the Community Development Board shall be accomplished in the same manner as set forth by 65 ILCS 5/11-13-1.1.
- C. **Hearing.** The Community Development Board shall review and consider the TUP application at a public hearing. At the hearing, interested persons may appear and offer information in support of or opposition to the proposed application. The Community Development Board shall consider the following in reaching a decision.
 - 1. **Development Criteria.** The Tower Use Permit application shall be reviewed for compliance with the development criteria set forth in Chapter 5; provided that the applicable development criteria may be amended or waived so long as the approval of the Wireless Communication Facility meets the goals and purposes of the ordinance. The Community Development Board may recommend an alternative development criteria by specific inclusion in a motion for approval.
 - 2. **Tower Siting Conditions.** The Community Development Board may impose conditions and restrictions on the application or on the premises benefited by the TUP as it deems necessary to reduce or minimize any adverse effects and to enhance the compatibility of the Wireless Communication Facility with the surrounding property, in accordance with the purposes and intent of this Ordinance. The violation of any condition shall be grounds for revocation of the TUP. The Community Development Board may recommend such conditions in addition to the development criteria upon the following findings:
 - a) The Wireless Communication Facility would result in significant adverse visual impact on nearby residences.
 - b) The conditions are based upon the purpose and goals of this Ordinance.
 - c) The conditions are reasonable and capable of being accomplished.

3. **Action.** Following the public hearing and presentation of evidence, the Community Development Board shall take one of the following actions:
 - a) Recommend the application as submitted.
 - b) Recommend the application with conditions or modifications.
 - c) Defer the application for additional information or neighborhood input.
 - d) Deny the application in writing.
- D. **Findings.** All decisions rendered by the Community Development Board concerning a Tower Use Permit shall be supported by written findings of fact and conclusions of law based upon substantial evidence of record.
- E. **Timing of Decision.** The Community Development Board shall render its decision within 60 days or less of the final submission of all required application documents and technical review; however, this time may be increased due to deferrals by either the applicant or the Community Development Board.
- F. **Appeals.** The decision of the Community Development Board may be appealed to a hearing panel appointed by the Village Board consisting of three members of the Board, none of whom is a member of the Community Development Board. This hearing panel shall conduct the hearing in conformance with the Illinois Administrative Review Law (735 ILCS 5/3-101 et seq.), under the following circumstances:
 1. An appeal shall be filed no later than 30 days after the final action by the Zoning Administrator or the Community Development Board. Only the applicant and those who registered an objection to the TUP in the record of the Community Development Board shall have standing to appeal.
 2. Only such evidence or testimony in support of or in opposition to the issuance of the TUP which was provided to the Community Development Board may be presented to the hearing panel appointed by the Village Board unless the hearing panel, by majority vote, decides to hear new information.
 3. Notice of appeal shall be accomplished by the appellant in the same manner as set forth by 65 ILCS 5/11-13-1.1.
 4. Any further appeals shall conform to the requirements of the Illinois Administrative Review Law.

CHAPTER 8 SHARED FACILITIES AND COLLOCATION POLICY

SECTION 1. COLLOCATION. All new Wireless Communication Facilities shall be engineered, designed and constructed to be capable of sharing the facility with other providers, to collocate with other existing Wireless Communication Facilities and to accommodate the future collocation of other Wireless Communication Facilities. A TUP shall not be issued until the applicant proposing a new Wireless Communication Facility shall demonstrate that it has made a reasonable good faith attempt to locate its Wireless Communication Facility onto an existing structure. Competitive conflict and financial burden are not deemed to be adequate reasons against collocation.

All Wireless Communication Facilities with support structure up to a height of 150 feet shall be engineered and constructed to accommodate at least three (3) antenna array. All Wireless Communication Facilities with support structures up to a height of more than 150 feet shall be engineered and constructed to accommodate at least four (4) antenna array.

CHAPTER 9
REMOVAL OF ABANDONED
WIRELESS COMMUNICATION FACILITIES

SECTION 1. Any Wireless Communication Facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the Village of Sherrard, at its election, may require the Wireless Communication Facility owner to remove the Wireless Communication Facility within 90 days after notice from the Village of Sherrard to remove the Wireless Communication Facility. If the abandoned Wireless Communication Facility is not removed within 90 days, the Village of Sherrard may remove it and recover its costs from the Wireless Communication Facility owner. If there are two or more users of a single Wireless Communication Facility, this provision shall not become effective until all providers cease to use the Wireless Communication Facility. If the owner of an abandoned Wireless Communication Facility cannot be located or is no longer in business, the requirements of this Chapter shall be the responsibility of the landowner on whose property the Wireless Communication Facility is located.

CHAPTER 10
NONCONFORMING WIRELESS COMMUNICATION FACILITIES

- SECTION 1.** Wireless Communication Facilities in existence on the date of the adoption of this Ordinance which do not comply with the requirements of this Ordinance (nonconforming Wireless Communication Facility) are subject to the following provisions:
- A. **Expansion.** Nonconforming Wireless Communication Facilities may continue in use for the purpose now used, but may not be expanded without complying with this Ordinance except as further provided in this Chapter.
 - B. **Additions.** Nonconforming Wireless Communication Facilities may add additional antennas (belonging to the same provider or other providers) subject to administrative review under this Ordinance.
 - C. **Repairs or Reconstruction.** Nonconforming Wireless Communication Facilities which become damaged due to any reason or cause may be repaired and restored to their former use, location, and physical dimensions subject to the provisions of this Ordinance; provided however, that if the damage to the Wireless Communication Facility exceeds 50% of replacement cost, said Wireless Communication Facility may only be reconstructed or repaired in compliance with this Ordinance.
 - D. Any Wireless Communication Facility not in use for six months shall be deemed abandoned and all rights as a nonconforming use shall cease.

CHAPTER 11 REVOCATION OF TOWER USE PERMITS

SECTION 1. Any Tower Use Permit issued pursuant to this Ordinance may be revoked after a hearing as provided hereinafter. If the Zoning Administrator finds that any permit holder has violated any provision of this Ordinance or has failed to make good faith reasonable efforts to provide or seek collocation, the Zoning Administrator shall notify the permit holder in writing that the TUP is revocable due to the permit holder's noncompliance with the conditions of the permit and the Zoning Administrator shall convene a meeting with the permit holder no later than 30 days from the date of the letter. The Zoning Administrator may require the permit holder to correct the violation within a reasonable amount of time or the Zoning Administrator may recommend to the Village Board that the Tower Use Permit be revoked. After the appropriate public hearing, the Mayor and Village Board may revoke the Tower Use Permit (TUP) upon such terms and conditions, if any, that the Mayor and Village Board determine. Prior to initiation of revocation proceedings, the Zoning Administrator shall notify the permit holder, in writing, of the specific areas of noncompliance and specify the date by which such deficiencies must be corrected. The time for correction of deficiencies shall not exceed 60 days. The permit holder shall provide the Zoning Administrator with evidence that the required corrective action has been taken. Should the permit holder fail to correct any deficiencies in the time required, the Mayor and Village Board shall convene a public hearing to consider revocation of the Tower Use Permit. The hearing shall be conducted pursuant to notice by publication in a newspaper with general circulation in the Village of Sherrard not less than 10 days prior to the hearing and by written notice to the permit holder. At any such hearing, the permit holder may be represented by an attorney and may cross-examine opposing witnesses. Other interested persons may comment. The Mayor and Village Board may impose reasonable restrictions with respect to time and procedure. The proceedings shall be recorded; provided, however, that stenographic services, if desired, shall be provided by the requesting party at that party's expense.

CHAPTER 12 PENALTY

SECTION 1. The fine or penalty for violating any provisions of this Ordinance shall, upon conviction in the municipal court, not exceed One Hundred Dollars (\$100.00) for any one specified offense or violation. Further, that if a thing prohibited or rendered unlawful is, in its nature, continuous in respect to time, the fine or penalty for allowing the continuance thereof in violation of this Ordinance shall not exceed One Hundred Dollars (\$100.00) for each day that it may be unlawfully continued.

CHAPTER 13 ANNUAL REVIEW

SECTION 1. The Mayor and Village Board may review this Ordinance on an annual basis and shall alter or amend the same as required in the manner provided by law.

CHAPTER 14
JURISDICTION

SECTION 1. This agreement shall be interpreted and enforceable under the laws of the State of Illinois.