

ORDINANCE NO. 221

AN ORDINANCE GOVERNING PLACEMENT OF SATELLITE DISHES, FLAGPOLES, RF ANTENNAS, RADIO ANTENNAS, MEMORIAL STRUCTURES, SOLAR PANELS, WINDMILLS AND OTHER SIMILAR STRUCTURES ON PROPERTY LOCATED WITHIN THE CITY OF DETROIT AND DECLARING AN EMERGENCY

WHEREAS, the Detroit City Council finds it in the interest of citizens of the City of Detroit to establish regulations regarding the placement of satellite dishes, flagpoles, RF antennas, memorial structures, solar panels, windmills and other similar structures.

NOW, THEREFORE, THE CITY OF DETROIT ORDAINS AS FOLLOWS:

SECTION 1: SATELLITE DISHES - Satellite dishes are permitted on developed single family, developed multifamily, developed commercial general with single-family dwelling and commercial developed property, with the following provisions:

- A. Dishes cannot be placed on vacant property without written permission of the property owner and City Council approval.
- B. The dish must be less than 4 feet in diameter.
- C. Dish cannot be mounted on a neighboring fence without written approval of the neighboring property owner.
- D. Trees, tree limbs and other obstacles not adjacent to the property cannot be removed without property owner written approval.
- E. Dish can be mounted on poles within the property under the following conditions:
 1. The maximum height of the pole is 15 feet
 2. The pole must be 5 feet from the back and side property lines and 10 feet from the front property line.
- F. Dishes may be mounted on existing buildings provided the maximum dish height including the building is 35 feet or less.
- G. Dishes can be placed on neighboring properties only with written permission of property owner.
- H. Dishes cannot be placed on City property or road right-of-ways without written approval of the City Council and a release and hold harmless form completed.
- I. No more than three (3) dishes can be placed on a property without written City Council approval.
- J. Dish cables cannot be placed across City streets.
- K. The placement of a cable under a city street requires Planning Commission review and City Council approval. (Example: a cable could be installed under the street at the same time and in the same trench as other utility services, but approval would be required).
- L. Placement of overhead cable requires Planning Commission review and City Council approval.
- M. The above conditions apply to both temporary and permanent installations.

SECTION 2: FLAG POLES - Flagpoles are permitted on developed single family, developed multifamily, developed commercial general with single-family dwelling, and commercial developed property under the following provisions:

- A. Total pole height cannot exceed 35 feet.
- B. Flagpoles must be located 5 feet from back and side property line and 10 feet from front property line.
- C. Structures for flagpoles over 20 feet must be approved by the city engineer.

SECTION 3: ANTENNAS - Antennas for radios, RF or other communication devices are permitted on developed single-family, developed multi-family, commercial general with single-family dwelling and commercial developed property under the following provisions:

- A. Total pole height cannot exceed 20 feet, without written approval of City Council.
- B. Antennas must be 5 feet from the back and side property lines and 20 feet from the front property line.
- C. Antennas may be mounted on existing buildings provided the maximum height including the building is 35 feet or less.

SECTION 4: MEMORIAL STRUCTURES - Memorial structures such as a cross is permitted under the following provisions:

- A. Total height not to exceed 8 feet.
- B. Memorial must be placed 5 feet from the back and side property lines and 20 feet from the front property line.
- C. Memorial structures are not permitted on vacant property.

SECTION 5: SOLAR PANELS -

- A. Solar Panels may be mounted on existing buildings provided the maximum height including the building is 35 feet or less.
- B. Solar Panels cannot be placed on vacant property within the City Of Detroit.

SECTION 6: POWER-GENERATING WINDMILLS - Power-generating windmills of any type or size require Planning Commission review and City Council approval.

SECTION 7: OTHER - Any similar structures, like ornamental structures over 8 feet in height, require Planning Commission review and City Council Approval.

SECTION 8 – SEVERABILITY: Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance be declared invalid, such declaration shall not affect the validity of any other section, subsection, paragraph, sentence, clause or phrase; and if this ordinance or any portion thereof should be held to be invalid on one ground but valid on another, it shall be construed that the valid ground is the one upon which the ordinance or such portion thereof was enacted.

SECTION 9 – EMERGENCY: Because cable service is no longer available to the citizens of the City of Detroit, the use of satellite dishes has increased. The City Council of the City of Detroit find it necessary for the peace, health and safety of the people of the City of Detroit that an emergency is declared to exist, and this ordinance is effective upon its passage by the Council.

Passed by the Common Council of the City of Detroit, Oregon this 9th day of March, 2010.

Ayes 7 Nays 0 Absent 0

Signed: 
Patrick Carty, Mayor

Attest: 
Christine Pavoni, City Recorder