

ORDINANCE # 119

AN ORDINANCE TO REGULATE THE INSTALLATION, REPAIR AND MAINTENANCE OF OUT-DOOR TELEVISION AND RADIO RECEIVING ANTENNA SYSTEMS AND THE FIXING OF PENALTIES FOR VIOLATION THEREOF AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GOTHENBURG, NEBRASKA:

Section 1. That for the better protection of life and property and in the interest of public safety, the following rules and regulations be, and the same are hereby adopted for the installation, repair, and maintenance of outdoor television and radio receiving antenna systems within the City of Gothenburg.

Section 2. DEFINITIONS. The following definitions shall apply in the interpretation and enforcement of this ordinance:

(1) "Electrical Inspector" shall mean the Electrical Inspector of the City of Gothenburg or any of his authorized assistants.

(2) "Antenna System" as used in this ordinance shall mean all outdoor portions of the receiving equipment used for receiving television or radio waves or other transmissions from space.

(3) "Mast" shall mean that portion of the outside antenna system to which the antenna is attached, and the support or extension required to elevate the antenna to a height deemed necessary for adequate operation.

(4) "Antenna" shall mean that portion of the outside antenna system which receives television or radio waves or other transmissions from space for transmission to a radio or television receiving set.

(5) "Height" shall mean the overall vertical length of the antenna system above the ground, or, if such system be located on a building, then above that part of the level of such building upon which the system rests.

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(6) "Person" shall mean and include any person, firm, partnership, association, corporation, company or organization of any kind.

Section 3. PERMIT REQUIRED. It shall be unlawful for any person to install, repair, change, substitute, or maintain, either as owner or as agent, servant or employee of the owner, or as an independent contractor for the owner, or otherwise, any outside television or radio receiving antenna system, any additions or repairs to, or substitutions for, said antenna system, or any part thereof, unless and until a permit therefor shall have first been obtained from the Electrical Inspector.

Section 4. FEES. An inspection fee of \$2.00 shall be paid for each permit issued under Section 3 hereof.

A reinspection fee of one dollar (\$1.00) shall be paid for each trip when extra inspections are necessary due to any one of the following reasons:

- (1) wrong address;
- (2) condemned work resulting from faulty construction;
- (3) repairs or corrections not made when inspection is called;
- (4) work not ready for inspection when called.

Fees, collected under this ordinance, shall be paid to the City Treasurer and placed in the General Fund to be used in defraying the expense of enforcing this ordinance, as may be necessary.

Section 5. APPLICATION DATA. Application for permits shall be made upon blanks provided by the Electrical Inspector, and shall contain and have attached thereon the following information:

- (1) Name, address and telephone number of the owner for whom to be made.
- (2) The lot, block and subdivision of the premises on which the installation is to be made.
- (3) Whether it is a new installation, repair or maintenance work.
- (4) Whether a radio or television receiving antenna.
- (5) A drawing and description of the plans and specifications and method

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of installation and attachment to the building or in the ground, and the location with reference to all nearby wires.

(6) Name of the person making the installation.

(7) Such other information as the Electrical Inspector shall require to show full compliance with this and all other laws and ordinances of the city.

Section 6. ELECTRIC INSPECTOR---DUTIES, RIGHTS AND POWERS.

(a) It shall be the duty of the Electrical Inspector and his authorized assistants to inspect all television and radio receiving antenna systems to ascertain if the work has been done in a workmanlike manner and to investigate all complaints from the general public pertaining to said antenna system installations and interference caused thereby.

(b) The Electrical Inspector and his assistants are hereby empowered to inspect or reinspect any wiring, equipment or apparatus conducting or using electric current for radio and television receiving service in the City, and if conductors, equipment or apparatus are found to be unsafe to life or property, or are not in conformity with the provisions of this ordinance, the Electrical Inspector shall notify the person owning or operating the hazardous wiring or equipment to correct the condition within a forty-eight hour period or within the time the Electrical Inspector specifies. Failure to correct violations within the specified time shall constitute a violation of this ordinance.

Section 7. UNLAWFUL TO INTERFERE WITH ELECTRICAL INSPECTORS, It shall be unlawful for any person to hinder or interfere with the Electrical Inspector or his authorized representative in the discharge of their duties under the provisions of this ordinance.

Section 8. NOTICE FOR INSPECTION. The person to whom a permit has been

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granted for the installation of a television or radio receiving antenna system shall immediately notify the Electrical Inspector when the work covered by the permit has been completed and is ready for final inspection. Upon such notice, the Electrical Inspector or his authorized representatives shall promptly inspect and approve the installation if the work complies in all respects with the provisions of this ordinance and the permit, and shall disapprove said installation if it fails to comply, stating in writing the reasons for disapproval and specify the time within which said defects must be corrected. A reinspection shall be made after the notice to the Electrical Inspector that the defects have been corrected.

Section 9. BOND REQUIRED. Every person engaged in the business of making television or radio receiving antenna system installations, repairs, and doing maintenance work on same shall annually file with the City Clerk of said City, good and sufficient bond in the sum of Three Thousand and No/100th Dollars (\$3,000.00), executed by sufficient individual sureties or a bonding or surety company authorized to do business in the State of Nebraska, and approved by the City Attorney. Said bond shall be conditioned upon the faithful observance of all laws and ordinances of the City of Gothenburg and shall indemnify, save and keep harmless the City from any and all damages, judgments, costs or expenses which the said City may incur or suffer by reason of the granting of a permit to install, repair or maintain said antenna system or any service thereto. Said bond shall run to the City of Gothenburg, for the use and benefit of any person who may suffer injuries or property damages by reason of the permit granted hereunder. The maintenance or said bond in full force and effect shall be a prerequisite to the issuance of any permit required under the provisions of this ordinance. A liability insurance policy issued by an insurance company authorized to do business in the State of Nebraska which conforms to the above requirements may be accepted in lieu of

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of a bond.

This provision shall not apply to personal installations, repairs, or maintenance of said antenna system by an owner or occupant, PROVIDED, HOWEVER, that said owner or occupant gives sufficient proof to the Electrical Inspector that he is qualified to perform the work in conformity with the provisions of this ordinance, and PROVIDED, FURTHER, that said owner or occupant files with his application for a permit, an affidavit stating that he will make the installation, repair or maintenance on his own premises only, and that he will do all the necessary work personally and without the assistance of any other person or persons.

Section 10. TECHNICAL REQUIREMENTS. All television and radio receiving antenna system installations from and after the effective date of this ordinance shall be made in accordance with the following rules and regulations:

(a) Masts and antenna shall be of non-combustible and corrosive resistant material.

(b) Every mast and antenna installed on a roof shall be mounted on its own platform or plate covering two or more rafters of the roof and shall be securely anchored with guy wires. The attachment of guys to anchors, masts, turnbuckles, or other fastenings shall be made with adequate guy thimbles or equivalent.

(c) Masts and antenna shall not be fastened directly to the roof or supported by combustible member or materials.

(d) Out-door antennas shall be of an approved type, and shall not exceed the maximum height of thirty feet above the roof support or 70 feet above a ground support. Special permission may be granted by the City Council to exceed the above specified height limitations.

(e) Every antenna system must be adequately grounded for protection against a direct stroke of lightning, with an adequate ground wire.

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(f) In no case shall an antenna system be installed nearer to the street, sidewalk, a primary transmission line or a street series line, than the height of the antenna plus 10 feet unless approved by the City Council; and no wires shall cross or extend over any part of any street, sidewalk or said lines.

(g) Whenever it is necessary to install antenna systems near power lines, or where damage would be caused by its falling, special permission must be first obtained from the City Council and a separate safety wire must be attached to the antenna mast, and secured in a direction away from the hazard.

(h) Transmission lines must be kept at least twelve (12) inches clear to telephone or light wires.

(i) Stand-off support insulators must be used at least every ten (10) feet in running the transmission line.

(j) Rawl plugs are approved only for supporting transmission lines.

(k) When a mast or antenna is installed on a roof, it must be mounted on an approved base, securely anchored to the roof. Masts and antennas must not be fastened directly to the roof, or supported by combustible members or materials. No mast or antenna shall be fastened to, or in any manner braced or supported by any chimney, vent or other structure that extends vertically from a roof. Anchor screws for guys shall be securely fastened to rafters, or beams, or other substantial framing members.

(l) Lightning arrestors shall be approved as safe by the Underwriters' Laboratories, Inc., and both sides of the line must be adequately protected with proper arrestors or neon lamps to remove static charges accumulated on the line.

(m) When lead-in conductors or polyethylene ribbon-type are used, lightning arrestors must be installed in each conductor.

(n) When coaxial cable or shielded twin lead is used for lead-in, suit-

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able protection may be provided without lightning arrestors by grounding the exterior metal sheath.

(o) Antenna systems shall be designed and installed to withstand a wind pressure of 25 pounds per square foot and in no case shall guy wires be less than $3/32$ " 5-strand cable or equivalent, galvanized. Rawl plugs shall not be used for guy wires or for mounting brackets. All guyed antenna systems must have three (3) guy wires for the first twenty (20) feet in height of the mast, and three (3) guy wires for each additional ten (10) feet thereof.

(p) Ground wires shall be of the type approved by the 1952 issue of the National Electrical Code for grounding masts and lightning arrestors, and shall be installed in a mechanical manner with as few bends as possible.

(q) Ground straps for grounding masts and attaching arrestors to water pipes, it must be attached to a $\frac{1}{2}$ inch by 8 foot copper-weld ground rod or larger. The ground rod must be located a minimum of 2 feet from any foundation or other underground structure and must be driven vertically downward until the top is 6 to 12 inches below ground surface.

(r) Every roof mounted mast or antenna, including base, guys, anchors, turnbuckles and all other appurtenances shall be of non-combustible material, and either corrosion resistant or adequately treated or painted to resist corrosion.

(s) Turnbuckles, if used, must be securely locked against turning loose from vibration.

Section 11. MATERIALS TO BE APPROVED TYPE. No electrical materials, devices or equipment designed for attachment to or installation on any electrical circuit or system for television and radio receiving antenna systems, shall be installed, used, sold or offered for sale for use in the City of Gothenburg, unless they are in conformity with the approved methods of construction for safety to life and property, and unless the electrical materials,

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devices or equipment conforms with the standards of the Underwriters' Laboratories, Inc., current as of the time of installation.

Section 12. MAKER'S NAME, ETC., REQUIRED ON EQUIPMENT. The maker's name, trade-mark, or other identification symbol shall be placed on all electrical devices or equipment that use 115 volts or more which are sold, offered for sale or use or used in the City of Gothenburg. These markings and others such as voltage, amperage, wattage, and power-factor or appropriate ratings described in the 1952 Edition of the National Electrical Code, shall be required, and are necessary to determine the character of the material, device or equipment and the use for which it is intended.

Section 13. MINOR REPAIRS WITHOUT PERMIT. Notwithstanding anything herein to the contrary, minor repairs to antenna systems may be made without the necessity of a permit, PROVIDED, however, that a prompt report hereof is made to the Electrical Inspector showing the extent thereof. Should an investigation of said minor repairs by the Electrical Inspector disclose defects, the same shall be pointed out and corrected as required by Section 6, (b).

Section 14. THIS ORDINANCE AS SUPPLEMENTAL CODE. The provisions of this ordinance shall be deemed as supplemental to the Electrical and Building Codes of the City of Gothenburg, and any other pertinent law or ordinances of the City, and all work shall conform to these requirements.

Section 15. APPLICATION TO EXISTING ANTENNA SYSTEMS. Every television or radio receiving antenna system erected prior to the effective date of this ordinance may be maintained and operated in its present condition and location, unless said antenna system is so constructed and maintained as to be unsafe and dangerous as determined by the Electrical Inspector or provided in Section 6 hereof, but this exception shall not apply to all changes or repairs thereto.

Section 16. PENALTIES. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction

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thereof shall be fined not exceeding One Hundred (\$100.00) Dollars. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punished as such here under.

Section 17. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion, shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 18. ORDINANCES REPEALED. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 19. EFFECTIVE DATE. This ordinance shall go into effect and be in force after its passage, approval and publication according to law.

Passed and approved this 15th. day of October, 1953.