

**ORDINANCE BANNING THE CONSTRUCTION OR INSTALLATION OF
TOWERS AND ANTENNAS IN THE CITY OF TRENTON**

WHEREAS, the Telecommunications Act of 1996 affirmed the City of Trenton's authority concerning the placement, construction and modification of wireless telecommunications facilities; and,

WHEREAS, the Trenton City Council finds that wireless telecommunications facilities and related equipment may pose unique impacts upon the public health, safety and welfare and environment of the City and its inhabitants and may have other adverse impacts, visual and otherwise, upon the community, its character and thus the quality of life in the City; and,

WHEREAS, the Trenton City Council desires to minimize the negative and adverse health, safety and welfare, and visual impacts of wireless telecommunications facilities and related equipment within the City of Trenton,

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Trenton, in the County of Mercer, State of New Jersey that the following structures are hereby banned from further construction or installation in the City of Trenton:

Any structure that is specifically designed for the purpose of supporting a wireless telecommunications device or any structure designed or intended to be used or used to support antennas including, without limit:

- a. Antennas applied to the facade of a building or roof-mounted antennas,
- b. Freestanding towers guyed towers, monopoles
- c. Similar structures that employ camouflage technology, including, but not limited to, structures such as a church steeple, water towers, flagpoles, signs or other similar structures intended to mitigate the visual impact of an antenna or the functional equivalent of such.
- d. Structures intended for transmitting and/or receiving radio, television, cellular, paging or personal telecommunications services or microwave telecommunications.

BE IT FURTHER ORDAINED that any structure designed or intended to be used or used exclusively for fire, police and other emergency dispatch telecommunications or exclusively for private radio and television reception and private citizens bands, amateur radios and other similar telecommunications are hereby exempt.

BE IT FURTHER ORDAINED that should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of the City of Trenton as a whole.

BE IT FURTHER ORDAINED that all provisions of the Code of the City of Trenton in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the Code of the City of Trenton not in conflict with the provisions of this ordinance shall remain in full force and effect.

That this Ordinance shall take effect 20 days from and after its passage, as the law provides.