

ORDINANCE NO. 2466

AN ORDINANCE REGULATING INSTALLATION, REPAIR AND MAINTENANCE OF TELEVISION AND RADIO RECEIVING ANTENNAS; TO LICENSE AND REGULATE PERSONS INSTALLING THE SAME; PROVIDING PENALTIES FOR VIOLATION HEREOF

THE PEOPLE OF THE CITY OF ALBANY, OREGON, DO ORDAIN AS FOLLOWS:

Section 1: Definitions:

The following definition shall apply in the interpretation and enforcement of this ordinance:

(a) "Electrical Inspector" shall mean the person so designated as such by the council of the City of Albany, Oregon, or any of his authorized assistants.

(b) "Antenna" shall mean the out-door portion of the receiving equipment used for receiving television or radio waves from space.

(c) "Mast" shall mean the 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.

(d) "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 system rests.

(e) "Person" shall mean and include any person, firm, partnership, association, corporation, company or organization of any kind, whether owner or as agent, servant or employee of the owner, or as an independent contractor.

Section 2: Permit Required:

It shall be unlawful for any person to install, repair or maintain any outside television or radio receiving antenna system until an inspection permit shall have first been obtained from the Electrical Inspector.

Section 3: Automobiles:

No installation of television sets shall be made forward of or visible from the front seat of any motor vehicle, and it shall be unlawful to operate any such television set within the City of Albany; otherwise the provisions of this ordinance shall not apply to motor vehicles.

Section 4: Permit fees:

The fees for permits for installation shall be based on the length of the mast. For a mast having length of 50 feet or less the fee shall be \$2.00. For a mast having a length of more than 50 feet but less than 75 feet, the fee shall be \$5.00. Masts over 75 feet the fee shall be \$10.00.

Section 5: Installer's Registration

Every person engaged in the business of making antenna and mast installations, repairs and maintenance work shall register with the Electrical Inspector. The registration shall set forth the name and address of the registrant, or officers or partners thereof, with the name of the person having charge of the installations. The Electrical Inspector shall examine each registration and if, in his opinion, the applicant is qualified, shall issue a registration card which shall qualify the holder thereof for one year. No person, firm or corporation shall be authorized to install or erect any mast or antenna until such registration card has been issued, provided, however, this provision shall not alter the terms of Section 7 of this ordinance.

Section 6: Insurance:

Each registrant must, before the issuance of a registration card, tender unto the Electrical Inspector a certificate showing the registrant carries an insurance policy or insurance reserve funds in the sum of \$10,000.00 protecting all persons and property from damage as a result of faulty installations of antennas or masts or the repair or maintenance thereof. The policy must be effective during the term of the registration period and any cancellation of the policy shall be reported forthwith to the City. Cancellation of the policy shall effect an automatic revocation of the registration card.

Section 7: Owners-Installers:

The provisions of Sections 5 and 6 shall not apply to personal installations, repairs or maintenance of said antenna 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. 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

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own premises only, and that he will do all the necessary work personally and without the employment of any other person.

Section 8: Technical Requirements:

All antenna installations after the effective date of this ordinance will be in accordance with the following:

(a) No antenna or mast shall be attached to or supported by a parapet wall, chimney or vent pipe.

(b) 1. No antenna or mast shall be installed in such close proximity to any electric, telephone, telegraph or other public utility distribution line that the antenna or mast, if over-turned or blown down, would or could come in contact or within two feet of any such line; provided, that this provision shall not apply to a service lead or house drop.

2. Where the strict application of the provisions of subdivision 1 of this subsection shall make it difficult or virtually impossible to install or erect a mast, a special permit may be issued provided the application therefore be first approved by the City Council, and the application therefore set forth the undue hardship created by the strict application of said paragraph of said subdivision, and the council shall approve any such application if it first finds that the proposed installation will not be unduly hazardous and will not constitute a menace to persons or property and the council may prescribe such safeguards as it may deem necessary for the protection of persons and property.

(c) The mast shall be guyed every 10 feet, except where masts 3 inches in diameter or larger are used the guy spacing may be increased providing the provisions of Subsection J of this section are complied with.

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

(e) Whenever it is necessary to install antenna near power lines, or where damage would be caused by its falling, a separate safety wire must be attached to the mast at a guy ring placed not more than 8 feet below the antenna.

(f) Screw eyes or snubbed screw hooks shall be not less than $\frac{1}{4}$ inch in diameter and the same shall be set not less than 2 inches in a solid structural member and not more than 3 guys shall be attached to any fastening.

(g) Guy wires shall be not less than 6-20 stranded galvanized steel cables.

(h) Not less than three guy anchors shall be used to guy any mast and in case three only are used they shall be spaced not less than 100 degrees nor more than 140 degrees apart.

(i) No guy wire or antenna shall extend across any part of any street, alley or public way, unless permission be first obtained from the City Council.

(j) All installations shall be structurally sound, shall be of weather-proofed metal construction and shall be made to meet all state and local safety code requirements, provided radio transmission masts or antenna need not be of all metal construction.

(k) Turnbuckles shall be protected against turning by threading the guy wires through the turnbuckle.

Section 9: Electrical 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 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 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 specified. Failure to correct violations within the specified time shall constitute a violation of this ordinance.

Section 10: Minor Repairs:

Notwithstanding anything herein to the contrary, minor repairs to antenna

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may be made without the necessity of a permit.

Section 11: Application to Existing Antennas:

Every television or radio receiving antenna erected prior to the effective date of this ordinance may be maintained and operated in its present location, unless said antenna is so constructed and maintained as to be unsafe and dangerous as determined by the Electrical Inspector as provided in Section 9 hereof.

Section 12: Penalties:

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding \$500.00 or by imprisonment in the City Jail not exceeding 30 days or by both such fine and imprisonment. Each day such violation is committed, or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

Passed by the Council 4-8-53

Approved by the Mayor 4-8-53

ATTEST:

E. J. F. [Signature]
City Recorder

[Signature]
Mayor