

STATE OF MINNESOTA  
COUNTY OF WASHINGTON  
CITY OF LAKE ELMO

ORDINANCE NO. 8152

**AN ORDINANCE RELATING TO A DEVELOPMENT MORATORIUM ON THE PLACEMENT,  
CONSTRUCTION AND MODIFICATION OF WIRELESS TELECOMMUNICATION FACILITIES**

The Lake Elmo City Council hereby ordains that Section 301.160 is added to the Municipal Code to read as follows:

Moratorium on Wireless Telecommunication Towers.

A. The City has begun the process of collecting data relating to the placement, construction, and modification of wireless telecommunication facilities so that it may adopt regulations which balance the City's right to control development with the right of private entities to require the City to reasonably accommodate wireless telecommunications facilities.

B. The City may engage engineering consultants with the appropriate expertise to assist it in obtaining data on which to base reasonable regulations for the location, height, and number of wireless telecommunication facilities.

C. Upon receipt of the data base, the City will draft regulations and conduct public hearings.

D. Except as hereinafter provided and in order to protect the integrity of its current comprehensive plan and development regulations, the City hereby adopts a development moratorium pursuant to M.S. 462.355, Sub. 4, on the placement, construction and modification of wireless telecommunication facilities.


E. The term of the moratorium shall commence on the day following publication of this Ordinance and shall continue for one (1) year thereafter or until the Lake Elmo City Council takes action to alter the term of the moratorium, whichever event occurs first.

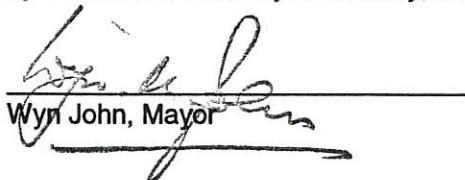
F. During the term of the moratorium, wireless telecommunication facilities may be allowed on existing public and private water towers pursuant to contracts. The terms of the contract shall take into consideration the reasonable accommodation requirements of the Telecommunications Act of 1996.

**EFFECTIVE DATE:** This Ordinance shall be effective the day following its publication or on the day following the publication of an Ordinance Summary approved by the City Council.

**ADOPTION DATE:** Passed by the Lake Elmo City Council the 21st day of January, 1997.

ATTEST:

  
Mary Kueffner, City Administrator

  
Wyn John, Mayor

PUBLICATION DATE: This Ordinance was published on the 24th day of January, 1997.