

Natrona County Development Department
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RECERTIFICATION FOR COMMUNICATION TOWERS AND WIRELESS TELECOMMUNICATION FACILITIES

Adopted by the Natrona County Board of County Commissioners
December 4, 2012

A. RECERTIFICATION OF A CONDITIONAL USE PERMIT FOR WIRELESS TELECOMMUNICATIONS FACILITIES.

1. Six (6) months prior to the five (5) year anniversary date after the effective date of the Conditional Use Permit and all subsequent five (5) year anniversaries of the effective date of the original Conditional Use Permit for Wireless Telecommunications Facilities, the holder of a Conditional Use Permit for such Wireless Telecommunication Facilities shall submit a signed written request to the County for recertification. In the written request for recertification, the holder of such Conditional Use Permit shall note the following:
 - a. The name of the holder of the Conditional Use Permit for the Wireless Telecommunications Facilities;
 - b. If applicable, the number or title of the Conditional Use Permit;
 - c. The date of the original granting of the Conditional Use Permit;
 - d. Whether the Wireless Telecommunications Facilities have been moved, relocated, rebuilt, or otherwise visibly modified since the issuance of the Conditional Use Permit and if so, in what manner.
 - e. If the Wireless Telecommunications Facilities have been moved, relocated, rebuilt or otherwise visibly modified, then whether the County approved such action, and under what terms and conditions, and whether those terms and conditions were complied with;
 - f. That the Wireless Telecommunications Facilities are in compliance with the Conditional Use Permit and compliance with all applicable codes, laws, rules and regulations;
 - g. Recertification that the Tower and attachments both are designed and constructed and continue to meet all local, County, State and Federal structural requirements for loads, including wind and ice loads. Such recertification shall be by a Professional Engineer licensed in the State, the cost of which shall be borne by the Applicant.
 - h. Requested recertification information and documentation shall be accompanied by a \$500.00 recertification fee, made payable to Natrona County Treasurer, by each Wireless Telecommunications Facility owner within six (6) months prior to each successive five (5) year anniversary of the effective date of the original Conditional Use Permit for each Wireless Telecommunications Facility.
2. If, after such review, the County determines that the permitted Wireless Telecommunications Facilities are in compliance with the Conditional User Permit and all applicable statutes, laws, local laws, resolutions, codes, rules and regulations, then the County will issue a recertification of the Conditional Use Permit for the Wireless Telecommunications Facilities, which may include any new provisions or conditions that are mutually agreed upon, or that are required by applicable statutes, laws, resolutions, codes, rules or regulations. If, after such review it is determined that the Wireless Telecommunications Facilities are not in compliance with the Conditional Use Permit and all applicable statutes, laws, resolutions, codes, rules and regulations, then the County may refuse to issue a recertification Conditional Use Permit for the Wireless Telecommunications Facilities, and in such event, such Wireless Telecommunications Facilities shall not be used after the date that the Applicant receives written notice of the decision by the County until such time as the Facility is brought into compliance. Any decision

requiring the cessation of use of the Facility or imposing a penalty shall be in writing and supported by substantial evidence contained in a written record and shall be promptly provided to the owner of the Facility.

3. If the Applicant has submitted all of the information requested and the fees that are required by this Resolution, and if the review is not completed, as noted in subsection (B) of this section, prior to the five (5) year anniversary date of the Conditional Use Permit, or subsequent five (5) year anniversaries, then the Applicant for the permitted Wireless Telecommunications Facilities shall receive an extension of the Conditional Use Permit for up to six (6) months, in order for the completion of the review.
4. If the holder of a Conditional Use Permit for Wireless Telecommunications Facilities does not submit a request for recertification of such Conditional Use Permit within the timeframe noted in subsection (A) of this section, then such Conditional Use Permit and any authorizations granted there under shall cease to exist on the date of the fifth anniversary of the original granting of the Conditional Use Permit, or subsequent five (5) year anniversaries, unless the holder of the Conditional Use Permit adequately demonstrates that extenuating circumstances prevented a timely recertification request. If the County agrees that there were legitimately extenuating circumstances, then the holder of the Conditional Use Permit may submit a late recertification request or Application for a new Conditional Use Permit.

B. ANNUAL NIER CERTIFICATION

The holder of the Conditional Use Permit shall annually certify to the County that NIER levels at the site are within the threshold levels adopted by the FCC.

1. Certification that the NIER levels at the proposed site are within the threshold levels adopted by the FCC in the form and format required by the County or its consultant;

C. LIABILITY INSURANCE

1. A holder of a Conditional Use Permit for Wireless Telecommunications Facilities shall secure and at all times maintain public liability insurance for personal injuries, death and property damage, and umbrella insurance coverage, for the duration of the Conditional Use Permit in amounts as set forth as follows: Commercial General Liability covering personal injuries, death and property damage: \$1,000,000 per occurrence \$2,000,000 aggregate;
2. The Commercial General Liability insurance policy shall specifically include the County and its officers, boards, employees, committee members, attorneys, agents and consultants as additional named insured.
3. The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the State and with a Best's rating of at least "A".
4. The insurance policies shall contain an endorsement obligating the insurance company to furnish the County with at least thirty (30) day's prior written notice in advance of the cancellation of the insurance.
5. Renewal or replacement policies or certificates shall be delivered to the County at least fifteen (15) days before the expiration of the insurance that such policies are to renew or replace.

OTHER INFORMATION

1. Certification that the proposed Antenna(s) will not cause interference with other telecommunications devices.
2. A copy of the FCC license applicable for the intended use of the Wireless Telecommunications Facilities.

APPLICATION INSTRUCTIONS

Recertification of a Conditional Use Permit for a Wireless Telecommunications Facility on the parcel of land described hereon. By completing the application form and providing the other requested information, your application will be acted upon in the fastest, fairest manner prescribed by law.

Person preparing report:

Name:

Address:

Phone Number:

Property Owner:

Name:

Address:

Phone Number:

Applicant:

Name:

Address:

Phone Number:

Legal Form(Corporation, LLC, etc.):

If purchased tower, date of purchase:

GPS coordinates of tower:

Original Conditional Use Permit resolution number:

Date of original Conditional Use Permit:

Operator:

Name:

Address:

Phone Number:

Signatures

I (We) hereby certify that I (We) have read and examined this application and know the same to be true and correct to the best of my (our) knowledge. Granting this request does not presume to give authority to violate or cancel the provisions of any other state or local laws. Falsification or misrepresentation is grounds for voiding this request, if granted. All information within, attached to or submitted with this application shall become part of the public record, except as modified by applicable regulations. I (We) further understand that all **application fees are non-refundable**. By signing the application I am (We are) granting the Development Department access to our property for inspections.

Applicant: _____
(Signature)

Date: _____

Print Applicant Name: _____

Owner: _____
(Signature)

Date: _____

Print Owner Name: _____