

Chapter 32 TELECOMMUNICATIONS ^[1]

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State Law reference— Placement of amateur radio antennas, Code of Virginia, § 15.2-2293.1. ([Back](#))

ARTICLE I. IN GENERAL

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Secs. 32-1—32-20. Reserved.

ARTICLE II. OUTDOOR RECEIVING OR TRANSMITTING ANTENNAS

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DIVISION 1. GENERALLY

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Sec. 32-21. Definition of "approved equipment," etc.; acceptance of approved materials.

The terms "approved equipment," "approved material" or terms of similar import, when used in this article, mean equipment or material of a quality that meets nationally recognized standards. Material and equipment that is approved by, and bears the label of, the Underwriters' Laboratories, Inc., will be accepted whenever the use of approved equipment and material is required by this article.

(Code 1972, § 5-1; Code 1992, § 6-26)

Sec. 32-22. Inspection; correction of hazardous conditions.

The building official, or his authorized representative, is hereby empowered to inspect and reinspect any masts and antenna system for television, a.m. or f.m., amateur or commercial, receiving or transmitting, to determine if the equipment and installation endangers life or property. Should the building official discover that the equipment or installation endangers life or property and that it fails to comply with any of the regulations contained in this article, it shall be his duty to notify the person owning, operating or maintaining the same to correct the hazardous condition within two weeks or if the danger involved is imminent, in such lesser period of time as may be specified by the building official. Any person who fails to make the corrections within the time specified shall be fined not more than \$1,000.00.

(Code 1972, § 5-8; Code 1992, § 6-27)

Sec. 32-23. Compliance with regulations of federal aviation administration.

It shall be unlawful for any person to fail, neglect or refuse to comply with all rules and regulations applicable to antennas and their erection, lawfully promulgated by the federal aviation administration.

(Code 1972, § 5-9; Code 1992, § 6-28)

Sec. 32-24. Limitations on maximum height and distance from power lines; permission for noncompliance.

- (a) Antennas shall not exceed the maximum height of 50 feet above a roof support or 70 feet above a ground support. The maximum height of antennas mounted on wood-frame structures shall not exceed 30 feet above the roof support. Masts, poles and towers for supporting antennas shall not be installed nearer any electric power line with potential higher than 250 volts than the height of the mast, pole or tower plus eight feet, nor shall any antenna be erected in such a location that it would be possible for it to fall on an electric power line with potential higher than 250 volts.
- (b) No part of an antenna system shall be less than two feet from electric power lines with potentials up to 250 volts, nor above, or closer than, ten feet to electric power lines with potentials higher than 250 volts.
- (c) Antenna systems, including guy wires, must be a full clearance of eight feet from other antennas on a flat roof and must be eight feet above a flat roof at all points.
- (d) Where reception or transmission difficulties justify antennas not complying with subsection (a) of this section, special permission for such noncompliance shall be granted when, in the opinion of the building official and the electrical inspector, the masts and antenna are designed and will be constructed in a manner that will compensate for the increased hazard due to the greater height and smaller clearance provided. To determine the safety of the proposed masts and antenna, the building official may require such plans, details and specifications of the proposed installation, as he may deem necessary.

(Code 1972, § 5-10; Code 1992, § 6-29)

State Law reference— Placement of amateur radio antennas regulations, Code of Virginia, § 15.2-2293.1.

Sec. 32-25. Crossing or extending over streets, etc.; attaching to light, power or communication structures.

Antenna systems including wires, cables and guy wires shall not cross or extend over any part of a public street, public way or sidewalk. No part of any antenna system including wires, cables and guy wires shall be attached to light, power or communication structures or poles, unless special permission is obtained from the governmental entity with jurisdiction over the public right-of-way.

(Code 1972, § 5-11; Code 1992, § 6-30)

State Law reference— Authority to regulate appurtenances to buildings overhanging public rights-of-way, Code of Virginia, § 15.2-2010.

Sec. 32-26. Mounting on fire escapes.

No antenna shall be mounted on a fire escape.

(Code 1972, § 5-12; Code 1992, § 6-31)

Sec. 32-27. Location with reference to building and street lines in residence districts.

On property zoned for residence purposes, no antenna structure shall be erected in front of the established building line of the lot on which it is to be located or in front of the established building line of the adjoining lots, and in no case shall it be erected closer than 30 feet to the street line, unless erected on the roof of a residence. However, when because of special conditions compliance with this section may result in unnecessary hardship and a variance from this requirement will not be contrary to the public interest, special permission may be granted by the board of zoning appeals upon proper appeal to the board.

(Code 1972, § 5-13; Code 1992, § 6-32)

State Law reference— Authority to regulate appurtenances to buildings overhanging public rights-of-way, Code of Virginia, § 15.2-2010.

Secs. 32-28—32-42. Reserved.

DIVISION 2. PERMITS

[Sec. 32-43. When not required.](#)

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Sec. 32-43. When not required.

No antenna permit shall be required for repairs or alterations to an antenna system which do not materially change the strength and stability of the antenna system.

(Code 1972, § 5-3; Code 1992, § 6-47)

Sec. 32-44. Application.

Before a permit may be issued, an application therefor must be made by the applicant on a form furnished by the building official. Such application shall contain sufficient information to show that the antenna system will comply with this chapter.

(Code 1972, § 5-4; Code 1992, § 6-48)

Sec. 32-45. Fees.

A permit fee shall be paid for each permit for an antenna that complies with the provisions of section 32-24(a). A permit fee shall be paid for each permit issued for which special permission is required as provided in section 32-24(b). Such fees shall be in the amounts provided in the building permit fee schedule.

(Code 1972, § 5-5; Code 1992, § 6-49)

Sec. 32-46. Notice to building official upon completion of antenna.

Immediately after an antenna has been erected, the person who obtained the permit shall notify the building official so that an inspection may be made.

(Code 1972, § 5-7; Code 1992, § 6-50)

Sec. 32-47. Void when antenna not erected within three months.

When an antenna for which a permit has been issued has not been erected within three months of the date of such permit, the permit shall be void.

(Code 1972, § 5-6; Code 1992, § 6-51)

Secs. 32-48—32-62. Reserved.

DIVISION 3. CONSTRUCTION STANDARDS ^[2]

[Sec. 32-63. Generally.](#)

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Sec. 32-63. Generally.

- (a) Every mast, tower and antenna system shall be designed and installed in such a manner that it will safely sustain all loads to which it may be subjected.
- (b) The stress on any member shall not exceed the working stress for the material approved, as provided for in this article, when the structure is subject to its dead load and to either of the following conditions:
 - (1) Horizontal wind pressure of 25 pounds for each square foot of projected area, allowing for wind from any direction.
 - (2) Maximum accumulation of ice one-half-inch thick around all exposed members, plus a horizontal wind pressure of eight pounds for each square foot of the projected area, including the area of the accumulated ice and allowing for wind from any direction.
- (c) When approved deicing devices are installed on a mast or tower, their ability effectively to prevent the formation of ice may be considered in determining the loads to which the mast or tower is subjected.
- (d) When a mast or antenna is installed on a roof, it must be mounted on its own plate or platform and be securely anchored with guy wires. Masts and antennas shall not be supported or fastened to the roof by combustible members or materials; except, that blocking of wood, painted or treated with a wood preservative may be used on a wood-frame roof. The roofing, where pierced or broken by anchors, bases, etc., shall be coated with roofing cement so as to prevent leakage.
- (e) Masts shall be of sufficient strength and rigidity to properly withstand the wind and ice loading specified in the preceding provisions of this section. When masts are made in sections, the sections shall be connected or joined by sleeves, clamps or telescope fittings of sufficient strength and length to ensure uniform strength and rigidity of the mast. Ordinary screw couplings are not permitted.

(Code 1972, § 5-14; Code 1992, § 6-61)

Sec. 32-64. Material for masts and towers; wooden poles; attachment of masts to chimneys.

- (a) Masts and towers shall be of noncombustible and noncorrosive material; except, that in the case of ground support, a wooden pole complying with the following requirements may be used:
 - (1) Wooden poles shall be straight and of good, sound, well-seasoned material and shall be of the minimum size and buried in firm earth to the depth specified in the following table:

Total	Depth	Circumference

Length (in feet)	in Gro und (in feet)	ere nce (in inch es)	
		A t A r t T o p	L i n e
25	5	1 5	2 2
30	5½	1 5	2 4
35 —4 0	6	1 5	2 5 ½
45	6½	1 5	2 8 ½
50	7	1 5	2 9 ½
55	7	1 7	3 3 ½

60	7½	1 7	3 4 ½
65 -7 0	8	1 9	3 8 ½
75	8½	2 1	4 1 ½
80	9	2 1	4 2 ½

- (2) The portion of the wood pole that is buried in the ground and that portion within one foot of the surface of the ground shall be treated or painted with a wood preservative.
- (b) A mast may be attached to a chimney only when such chimney is of sufficient strength to withstand the loads required of the mast and such mast shall be supported by at least two metal straps or clamps placed around the chimney of sufficient strength to withstand such pressure. In no case shall such chimney have a cross section area of less than two square feet. Masts supported by chimneys shall not extend above eight feet from the top of a chimney, unless guyed, as provided for in section 32-65, and in no case shall the height be greater than 21 feet.

(Code 1972, § 5-15; Code 1992, § 6-62)

Sec. 32-65. Guying.

- (a) All masts and antennas ten feet or more in height that are not self-supporting shall be guyed at sufficient intervals and in such a manner as will ensure the stability and rigidity to the mast that is required by section 32-63.
- (b) The vertical angle of the guy wire with the mast shall not be less than 30 degrees. Each guying level of the mast shall be guyed to three or more anchor points in such a manner that the horizontal angle between adjoining guy wires will not exceed 120 degrees.

- (c) Guy wires and accessories shall be of the strength required to sustain the loads specified in section 32-63. In no case shall guy wires be less than 3/32 inches, five-strand galvanized steel cable or equivalent. Guy wires should be fastened by the use of substantial metal clips and thimbles.

(Code 1972, § 5-16; Code 1992, § 6-63)

Sec. 32-66. Anchoring and foundations.

- (a) Masts and guy wires shall be anchored in such a manner that they will safely sustain the loads specified in section 32-63.
- (b) Self-supporting masts and towers shall have foundations or anchorages of sufficient size and weight so that the overturning moment due to wind pressure, as specified in section 32-63, shall not exceed two-thirds of the moment of stability of the completed structure.
- (c) Masts and guy wires anchored to solid masonry or concrete shall be properly fastened with through bolts, lead anchor screws or lead expansion shields. Masts and guy wires anchored to wood construction shall be properly fastened to rafters, beams or other substantial members with bolts or lag screws. Bolts or screws shall not be of smaller size than one-fourth inch. Antennas, masts and guy wires shall not be attached to pipes that are a part of the plumbing system of a building.

(Code 1972, § 5-17; Code 1992, § 6-64)

Sec. 32-67. Brackets, turnbuckles, thimbles, clips, insulators, etc.

Miscellaneous hardware, such as brackets, turnbuckles, thimbles, clips, etc., shall be galvanized or similarly treated for weather protection. These finishes are selected to guard against corrosion due to stack gas and to protect the elements against electrolytic action due to the use of adjoining dissimilar metals. The turnbuckles shall be protected against turning by threading the guy wire through the buckles. Standoff support insulators shall be used at not less than ten-foot intervals where an antenna lead-in or control cable to a power-rotated antenna system is placed on the side of a building. Insulators connecting guy wires shall be the type that will not release the guy wire if they should break or be otherwise damaged.

(Code 1972, § 5-18; Code 1992, § 6-65)

Sec. 32-68. Protection against lightning.

- (a) Metal masts shall be effectively grounded. Ground wires for masts should be No. 6 or No. 8 copper A.W.G. or aluminum wire of equivalent current capacity, No. 4 or No. 6.
- (b) An approved lightning arrestor shall be placed in each conductor of a transmission line (lead-in) and shall be located inside or outside the building at the point of entrance of the lead-in into the building and away from combustible materials. Control cables to power-rotated antenna systems shall be likewise protected by approved lightning arrestors. If a coaxial cable is used for the lead-in, suitable protection may be provided without lightning arrestors by grounding the exterior metal sheath.
- (c) Ground wires must be installed in a mechanical manner with as few bends as possible and be connected to an approved grounding electrode. When the grounding electrode is separated from other lightning protection grounds for the same building, it should be interconnected or bonded to the other grounding systems. Ground straps for connecting ground wires to water pipes must be an approved ground fitting.

(Code 1972, § 5-19; Code 1992, § 6-66)

Secs. 32-69—32-94. Reserved.

FOOTNOTE(S):

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State Law reference— Installation of in-building emergency communication equipment, Code of Virginia, § 36-99.6:2. ([Back](#))

ARTICLE III. COMMUNITY ANTENNA TELEVISION ^[3]

[Sec. 32-95. Definitions.](#)

[Sec. 32-96. Compliance with chapter 36, article IX.](#)

[Sec. 32-97. Permits.](#)

[Sec. 32-98. Regulations generally.](#)

[Sec. 32-99. Complaint procedure.](#)

Sec. 32-95. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

CATV means community antenna television.

Grantee means the person operating a community antenna television system, having been granted any rights under a permit issued by the town.

Permit means written evidence of a company's having secured permission to operate a community antenna television system in the town.

(Code 1972, § 5-20; Code 1992, § 6-86)

Sec. 32-96. Compliance with chapter 36, article IX.

Although community antenna television systems are not defined as public utilities, all of the provisions of chapter 36, article IX shall be adhered to by any person operating a CATV system under a permit granted by the town.

(Code 1972, § 5-21; Code 1992, § 6-87)

Sec. 32-97. Permits.

- (a) Every person desiring to operate a CATV system within the town shall first make application to the town to obtain a permit from the town council to construct, operate and maintain lines of television coaxial cable including poles, wires and fixtures where necessary upon, along, over and under the public streets and alleys of the town, but subject to the terms and conditions herein set out; provided, that such cables shall be placed only at such locations as may be approved, in writing, by the town council or its representative. The grantee shall file with the town manager an application, in writing, for each line, showing in detail the location of same, and shall furnish with the application all such information as may be required by the town council.
- (b) Any permit issued under this article shall be granted for a term of 15 years from the date of issuance, but upon failure of the grantee to start operation in a substantial manner satisfactory to the council within one year from the date of issuance of the permit, the council may terminate the permit so granted upon giving the grantee 30 days' notice of its intention to terminate the permit.
- (c) The grant of a permit does not extend to the grantee any privileges for the conduct of business or activities as are, or would be, otherwise licensed by the town, such as television or radio equipment sales, repair, service or rental.
- (d) Whenever a grantee shall receive a request or petition to provide service to any area in the town made by not less than ten subscribers located within 1,320 feet of its trunk cable or distribution cables, or in any area having a density of 40 subscribers within one mile of its trunk cable or distribution cables, then the grantee shall be required to provide such service to such areas in the town.

(Code 1992, § 6-88; Ord. of 5-15-1984, § 5-22)

Sec. 32-98. Regulations generally.

- (a) Use of poles. So far as practical, the grantee shall use existing poles, such as those erected and maintained by the electric utility company and the telephone company, where satisfactory rental agreements can be reached with the electric and telephone companies. New poles will be placed only at locations approved by the town council, or its representative.
- (b) Repair of streets, sidewalks. All streets and sidewalks disturbed or damaged in the construction or maintenance of such cable lines shall be promptly repaired by the grantee at its expense and to the satisfaction of the town manager.
- (c) Street ordinances. The grantee shall be subject to all ordinances now in force or that may be hereafter enacted relative to the use of the streets and alleys of the town.
- (d) Legal requirements; indemnification. The licensee's CATV system shall be installed and operated in compliance with all requirements of law and rules and regulations of a commission of competent jurisdiction relating thereto and shall further indemnify and save harmless the town from any violations by it of any statutes, rules and regulations pertaining thereto by any regulatory bodies, either state or federal.
- (e) Local restrictions; underground utility lines. The grantee shall be bound by any rule, restrictive covenant or other regulations of any subdivision, residential area or restricted area or by any ordinance of the town whether now or hereafter enacted requiring utility lines to be placed underground.
- (f) Claims against town. The grantee shall hold the town harmless from all claims for damages and injuries arising out of the construction, maintenance or operation of such cable lines.
- (g) Insurance. Each applicant for such license shall demonstrate by certificate of insurance filed with his application for license that he is protected by liability insurance issued by an insurance company authorized to do business in the state against claim for property damage in the amount of

\$100,000.00 per accident, and for personal injuries in the amount of \$100,000.00 for personal injury to any one person and \$300,000.00 for all personal injuries resulting from any one accident.

- (h) Grantee's rules, reports. The grantee shall file with the town manager copies of such rules, regulations, terms and conditions adopted by the grantee for the conduct of its business. The grantee shall file annually and not later than 60 days after the end of the grantee's fiscal year, with the clerk of the council, a copy of the grantee's annual financial report, which report shall be prepared by a certified public accountant and shall contain and reflect a complete financial statement as pertains to the business operations of the grantee for the immediate preceding business year together with such other reasonable information as the town council shall request with respect to properties and expenses related to the grantee's service within the town.
- (i) New developments. Should new developments within the period of a permit in the field of transmission of television signals or broadcasting offer to the grantee the opportunity of more effectively, efficiently or economically serving its customers through the use of methods, materials or procedures not prescribed or embraced by the terms of this article, then the grantee may petition the town council for review of his permit in line with such developments. If the use or employment of such development would constitute a variance from the terms of this article, then accommodation for such development shall, if the town council determines to incorporate such development, necessitate reenactment or amendment of the grantee's permit under procedures prescribed by law and only for the remaining period of his permit.
- (j) Interruptions. In the event of any interruption or impairment of service by reason of force, nature, act of God, strike, breakdown, accident or other happening beyond the control of the grantee, the grantee shall use every reasonable effort and prompt diligence to restore such service with as little interruption as possible and in all events within a reasonable time, and such interruption or failure for such reasons shall not constitute a breach of this article.
- (k) Efficient service. The grantee shall put, keep and maintain all parts of the system in good condition throughout the entire permit period. The grantee shall render efficient service, make repairs promptly, and interrupt service only for good cause and for the shortest time possible. Such interruptions, insofar as possible, shall be preceded by notice to subscribers affected and shall occur during a period of minimum system use.
- (l) Interference with television reception, other utilities. The grantee shall not allow its cable or other operations to interfere with television reception of persons not served by grantee, nor shall the system interfere with, obstruct or hinder, in any manner, the operation of the various utilities serving the residents of the town.
- (m) Time and weather channel; use. The grantee shall dedicate and reserve for the use of the town, and all their educational institutions, the time and weather channel for public use at no cost to the town. Production costs of programs shall be borne by the town or institutions initiating such programs. Grantee shall have full right to use of such channel when not in use by any party hereby authorized for use.

(Code 1992, § 6-89; Ord. of 5-15-1984, § 5-23)

Sec. 32-99. Complaint procedure.

- (a) Town official responsible. The town manager shall have primary responsibility for the continuing administration of the permit and implementation of complaint procedures.
- (b) Complaints and payment office. The grantee shall maintain a publicly listed telephone number, and be so operated that complaints and requests for repairs or adjustments may be received on a broadcast hour basis. The grantee shall maintain an office in the Town of Christiansburg or shall maintain a payment agent with one of the banks in the Town of Christiansburg, where customers of the grantee shall be able to make payments of their monthly bills or other charges.

- (c) Complaint response. The grantee shall maintain a repair and maintenance crew capable of responding to subscriber complaints or requests for maintenance service within 24 hours after receipt of the complaint or request. No charge shall be made to the subscriber for this service.
- (d) Appeal procedure. If a customer complaint is not resolved to the mutual satisfaction of the customer or the grantee, either the customer or the grantee may request that the matter be presented to the office of the town manager for a hearing and resolution by the town council. The council shall have the power to revoke a permit as provided for in section 36-271.

(Code 1992, § 6-90; Ord. of 5-15-1984, § 5-23(1); Ord. of 9-20-1988)

FOOTNOTE(S):

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State Law reference— Restrictions on granting franchises, Code of Virginia, § 15.2-2100 et seq.; franchise fees and public rights-of-way fees for operation of cable television systems, Code of Virginia, § 15.2-2108.1:1. [\(Back\)](#)