

## IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

**AN ORDINANCE** renewing for a period of fifteen years a conditional use permit to operate an 88-ft. above-the-ground tower for the purpose of providing high-speed internet service as to a certain tract.

**ORDINANCE 5484**, February 8, 2021

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. A conditional use permit for a period of fifteen years to operate an 88-ft. above-the-ground tower for the purpose of providing high-speed internet service, under the Unified Development Code, is hereby renewed as to a certain tract of land located at 3325 W. U.S. East Bound 40 Highway, legally described as follows:

Lot 36 in the Wood Chapel and 40 Subdivision lying in that part of the northwest quarter of the northeast quarter of Section 2, Township 48, Range 31 in Jackson County, Missouri aka 3325 W. US 40 East Bound Highway.

Section 2. The conditional use permit renewed by this Ordinance is subject to the following conditions:

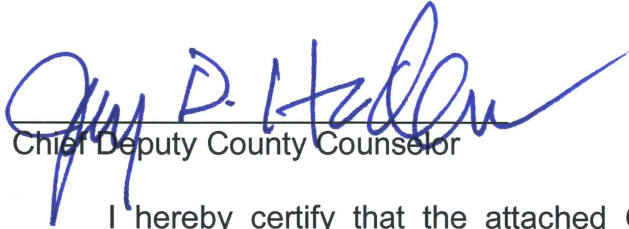
1. The tower shall not exceed a height of 88 feet.
2. The tower shall be a galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
3. The tower shall only be illuminated as required by the Federal Communications Commission and/or the Federal Aviation Agency.
4. If the antenna or tower is not operated for a continuous period of twelve (12) months then it shall be considered abandoned and the owner of such antenna/tower or property owner shall remove the antenna or tower within 90 days.

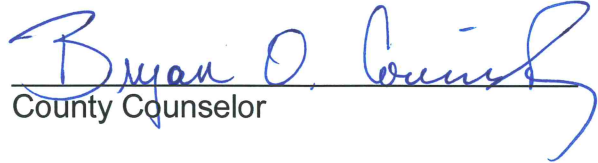
Section 3. The Legislature, pursuant to the application of Midwest Internet Technologies, (CU-2021-234), requesting approval embodied in this Ordinance and with

notice that the Jackson County Plan Commission voted 5 to 0 to recommend APPROVAL of this application after a public hearing on January 21, 2021, does hereby adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Chief Deputy County Counselor

  
\_\_\_\_\_  
County Counselor

I hereby certify that the attached Ordinance, Ordinance 5484 introduced on February 8, 2021, was duly passed on March 8, 2021 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

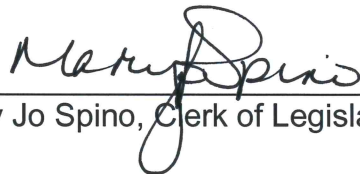
Nays 0

Abstaining 0

Absent 1

This Ordinance is hereby transmitted to the County Executive for his signature.

3-8-2021  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance 5484.

3/8/2021  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Frank White, County Executive