



Hyde County Wireless Telecommunications Facility Ordinance and Application Process

Please note before you begin the process in this Application:

To ensure consistency, please have only one person from your company/ organization that is designated as point of contact to correspond with representatives from Hyde County. Please ensure that a single point of contact works with the Planning Department and subsequently with the Inspections Department to eliminate confusion and to lead to a faster proposal and permit approval.

All proposals must meet the requirements as outlined in the Hyde County, North Carolina, Code of Ordinances, Chapter 40 – Telecommunications, Article III – Telecommunications Facilities available online at www.municode.com

Proposal & Permit Approval Process:

1.) Hyde County Planning Department

The first step towards obtaining the approvals required for Wireless Telecommunication Services (WTS) upgrades or construction is to contact the Hyde County Planning Department to inform the planning staff of your intended project and to submit a full copy of your proposal to Planning Director, Kris Noble, for review. Contact information is as follows:

Mailing Address:

Office of Planning & Economic Development
Attention: Kris Noble
30 Oyster Creek Road
PO Box 188
Swan Quarter, NC 27885

Contact Numbers:

(252) 926-4180 or (252) 542-0802

Email address:

knoble@hydecountync.gov

The proposal must include at a minimum the following:

- The applicant shall provide contact information including the name of the company, designated point of contact with address, contact numbers and email addresses.
- The applicant shall provide the physical location with an e-911 address for the property.

- The applicant shall provide a diagram showing the cell site configuration illustrating the coverage area of the proposed wireless telecommunications tower and antenna. This diagram shall demonstrate the frequency re-use and spacing needs of the wireless system in order to provide adequate coverage and capacity to areas that cannot be adequately served by other locations.
- The following order of preference shall be used during the review and approval of WTS development: 1) Stealth antenna; 2) Antenna located on existing WTS facilities, utility poles, water towers or similar utility structure; 3) Antenna attached to or mounted on an existing building or structure (single or collocation provider); 4) Freestanding WTS development designed and constructed with collocation capability; and 5) Freestanding WTS development designed and constructed for single-provider use.
The applicant shall provide documentation giving the reasons why, in the opinion of the applicant, it is not feasible or reasonable to require the applicant to comply with a WTS development of a higher order of preference as set forth in Section 40-225 of the Hyde County Code of Ordinances.
- The applicant shall provide a diagram showing minimum setbacks from the property lines as specified by Section 40-225 of the Hyde County Code of Ordinances. The applicant shall state the tower and antenna's overall height and specify whether the tower will be a monopole, lattice or guyed wire tower.
- The applicant shall provide a diagram showing proposed fencing around the tower including height specifications as set forth in Section 40-225 of the Hyde County Code of Ordinances.
- The applicant shall specify within the proposal if the tower or antenna will be lighted as required by the Federal Aviation Agency and the Federal Communications Commission. Hyde County maintains the right to require lighting on a case-by-case basis.
- The applicant shall specify within the proposal that a four-foot by four-foot sign will be clearly visible, identifying the owners and operators of the communication tower site and a local emergency phone number for each shall be provided on this sign located at the entrance of the tower site.
- The applicant shall specify within the proposal that they are fully aware that any wireless telecommunication tower and antenna that is not used for one year shall be deemed abandoned and the property owner shall remove and dispose of the tower and antenna in an appropriate manner. Please note that if the property owner fails to remove the tower and antenna after one year, it may be removed by the county with the costs of such removal assessed against the property owner of the site.
- Where because of the strict adherence to the provisions of this article it would cause an unnecessary hardship on the owner he may apply for a variance in writing to the Hyde County Board of Commissioners least 7 days prior to the next regularly scheduled meeting. Those meeting dates are available at www.hydecountync.gov
- The applicant shall request the proposal to be placed on the next regularly scheduled Hyde County Board of Commissioner's meeting.

The Planning Director will ensure that your proposal meets the requirements of the Hyde County Telecommunications Ordinance and have the proposal placed on the next regularly scheduled Hyde County Board of Commissioners agenda for approval.

2.) Hyde County Board of Commissioners

Upon approval of the proposal by the Planning Department, you will need to appear before the Hyde County Board of Commissioners (BOC) at their regular monthly meeting. A request to be placed on the agenda should accompany your proposal submitted to the Planning Department.

The Hyde BOC meets the first Monday of each month at 6:00 p.m. in the Multi-Use room of the Hyde Government Center, 30 Oyster Creek Road, Swan Quarter, NC 27885. A comprehensive list of adopted meeting dates are available at www.hydecountync.gov

The Planning Department will present on your behalf, however a representative from your company/organization must be in attendance to answer any questions. The Planning Department may ask you to give a 5 (five) minute presentation to the Board, if necessary. The Board will then vote to approve or deny your proposal, or table until the next meeting if more information, documentation, or deliberation is needed.

3.) **Hyde County Inspections Department**

Once you have received approval from the BOC, you will need to obtain a Hyde County Building Inspections Permit for Wireless Telecommunications Facilities from the Hyde County Inspections Department. You must schedule a meeting in person with Jerry Hardison, Chief Building Inspector to review the permit application. This meeting can be scheduled by calling (252) 926-4372. Prior to meeting with the Building Inspector, please have your Hyde County Building Inspections Permit Application for Wireless Telecommunications Facilities filled out completely. In addition to the permit application, the following documents will need to be submitted:

- Your contact information
- A plot plan drawn to scale showing all existing structures, impervious surface coverage, size of the lot and parking spaces(if needed) as well as setbacks
- The physical location with an e-911 address. If no e-911 address has been assigned to the location, please fill one out and submit to Justin Gibbs, Hyde County Emergency Services Coordinator at (252) 542-0806,
- North Carolina licensed engineer-approved and sealed drawings
- Names and license numbers of all contractors and sub-contractors
- General Contractor's Affidavit
- Worker's Compensation Form
- CAMA, Water Quality, Wetlands, & Army Corp of Engineers permits
- Benchmark letter or preliminary elevation certificate
- Cost of project
- Copy of the mechanics lien
- Cash, Check, or Money Order made out to Hyde County Building Inspections for non-refundable payment of permit fees. (Please see Telecommunications Permit Fee Schedule)

**Hyde County Building Inspections Permit Application
For Wireless Telecommunications Facilities**

Name of Company _____

Address of Company _____

City _____ State _____ Zip Code _____

Phone _____ Cell Phone _____

911 Address of Structure _____

Estimated Value of Structure _____

Proposed Development _____

Types of Development (Check All That Apply):

Accessory Equipment ()	Tower Monopole ()	Upgrade existing electrical
Antenna ()	Utility Pole ()	systems ()
Stealth Antenna ()	Addition ()	Fence ()
Tower ()	Generator ()	Foundation ()
Tower Lattice ()	Upgrade existing tower ()	

Applicant: _____ Date: _____

Inspector: _____ Date: _____

Permit Cost: \$ _____ Paid by: _____

Contractor: _____

Address of Contractor: _____

Contractor's License Number: _____

Subcontractors:

Electrician: _____ License #: _____

Address: _____

Plumber: _____ License #: _____

Address: _____

HVAC: _____ License #: _____

Address: _____

Insulation: _____ License #: _____

Address: _____

Size of Building: _____ Size of Tower: _____
 Heated Square Feet: _____ Unheated Square Feet: _____
 Size of Building Lot: _____ Size of Building: _____
 Number of Antenna(s): _____ Type of Antenna(s): _____
 Number of Tower(s): _____ Type of Tower: _____
 Height of Antenna(s): _____ Height of Tower: _____
 Height from Base of Tower to top of each Antenna: _____
 Wind Strength of Tower: _____ Wind Strength of Antenna(s): _____
 Guyed Tower? _____ Length of Guyed Wires: _____
 Number of Guyed Wires: _____ Guyed Wire Strength: _____
 Dimensions/Depth of Guyed Wire Anchors/Bases: _____
 Number of Bases: _____
 Setbacks: Front: _____ Sides: _____ Back: _____

Include:

- A plot plan drawn to scale showing all existing structures, impervious surface coverage, size of the lot and parking spaces(if needed) as well as setbacks
- The physical location with an e-911 address. If no e-911 address has been assigned to the location, please fill one out and submit to Justin Gibbs, Hyde County Emergency Services Coordinator at (252) 542-0806
- North Carolina licensed engineer-approved and sealed drawings
- General Contractor's Affidavit
- Worker's Compensation Form
- CAMA, Water Quality, Wetlands, & Army Corp of Engineers permits
- Benchmark letter or preliminary elevation certificate
- Cost of project
- Copy of the mechanics lien
- Cash, Check, or Money Order made out to Hyde County Building Inspections for non-refundable payment of permit fees.

I agree to comply with North Carolina State Building Codes and all other Local, State and Federal

Regulations:

Signature of Applicant **Date**

Printed Name of Applicant **Date**

AN ACT TO REGULATE THE PRACTICE OF GENERAL CONTRACTING

N.C.G.S. 87.1 "General Contractor" defined; exemptions. For the purpose of this Article any person or firm, corporation who for a fixed price, commission, fee, or wage, undertake to bid on or manage, on his own behalf or for any person, firm, corporation that is not licensed as a general contractor pursuant to this Article, the construction of any building, highway, public utilities, grading or improvement of a structure where the cost of the undertaking is thirty thousand dollars (\$ 30,000.00) or more, shall be deemed a "General Contractor" engaged in the business of general contracting in the State of North Carolina.

This section shall apply to any person, firm, or corporation who constructs a building on land owned by that person, firm, or corporation when such building is intended for use by that person, firm, or corporation after completions; and provided further that, **if such building is not occupied solely by such person and his family, firm, or corporation for at least twelve (12) months following completion, it shall be presumed that the family, person, or corporation did not intend such building solely for occupancy by that person and his family, firm or corporation.** This building must be occupied solely by such person and his family, person or corporation for at least twelve (12) months following completion.

I, the undersigned, have read and understand the above North Carolina General Statute. As the owner of the land upon which building permit was applied for, or other person assuming all responsibility for this job, I hereby affirm that I qualify under the exemption to assume all responsibility and liability of a general contractor upon this project.

Signature

Date

North Carolina

County of _____

I, _____, a Notary Public for said County and State do hereby

certify that _____ personally appeared

before me on this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the _____ day of _____.

Notary Public

My Commission Expires

(SEAL)

AFFIDAVIT OF WORKER'S COMPENSATION COVERAGE

N.C.G.S. 87-14

The undersigned applicant for the Telecommunications Permit # _____, Being the Applicant (), Contractor (), Owner (), do hereby waiver under penalties of perjury, firm or corporation performing the work as set forth in the application:

- () Have or has three (3) or more employees and have obtained worker's compensation coverage to cover them,
- () Have or has one or more subcontractors and have obtained worker's compensation coverage to cover them,
- () Have or has one or more subcontractors who has or have their own worker's compensation coverage covering themselves,
- () Have or has not more than two (2) employees and no subcontractors.

While working on the project for which this application is sought, it is understood that the Building Inspections Department may require certification of coverage of the policy in force before any work may begin at the site and at any time during the performance of the work at the site from the person, firm or corporation doing the work.

Firm Name: _____

Signature: _____

Title of the Person Signing: _____

Date: _____

Permit Fees for Telecommunication Application

1) All unheated structures per floor per square foot	\$	0.05
2) Complete blanket permit for Commercial Structures per floor per square foot	\$	0.25
3) Storage Buildings over 12 X 12 with no utilities	\$	75.00
4) Electrical for the each 100/200 amp service	\$	75.00
5) HVAC for the first Unit	\$	100.00
each additional unit	\$	25.00
6) Plumbing	\$	50.00
7) Insulation	\$	75.00
8) Temporary Construction Trailers	\$	75.00
9) Application Fee for <u>EVERY</u> application	\$	30.00
10) Communications permit	\$	100.00
Additional fee per linear foot in height for tower plus each antenna	\$	5.00
(Height from base of tower to top, from base of tower to top of each antenna)		
11) Demolition of structure	\$	50.00
12) Working without a Permit		Double Cost of Permit
13) Failing to call for Required Inspections		50% of Original Permit Cost
14) Re-Inspection Fees per trade for first failed inspection	\$	35.00
for second failed inspection in the same trade	\$	50.00
for the third failed inspection in the same trade	\$	100.00

All fees must be paid before a certificate is given.