

Chapter 3

Telecommunication Towers and Related Facilities

69-3-1 Authority to acquire sites -- Title.

The state, counties, cities, and towns may create or acquire sites to accommodate the erection of telecommunication towers and related facilities. Title to these sites shall be retained by the state, county, city, or town acquiring such sites in order to promote the location of such towers in a manageable area and to protect the aesthetics and environment of the area.

Enacted by Chapter 95, 1986 General Session

69-3-2 Acquisition of sites by eminent domain.

The state, counties, cities, and towns may acquire land for the creation of such tower sites by eminent domain or otherwise.

Enacted by Chapter 95, 1986 General Session

69-3-3 Use of sites.

The state, county, city, or town after acquiring a site shall permit the public use of such site subject to the following conditions:

- (1) the facilities and access roads are designed and constructed so as to minimally disturb the natural terrain;
- (2) the owner of any tower on such site agrees to accommodate the multiple use of the tower where feasible; and
- (3) the owner of any tower agrees to pay to the state, county, city, or town, as the case may be, the fair market rental value for the use of the site.

Enacted by Chapter 95, 1986 General Session

69-3-4 Grandfather clause.

This chapter shall not affect the use, operation, expansion, or construction of towers and related facilities on property owned by telecommunication companies as of January 1, 1986.

Enacted by Chapter 95, 1986 General Session