WEST VIRGINIA CODE: §31J-1-1

§31J-1-1. Definitions.

Terms used in this article have the following meanings:

"Action" or "to act" on a siting application means the reviewing authority's grant of a siting application or issuance of a written decision denying a siting application.

"Antenna" means an apparatus designed for the purpose of emitting radiofrequency (RF) radiation for the provision of personal wireless service and any commingled information services.

"Antenna equipment" means equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with an antenna, located at the same fixed location as the antenna, and, when colocated on a structure, is mounted or installed at the same time as such antenna.

"Antenna facility" means an antenna and associated antenna equipment.

"Applicant" means a person or entity that submits a siting application and the agents, employees, and contractors of such person or entity.

"Authorization" means any approval that a siting authority must issue under applicable law prior to the deployment of personal wireless service facilities, including, but not limited to, zoning approval and building permit.

"Colocation" means:

(1) Mounting or installing an antenna, or an antenna and associated equipment, on a pre-existing structure; and/or

(2) Modifying a structure for the purpose of mounting or installing an antenna, or an antenna and associated equipment, on that structure.

"Deployment" means placement, construction, or modification of a personal wireless service facility.

"Facility" or "personal wireless service facility" means an antenna facility or a structure that is used for the provision of personal wireless service, whether such service is provided on a stand-alone basis or commingled with other wireless communications services.

"Siting application" or "application" means a written submission to a siting authority requesting authorization for the deployment of a personal wireless service facility at a specified location.

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"Structure" means a pole, tower, base station, or other building that is supporting or is capable of supporting broadband facilities or wireless service facilities, whether or not it is currently supporting a broadband facility or wireless service facility.

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