

**100.986 Prohibited actions of planning commission in regulating placement of cellular antenna towers.**

In regulating the placement of cellular antenna towers, a planning commission shall not:

- (1) Regulate the placement of a cellular antenna tower on the basis of the environmental effects of radio frequency emissions to the extent that these facilities comply with the regulations of the Federal Communications Commission concerning radio frequency emissions;
- (2) Institute a moratorium upon the siting of cellular antenna towers;
- (3) Charge an application fee that exceeds an amount that is reasonably related to expenses associated with processing an application to construct a cellular antenna tower, and to issue any necessary permits including any required building permit, up to a maximum of two thousand five hundred dollars (\$2500). Application fee amounts shall not be raised after June 15, 2002;
- (4) Regulate the placement of antennas or related equipment on an existing structure; or
- (5) Require the submission of application materials in addition to those required by KRS 100.9865 and 100.987, unless agreed by both parties.

**Effective:** April 23, 2002

**History:** Created 2002 Ky. Acts ch. 343, sec. 4, effective April 23, 2002.