

Telecommunications Act of 1996 gives the Federal Communication Commission sole jurisdiction of the field of regulation of radio frequency emissions and wireless communication facilities which meet the FCC standards shall not be conditioned or denied on the basis of radio frequency impacts.

- A. All telecommunication facilities shall meet or exceed current standards and regulations of the Federal Aviation Authority, the FCC, and any other agency of the federal government with the authority to regulate telecommunication facilities. If such standards and regulations are changed, then the owners of the towers and antennas governed by this section shall bring such towers, antennas and/or support **structures** into compliance with such revised standards and regulations within six (6) months of the effective dates of such standards and regulations unless a more or less stringent compliance schedule is mandated by the controlling federal agency. Failure to bring towers, antennas, and supporting **structures** into compliance with such revised standards and regulation shall constitute grounds for the removal of the tower, antenna, or support **structure** at the owner's expense.

5.05.03 Applicability

- A. Except as set forth in Section 5.05.03(C), the requirements of Section 5.05.00 shall govern the location of all telecommunications towers and/or antennas that exceed a **height** of forty-five (45) feet within the MAZ or VLD **Overlay District**, or exceed a **height** of fifty (50) feet elsewhere in unincorporated Lowndes County.
- B. The provisions of Section 5.05.00 shall not apply to governmental facilities and **structures**.
- C. For locations outside the MAZ or VLD **Overlay District**, the provisions of Section 5.05.00 shall not govern any tower or the installation of any antenna, that is seventy-five (75) feet or less in **height** and is owned and operated by a federally-licensed amateur radio station operator from the operator's residence, or is used exclusively as a receive-only antenna. For locations outside the MAZ or VLD **Overlay District**, Section 5.05.00 shall not govern any device designed for over-the-air reception-only of television broadcast signals, multi-channel multi-point distribution service or direct broadcast satellite service whose tower and/or antenna is seventy-five (75) feet or less in **height**. Any tower or antenna for which a **permit** has been properly issued prior to the effective date of this ULDC shall not be required to meet the provisions of Section 5.05.00, other than the requirements of Sections 5.05.02(B) and 5.05.05(N). Any such towers or antennas shall be referred to as "pre-existing towers" or "pre-existing antennas."

5.05.04 Procedures

All wireless communication facilities shall be permissible when designed and located in compliance with the standards set forth in Section 5.05.00.