

CHAPTER 103

(HB 417)

AN ACT relating to cellular antenna towers.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 278.665 is amended to read as follows:

- (1) The commission shall, by administrative regulation promulgated in accordance with KRS Chapter 13A, establish the minimum content of a uniform application, provided under KRS 100.985(5), for a certificate of convenience and necessity to construct cellular antenna towers, and the procedures to carry out the commission's responsibilities under KRS 100.987.
- (2) *The commission, in establishing the public notice requirements of a uniform application as provided for in subsection (1) of this section, shall distinguish between areas of low and high population densities. At a minimum, when the site of the proposed cellular antenna tower is outside of an incorporated city or within a rural service area in an urban-county, the commission shall require that every person who owns property contiguous to the property where the proposed cellular antenna tower will be located receives notice by certified mail, return receipt requested, of the proposed construction, given the commission docket number under which the application will be processed, and informed of the opportunity to intervene in the application. The provisions of this subsection shall not apply to unincorporated areas within a county containing a city of the first class.*

Approved March 14, 2000

LEGISLATIVE RESEARCH COMMISSION PDF VERSION