

## Article - Transportation

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§5–705.1.

(a) In this section, “governing body of a political subdivision” means the Baltimore County Council or the County Commissioners of Carroll County.

(b) If a tower located in Baltimore County or Carroll County is equipped with a fully operational replacement obstruction lighting system that meets applicable State and federal aviation regulations, the governing body of that political subdivision may order the owner of a television or radio transmitting tower that is equipped with a pulsating high intensity white light system, as defined in Federal Communications Commission regulations, to cease nighttime operation of the pulsating high intensity white light system.

(c) A governing body of a political subdivision may issue an order described under subsection (b) of this section only after a public hearing conducted by the governing body.

(d) A governing body that conducts a public hearing under this section shall:

(1) Provide reasonable advance notice of the time, place, and subject matter of the hearing;

(2) Provide a reasonable opportunity for all interested persons to present oral and written comments; and

(3) Notify the Administration at least 10 days before any hearing is held.

(e) The governing body of a political subdivision or a joint board established under Subtitle 6 of this title, shall hold a public hearing under subsection (b) of this section on the petition of at least 50 individuals who:

(1) Reside within the political subdivision and within a 3-mile radius of a television or radio transmitting tower or other structure that is equipped with a pulsating high intensity white light system; and

(2) Claim that the nighttime operation of the pulsating high intensity white light system interferes with the quiet enjoyment of their property.

(f) A political subdivision may grant to an owner who is required to cease operation of a pulsating high intensity white light system under this section, not more than 180 days to convert the pulsating high intensity white light system to a system utilizing red aviation obstruction lights or a dual lighting system as defined in Federal Communications Commission regulations, and which are consistent with other applicable State and federal aviation regulations.

(g) The owner of a pulsating high intensity white light system shall pay the costs of the conversion to a red aviation obstruction or a dual lighting system under this section.

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