

- (c) The manufacturer's suggested maintenance and/or inspection procedures, if any.
- (d) The color or colors of the tower. In all cases, gray shall be acceptable.
- (e) The type of tower (monopole, guyed, freestanding or other).
- (f) Construction drawings, including drawings and specifications for any concrete base.

000.13. CHANGES. Due to the experimental nature of the amateur radio service, antennas mounted on a tower may be modified and changed at any time so long as the published allowable load on the tower is not exceeded and the structure of the tower remains in accordance with the manufacturer's specifications.

000.14. EXPENSES, FEES, AND CONDITIONS. Unreasonable expenses or fees, especially those out of proportion to the cost of the Amateur Radio Station Antenna Structure, and onerous or impracticable conditions may not be required as part of a submission for, or grant of, a permit.<sup>4</sup> However, antennas and antenna support structures shall be installed in compliance with manufacturer's specifications and the state building code.

[Alternative: In no event shall application or review fees for antennas, or antenna support structures, exceed the fees for residential projects of comparable cost. Onerous or impracticable . . .]

000.15. FAILURE TO ACT. Failure of the Building Department to grant or deny an application eligible for a building permit within 45 days from the time that the Radio Amateur applies shall be deemed to be approval, and equivalent to the grant of a building permit.

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<sup>4</sup> See *Matter of Modification & Clarification of Policies & Procedures Governing Siting & Maintenance of Amateur Radio Antennas & Support Structures, & Amendment of Section 97.15 of the Commission's Rules Governing the Amateur Radio Serv.*, 14 FCCR 19413, 19416). As to excessive fees, see also *Landstein v. Town of LaGrange*, 86 N.Y.S.3d, 166 A.D.3d 100 (2018)