

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL**No. 884** Session of
2007

INTRODUCED BY GREENLEAF, ROBBINS, COSTA, FONTANA, BROWNE, STOUT,
REGOLA AND DINNIMAN, JUNE 1, 2007

AS AMENDED ON THIRD CONSIDERATION, SEPTEMBER 23, 2008

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, restricting municipalities from
3 regulating amateur radio service communications.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 53 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 302. Restriction on municipal regulation of amateur radio
9 service communications.

10 (a) General rule.--A municipality that adopts an ordinance,
11 regulation or plan or takes any other action involving the
12 placement, screening or height of antennas or antenna support
13 structures shall reasonably accommodate amateur radio service
14 communications, and shall impose only the minimum regulations
15 necessary to accomplish the legitimate purpose of the
16 municipality.

17 (b) Reasonable accommodations.--A municipality may impose
18 necessary regulations to ensure the safety of amateur radio

1 antenna structures, but must reasonably accommodate amateur
2 service communications. No ordinance, regulation, plan or any
3 other action shall restrict amateur radio antenna height to less
4 than 65 feet above ground level.

5 (c) Construction.--The provisions of this section shall not
6 be construed to prohibit a municipality from taking action to
7 protect or preserve a historic, a historical or an architectural
8 district that is established by the municipality or pursuant to
9 Federal or State law.

10 (D) DEFINITION.--AS USED IN THIS SECTION, THE TERM ←
11 "LEGITIMATE PURPOSES" SHALL INCLUDE A CLEARLY DEFINED HEALTH,
12 SAFETY OR AESTHETIC OBJECTIVE OF A MUNICIPALITY.

13 Section 2. Effective date.

14 This act shall take effect in 60 days.