

2001 ASSEMBLY BILL 368

May 3, 2001 – Introduced by Representatives WADE, ALBERS, KESTELL, KREUSER, LOEFFELHOLZ, NASS, OLSEN, PLOUFF, SCHNEIDER, SERATTI, STARZYK and TOWNSEND, cosponsored by Senators RISSER, SCHULTZ, GROBSCHMIDT and COWLES. Referred to Committee on Urban and Local Affairs.

1 **AN ACT to create** 59.69 (4f), 60.61 (3d) and 62.23 (7) (hf) of the statutes; **relating**
2 **to:** the authority of cities, villages, towns, and counties to regulate amateur
3 radio antennas and antenna support structures.

Analysis by the Legislative Reference Bureau

Under current law, no city, village, town, or county (political subdivision) may enact or enforce an ordinance or resolution that affects satellite antennas with a diameter of two feet or less unless one of several conditions applies. The conditions include a requirement that the ordinance or resolution have a reasonable and clearly defined aesthetic, public health, or safety objective, or a requirement that the ordinance or resolution does not impose an unreasonable limitation on, or prevent the reception of, satellite-delivered signals by a satellite antenna with a diameter of two feet or less.

Under this bill, no political subdivision may enact or enforce an ordinance or resolution that affects the placement, screening, or height of amateur radio antennas or antenna support structures unless the regulation has a reasonable and clearly defined aesthetic, public health, or safety objective; represents the minimum practical regulation that is necessary to accomplish the objectives; and reasonably accommodates amateur radio communications.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 59.69 (4f) of the statutes is created to read:

2 59.69 (4f) AMATEUR RADIO ANTENNAS. The board may not enact an ordinance or
3 adopt a resolution on or after the effective date of this subsection [revisor inserts
4 date], or continue to enforce an ordinance or resolution on or after the effective date
5 of this subsection [revisor inserts date], that affects the placement, screening, or
6 height of antennas, or antenna support structures, that are used for amateur radio
7 communications unless all of the following apply:

8 (a) The ordinance or resolution has a reasonable and clearly defined aesthetic,
9 public health, or safety objective, and represents the minimum practical regulation
10 that is necessary to accomplish the objectives.

11 (b) The ordinance or resolution reasonably accommodates amateur radio
12 communications.

13 **SECTION 2.** 60.61 (3d) of the statutes is created to read:

14 60.61 (3d) AMATEUR RADIO ANTENNAS. The town board may not enact an
15 ordinance or adopt a resolution on or after the effective date of this subsection
16 [revisor inserts date], or continue to enforce an ordinance or resolution on or after the
17 effective date of this subsection [revisor inserts date], that affects the placement,
18 screening, or height of antennas, or antenna support structures, that are used for
19 amateur radio communications unless all of the following apply:

