

HOUSE BILL No. 5556

October 28, 2009, Introduced by Rep. Lindberg and referred to the Committee on Intergovernmental and Regional Affairs.

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act,"

(MCL 125.3101 to 125.3702) by adding section 205a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SEC. 205A. (1) a local unit of government shall not adopt an ordinance that precludes federally licensed amateur radio service communications or that does not comply with 47 cfr 97.15 and the rules and regulations of the federal communications commission.

(2) a local unit of government shall not restrict antennas or antenna support structures of amateur radio operators to heights below 90 feet, unless the restriction is shown by clear and convincing evidence to be necessary to achieve a defined health, safety, or aesthetic objective of the local unit of government. If a local unit of government adopts an ordinance that regulates the placement, screening, number, or height of a station antenna structure, based on health, safety, or aesthetic considerations, the ordinance shall do both of the following:

(A) Reasonably accommodate federally licensed amateur radio service communications.

(B) Constitute the minimum regulation practicable to carry out the legitimate purpose of the governing body.

(3) This section does not apply to any district organized pursuant to federal, state, or local law for the purpose of historic preservation.

(4) AS USED IN THIS SECTION:

(A) "Amateur radio services" means:(i) amateur service, as defined in 47 cfr 97.3.(ii) amateur-satellite service, as defined in 47 cfr 97.3.(iii) radio amateur civil emergency service, as defined in 47 cfr 97.407.

(B) "Amateur radio service communications" means communications carried out by 1 or more of the amateur radio services.

(C) "Amateur station" means a station in an amateur radio service consisting of the apparatus necessary for carrying on radio communications.

(D) "Station antenna structures" means the antennas that serve a federally licensed amateur station, including the appurtenances and other structures necessary to support, stabilize, raise, lower, or otherwise adjust the antennas. The station antenna structures shall not be construed to be permanent structures.

Petition to Support Michigan House Bill No. 5556

A Law to provide Unrestricted Antenna Space for Michigan Licensed Amateur Radio Operators

We the undersigned urge you to support this bill, which will codify existing FCC PRB-1 regulations into Michigan Law.

Name	Call	County	Zip Code	Signature	Date

Please send completed petitions to Michigan ARRL PRB-1 Committee * PO Box 398 Baldwin MI 49304

www.prb1michigan.org