

BILL NUMBER: AB 1228 CHAPTERED
BILL TEXT

CHAPTER 50
FILED WITH SECRETARY OF STATE JULY 14, 2003
APPROVED BY GOVERNOR JULY 14, 2003
PASSED THE ASSEMBLY JUNE 30, 2003
PASSED THE SENATE JUNE 24, 2003
AMENDED IN SENATE JUNE 12, 2003
AMENDED IN SENATE MAY 15, 2003

INTRODUCED BY Assembly Member Dutton

FEBRUARY 21, 2003

An act to add Section 65850.3 to the Government Code, relating to zoning.

LEGISLATIVE COUNSEL'S DIGEST

AB 1228, Dutton. Zoning ordinances: radio antennas.

Existing law authorizes the legislative body of any county or city to adopt zoning ordinances for various purposes.

This bill would require that any ordinance adopted by the legislative body of a city or county that regulates amateur radio station antenna structures not preclude amateur radio service communications, reasonably accommodate amateur radio service communications, allow amateur radio station antenna structures to be erected at heights and dimensions sufficient to accommodate amateur radio service communications, and constitute the minimum practicable regulation to accomplish the legitimate purpose of the city or county. It would declare that it is the intent of the Legislature in enacting this bill to codify in state law the provisions of specified federal regulations relating to amateur radio station facilities.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 65850.3 is added to the Government Code, to read:

65850.3. Any ordinance adopted by the legislative body of a city or county that regulates amateur radio station antenna structures shall allow those structures to be erected at heights and dimensions sufficient to accommodate amateur radio service communications, shall not preclude amateur radio service communications, shall reasonably accommodate amateur radio service communications, and shall constitute the minimum practicable regulation to accomplish the city's or county's legitimate purpose.

It is the intent of the Legislature in adding this section to the Government Code, to codify in state law the provisions of Section 97.15 of Title 47 of the Code of Federal Regulations, which expresses the Federal Communications Commission's limited preemption of local regulations governing amateur radio station facilities.