

As Introduced

**129th General Assembly
Regular Session
2011-2012**

S. B. No. 93

Senators Schaffer, Sawyer

Cosponsors: Senators Brown, Seitz, Stewart, Manning

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A B I L L

To enact sections 303.214, 519.214, 713.082, and 1
5502.031 of the Revised Code to codify federal 2
restrictions on local zoning of amateur station 3
antenna structures thereby preserving amateur 4
radio service communications as a Homeland 5
Security resource. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 303.214, 519.214, 713.082, and 7
5502.031 of the Revised Code be enacted to read as follows: 8

Sec. 303.214. County rural zoning commissions, boards of 9
county commissioners, and county boards of zoning appeals shall 10
comply with section 5502.031 of the Revised Code. 11

Sec. 519.214. Township zoning commissions, boards of township 12
trustees, and township boards of zoning appeals shall comply with 13
section 5502.031 of the Revised Code. 14

Sec. 713.082. The legislative authorities of municipal 15
corporations, planning commissions established under section 16
713.01 of the Revised Code, and administrative boards created 17
under section 713.11 of the Revised Code shall comply with section 18

5502.031 of the Revised Code. 19

Sec. 5502.031. (A) As used in this section: 20

(1) "Amateur radio service" means the amateur service, the 21
amateur-satellite service, and the radio amateur civil emergency 22
service as provided for under 47 C.F.R. part 97. 23

(2) "Amateur station" means a station in an amateur radio 24
service consisting of the apparatus necessary for carrying on 25
radiocommunications. 26

(3) "Legislative authority" means the following: 27

(a) With respect to a county, any county rural zoning 28
commission, board of county commissioners, or county board of 29
zoning appeals; 30

(b) With respect to a township, any township zoning 31
commission, board of township trustees, or township board of 32
zoning appeals; 33

(c) With respect to a municipal corporation, the legislative 34
authority of any municipal corporation, a planning commission 35
established under section 713.01 of the Revised Code, or an 36
administrative board created under section 713.11 of the Revised 37
Code. 38

(B) Sections 303.01 to 303.25, 303.99, 519.01 to 519.25, 39
519.99, and 713.06 to 713.15 of the Revised Code do not confer on 40
any legislative authority the authority to preclude amateur radio 41
service communications. Any rules adopted under those sections by 42
a legislative authority to regulate amateur radio service shall 43
comply with the following limitations: 44

(1) The legislative authority shall not restrict the height 45
or dimensions of amateur station antenna structures in such a way 46
as to prevent effective amateur radio service communications. For 47
purposes of structure restrictions, seventy-five feet shall be 48

considered a reasonable antenna structure height. 49

(2) The rules shall reasonably accommodate amateur station 50
communications and shall constitute the minimum practicable 51
regulation necessary to accomplish the legislative authority's 52
purpose. 53