

By Senator Garcia

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A bill to be entitled
An act relating to amateur radio station
antennas; providing criteria for the permitting
and installation of poles, masts, and towers
for supporting antennas used in the operation
of amateur radio stations licensed by the
Federal Communications Commission; providing an
effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Notwithstanding any other law, poles, masts, and towers for supporting antennas used in the operation of amateur radio stations licensed by the Federal Communications Commission are governed by this section.

(1) LOCATION ON PROPERTY.--Poles, masts, and towers may not be placed closer than 5 feet from an official right-of-way line or property under different ownership or closer than 1 foot from an easement. If a beam (array) type of antenna is installed, no element or part of such beam type array antenna may extend within 5 feet of an official right-of-way line or of property under different ownership or within 1 foot of an easement. In the case of a wire antenna, no restrictions apply.

(2) COMPLIANCE WITH ELECTRICAL CODES AND FEDERAL REGULATIONS.--All installations must conform to the requirements of the National Electrical Code and F.C.C. regulations, Part 12, Section 12.60, governing amateur radio services. The National Electrical Code requires that an installation maintain a minimum of 8 feet clearance of power

1 lines over 250 volts and all high-voltage primary lines. This
2 requirement includes the beam elements or any part thereof.

3 (3) BUILDING PERMITS.--Building permits are required
4 for installation of any poles, masts, or towers over 30 feet
5 above the roof of any structure to which they are attached and
6 for any installation over 70 feet in height when erected on
7 natural ground. Building permits must be obtained from the
8 building department. Application for a permit must be
9 accompanied by three copies of plans and specifications
10 showing all dimensions, size, and kind of members, footings,
11 and guy wires, if any; locations, depth, and type of guy
12 anchors and footings, if any; and the type and weight of
13 antennas, apparatus, or structure to be attached to or
14 supported by the structure.

15 (4) POLES, TYPE.--Poles must be of the approved
16 creosoted type or treated or painted with a chemical
17 preservative and an outer coat of oil-base paint before
18 installation. Pole color must match surrounding development.

19 (5) HOLES.--The recommended sizes and depths of holes
20 for various types of poles subject to good engineering
21 standards are:

	<u>Pole Height</u>	<u>Hole Depth</u>
23	<u>Above</u>	<u>in firm</u>
24	<u>Ground</u>	<u>Ground</u>
25	<u>16 ft.</u>	<u>3 1/2 ft.</u>
26	<u>20 ft.</u>	<u>4 ft.</u>
27	<u>25 ft.</u>	<u>5 ft.</u>
28	<u>35 ft.</u>	<u>6 ft.</u>
29	<u>50 ft.</u>	<u>7 ft.</u>
30	<u>60 ft.</u>	<u>7 1/2 ft.</u>
31		

1 70 ft. 8 ft.
2 (a) If the earth is damp or soggy, the depth of hole
3 should be increased by 1 foot.
4 (b) If the pole is guyed in accordance with American
5 Standards Association standards, the depth of the hole as
6 listed can be decreased by 1 foot. If carrying a beam, a pole
7 must be properly guyed, as is the case where the pulling
8 effect of wire antenna or the weight of other installations
9 will require guying.
10 (6) MASTS.--Masts constructed of wood (2" x 2" or 4" x
11 4" for either the "A" frame type construction or straight
12 masts) must be properly chemically treated, painted with an
13 outside coat of oil-base paint, and properly guyed both at the
14 top and the middle in at least three different directions
15 approximately 120 degrees apart. Otherwise, suitably guyed
16 masts to support a beam, whether of wood or metal pipe, must
17 comply with all the regulations applicable in regard to
18 location and guying. The maximum allowable weight of antennas,
19 rotator, and components may not exceed 150 pounds.
20 (7) TOWERS.--Towers of steel, iron, or aluminum,
21 whether of the rigid nondemountable type or the rigid,
22 demountable type with the crank-up, crank-down and either the
23 hinged base or swivel crank-over features may carry no more
24 weight on the top than specified by the manufacturers'
25 specifications. However, a municipality or county may not
26 restrict antennas or antenna support structures of amateur
27 radio operators to heights of 70 feet or lower unless the
28 restriction is necessary to achieve a clearly defined health,
29 safety, or aesthetic objective of the city or county.
30 (8) WAIVER OF OBJECTION FOR CERTAIN STRUCTURES;
31 SERVICING; REMOVAL.--All poles, masts, or towers and other

1 structures used for antennas under this section which exceed
2 70 feet in height above grade elevation, or which exceed 35
3 feet in height above the roof of any structure, are subject to
4 the following requirements:

5 (a) If the top of such poles, masts, or towers is
6 higher above their foundation or the foundation of the
7 structure on which they are erected than 90 percent of the
8 horizontal distance from the base or projected base to the
9 nearest adjacent property under different ownership or to the
10 nearest edge of an official right-of-way, then a permit must
11 be issued after a waiver is obtained from each owner of
12 adjacent property that the structure could fall upon.

13 (b) In calculating the height of demountable type
14 towers, the top of the lower rigid section is considered the
15 top for the purpose of this subsection.

16 (c) Beam array antennas must be mounted so as to
17 provide easy servicing and easy access for removal at the
18 approach of hurricanes, or provide for the lowering of the
19 beam.

20 (9) COUNTY AND OTHER EMERGENCY COMMUNICATIONS
21 VOLUNTEERS.--Building departments shall extend courtesies to
22 all amateur operators licensed by the Federal Communications
23 Commission who are volunteers from the County Emergency
24 Management for Emergency Operations or the Weather Service.

25 (10) CONDOMINIUM ASSOCIATIONS.--Condominium
26 associations shall reasonably allow erections of amateur radio
27 antennas as described in this section or allow antennas
28 attached to fascia of roof to a height not to exceed 15 feet
29 above the highest point of a rooftop.

30 Section 2. This act shall take effect upon becoming a
31 law.

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SENATE SUMMARY

Provides criteria for the permitting and installation of poles, masts, and towers for supporting antennas used in the operation of amateur radio stations licensed by the Federal Communications Commission.