

HOUSE BILL 2973
By Newton

AN ACT to amend Tennessee Code Annotated, Title 5, Chapter 7;
Title 6, Chapter 54 and Title 13, relative to regulation of
radio antennas.

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

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 54, Part 1, is amended by
adding the following language as a new section:

6-54-130.

(a) A municipality that regulates the placement, screening, or height of
radio antennas must reasonably accommodate amateur radio antennas. A
municipality may impose only the minimum requirements relating to amateur
radio antennas that are necessary to accomplish the legitimate purposes
intended to be served by the requirements.

(b) A municipality may not restrict the number of support structures for an
amateur radio antenna. Based on the most recently published United States
census, a municipal restriction on amateur radio antenna height may not be
lower than:

(1) Two hundred feet (200') above ground level as permitted by the Federal Communications Commission in an area with a population density of one hundred twenty (120) or fewer per square mile;

(2) Seventy-five feet (75') above ground level in an area with a population density of more than one hundred twenty (120) per square mile for an antenna on a lot that is smaller than one acre; or

(3) One hundred forty feet (140') above ground level in an area with a population density of more than one hundred twenty (120) per square mile for an antenna on a lot that is one acre or larger.

(c) Subject to (a) and (b) of this section, a municipality may, by ordinance, impose requirements to meet clearly defined objectives relating to screening, placement, aesthetic, and health and safety factors with respect to the erection, maintenance, and operation of amateur radio antennas.

(d) An ordinance regulating or restricting radio antennas adopted under this section may not apply to a radio antenna that was erected before the effective date of this act.

(e) This section applies to all municipalities.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.