

2001 Assembly Bill 368

Date of enactment: **April 2, 2002**
Date of publication*: **April 16, 2002**

2001 WISCONSIN ACT 50

AN ACT to create 59.69 (4f), 60.61 (3d) and 62.23 (7) (hf) of the statutes; **relating to:** the authority of cities, villages, towns, and counties to regulate amateur radio antennas and antenna support structures.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 59.69 (4f) of the statutes is created to read:

59.69 (4f) AMATEUR RADIO ANTENNAS. The board may not enact an ordinance or adopt a resolution on or after the effective date of this subsection [revisor inserts date], or continue to enforce an ordinance or resolution on or after the effective date of this subsection [revisor inserts date], that affects the placement, screening, or height of antennas, or antenna support structures, that are used for amateur radio communications unless all of the following apply:

(a) The ordinance or resolution has a reasonable and clearly defined aesthetic, public health, or safety objective, and represents the minimum practical regulation that is necessary to accomplish the objectives.

(b) The ordinance or resolution reasonably accommodates amateur radio communications.

SECTION 2. 60.61 (3d) of the statutes is created to read:

60.61 (3d) AMATEUR RADIO ANTENNAS. The town board may not enact an ordinance or adopt a resolution on or after the effective date of this subsection [revisor inserts date], or continue to enforce an ordinance or resolution on or after the effective date of this subsection

[revisor inserts date], that affects the placement, screening, or height of antennas, or antenna support structures, that are used for amateur radio communications unless all of the following apply:

(a) The ordinance or resolution has a reasonable and clearly defined aesthetic, public health, or safety objective, and represents the minimum practical regulation that is necessary to accomplish the objectives.

(b) The ordinance or resolution reasonably accommodates amateur radio communications.

SECTION 3. 62.23 (7) (hf) of the statutes is created to read:

62.23 (7) (hf) *Amateur radio antennas.* The governing body of a city may not enact an ordinance or adopt a resolution on or after the effective date of this paragraph [revisor inserts date], or continue to enforce an ordinance or resolution on or after the effective date of this paragraph [revisor inserts date], that affects the placement, screening, or height of antennas, or antenna support structures, that are used for amateur radio communications unless all of the following apply:

1. The ordinance or resolution has a reasonable and clearly defined aesthetic, public health, or safety objective, and represents the minimum practical regulation that is necessary to accomplish the objectives.

2. The ordinance or resolution reasonably accommodates amateur radio communications.

* Section 991.11, WISCONSIN STATUTES 1999-00 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].