

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001

# A Bill

HOUSE BILL 2314

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5 By: Representative D. Elliott  
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## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE TITLE 14, CHAPTER  
10 54, SUBCHAPTER 14 TO ADD AN ADDITIONAL SECTION TO  
11 LIMIT THE MUNICIPAL REGULATION OF AMATEUR RADIO  
12 ANTENNAS; AND FOR OTHER PURPOSES.  
13

## Subtitle

14 AN ACT TO LIMIT THE MUNICIPAL REGULATION  
15 OF AMATEUR RADIO ANTENNAS.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code Title 14, Chapter 54, Subchapter 14, is  
22 amended to add an additional section to read as follows:

23 14-54-1412. Regulation of amateur radio antennas.

24 (a) A municipality that regulates the placement, screening, or height  
25 of radio antennas shall reasonably accommodate amateur radio antennas. A  
26 municipality may require reasonable and customary engineering practices to be  
27 followed in the erection of amateur radio antennas. A municipality may impose  
28 only the minimum requirement relating to amateur radio antennas that are  
29 necessary to accomplish legitimate purposes intended to be served by the  
30 requirements.

31 (b) A municipality may not restrict the number of support structures  
32 for an amateur radio antenna. Based on the most recent federal decennial  
33 census, a municipal restriction on amateur radio antenna height may not be  
34 lower than:

35 (1) Two hundred (200) feet above the ground level as permitted  
36 by the Federal Communications Commission in an area with a population density

1 of one hundred twenty (120) persons or less per square mile;

2 (2) Seventy-five (75) feet above the ground level in an area  
3 with a population density of more than one hundred twenty (120) persons per  
4 square mile on a lot that is smaller than one (1) acre; or

5 (3) One hundred forty (140) feet above the ground level in an  
6 area with a population density of more than one hundred twenty (120) persons  
7 per square mile on a lot that is one (1) acre or larger.

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

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