

Antenna Height and PRB-1 Principle of Reasonable Accommodation

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Since the *reasonable accommodation* rule was first promulgated by the FCC in 1985, no clear, consistent court interpretation regarding what antenna height is *reasonable* has been established. In the dozen or so cases involving amateur radio operators and local zoning boards across the country, the courts have ruled various antenna heights - anywhere from 35 to 95 feet - as *reasonable*. Local authorities cannot ignore the rule of *reasonable accommodation* when establishing amateur radio regulations. PRB-1 and its affirmation by recently enacted legislation in Wisconsin (AB368) do not give them that option. However, it is evident that if amateur radio operators at the local level do not agree with the antenna height or other limitations set by local authorities, the local hams themselves must attempt to affect changes through negotiations, appeals, and if necessary, court challenges.

The ARRL, on the national and state level, do not have the funds or legal staff to give *on-site* assistance in such efforts. And even if they did, bringing in the *out-of-towners* with their money and *hired guns* might not set well with the folks on Main Street. In short, armed with the rule of *reasonable accommodation*, which local officials cannot set aside, local hams are obliged to carry on from there. However, there is some help available. There are materials, resources, and suggestions which will be useful to you in your efforts. Moreover, your Wisconsin Section ARRL officers can provide you with some valuable documentary assistance. Contact Gary Sorensen, [W9ULK](#), Section Manager, for a copy of the following helpful items:

- *Antenna Height and Communications Effectiveness* - A Guide for City Planners and Amateur Radio Operators. This will help you explain to local officials and ordinance writers the importance of antenna height to successful amateur radio operations.
- *PRB-1: The Radio Amateur's Tool in Antenna Cases* - This article, written by John C. Hennessee, KJ4KB, was printed in the January, 1988, issue of *QST*. It is an excellent summary of PRB-1 and its importance to amateur radio operators.
- An excerpt from the *ARRL FCC Rule Book* - The Complete Guide to the FCC Regulations, Chapter 1, pages 27 to 41.

Good Luck! 73, Jim Lackore, [AD9X](#)