



Contact: Jim Price, 619/286-3255

SAN DIEGO DX CLUB

OPPOSITION TO PROPOSED CITY OF SAN DIEGO HAM RADIO ORDINANCE

Fact Sheet

The city of San Diego's Development Services Department has prepared a draft amateur radio antenna support structure ordinance that is overly restrictive, unscientific and tremendously damaging to the community's ability to communicate during disasters. The new law will unnecessarily limit the region's future capacity to handle emergencies and impinges on federal and state rights granted to the City's nearly 4,000 licensed amateur radio operators ("hams"). Amateur radio operators are a significant free resource, volunteering their expertise during emergency efforts, maintaining critical lines of communication necessary for rapid crisis response. Such services save the city more than \$2.5 million in labor annually and an additional \$6 million in equipment.

The Proposed Ordinance

- The city's proposed ordinance requires a complex and costly permitting process, the main effect of which would be to limit the height of the vast majority of ham radio antenna support structures to approximately 30 feet (roof height) unless applicants go through a lengthy permitting process. The permitting process could cost thousands of dollars without any assurance of approval.
- It seems the City's intent is to illegitimately raise the bar on amateur radio antenna installation by unnecessarily increasing burdens relating to placement, height and cost, contrary to the policies of both the Federal Communications Commission and the State of California.
 - The City's fees alone have no ceiling under the proposed Neighborhood Development Permit process, but require an \$8,000 minimum deposit and thousands more in fees and costs.

- The City's proposed process could easily take a amateur radio operator more than a year to complete and expose the ham to a host of NIMBY interests.
- The city's proposal has absolutely no scientific foundation and appears to be based solely on aesthetics – that is, occasional objections from non-hams with antennas in their neighborhoods.
- In reality, most ham radio enthusiasts do not build tall support structures, getting by with smaller supports and wire antennas. For this reason, any concerns about large antenna support structures sprouting up all over the community are unfounded, since such a phenomenon has never happened.
- However, the most serious ham operators, who often contribute to the emergency communication network, require taller antennas for signal reliability.
- The San Diego DX Club has worked with the City, in the early stages of ordinance development, offering a scientifically based rationale as to why the proposed 30-foot limit would adversely affect their ability to communicate. Simply put, a 30-foot limitation is inadequate to ensure reliable communication over critical paths during an emergency.

Value of the Ham Radio Community

The amateur radio community is a significant, free resource during emergencies, like the 2007 Witch Creek and 2003 Cedar Fires, when hams maintained critical communication infrastructure for emergency responders. It is estimated that amateur radio operators – *Citizen Volunteers* – save the city more than \$2.5 million in labor costs annually plus \$6 million more in equipment costs and maintenance.

- The ham radio community provides free primary and backup communications support for critical services (e.g., hospital, fire, military, maritime, public safety and disaster preparedness and relief). It did so with great efficiency during the recent Witch Creek and Cedar Fires, when city and county communications systems were inadequate or out-of-service. The hams work directly with the Red Cross and many other emergency service providers.
- These free services not only provide critical communication lines, but also save the city more than \$2.5 million in annual labor costs and millions more in equipment costs.
 - Investments of almost \$6 million in equipment
 - Thousands of man hours of personal labor

- Amateur Radio operators' services permit the City to avoid costs of salaries, training, drills, supervision and more.
- Because of this value to the community, ham radio operators are protected under federal and state law, which requires the City to afford ham operators reasonable accommodation, facilitation and encouragement and the establishment of minimal practicable regulation. The city's proposed ordinance is a clear violation of those rights.

Regulation Should be Based on Science

The San Diego DX Club, on behalf of nearly 4,000 federally licensed amateur radio operators in the city and 5,000 more in the County, offered significant engineering/scientific background on the disastrous effects this ordinance could produce. The Club supports a new, reasonable, physics-based ordinance that would preserve and encourage the ham community and its emergency capabilities.

- A major concern is that the new ordinance is a discretionary and unpredictable process. That is, each application must be considered based on the specific characteristics of the land in question. This creates the concern that a single opposing individual could unfairly and unjustly add time, money and complexity to a process that doesn't require it.
- It is the position of the SDDXC that any permitting process should be ministerial in nature. In other words, specific guidelines would be set to cover building and safety issues for "permanent" amateur radio antenna support structures (typically, those needing a concrete foundation), and the guidelines would automatically allow "by right" all other temporary (experimental) antennas such as monopoles, tubes, wires and the like as part of normal household use. For permanent antenna structures, meeting the guidelines would dictate permit approval.
- The volunteer ham radio community wants to work with the City to craft an ordinance that makes economic sense, meets Federal and State requirements to encourage a national and local pool of communications talent, and protects the public benefits that result from Amateur Radio activities.