

## ***Know the Regulations:***

(Disclaimer: I am in no way an authority on this subject and don't profess to be. I pass on this information and make my own comments and suggestions only to generate thought and discussion on the subject.)

So, you just got that shiny new ticket to operate as a ham radio operator. Congratulations. Or you have been a ham for decades and think you know it all. Well, I have news for you. Knowing it all is not something that fits into the amateur radio lexicon as a real thing. Anybody who thinks they know it all is either sadly mistaken (likely) or just plain foolhardy (probably both).

I listen to people on the air talking about the rules as if they are experts all the time and in many cases they are wrong. For instance, rules about antenna structures. What is the maximum height of a tower or antenna structure allowed before you are required to consult with the local land use authority? Look up CPC-2-0-03 and get the real answer. [https://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/cpc-2-0-03-i5.pdf/\\$file/cpc-2-0-03-i5.pdf](https://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/cpc-2-0-03-i5.pdf/$file/cpc-2-0-03-i5.pdf) Of course one person may interpret it differently than another, and that is to be expected, but the bottom line is that you may not install an antenna structure anywhere in Canada that is above 15 metres above ground level without consulting the local authorities for permission. That includes the structure and any other devices installed above it such as a lightning arrestor or flagpole or a 13cm vertical. If it is above that height and you haven't consulted the local authorities, you are not compliant. So do your homework and ensure you are doing it right the first time.

So, that sounds pretty clear, doesn't it? But wait! There's more... look at the document and especially the section 1.2 Application. It states: "The requirements of this document apply to anyone who is planning to install or modify an antenna system, regardless of the type. This includes telecommunications carriers, businesses, governments, Crown agencies, operators of broadcasting undertakings and the public (including amateur radio operation and over-the-air TV reception). Anyone who proposes or owns an antenna system must follow these procedures."

So what about this local land use authority consultation thing? Here's some juicy information that is within the document that applies to your local town authorities... Section 4 of the document states...

"Proponents must always contact the applicable land-use authorities to determine the local consultation requirements and to discuss local preferences regarding antenna system siting and/or design, unless their proposal falls within the exclusion criteria outlined in Section 6." So, what does Section 6 say about all this? Section 6 talks about Exclusions. This is where it starts to get a bit murky, I'm afraid.

Look at Section 6 (Exclusions) and see if you can decipher what is being said...

"All proponents must satisfy the General Requirements outlined in Section 7 (General Requirements) regardless of whether an exclusion applies to their proposal. All proponents must also consult the land-use authority and the public unless a proposal is specifically excluded. Individual circumstances vary with each antenna system installation and modification, and the exclusion criteria below should be applied in consideration of local circumstances. Consequently, it may be prudent for the proponent to consult even though the proposal meets an exclusion noted below. Therefore, when applying the criteria for exclusion, proponents should consider such things as:

- the antenna system's physical dimensions, including the antenna, mast, and tower, compared to the local surroundings; Radiocommunication and Broadcasting Antenna Systems CPC-2-0-03 c 12
- the location of the proposed antenna system on the property and its proximity to neighbouring residents.
- the likelihood of an area being a community-sensitive location; and
- Transport Canada's marking and lighting requirements for the proposed structure.

The following proposals are excluded from land-use authority and public consultation requirements:

- New Antenna Systems: where the height is less than 15 metres above ground level. This exclusion does not apply to antenna systems proposed by telecommunications carriers, broadcasting undertakings or third party tower owners;
- Existing Antenna Systems: where modifications are made, antennas added or the tower replaced<sup>10</sup>, including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial antenna system installation<sup>11</sup>. No increase in height may occur within one year of completion of the initial construction. This exclusion does not apply to antenna systems using purpose built antenna supporting structures with a height of less than 15 metres

above ground level operated by telecommunications carriers, broadcasting undertakings or third party tower owners;

- Non-Tower Structure: antennas on buildings, water towers, lamp posts, etc. may be excluded from consultation provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25%;<sup>12</sup> and
- Temporary Antenna Systems: used for special events or emergency operations and must be removed within three months after the start of the emergency or special event.

No consultation is required prior to performing maintenance on an existing antenna system.

Proponents who are not certain if their proposals are excluded, or whether consultation may still be prudent, are advised to contact the land-use authority and/or Industry Canada for guidance.

Height is measured from the lowest ground level at the base, including the foundation, to the tallest point of the antenna system. Depending on the particular installation, the tallest point may be an antenna, lightning rod, aviation obstruction lighting or some other appurtenance. Any attempt to artificially reduce the height (addition of soil, aggregate, etc.) will not be included in the calculation or measurement of the height of the antenna system.”

So, what is the best thing to do? Look at your local land use bylaws and determine whether or not there is anything being said about antenna structures and if they express authority over them, then contact your local city or town and get their permission to erect a tower or antenna structure by following the rules as outlined in CPC-2-0-03. However, if you get into a dispute, it is prudent to contact Industry Canada and get their assistance in the matter.