



Legislation Text

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Res. No. 184

Resolution calling upon Congress to amend the Telecommunications Act of 1996 to allow state and local governments to legislate with regards to the placement and number of cellular telephone towers and related equipment within their communities.

By Council Members Gentile, Fidler, James, Recchia Jr., Sears, Avella, Liu and Vallone Jr.

Whereas, Wireless communications has expanded as part of everyday life due to work, emergency, and social related situations that demand being able to reach people at any given time; and

Whereas, Cellular telephone service providers rely on cellular antennas, towers and other related equipment to provide cellular telephone reception as clearly as possible to ensure customer satisfaction at any given area and at any given time; and

Whereas, Due to the demand by millions of cellular telephone users, more antennas and towers are being erected, and in close proximity to one another, which increases exposure to radio frequencies in residences, commercial buildings, playgrounds, schools, and various other locations in the City without considering the possibility of long term adverse health effects; and

Whereas, According to the Electromagnetic Radiation Network (an organization formed as a direct result of the Telecommunications Act of 1996 to challenge the “thermal model” of harm from radio frequency radiation), other countries have decided to fund research on the health effects of radiation released by cellular telephones and towers and have, in some studies, found weakened immune systems, tumors, neurological disorders, headaches, learning and memory problems, and skin rashes over a ten year period of cellular phone use; and

Whereas, The Telecommunications Act of 1996 severely dismissed state and local governments control

over the number of towers that may be erected, where they may be placed, or the distance towers may be placed apart from each other. While, according to the Federal Communications Commission, there is no proof that the radiation produced by cellular antenna radio frequencies constitutes health risks, according to the EMR Network, there have been no significant federal research programs; and

Whereas, It should be a priority for state and local governments and their citizens to have a right to express their concerns as well as demand funding for federal research studies on the number of cellular towers that are being erected near schools, playgrounds, and other recreational areas that involve children; and

Whereas, State and local governments should have the opportunity to enact legislation relating to the number and placement of cellular telephone towers and related equipment, such as, the creation of cellular tower-free zones around schools or other locations where children congregate; now, therefore, be it

Resolved, That the Council of the City of New York call upon Congress to amend the Telecommunications Act of 1996 to allow state and local governments to legislate with regards to the placement and number of cellular telephone towers and related equipment within their communities.

Res 1300/2005
TNN