

FOR IMMEDIATE RELEASE:

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"Portland zoning codes are a hodgepodge of relatively disjunctive, code provisions" according to Andrew Campanelli, internationally respected cell tower litigation attorney. After conducting a thorough investigation, Campanelli concludes that Portland's codes are "self-defeating because they provide no guidance to the City's fact-finding authorities" and include faulty interpretations of the law.

In his report, Campanelli warns that although the 1996 Telecommunications Act preserves local control over placement of cell power antennae, any challenge by the City of Portland would most likely be futile due to "glaringly deficient" and "fatally defective" permitting rules.

In response to sporadic public outcry over cell tower placement, City officials have repeatedly said, "our hands are tied" citing "legal limitations" within the Telecommunications Act. Campanelli's report explicitly dispels that notion saying it is untrue.

Campanelli faults the Office of Community Technology for embracing "erroneous and misguided interpretations of the law". "The City has no idea the extent to which it may exercise its authority to control placement of wireless facilities and clearly lacks a basic understanding of the 1996 Telecommunications Act."

City of Portland codes provide what he termed "zero guidance" for evaluating potential false or misleading claims provided by applicants for the purpose of speeding the permitting process. False information is routinely submitted but rarely challenged and investigated.

Site developers and wireless carriers have become more aggressive than ever, demanding application approvals and directing local zoning officials as to what evidence they can or cannot consider in the application process.

Mr. Campanelli recommended within the review that Portland enact a single wireless ordinance within the City Code, which would require all entities seeking to install cell towers or antennas to provide evidence that meets specific requirements, and to hold public hearings on all applications.

Referring to the city's provision for Notice of Objection, the report goes on to say it is "nonsensical" that any notice of objection regarding a tower or antenna is to be accepted "two months after it has been built."

The report (available by request) reveals entirely inadequate city codes that offer no real protection for Portland residents. The recommendation is a complete revision of rules and regulations governing the zoning and permitting of cell tower and wireless infrastructure.