ISSUE #1

Section 10 - Sample Provision Excerpt (Public Preview)

No out,side pole or antennae shall be erected or maint'ained wiEhout, first, obEaining Ehe approval of the execucive Board. No air conditioning or other mactriie shall be installea on Ehe exEerior of - any- rmprovement on t,he properey or be arlowed to protrude through the warls or roof of aiy iinprovement on the Property wit'hout the prior written...

MARKUP #1 ->

MARKUP #1 · POTENTIAL FED LAW CONFLICT

BOARD & COUNSEL REVIEW

Sec. 10 (p. 1): Statutory or governing hierarchy conflict flagged in community PDF.

Statutory / Legal Reference: 47 C.F.R. § 1.4000 (FCC OTARD Rule)

Statutory Comparison: Flagged under 47 C.F.R. § 1.4000 (FCC OTARD Rule): Statutory or governing hierarchy conflict flagged in community PDF.

CURRENT WORDING IN DOCUMENT:

No out,side pole or antennae shall be erected or maint'ained wiEhout, first, obEaining Ehe approval of the execucive Board. No air conditioning or other mactriie shall be installea on Ehe exEerior of - any- rmprovement on t,he properey or be arlowed to protrude through the warls or roof of aiy iinprovement on the Property wit'hout the prior written...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Provided that for covered reception antennas and satellite dishes one meter (39.37 inches) or less in diameter installed within areas under the owner's or occupant's exclusive use or control, this provision shall be administered in accordance with 47 C.F.R. § 1.4000 without outright prohibition, permit fee, or placement/size limits that preclude an acceptable quality signal, while preserving association authority over shared common elements, dishes exceeding one meter, documented safety objectives (§ 1.4000(b)(1)), and historic preservation sites (§ 1.4000(b)(2)).