ISSUE #1

Section 10. - Sample Provision Excerpt (Public Preview)

No radio or television receiving or transitting antennae or external apparatus shall be installed on any Lot. Normal radio and television installations wholly within a building are excepted.

MARKUP #1 ->

MARKUP #1 · POTENTIAL FED LAW CONFLICT

BOARD & COUNSEL REVIEW

Sec. 10. (p. 1): Blanket ban, sub-1-meter size cap, or prior approval requirement on satellite dishes or antennas on exclusive-use property is preempted by federal FCC OTARD regulations.

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): Blanket ban, sub-1-meter size cap, or prior approval requirement on satellite dishes or antennas on exclusive-use property is preempted by federal FCC OTARD regulations.

CURRENT WORDING IN DOCUMENT:

No radio or television receiving or transitting antennae or external apparatus shall be installed on any Lot. Normal radio and television installations wholly within a building are excepted.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend 10. in consultation with association legal counsel so the provision conforms to 47 C.F.R. § 1.4000 (FCC OTARD Rule).