

MISSION RIDGE CONDOMINIUM ASSOCIATION

Rules and Regulations

MARKUP #1 ->

ISSUE #1

8. Architectural changes to any common area, including exclusive use areas, can be made only after permission is given by the Board. All modifications to the common area must be performed by contractors who possess a current and active license issued by the California Contractors State License Board (CSLB) and who maintain general liability insurance and workers' compensation insurance in compliance with California law. Submit documentation on planned changes, contractors, building permits, etc., as requested by the Board.
- ~~Architectural changes include, but are not limited to, modifications to patios, balconies, private gardens, reserved parking spaces, satellite antennas, exterior windows and doors, installation of EV charging stations and the installation of hard surface flooring in kitchens, hallways, entryways, bathrooms, dining room and living rooms. The installation of hard surface flooring in bedrooms is strictly prohibited unless the unit is on the first floor. Any modification to a balcony or patio requires a notarized Maintenance and Indemnity Agreement which will be recorded with the County of San Diego. The Agreement binds the current owner and all future owners. A County of San Diego recording fee of \$200 must be paid in advance of submitting an application. All other applications will require a notarized Hold Harmless.~~
9. State Law requires that contractors working on a job that exceeds \$500.00 (total sum) must be licensed. In addition, Mission Ridge requires the contractor to carry General Liability Insurance with Mission Ridge named as an additional insured.
10. General fire and liability insurance on the buildings and common areas is carried by the Condominium Association. Owners or tenants are responsible for homeowners' or renter's insurance, respectively.
11. Clothing, towels, and other items may not be draped over balcony railings, fences, etc.
12. Residents are entitled to the quiet enjoyment of their homes. Offensive activity including, but not limited to, foul language, barking dogs or other loud pets, loud stereos in homes or cars, and loud parties will not be tolerated and will be subject to a fine pursuant to SD City Ordinance 59.5.01.
13. Quiet hours will be observed between 9:00 PM and 8:00 AM. Excessive noise from the use of any device or appliance that might disturb your neighbors is prohibited during these hours.
14. Requests for non-emergency maintenance should be directed to the on-site office. Submit requests in writing during normal office hours. For after hours, submit requests by email (see Contact Information page 5). Include your name, unit number, and phone number.
15. For emergency purposes (fire, flood, personal injury, etc.), the Board may take any means necessary to gain access to a unit. Therefore, we request that each on-site resident provide Mission Ridge with a front door key. All such keys are kept secured at Mission Ridge and should be replaced when keys are changed. This avoids the necessity of damaging windows or front doors at the owner's expense.
16. Owners are responsible for the proper maintenance of their units.

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 8 (p. 7): Blanket ban, sub-1-meter size cap, or prior approval requirement on satellite dishes or antennas is preempted by federal FCC OTARD regulations.

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

Statutory Comparison: The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000, as expanded by the 2021 OTARD Report and Order, FCC 21-10) preempts community association restrictions that prohibit, charge application fees for, require prior architectural approval for, or impose sub-1-meter (39.37-inch) diameter caps on the installation, maintenance, or use of television broadcast antennas, direct-broadcast satellite dishes 1 meter or less in diameter, and fixed wireless broadband antennas (including hub and relay antennas) situated on property within the exclusive use or control of the owner/tenant.

CURRENT WORDING IN DOCUMENT:

private gardens, reserved parking spaces, satellite antennas, exterior windows and doors, installation of EV charging stations and the installation of hard surface flooring in kitchens, hallways, entryways, bathrooms, dining room and living rooms.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Provided that this restriction shall not prohibit or require prior approval for any owner or occupant installing an antenna, fixed wireless broadband hub/relay device, or satellite dish of one meter (39.37 inches) or less in diameter within areas under the owner's or occupant's exclusive use or control, in accordance with FCC OTARD regulations (47 C.F.R. § 1.4000).