

- Detailed description of installation procedures for the turf product from the installer
- Photo of area to be covered by synthetic turf with lines showing placement of artificial turf
- Copy of Warranty

4.29.4 Installation Requirements for Artificial Turf

It is strongly recommended that the installation of artificial turf be done by a licensed contractor with experience in such turf installation. All turf shall be installed in accordance to professional standards. Do it yourself jobs must conform to professional guidelines below. The Committee recognizes that care needs to be taken in placing turf around obstacles such as trees, planters, and concrete walls and edging to ensure that it appears natural against these obstacles. In any case, it should be recognized that installation of artificial turf requires several steps that must be followed by the turf installer:

- Removal of existing grass and/or ground cover followed by an application of a ground sterilant such as Round-Up.
- Application of a minimum 3-inch base of crushed aggregate and/or decomposed granite.
- Application of weed barrier (weed cloth).
- Application of turf using 4” or 6” landscape nails.
- Turf seams to be sealed with outdoor carpet seaming tape or recommended adhesive.
- Application of recommended “top coat” including rubber pellets and/or sand.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 4.29.4 (p. 22): 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:

5 Antennae and Satellite Dishes: Satellite dishes and antennas designed to receive video programming services via multipoint distribution services may be installed on an owner's lot, so long as such antennas and satellite dishes are (a) 36" or less in diameter, and (b) installed in the least visually obtrusive portion of an owner's property where an acceptable quality signal can be received.

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).

ISSUE #1

5 Antennae and Satellite Dishes:

Satellite dishes and antennas designed to receive video programming services via multi-point distribution services may be installed on an owner’s lot, so long as such antennas and satellite dishes are (a) 36” or less in diameter, and (b) installed in the least visually obtrusive portion of an owner’s property where an acceptable quality signal can be received.

Antennas designed to receive television broadcast signals may be installed on an owner’s lot, so long as (a) the antenna used is the smallest size available that receives an acceptable quality signal, and (b) the antenna is installed in the least visually obtrusive portion of an owner’s lot where an acceptable quality signal can be received.

Additionally, satellite dishes and antennae guidelines are as follows:

- 1) No application, fee or deposit payable to the Association shall be required prior to installation of a qualified satellite receiver.
- 2) The owner shall maintain the qualified satellite receiver in original condition, i.e., to include but not limited to, keep clean, no rust, dents, chips or missing components.
- 3) Qualified satellite receivers may not be installed on any part of the association property or common area.
- 4) No loose or hanging wires.