ISSUE #1

Section 7.5 - Sample Provision Excerpt (Public Preview)

Antennas. Except as permissible pursuant to Civil Code Section 4725 and/or any direct successor statute, no outside television or radio pole or antenna or other electronic device shall be constructed, erected or maintained within the Property.

MARKUP #1 ->

MARKUP #1 · POTENTIAL FED LAW CONFLICT

BOARD & COUNSEL REVIEW

Sec. 7.5 (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: 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:

Antennas. Except as permissible pursuant to Civil Code Section 4725 and/or any direct successor statute, no outside television or radio pole or antenna or other electronic device shall be constructed, erected or maintained within the Property.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend provision to conform with controlling statute.