

8. Tampering with Park fuses, electric service connections, or other Park utility connections is strictly forbidden. Please contact the Management in case of trouble.
9. Residents must keep their home sites, including the mobile home; yard, driveway, landscaping and structures, in clean, neat, and attractive condition, free of debris. If home sites are not maintained, the Management may, at Management's sole option and discretion, give due notice, and if necessary, undertake appropriate maintenance at the Resident's expense which will be added to the rent, pursuant to Section 798.36 of the Mobilehome Residency Law. Residents may not plant trees or shrubs upon the home site without first obtaining written permission from the management. It is the responsibility of the resident to maintain the appearance of their home site, including routine landscaping such as weed abatement, mowing grass, and trimming of trees, bushes and shrubs. However, if a tree poses a specific hazard or health and safety violation, Management may, in their own determination, undertake trimming or removal of the offending tree. Should a resident desire a tree trimmed or removed due to a specific safety hazard or health and safety violation, the resident is to make a specific written request for Management to take necessary action.

Normal driveway maintenance is the responsibility of the resident. If toxic fluids (oil, gasoline, etc.) are allowed to leak into the paved areas causing damage, the cost for repair will be charged to the resident and will be added as rent. Oil and fuel stains must be removed from the home site and street immediately, and the offending vehicle must immediately be removed from the Park until repaired.

Standard yard and patio furniture (no indoor type furniture), manufactured barbecue equipment, and approved storage cabinets are the only items permitted outside the Mobile home. All other items, including containers, tools, brooms, lawnmowers, tires, lumber, etc., are to be stored out of sight. Materials other than wheels, axles and hitches from the Mobile home may not be stored underneath the Mobile home. Major appliances are not allowed to be used or stored outside of the Mobile home. No towels, rugs wearing apparel or laundry are to be hung outside the Mobile home at any time. Clothes lines are absolutely prohibited.

Approval by Management is required, prior to installation, regarding size, condition, age and construction of mobile home and all accessories, including awnings, skirting, carport, porches, storage sheds, outside antennas, etc. All fencing must have the prior written approval of Management before installation.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 798.36 (p. 3): 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:

skirting, carport, porches, storage sheds, outside antennas, etc. All fencing must have the prior written approval of Management before installation. 3 A maximum of two storage cabinets, approved by Management, may be placed on the home site in a location in compliance with State and local regulations.

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