

Section ARCHITECTURAL STANDARDS - Sample Provision Excerpt (Public Preview)

Satellite Dish and Antenna Installation

1.
- Satellite dish and wireless cable antenna installations are subject to FCC regulations and the rights afforded under the Ground Sublease.
2.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. ARCHITECTURAL STANDARDS (p. 9): 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...

CURRENT WORDING IN DOCUMENT:

Satellite Dish and Antenna Installation 1. Satellite dish and wireless cable antenna installations are subject to FCC regulations and the rights afforded under the Ground Sublease. 2.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

ARCHITECTURAL STANDARDS Diversity and innovation in architectural design will be encouraged in University Hills as long as it is complementary to the overall character of University Hills and the general campus community. Although certain historically stylized architectural forms will not be acceptable in their traditional form, designs which draw upon such historical themes may be permitted if...