

MARKUP #1 ->

FIFTH AMENDMENT OR Bk 1102 (pg 0517) – Recorded February 7, 1990

Article XXII Section 4 Enforcement amended to allow collection of fees.

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SIXTH AMENDMENT OR Bk1215 pg (0441) – Recorded April 30, 1993

Article VIII Nuisances and removal thereof ammended for specific purpose of standard “for sale” signs.

SEVENTH AMENDMENT OR Bk 1243 (pg 1597) – Recorded January 12, 1994

Article XXII Section B Sodding amended to read from the edge of pavement to rear of house.

Article XII Docks, Boathouses, Waterfront Construction and Boats amended to prohibit construction without approval of Association. Prohibits motorboats or gasoline motors on any lake or waterway.

Article XXIII Construction amended to completion date within 12 months from date of board approval, date of permit or notice of commencement whichever is first. All construction which has been under way for 12 months as of the effective date of this amendment must be completed within 90 days.

Article XXIV Lakes and Waterways limits use of waterways to members of Association. No swimming, a child under 13 years must be accompanied by adult.

EIGHTH AMENDMENT OR Bk 1285 (pg 720) – Recorded February 8, 1995

Article XI Livestock, Poultry and Animals amended to eliminate horse(s) and add provision for 2 dog limit per household.

Article XXV Garage and Estate Sales amended to prohibit such sales unless approved by GHOA.

NINTH AMENDMENT OR Bk 1209 (pg 1141) – Recorded January 24, 1996

Article XV Trucks and Heavy Equipment amended to specify RV, Boat, Boat trailer, and Utility trailer unenclosed prohibited on properties.

Article XXII Restrictions Against Satellite Dish Television Antennas amended to limit size (no larger than 24 inch in diameter) of antennas.

TENTH AMENDMENT OR Bk 1357 (pg 1284) – Recorded January 1997

Article VIII Nuisances and Removal Thereof amended for removal of "for sale" sign within 15 days of settlement of sale.

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. XXII (p. 2): 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:

Restrictions Against Satellite Dish Television Antennas amended to limit size (no larger than 24 inch in diameter) of antennas. TENTH AMENDMENT OR Bk 1357 (pg 1284) - Recorded January 1997

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).

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