

- 10.6 No hoarding of gas grills. Food should be prepped at your condo and be ready to grill upon arrival. Residents may not use more than one grill at a time and shall limit use of the grill to no more than 15 minutes if someone is waiting.
- 10.7 When grilling has been completed, the front panel control valve AND the blue handle (main gas valve) MUST BE TURNED OFF.
- 10.8 Scrape and clean the grill when you are finished.

11. EXTERIOR AREAS

- 11.1 All exterior areas of the building including, but not limited to, walkways, balconies, ledges, railings, outer doors, walls, floors, roofs and any other exterior areas, are to be kept clear of any and all objects. This includes, but is not limited to, toys, chairs, tables, grills, shoes, clothing, towels, plants, pots, wind chimes, ash trays, flags, bicycles, door mats, thermometers or any other objects. The United States flag and U.S. Armed Forces flags are allowed per Florida Statute 718.113(4).
- 11.2 Skateboarding (including powered boards), roller-skating, ball playing and biking is not permitted on any building walkways, balconies, or the drive-through areas in front of the buildings.
- 11.3 Smoking is allowed in any exterior common area that is separated from a dwelling unit by at least one roadway and its associated parking spaces. Smoking (including e-cigarettes) is NOT permitted on the covered walkways or balconies or any recreation area including but not limited to: Pool and picnic areas, clubhouse, tennis courts, grill areas, bocce court, dog run, nor near the mitigation wild life area. Tobacco filters and butts should be properly disposed of NOT on the ground.
- 11.4 All garbage, refuse, and other debris should be disposed of properly in the trash rooms. Do not leave trash outside of your unit or the dumpsters. Garbage (bio-degradable material) shall be bagged and sealed, as should liquids to discourage infestations and vermin.
- 11.5 Children are prohibited from playing on, in, or near dumpsters.
- 11.6 Except for the Association provided propane grills, the use of BBQ's or grills for the purpose of cooking or smoking foods is NOT allowed on the common property.
- 11.7 No fixtures, brackets, decorations or other objects are allowed, attached to, stored or located in, or on any exterior area of the building, with the exception of bicycles that may be parked under the stairwells.
- 11.8 Posting of signs, notices or photographs are not allowed in exterior areas.
- 11.9 Parking is only permitted under the porte-cochere for 15 minutes of loading and unloading with engines off.

ISSUE #1

11.10 No external communications equipment, including antennas of any type and satellite receivers, shall be permitted on any exterior area.

- 11.11 Harbour Isle West has two retention ponds engineered for drainage. Fishing is allowed from the bank only. Do not enter the water.

12. ARCHITECTURAL STANDARDS

The following rules are in addition to, and adjunctive to, the Declaration of Condominium (of particular reference is Section 11.4 as it pertains to maintenance, modifications and additions to our units).

- 12.1 Hours of construction are limited to 8:00 AM to 5:00 PM Monday through Friday, 9:00 AM to 3:00 PM on Saturdays. No construction is permitted on Sundays or Federal Holidays. On Saturdays, no heavy extremely loud tools for demolition of floors, cement walls etc. Is permitted. On Saturdays, hand tools for construction are permitted; drills, hammers and saws. Owner Responsibilities: Will notify the office before commencement and obtain and place an official permit with estimated dates/hours of construction in the kitchen window (outward facing); Will ensure that their contractors remove all construction debris from the Association premises (NOT placed in the dumpsters); Will be charged for damage and debris violations.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 11.10 (p. 14): 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:

No external communications equipment, including antennas of any type and satellite receivers, shall be permitted on any exterior area.

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).