

ISSUE #1

All motorized vehicles must be parked in authorized parking spaces only. Parking spaces are not to be used for storage of vehicles, boats, campers, trailers, or storage units. Any of these items found located in authorized parking spaces are subject to removal at the owner's expense. Any vehicle not parked in a clearly marked and authorized parking space is subject to being towed from the property at the owner's expense.

GENERAL COMMON ELEMENTS AND LIMITED COMMON ELEMENTS:

Keystone Townhomes property includes certain general common elements: road, area north and south ends including the designated pet run area north of the north fence. Articles may not be placed or stored in these areas that detract from the visual appearance of the property, violate code, or interfere with emergency personnel or equipment.

Any request for temporary variation of the above should specify the location of the item and a description of the item and must be submitted to the Board of Directors via email to "bod@kthoa.org". Owners and/or residents must have such variation approved in writing before placing additional items on or in the general common elements or limited common elements.

Personal articles such as laundry, rugs, mops, brooms, trash cans, boxes, ice chests, household furniture, appliances, bicycles, motorcycles, barbeque grills, wind socks, banners, traditional seed bird feeders, bird houses, and bird baths are strictly prohibited from storage in the front of any unit. The display of American flags is approved. The Association may have any item(s) in violation removed without notice. The cost of removal will be assessed to the unit owner.

Banners, flags, windsocks may be displayed in the fenced patio areas provided they are not visible above the fences. No items, with the exception of plants, are allowed to be visible above the fences.

Plants may be placed in front of the units and must be well maintained. Any additions or deletions to the general common element's or limited common element's landscaping must be approved in writing in advance by the Board.

Changes or Additions to the Property: No work of any kind shall be done on exterior building walls, roofs, or on any common element by any owner or resident without the prior approval of the Board of Directors. Such work might be, but not limited to, electrical, television, computer wiring, antennas, satellite dishes, machines, or air conditioners.

No installations may be made in such a way that it protrudes the walls or roof of the unit. All old items, such as the old A/C units, must be removed and properly disposed of when a new unit is installed.

1) Unit Repairs: Owners are responsible for establishing an emergency procedure for repairing items which are the owner's responsibility. Tenants should have names and numbers of vendors to call in the event of an emergency. Owners are responsible for timely repair of all items which are the responsibility of the owner. In the event that the repair item is damaging another unit or general common/limited common elements, the Association has the right to make such repair and bill the owner for the repair.

Owners are responsible to review the Association web site and to direct tenants to review the Association web site: <http://www.kthoa.org>.

Use of General and Limited Common Elements: Individual garage, carport, and/or yard sales are not allowed at Keystone Townhomes. An annual sale by the Association may be held as designated by the Board of Directors. The guidelines for the sale are to be established by the Board. Owners may request such a sale.

Vandalism: Any damage to the general common elements or limited common elements by an owner, their guests, tenants, agents, employees, representatives, or any other parties on Association property under the authority of an owner, shall be repaired at the sole expense of the owner. If the owner fails to repair such damage, the Association may, but shall not be required to; complete the repair work and the cost of the repairs shall be levied as an assessment against the owner's unit.

Any tampering with cables or boxes, electric meters, electric boxes or any form of vandalism will result in a fine plus the cost of repairing the vandalized, damaged, or destroyed item.

Owners are responsible for the actions of their tenants, guests, agents, representative, visitors and invitees.

Public Intoxication: No open glass alcoholic containers (beer, wine, whiskey, etc.) are allowed anywhere in the general common elements. Individuals displaying evidence of public intoxication are subject to arrest by law enforcement. Alcohol consumption shall be limited to inside the unit only.

Common Play Areas: common elements located to the north and south of the buildings, are designated play areas for children or adults. Owners, their tenants, guest and invitees shall be solely responsible for any and all damage resulting in the conduct of activities in the general common elements.

Signs: For Sale and For Rent signs are permitted on the property or in front windows. Such signs shall be no larger

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. m (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:

but not limited to, electrical, television, computer wiring, antennas, satellite dishes, machines, or air conditioners. No installations may be made in such a way that it protrudes the walls or roof of the unit. All old items, such as the old A/C units, must be removed and properly disposed of when a new unit is installed.

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).