

ISSUE #1		MARKUP #1 ->
	Property (unless installed by Developer or the Association) or the exterior of any home, without the prior written approval of the Association. Satellite dishes are permitted with M.M.A.R.C. approval.	
10.1.11	<u>Motor Vehicles.</u> No vans (except for non-conversion miniature vans with permanent signs and rear windows and passenger seats closed), campers, trailers, motorcycles, bus, trucks including without limitation pick-up trucks but not including sports utility vehicles designated primarily for passengers rather than transferring cargo or material, dune buggies, mobile homes, swamp buggies, boats and boat trailers, with or without boats, recreational vehicles, commercial vehicles (other than in connection with pick ups and deliveries) or inoperative vehicles shall be stored or parked within the Property, or on any Lot, unless parked in a garage with closed door out of public view, nor shall any motor vehicles be repaired on the Property or on any Lot. For purposes of this subsection, any vehicle having in excess of one-half (1/2) ton payload capacity shall be conclusively presumed to be a commercial vehicle. Determinations as to acceptable motor vehicles shall be made in the sole discretion of the Board of Directors of the Association. No vehicle which is an eye sore (determined by the Board of Directors) shall be parked, kept or stored on the common property or on any lot, except within an enclosed garage. The Association may tow vehicles from the common property violating any of the provisions of this Declaration or the rules and regulations or traffic regulations of the Association provided that the Association complies with applicable State and local laws concerning towing.	
10.1.12	<u>Exterior Alterations.</u> No structural changes, exterior color changes, or alterations shall be made or added to any Unit without the prior approval of the M.M.A.R.C.	
10.1.13	<u>Trash Containers.</u> All trash containers and contents thereof shall be stored in an area not visible from the streets or adjoining Lots. For purposes of periodic trash removal, however, an owner, within twenty-four (24) hours prior to pick-up, may place the covered trash containers at locations convenient for pick-up. Trash bags must be kept in containers with lids.	
10.1.14	Branches to be stored by owner behind his house and put out at the curb the evening before pick up of yard waste. Any piles of cuttings from plants or trees may not be placed at curb more than 24 hours prior to the designated pick-up day of yard and waste. Landscape companies who make said cuttings must arrange for their removal if they would remain for more than 24 hours.	
10.1.15	<u>Awnings.</u> No awnings, canopies or shutters, including hurricane or storm shutters, shall be attached or affixed to the exterior of any building unless such awnings, canopies or shutters have been approved by the M.M.A.R.C.	
10.1.16	<u>Parking.</u> The parking and storage of automobiles and other motor vehicles shall be limited to the driveways of Lots and other paved surfaces designated by the Association.	
10.1.17	Clothes and Drying Facilities. No outside clothesline or other clothes drying facility shall be permitted.	
10.1.18	<u>Signs.</u> All are subject to M.M.A.R.C. approval except for signs that give an alarm company's name, address or telephone number. No sign of any kind shall be displayed to the public view on the Property, including without limitation, any sign advertising the	

MARKUP #1 · CONFLICTS WITH FED LAW	BOARD & COUNSEL REVIEW
Sec. 10.1.10 (p. 15): 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: Antennae. No radio, television or other electronic antennae or aerial may be erected or maintained anywhere on the Common No contractor can work on Sundays or holidays. 14 Property (unless installed by Developer or the Association) or the exterior of any home, without the prior written approval of the Association. Satellite dishes are permitted with M.M.A.R.C. approval.	
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).	