

ISSUE #1

~~changes, flagpoles, planters, pools, pool fences, screened enclosures, permanent play units, basketball goals, sculptures, fountains, solar panels, and satellite dishes~~ must be submitted to the Architectural Design Board (ADB) for approval in advance of installation or modification.

If there are questions about a proposed change to a Member’s property and what approvals are necessary, reference may be made to the governing documents or contact the ADB Administrator listed in the directory.

Temporary equipment, including toys, bicycles, pool games, etc., must be stored out of sight overnight or when not in use.

PARKING: Automobiles shall be parked off streets and roads and must be garaged overnight in accordance with the provisions of the Associations Covenants. Guest and service vehicle parking should be in driveways whenever possible. When necessary, Guest and service vehicle parking is permitted on streets for the duration of a social or service function. Overflow parking is available in The Plantation House parking lot. Automobile and truck parking is not allowed on Association grassed areas.

Visiting RV’s, trucks, trailers, and similar vehicles may be parked in the maintenance area on Tabby Lane. Due to limited space, however, requests for this type of parking must be submitted to Security prior to parking any such vehicles in that area. Vehicles parked at the maintenance area are parked at the owners' risk. The Association will not be responsible for security or damage to these vehicles. Refer to the Covenants Article VIII, for additional information on parking.

PERSONAL CONDUCT: The quality and value of life in The Plantation depend on maintaining good relations between Members, between Members and the Association and its employees, and between the Association and its third party service or product providers. All persons, whether Members, Residents, Guests, Family Members, Association personnel or service providers, shall be held accountable for maintaining proper decorum while on any Association Property or at any Association event. “Proper Decorum” is a matter of common sense, mutual respect and good citizenship. It emphasizes the need to make The Plantation community a vibrant but civil place to live where both Members and employees of the Association neither engage in nor encounter abusive, hostile or offensive actions.

ALCOHOLIC BEVERAGES: Proof of age may be required of all persons ordering alcoholic beverages. No one may order alcoholic beverages for a minor. The Plantation staff reserves the right to not serve alcoholic beverages to Members and Guests who are unruly or appear intoxicated.

MEMBERSHIP RELATIONS WITH EMPLOYEES: Members shall not request that any employee of the Association perform any services unrelated to the performance of their regular duties while on duty (which include paid lunch or other breaks).

Members shall not reprimand, harass, slander, demean, or discriminate against any employee or third party contractor of the Association. A Member shall not contact any employee of the Association at his or her home with respect to any matter involving the Association, its operations or the employee's duties, responsibilities or status.

The engagement of any employee of the Association by a Member to perform services for the Member on a Members Parcel or otherwise is at the full risk of the Member. The Association shall not be responsible in any way for the performance of the employee, any injury or other damages suffered by the employee or any damages of any kind caused by the employee while engaged by the Member. No employee of the Association may utilize any property or equipment of the Association when performing private

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 4 (p. 5): 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:

goals, sculptures, fountains, solar panels, and satellite dishes must be submitted to the Architectural Design Board (ADB) for approval in advance of installation or modification. If there are questions about a proposed change to a Member's property and what approvals are necessary, reference may be made to the governing documents or contact the ADB Administrator listed in the directory.

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).