MARKUP #1 ->

(e) Units may be rented or leased only after approval by the Association, as provided for in Article XVI of this Declaration, and provided that the entire Unit only may be rented and may not be subdivided, and that the occupancy thereof shall only be by the lessee, his family and guests, and further provided that Units may not be leased or rented for a term less than three (3) months, with a maximum of two three-month leases per year.

(f) The covering and appearance of windows and doors, whether by draperies, shades, or other items, whether installed within or outside of the Unit, visible from the exterior of the Unit, shall be neutral in color and further subject to rules and regulation of the Association. No reflective window coverings shall be permitted on the windows of a Unit.

(g) All Units above the ground floor shall always have the floors covered with wall-to-wall carpeting installed over high quality padding, except carpeting is not required in areas of any hard-surface floor covering (e.g. marble, slate, ceramic tile, parquet, hardwood, etc.), provided a sound absorbent underlayment of such kind and quality as to substantially reduce the transmission of noise to adjoining Units must be installed, and written approval of the Board of Directors must be obtained prior to making any such installation. If prior approval is not obtained, the Board, in addition to exercising all the other remedies provided in this Declaration, may require the Unit Owner to cover all such hard-surface flooring with carpeting, or require the removal of such hard-surface flooring at the expense of the offending Unit Owner. No carpeting of any kind may be installed or affixed to concrete surfaces exposed to the elements.

(h) Terraces shall not be obstructed, littered, defaced or misused in any manner. Terraces and walkways shall be used only for the purposes intended, and they shall not be used for hanging or drying clothing, for cleaning of rugs or other household items, or for storage of bicycles or other personal property. Pets shall not be left unattended on terraces.

ISSUE #1

(i) No antennas, aerials, ham radios, satellite dishes, basketball backboards, poles or hoops, bird feeders or other devices shall be permitted on the exterior of a Unit or the Common Elements, except as may be required in connection with the provision of a cable television or master antenna system servicing the Condominium or that comply with the terms of the Master Documents or as may be allowed by any law. No ham radios or radio transmission equipment shall be operated or permitted to be operated within the Condominium Property without the prior written consent of the Board of Directors and the Master Association.

(j) Among other acts of God and uncontrollable events, hurricanes have occurred in Florida and therefor the Condominium is exposed to the potential damages of hurricanes, including, but not limited to, damages from storm surges and wind-driven rain. Water or other damages from this or other extraordinary causes shall not be the responsibility of the Association. Each Unit Owner who plans to be absent from his or her Unit during the hurricane season must prepare his or her Unit prior to their departure by removing all furniture, potted plants and other movable objects, if any, from his or her Terrace, if any, and by designating a responsible firm or individual satisfactory to the Association to care for his or her Unit should the Unit suffer hurricane damage. Because the Building is equipped with impact resistant glass, installation of hurricane shutters is specifically restricted and subject to the approval of the Board, which may in its discretion deny or place restrictions on the request. In the event a Unit Owner fails to remove any item which the Association deems dangerous to leave exposed in a storm, the Association may

MARKUP #1 · CONFLICTS WITH FED LAW — BOARD & COUNSEL REVIEW

Sec. 15.4(c) (p. 27): 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 antennas, aerials, ham radios, satellite dishes, basketball backboards, poles or hoops, bird feeders or other devices shall be permitted on the exterior of a Unit or the Common Elements, except as may be required in connection with the provision of a cable television or master antenna system servicing the Condominium or that comply with the terms of the Master Documents or as may be allowed by any law.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

There is no restriction on the ages of occupants of Units. All occupants under eighteen (18) years of age shall be closely supervised at all times by an adult to insure that they do not become injured or a source of annoyance to other residents. There shall be no parking of boats, commercial trucks, trailers, motorcycles or any vehicles other than passenger vehicles (i.e. cars, vans, sport utility vehicles, and noncommercial passenger pick-up trucks) in any parking area except locations which may be designated by the Association for such specific purposes, if any. Notwithstanding the foregoing, the definition of a 'passenger vehicle' shall comply with the definition supplied by the Master Documents, as amended, unless a more restricted definition is adopted by the Board pursuant to the Bylaws. Amended and restated Declaration 2025
(e) Units may be rented or leased only after approval by the Association, as provided for in Article XVI of this Declaration, and provided that the entire Unit only may be rented and may not be subdivided, and that the occupancy thereof shall only be by the lessee, his family and guests, and further provided that Units may not be leased or rented for a term less than three (3) months, with a maximum of two three-month...