



Section 10. - Sample Provision Excerpt (Public Preview)

visible from any street. No antennas or other devices for the sending or receiving of radio, cellular telephone or television signals shall be used, erected or maintained outdoors on any Lot, whether attached to a building or otherwise; provided, however, that no more than one satellite dish antenna

ISSUE #1



MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 10. (p. 9): Provision prohibits exterior antennas/satellite dishes, requires prior written approval before installing a satellite dish, or bans street-facing satellite dishes/solar collectors in conflict with the FCC OTARD Rule (47 C.F.R. § 1.4000) and O.C.G.A. § 44-3-231.

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...

CURRENT WORDING IN DOCUMENT:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

visible from any street. No antennas or other devices for the sending or receiving of radio, cellular telephone or television signals shall be used, erected or maintained outdoors on any Lot, whether attached to a building or otherwise; provided, however, that no more than one satellite dish antenna [FEDERAL OTARD CARVEOUT]: Provided that this restriction shall not prohibit or require prior...