



MARKUP #1 ->

volume that is not audible outside the unit. Excessive or disturbing noise at any time should be reported to the GM, AGM, or the Front Desk.

4. **Animals.** No animals of any kind are permitted at HBR, with exception of bona fide service animals, which must be approved at the Front Desk. A cleaning fee of up to \$300 will be charged to a Unit Owner for any violation in its unit; in addition, the Unit Owner shall also be responsible for any and actual damages caused by the animal(s). The GM or AGM have the power and authority to remove any unauthorized animal.
5. **Feeding Birds or Wild/Stray Animals.** Feeding or caring for wild or stray animals, is prohibited, including, without limitation, feral cats or birds, anywhere at HBR, including inside Units.
6. **Trash Disposal and Recycling.** Daily pick-up of household (kitchen and bathroom only) garbage is provided 7:00am-9:00am and 5:00pm-7:00pm only. Close/wrap garbage bags securely and place them along the main pathway outside of each building where they can be easily picked up by resort staff. Ensuring the trash is placed outside the building, not just the unit, during these times also prevents chickens and Nene from ripping open trash bags and spreading trash all over the walkways.
- Whole Unit Owners and their management company cleaners are required to take their household trash to dumpsters located next to the Maintenance Department between 9:00am and 5:00pm. VOA staff is not contracted to pick up Whole Unit trash.
7. **Grills.** Outdoor grilling or cooking is permitted only at designated common grill areas. Grills/hibachis are prohibited on lanais.
8. **Personal Item Storage.** Personal items must be stored in the following areas:

i. In the unit or vehicle – Snorkels, masks, fins, and clothing. Wet bathing suits and towels may be draped on lanai furniture, but not the railing.

ii. In the vehicle in which you brought the following items - Beach chairs, umbrellas, wagons, boogie boards, surfboards, standup paddle boards, hard and inflatable kayaks, and similar large items.

iii. In resort bike racks at entrance to HBR - Bicycles and scooters

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9. **Drone Policy.** Drones are radio-controlled aircraft or unmanned aerial systems and are prohibited to be operated all places within HBR and over its airspace, unless expressly authorized in writing by the Board, GM, or AGM for specified events or other use. If drone use is authorized, drone operators must comply at all times with federal, state and local drone operation laws, rules, and regulations, as well as, any and all restrictions imposed by these Rules or the HBR governing documents. Violators are liable for any damages, including, but not limited to, physical personal injury, property damage, damages for violation of privacy, regulatory fines, and legal fees.
10. **Limitations on Number of Visitors.** A Unit may have only a reasonable (up to six) number of their Unit's day visitors in the Unit and/or using HBR facilities. The GM or

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 9 (p. 9): 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:
Drone Policy. Drones are radio-controlled aircraft or unmanned aerial systems and are prohibited to be operated all places within HBR and over its airspace, unless expressly authorized in writing by the Board, GM, or AGM for specified events or other use. If drone use is authorized, drone operators must comply at all times with federal, state and local drone operation laws, rules, and regulations, as well as, any and all

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).