



# Bristol Court Condominium Association



ISSUE #1

outside of windows or placed on the outside walls of the building and no sign, awning, canopy, shutter, radio, or television antenna (except as constructed by the Developer shall be affixed to or placed upon the exterior walls or roof or any part thereof, without the prior consent of the Board.

- f. No unit owner or other occupant of any unit shall be permitted to keep or maintain a dog in his unit except for (i) a unit owner who owned and occupied his unit as of February 1, 1978; (ii) a lessee who occupied a unit pursuant to a written lease as of February 1, 1974; or (iii) a unit owner who purchased his unit from the Developer, provided, however, that no unit owner or lessee of a unit (including any unit owner who purchased his unit from the Developer) and who is permitted to keep a dog in his unit as herein provided shall be permitted to replace such dog or keep or maintain in his unit any dog other than that which presently lives therein. (Amended 1982)
- g. No noxious or offensive activity shall be carried on in any unit or in the common elements, nor shall anything be done therein, either willfully or negligently, which may be or become an annoyance or nuisance to the other unit owners or occupants.
- h. Nothing shall be done in any unit or in, on or to the common elements which will impair the structural integrity of the building, or which would structurally change the building except as otherwise provided herein.
- i. No clothes, sheets, blankets, laundry of any kind or other articles shall be hung out or exposed on any part of the common elements. The common elements shall be kept free and clear of rubbish, debris, and other unsightly materials.
- j. There shall be no playing, lounging, parking or baby carriages or playpens, bicycles, wagons, toys, vehicles, benches, chairs, other personal property on any part of the common elements without the prior consent of and subject to any regulations of the Board.
- k. Except as constructed or altered by or with the permission of the Developer, at any time prior to the election of the first Board of Managers, nothing shall be altered or constructed in or removed from the common elements, except upon the written consent of the Board.
- l. Each unit owner and the Board hereby waives and releases any and all claims which he or it may have against any other unit owner, the officers and members of the Board, the Developer and their respective employees and agents, for damage to the common elements, the units or to any personal property located in the units or common elements, caused by fire or other casualty or any act or neglect referred to in Paragraph 11(m), to the extent that such damage is covered by fire or other form of hazard insurance.
- m. If, due to the act or neglect of a unit owner, or a member of this family or household pet or of a guest or other authorized occupant or visitor of such unit owner damage shall be caused to the common elements or to a unit or units

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

**Sec. vi (p. 22): 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:**

awning, canopy, shutter, radio, or television antenna (except as constructed by the Developer shall be affixed to or placed upon the exterior walls or roof or any part thereof, without the prior consent of the Board. No unit owner or other occupant of any unit shall be permitted to keep or

**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).