

ISSUE #1

- 15.5.2. ECC Approval, Permit, Lot Pin Locations and Plot Plan are required. NO Security Deposit is required:
 - Dog Run
 - Non-Portable Fire Pit
 - Satellite Dish Not Attached to House but within easements
 - Outdoor Hot Tub
 - Gazebo
- 15.5.3. ECC Approval and Permit are required. NO Lot Pin Location, NO Plot Plan and NO Security Deposit are required:
 - Siding replacement
 - Roofing replacement
- 15.5.4. ECC Approval is required. NO Permit, NO Lot Pin Locations, NO Plot Plan and NO Security Deposit are required:
 - Tree removal
 - Lakeside Storage Container
 - Satellite Dish Not Attached to House but not in easement
 - New Driveway, Sidewalk, Walkway
 - Fence Exception (Bluebook section 2.C, Fences)
 - Culvert
 - All retaining walls (for landscaping or runoff management) within the 10 feet side yard setback of the property.
 - Lake Mat
- 15.5.5. NO ECC Approval, NO Permit, NO Lot Pin Locations, NO Plot Plan and NO Security Deposits are required:
 - Window Replacement
 - Door Replacement
 - Any Interior Work: Finish off basement, Remodel Kitchen, Remodel Bathroom

16. LSA BOARD OF DIRECTORS (formerly section “P”)

The Board of Directors hereby authorizes the Recording Secretary or other LSA officers or board members or staff members the right to record the Board of Directors’ meetings and committee meetings by current recording technology. No LSA member is allowed to record these meetings without the majority vote of the Board of Directors. Recordings of these meetings will be held in the LSA office for sixty (60) days and may be reviewed during normal business hours in the office by an LSA member upon written request to the LSA General Manager.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 15.5.2 (p. 37): 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:

ECC Approval, Permit, Lot Pin Locations and Plot Plan are required. NO Security Deposit is required: * Dog Run * Non-Portable Fire Pit * Satellite Dish Not Attached to House but within easements * Outdoor Hot Tub * Gazebo

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).