

**RULES AND REGULATIONS**  
**PRAIRIE WOODS HOMEOWNERS ASSOCIATION**

The Rules and Regulations established by the Prairie Woods Homeowners Association ("Association") are designed neither to restrict nor infringe on the rights of any homeowner or resident. Their purpose is to ensure the full enjoyment of the Prairie Woods Subdivision ("Subdivision") by all Owners and residents.

**1. METHOD OF ENFORCING RULES AND REGULATIONS.**

- a) Owners should report repeated infractions of Rules and Regulations to the Board of Directors of the Association in writing signed by the complaining Owners.
- b) Upon the first reported infraction of a Rule or Regulation, the offending Lot Owner or resident will receive a letter from the Board of Directors notifying him or her of the violation. Upon the second infraction the Lot Owner or resident will be requested to appear before the Board of Directors. If a satisfactory settlement is not reached at this meeting, legal proceedings or such other action as approved by the Board of Directors, may be initiated to enforce the Rules and Regulations.

**2. METHOD FOR CHANGING OR ADDING RULES AND REGULATIONS.**

Owners wishing to change or add a specific rule or regulation should make their requests in writing to the Board of Directors for review and consideration.

**3. RECREATIONAL VEHICLES BOATS AND TRAILERS.**

~~Recreational vehicles, boats trailers and the like, too large to be parked in the garage, cannot be stored within the boundaries of the Subdivision for more than two (2) days.~~

**4. ANTENNAS; ANTENNA TOWERS; SATELLITE DISHES.**

No antenna or antenna tower can be constructed, installed or located within the boundaries of the Subdivision for the purpose of receiving or transmitting radio, television or computer data signals, without the prior written approval of the Board of Directors. Antennas may be installed ~~within an attic without prior approval. Notwithstanding the foregoing, Owners may install direct~~ broadcast satellite (e.g. DirecTV, Dish Network, etc.) type dishes, not to exceed forty (40") inches in diameter on the rear or side of their homes. Dishes may not be installed on the front of the home unless no signal can be received from back or sides.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

**Sec. RULES AND REGULATIONS (p. 24): 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:**

ANTENNAS; ANTENNA TOWERS; SATELLITE DISHES. No antenna or antenna tower can be constructed, installed or located within the boundaries of the Subdivision for the purpose of receiving or transmitting radio, television or computer data signals, without the prior written approval of the Board of Directors.

**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).

ISSUE #1