ISSUE #1

Section 6 - Sample Provision Excerpt (Public Preview)

No exterior television or radio antenna or disc greater than 18" x 24" in size shall be permitted on any Lot, and any such television or radio antenna or disc the Owner of the Lot installing a television or radio antenna or disc shall use its reasonable efforts to screen such television or radio antenna or disc from view of any street or sidewalk.

MARKUP #1 ->

MARKUP #1 · POTENTIAL FED LAW CONFLICT

BOARD & COUNSEL REVIEW

Sec. 6 (p. 1): Blanket ban, sub-1-meter size cap, or prior approval requirement on satellite dishes or antennas on exclusive-use property is preempted by federal FCC OTARD regulations.

Statutory / Legal Reference: 47 C.F.R. § 1.4000 (FCC OTARD Rule)

Statutory Comparison: Blanket ban, sub-1-meter size cap, or prior approval requirement on satellite dishes or antennas on exclusive-use property is preempted by federal FCC OTARD regulations.

CURRENT WORDING IN DOCUMENT:

No exterior television or radio antenna or disc greater than 18" x 24" in size shall be permitted on any Lot, and any such television or radio antenna or disc the Owner of the Lot installing a television or radio antenna or disc shall use its reasonable efforts to screen such television or radio antenna or disc from view of any street or sidewalk.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend provision to conform with controlling statute.