N. GUTTERS AND DOWNSPOUTS must be approved by the CRC and must be painted to match the adjacent roof and/or wall material.

O. SATELLITE DISHES do not need to be approved by the CRC however, they must meet the following restrictions: May not exceed a diameter of one (1) meter (39.37")

ISSUE #1

1. Shrouded "umbrella type" satellite dishes are strictly prohibited.
2. The wiring/cords shall be painted the color of the house and attached to the house.
3. Satellite dishes shall not be mounted on the shared property walls, either between houses or on perimeter roads.
4. The following are preferred placement locations:
   a) On the rear of the home,
   b) On either side of the home, at least 10' back from the front.
   c) Behind the front facing wall to the back yard.
   d) On a post in the back yard with the post and satellite dish height not to exceed the height of the wall enclosing the back yard and must maintain a 5 foot setback from perimeter walls.

P. RECREATIONAL VEHICLES such as motor homes, boats, trailers, campers, and jet skis, etc. may not be parked on the property, except within an enclosed structure. The Association does recognize the need for members to prepare such vehicles for use and as such will allow vehicles to be temporarily parked for a period not to exceed 24 hours in preparation for use. All recreational vehicles stored on any property must be located behind screened gates or in the garage. Any construction for concrete parking slab, cover, gates, or screening must be reviewed by the CRC. Commercial Vehicles are not permitted.

Q. INTERIOR WINDOW COVERINGS: Torn or broken window blinds or coverings must be replaced. Mirror or foil coverings, sheets, or similar are not allowed.

R. SECURITY BARS are not permitted on the exterior of windows. Security Film without a mirrored finish is allowed.

S. PIGEON CONTROL SPIKES metal or plastic are allowed without CRC approval. No visible chicken wire or mesh is allowed unless painted to match the roof, house, or trim color.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW BOARD & COUNSEL REVIEW

Sec. 1 (p. 25): FCC OTARD Satellite Dish / Antenna Preemption Defect: Clause imposes a blanket ban, prior-approval delay, or sub-1-meter size cap on residential reception antennas/satellite dishes preempted by 47 C.F.R. § 1.4000.

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

Statutory Comparison: Under the FCC Over-the-Air Reception Devices (OTARD) Rule, 47 C.F.R. § 1.4000, promulgated under § 207 of the Telecommunications Act of 1996, any covenant or rule that prohibits, requires prior architectural approval before installation, or restricts satellite dishes/antennas measuring one meter (39.37 inches) or less in diameter on property within the owner's exclusive use or control is federally preempted and void.

CURRENT WORDING IN DOCUMENT:
Shrouded "umbrella type" satellite dishes are strictly prohibited. 2. The wiring/cords shall be painted the color of the house and attached to the house.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Amend Section 1 to incorporate the mandatory statutory safe harbors of 47 C.F.R. § 1.4000 (FCC OTARD Rule); NRS Ch. 116 (Nevada Uniform Common-Interest Ownership Act) & NAC Ch. 116 / NAC Ch. 116A (CICCH Administrative Regulations), permitting OTARD reception antennas (up to 1 meter in diameter without prior approval) and solar/EV/water-wise installations within statutory parameters.