Section i - Sample Provision Excerpt (Public Preview)

* No radio or television antennas or satellite dishes shall be attached to or hung from the exterior walls, terraces, balconies, roofs or railings or protrude from the
* The building Superintendent must approve installation of air conditioners.

ISSUE #1

MARKUP #1 ->

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

Sec. i (p. 6): 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...

CURRENT WORDING IN DOCUMENT:
* No radio or television antennas or satellite dishes shall be attached to or hung from the exterior walls, terraces, balconies, roofs or railings or protrude from the * The building Superintendent must approve installation of air conditioners.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
No radio or television antennas or satellite dishes shall be attached to or hung from the exterior walls, terraces, balconies, roofs or railings or protrude from the The building Superintendent must approve installation of air conditioners.