

Section 7 - Sample Provision Excerpt (Public Preview)

3. Antennas/Signage: No radio or television antenna, satellite dish or other reception apparatus shall be attached to, or hung from the exterior of any building or any part of the building or adjacent posts, trees, mailboxes, fences, etc.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 7 (p. 5): 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:

3. Antennas/Signage: No radio or television antenna, satellite dish or other reception apparatus shall be attached to, or hung from the exterior of any building or any part of the building or adjacent posts, trees, mailboxes, fences, etc.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

No trash or refuse is to be stored in the storage bins. See section on Garbage & Recycling. 8. Owners are liable for any damage to buildings or grounds caused by themselves, their tenants or guests, or service and delivery persons. LLLUUC rugs (except kitchens, pantries, bathrooms, closets and foyers). 3.