

Section (e) - Sample Provision Excerpt (Public Preview)

Satellite dishes are not allowed. FiOS and Optimum are the available services.
(f) Signs, notices, or advertisements may not be inscribed or exposed on or at any window or other part of the building without the prior written approval of the Corporation.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. (e) (p. 1): 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:

Satellite dishes are not allowed. FiOS and Optimum are the available services.
(f) Signs, notices, or advertisements may not be inscribed or exposed on or at any window or other part of the building without the prior written approval of the Corporation.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Satellite dishes are not allowed. FiOS and Optimum are the available services.
(f) Signs, notices, or advertisements may not be inscribed or exposed on or at any window or other part of the building without the prior written approval of the Corporation.