

MARKUP #1 ->

and regular refuse – must be placed together in securely tied plastic garbage bags and placed in the garbage stations at the end of each walk. Cardboard boxes must be broken down and taken to the garbage corral near the office or placed in bags with regular refuse. No loose garbage of any kind may be placed in the bins of the Corporation's garbage stations located on the perimeter of the Corporation's grounds. Paper, plastic, and reusable shopping bags from retail establishments are not acceptable for waste disposal.

4. Plants, planting dirt, or other debris must not be thrown from decks or stored under buildings.
5. Only toilet paper may be placed in toilets. All other items, including but not limited to, grease, disposable wipes, condoms, rags, coffee grinds, sanitary napkins, paper towels may not be put into toilets or drains.
6. Arrangements with the town cartage service must be made to remove any items that cannot easily be placed in one of the garbage containers. No large items may be placed in, on top of or adjacent to the garbage stations or in the maintenance area.
7. An agent of the Lessor may enter a shareholder's apartment in order to inspect and take measures to control infestation and nesting of vermin, insects or pests.
8. A Shareholder must provide the Lessor with a copy of the key(s) to the shareholder's apartment and to the unit's exterior shed, if present. A Shareholder who changes an existing lock must immediately deliver a copy of the new key to the Site Office. If a key has not been provided to the Lessor, any costs incurred by the Lessor in gaining entrance and securing an apartment will be charged to the shareholder.
9. A shareholder may not suspend electrical service during the off-season. End-of-season draining of the plumbing and/or any appliance by a shareholder is prohibited.

Grounds

1. Any proposed requests to remove, alter or add to the natural vegetation on The Co-ops property must be submitted in advance to the Grounds Committee Chairperson for approval.
2. Exterior/outdoor fixtures and equipment may not be moved or tampered with.
3. No pets are allowed to urinate or defecate on the decks, walkways or grounds, nor are they permitted to roam freely, supervised or unsupervised, on the walkways and grounds of The Co-ops.
4. Dog owners, according to New York State law, are responsible for having their dogs leashed at all times outside their apartments.
5. According to federal, state, and local laws, the feeding of deer and other wild animals is prohibited, including on the grounds of the cooperative.
6. Shareholders are not permitted to enter under any of the buildings at any time. Shareholders are prohibited to enter the common Co-op grounds or to use the grounds as a mean of ingress/egress or as a shortcut between buildings.

ISSUE #1

Exterior

1. Signs, notices, advertisements, antennae/satellite dishes are all prohibited on decks, building exteriors, or exposed from apartment windows except with Board approval.
2. ~~Towels, clothing or other articles may not be hung over deck railings.~~
3. Installation and use of any permanent outdoor lighting must be approved in writing by the Board prior to installation and use. Any approved lighting may not intrude on any neighbor. Temporary lighting, limited to table lamps, solar-powered pathway lights in plants and planters, and LED rope lights is permitted, with the following limitations. No lighting of any kind may be attached in any fashion to the outdoor walls or around the windows and doors at any unit. For lower units, no lighting of any kind may be attached

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 1 (p. 3): 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 satellite dishes 1 meter or less in diameter, and fixed wireless broadband antennas (including hub and relay antennas) situated on property within the exclusive use or control of the owner/tenant.

CURRENT WORDING IN DOCUMENT:

Signs, notices, advertisements, antennae/satellite dishes are all prohibited on decks, building exteriors, or exposed from apartment windows except with Board approval.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Provided that this restriction shall not prohibit or require prior approval for any owner or occupant installing an antenna, fixed wireless broadband hub/relay device, or satellite dish of one meter (39.37 inches) or less in diameter within areas under the owner's or occupant's exclusive use or control, in accordance with FCC OTARD regulations (47 C.F.R. § 1.4000).