

ISSUE #1

16. INSTALLATION & USE OF SECURITY CAMERAS, VIDEO DOORBELLS, ANTENNAS & SATELLITE DISHES

- The co-op has the right to remove any antenna, satellite dish or other hanging items that appear dangerous or inactive.
- Security Cameras are permitted on the exterior of an individual’s immediate apartment and not inside the vestibule common area. Cameras may be placed on the exterior building doorframe but not permitted on the common door inside a common vestibule space. A Security Camera Form must be submitted listing the location of the security camera(s). The co-op will provide the NYPD with locations of cameras nearby crime scenes to help in a police investigation. Cameras may NOT be pointed directly into another resident’s window or apartment entrance. The security camera location must serve a crime deterrence purpose. The Board, at its own discretion, may remove or relocate security camera(s) at any time.
- A satellite dish or television aerial shall not be attached to or hung from the exterior of any building without a completed and approved *Alteration Agreement*. Antennas and satellite dishes may not be affixed to the front wall or roof of any building.
- Maintenance of television aerials or satellite dishes is the owner’s responsibility. Owners are required to remove them when they are no longer being used.

Note: The fine schedule is the same as outlined for Alteration Agreements.

17. INSECT EXTERMINATION

- Glen Oaks Village offers the services of an exterminator at no cost. Employees of the Corporation and any contractor or workers authorized by the Corporation, may enter any apartment or garage upon reasonable notice, for the purpose of inspecting to ascertain whether measures are necessary or desirable to control or exterminate any vermin, insects or other pests.
- If the Corporation must take legal measures or other action to control an infestation, the cost of such measures shall be payable by shareholder/subtenant as additional maintenance and/or rent.

Note: The fine is \$75 for non-compliance.

18. EMERGENCY AND ROUTINE ACCESS

- In an emergency, employees of the Corporation, Management or Maintenance Department, accompanied by a Security Officer, may enter an apartment in response to the emergency.
- Such access must also be permitted for inspection or assessment of work that may be required.
- Access must be provided at the request of Management to visit or inspect a unit during business hours with advance notice.
- Residents are encouraged to make arrangements to leave keys with family, friends, neighbors, or landlords in the case of an emergency.

Note: The fine is \$100 each day for non-compliance plus the cost of any damages.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 16 (p. 33): 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:

INSTALLATION & USE OF SECURITY CAMERAS, VIDEO DOORBELLS, ANTENNAS & SATELLITE DISHES * * * * The co-op has the right to remove any antenna, satellite dish or other hanging items that appear dangerous or inactive. Security Cameras are permitted on the exterior of an individual's immediate apartment and not inside the vestibule common area.

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).