Section X - Sample Provision Excerpt (Public Preview)

Outside antennas or dishes for any purpose whatsoever. Removal of any tree or shrub (this restriction shall apply to th sponsor). g) Operation of a snowmobile. h) business municipal oI service Use of the properto folwhlesale ppiicabl! occupations in conflict laws and ordinances.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. X (p. 35): 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:

Outside antennas or dishes for any purpose whatsoever. Removal of any tree or shrub (this restriction shall apply to the sponsor). g) Operation of a snowmobile. h) business municipal oI service Use of the properto folwhlesale ppiicabl! occupations in conflict laws and ordinances.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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