Section I - Sample Provision Excerpt (Public Preview)

A9. No radio, television antennas or other aerial satellite dishes, disk, or similar device shall be attached to or hung fro exterior of the Building without prior written consent of the Board or the Managing Agent of the Cooperative Corporation (the "Managing Agent").

ISSUE #1

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. I (p. 2): 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:

A9. No radio, television antennas or other aerial satellite dishes, disk, or similar device shall be attached to or hung from the exterior of the Building without prior written consent of the Board or the Managing Agent of the Cooperative Corporation (the "Managing Agent").

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

A9. No radio, television antennas or other aerial satellite dishes, disk, or similar device shall be attached to or hung from the exterior of the Building without prior written consent of the Board or the Managing Agent of the Cooperative Corporation (the "Managing Agent").