

Section 11 - Sample Provision Excerpt (Public Preview)

Antennas. No radio or television aerial/antenna shall be attached to or hung from the exterior of the building without the prior written consent of the Board of Directors. No satellite dish shall be installed except if it is in full compliance with all FCC Regulations.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 11 (p. 6): Fining provision permits the Board or managing agent to impose summary or automatic monetary fines without prior written notice and a reasonable opportunity to be heard.

Statutory / Legal Reference: N.Y. Bus. Corp. Law § 501(c)

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:

Antennas. No radio or television aerial/antenna shall be attached to or hung from the exterior of the building without the prior written consent of the Board of Directors. No satellite dish shall be installed except if it is in full compliance with all FCC Regulations.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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