

Section BUILDING STRUCTURE AND MAINTENANCE - Sample Provision Excerpt (Public Preview)

or permit to be installed, any antenna system outside of his unit.
(E) No employee of the Classic is permitted to make repairs within any condominium unit during normal working hours, except in an emergency or with the express prior consent of the Site Manager or Superintendent.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. BUILDING STRUCTURE AND MAINTENANCE (p. 6): 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:

or permit to be installed, any antenna system outside of his unit.
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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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