

Section 18 - Sample Provision Excerpt (Public Preview)

- Exterior Attachments & Electronic Equipment No radio or television aerial, satellite dish, or similar device shall be attached to, or hung from, the exterior of the building without prior written approval from the Cooperative or the Managing Agent.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 18 (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:

- Exterior Attachments & Electronic Equipment No radio or television aerial, satellite dish, or similar device shall be attached to, or hung from, the exterior of the building without prior written approval from the Cooperative or the Managing Agent.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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