



KING’S GRANT HOMEOWNERS ASSOCIATION, INC.
P.O. Box 9008
FAYETTEVILLE, NC 28311-9079

MARKUP #1 ->

ARTICLE II
Use Restrictions

Section 1. Residential Use.

The use of the Dwelling Unit shall be limited to occupancy by people directly related by adoption, marriage, or blood in the first and second degree or four or less people who are not so related.

A portion of a Dwelling Unit may be used as an office if such use does not create a significant increase in customer or client traffic

Section 2. Other Buildings and Vehicles. No mobile home, trailer, manufactured home, double wide or modular home, tent, barn, or other similar out-building, vehicle, or structure shall be placed on any Residential Lot at any time, either temporarily or permanently, without prior approval from the Review Board

Section 3. Unsightly Conditions. It shall be the responsibility of each Owner and tenant thereof to prevent the accumulation of litter, trash, packing crates or rubbish or the development of any unclean, unsightly or unkept or unmaintained condition of buildings or grounds

Section 6. Junk Vehicles. No junked cars shall be placed or allowed to remain on said property.

Section 7. Fuel Tanks. No fuel tanks or similar storage receptacles may be exposed to view.

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Section 8. Antennas. No television antenna, dish, radio receiver or sender or other similar device shall be installed upon a lot or attached to or installed on the exterior portion of any dwelling or other structure or property within Kings Grant.

Section 11 Laundry. In order to preserve the aesthetic features of the architecture and landscaping, each Owner, his or her family, his or her quests, or his or her tenants, shall not hang laundry from any area within or outside a Dwelling Unit if such laundry is within the public view

Section 13. Vegetable Gardens. A vegetable garden will be permitted provided it is located to the rear of the house, is not visible from the street, and does not exceed the size of 300 square feet. No vegetable gardens of any size shall be allowed on lots adjoining a golf course or any lakes or ponds

Section 14. Animals. No animals, livestock, or poultry of any kind shall be raised, bred, kept or pastured within the residential areas of the Property, except that a reasonable number of common household pets

- The Owner of such animals shall use a scoop or other devise to clean up any defecation or solid excrement left by their pet upon the Common Properties of or property owned by others.
- The Owner of an animal will not allow it to roam unattended on the Property, it being the responsibility of each pet Owner to leash their animal.
- The Owner shall muzzle any animal which barks or makes any noises which might be reasonably expected to disturb other Owners.
- Pets shall be housed in the Dwelling Unit or in pens approved by the Review Board.

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 8. (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 satellite dishes 1 meter or less in diameter, and fixed wireless broadband antennas (including hub and relay antennas) situated on property within the exclusive use or control of the owner/tenant.

CURRENT WORDING IN DOCUMENT:
Antennas. No television antenna, dish, radio receiver or sender or other similar device shall be installed upon a lot or attached to or installed on the exterior portion of any dwelling or other structure or property within Kings Grant.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Provided that this restriction shall not prohibit or require prior approval for any owner or occupant installing an antenna, fixed wireless broadband hub/relay device, or satellite dish of one meter (39.37 inches) or less in diameter within areas under the owner's or occupant's exclusive use or control, in accordance with FCC OTARD regulations (47 C.F.R. § 1.4000).