

20. Electric wiring, fixtures and appliances shall be installed in accordance with the Building Officials and Code Administrators International, Inc., and the National Electrical Code NFPA 70, latest edition and supplements. Minimum Service Entrance shall be:
- (A) With Electrical Heating and/or Cooling - 200 Amp. 240 Volts Minimum Entrance; and

(B) Circuits in areas such as baths, kitchen counters, garages, external porches, other external outlets, and unfinished basements shall be protected with Ground Fault Interrupters Circuit Breakers. * **Effective Dec 2012**
21. These sections shall not be construed to prevent any lot owner from the building, repairing, or rebuilding of plumbing, sewers, heating and venting or electrical wiring or installing of same, in or upon premises owned by whole or part by such person(s); provided the work shall, in all respects, comply with the provisions of the Association and the pertinent sections of the Code(s). However, necessary permit(s) and fee(s) shall be required.
22. A permit shall be required for moving a building or structure from one lot to another, or within the same lot; for unattached garages; for the demolition of a building or structure. The fees for these permits are set forth in the attached Fee Schedule.
23. At least two (2) outside water faucets shall be installed in each house.
24. Before installing a wood burning stove or a coal-burning stove, contact your local fire department for instructions and requirements, and the Code Enforcer. Stoves of said type shall require an approved spark arrestor in the chimney system.
25. Outdoor furnaces of any type are prohibited.
26. The diameter of a satellite dish is limited to three (3) feet in diameter.
27. Any permit(s) provided for in these sections may, at any time, be revoked for the incompetent, fraudulent use thereof or violation of the laws of the Association and the Code(s). After revocation for any of the causes aforesaid, no permit(s) shall be issued to said party until approval is granted by the Directors of the Association. In any case of such re-issuance of permit(s), the fee(s) shall be established by the Code Enforcer.
28. FENCES: Before constructing any fence, a permit shall first be obtained from the Architectural Committee or Code Enforcer. This section shall not be construed to require a permit for a living fence. The following regulations shall apply:
- (A). Fences shall not be in excess of four (4) feet in height, except as otherwise hereinafter provided.

(B). All fences shall be maintained in good condition so as not to become unsightly. For good cause shown, and upon receiving written approval from the Architectural Committee, a permit may be issued for the construction of a fence in excess of four (4) feet in height, but not exceeding six (6) feet in height.

(C). No chain link or privacy fence shall be located in a front yard, which means in front of main structure of the house on the lot, in case of an adjoining lot with same owner of main house, the fence cannot be located in the front yard setback, which is 30’ from the property line. ***Effective Dec 2012**

(D). All fences shall be entirely on the owner’s property

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 20 (p. 29): 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:

The diameter of a satellite dish is limited to three (3) feet in diameter. 27.

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).

ISSUE #1