

Section 6(F)

"Conduct of Board Meetings"
In accordance with Ohio law, the Board can now conduct meetings by telephone conference or other electronic means to help govern the property in a smooth and orderly fashion.
III - BOARD OF DIRECTORS,

Section 6(H)

"Meeting Minutes"
New provision requiring minutes be taken at all Board meetings and be made available to Owners
III - BOARD OF DIRECTORS,

Section 7

"Removal of Board Members"
We have added a statement that a Board member can be removed from the Board if the Board member misses three meetings in a row or becomes bankrupt or is delinquent in the payment of their maintenance fees.
III - BOARD OF DIRECTORS,

Section 9 - "Board

"Board Power;
We have specifically defined the powers of the Board to coincide with Ohio's Planned Community Act
6
III - BOARD OF DIRECTORS,

ISSUE #1

MARKUP #1 ->



MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. VII (p. 20): 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:

other communications antenna, satellite dishes, or devices (except as otherwise specifically permitted by State or Federal law and in strict accordance with the Rules);
(j) Grading of any portion of the Property, unless the grading is approved and permitted by the City.

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).