

Protection: It will be mandatory for each homeowner to purchase a hood when purchasing their awning.

Architectural Request Form: YES – approval from the Architectural Review Committee is required. [ACR form page 61](#)

Montgomery Township Permit: NO

Exhibit D – Prioritized Satellite Dish Locations

This Standard Covers the Following Type of Satellite Dish:**

1. Dish antennas that are one meter (39.37”) or less in diameter and are designed to receive direct broadcast satellite service, including direct-to-home satellite service, video programming services via broadband radio service (wireless cable) or to receive or transmit fixed wireless signals other than via satellite.**
2. Dish antennas larger than one meter in diameter are not permitted.**
3. All wires shall be concealed and secured to prevent any type of safety hazard.

Approved Satellite Dish Mounting Locations:

1. Primary and preferred location of installation is on the ground and as close as possible to townhouse foundation. Placement in a foundation planting bed next to building is
 - Front
 - Rear
 - SidePlacement in a foundation planting bed next to the building is recommended and will keep the unit from being damaged by landscaping service.
2. Secondary location (only in the event the primary location cannot be obtained) for the installation of a satellite dish is on the main roof of the townhouse. Placement as close as possible to the chimney or mounted on the roof surface least visible from the street is preferred.
3. All wires shall be concealed and secured to prevent any type of safety hazard.

Architectural Request Form: YES- approval from the Architectural Review Committee is required. Architectural request must be specific as to the size (diameter) and location of the satellite dish. If the request is approved no other size or location will be permitted without homeowner submitting a revised request for a new location. [ACR form page 61](#)

Montgomery Township Permit: NO

NOTE: In the event of a total shingle replacement project, any satellite dish installed on the roof surface, the then-current homeowner will be responsible to un-mount it and remove it in its

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MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 61 (p. 12): 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:

Montgomery Township Permit: NO NOTE: In the event of a total shingle replacement project, any satellite dish installed on the roof surface, the then-current homeowner will be responsible to un-mount it and remove it in its Back to Top

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