

Section 2. - Sample Provision Excerpt (Public Preview)

Section 17. Iio Outaldo Antennae. No antenna or other olectronio zecelving devlen of any type shall be erected, constructed, placed or peroltted to renaln on any lot or on the axtertor ox 100f of any houno or bullaing.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · POTENTIAL FED LAW CONFLICT

BOARD & COUNSEL REVIEW

Sec. 2. (p. 15): Provision prohibits exterior antennas/satellite dishes, requires prior written approval before installing a satellite dish, or bans street-facing satellite dishes/solar collectors in conflict with the FCC OTARD Rule (47 C.F.R. § 1.4000) and Tex. Prop. Code §§ 202.010, 202.019.

Statutory / Legal Reference: 47 C.F.R. § 1.4000 (FCC OTARD Rule)

Statutory Comparison: Under the Federal Communications Commission OTARD Rule (47 C.F.R. § 1.4000), private covenants may not prohibit, require prior architectural approval for, or limit satellite dishes to 18/24 inches (federal protection covers dishes up to 1 meter / 39.37 inches in diameter), nor may they ban street-visible placement if an alternative location would preclude acceptable signal quality.

CURRENT WORDING IN DOCUMENT:

Section 17. Iio Outaldo Antennae. No antenna or other olectronio zecelving devlen of any type shall be erected, constructed, placed or peroltted to renaln on any lot or on the axtertor ox 100f of any houno or bullaing.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Carve out satellite dishes up to one meter (39.37 inches) and TV/wireless antennas protected by 47 C.F.R. § 1.4000 from prior-approval and street-visibility bans, and align solar collector placement guidelines with Tex. Prop. Code §§ 202.010, 202.019.