



Section 5.3 - Sample Provision Excerpt (Public Preview)

(f) No antennas, satellite dishes or other equipment for receiving or sending sound or video signals shall be permitted in or on the property except antennas for television reception, AM or FM radio reception and UHF and VHF television reception.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 5.3 (p. 18): 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...

CURRENT WORDING IN DOCUMENT:

(f) No antennas, satellite dishes or other equipment for receiving or sending sound or video signals shall be permitted in or on the property except antennas for television reception, AM or FM radio reception and UHF and VHF television reception.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

(f) No antennas, satellite dishes or other equipment for receiving or sending sound or video signals shall be permitted in or on the property except antennas for television reception, AM or FM radio reception and UHF and VHF television reception.