Section WRITTEN CONSENT OP THE BOARD OF DIRECTORS - Sample Provision Excerpt (Public Preview)

RESOLVED, THAT THE BOARD OF DIRECTORS ADOPTS THE ATTACHED ANTENNAE GUIDELINES.
RESOLVED FURTHER, that the foregoing resolution is effective as of
Alan Greenwood
Janet Burkett
Dorothy Dougherty

ISSUE #1

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3/1.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. WRITTEN CONSENT OP THE BOARD OF DIRECTORS (p. 4): 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:
RESOLVED, THAT THE BOARD OF DIRECTORS ADOPTS THE ATTACHED ANTENNAE GUIDELINES. RESOLVED FURTHER, that the foregoing resolution is effective as of Alan Greenwood Janet Burkett Dorothy Dougherty Mott, Crossing Viond NicetinglResoluuons+Sign Outdclints,wpi 3/1.

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.