



Section 2. - Sample Provision Excerpt (Public Preview)

Antennas, etc, No electronic antenna or device of any type, including any type or form of satellite dish, other than one antenna for receiving television signals, FM signals and/or citizen's band signals larger than 18" high or 18" diameter shall be crected, constructed, placed or permitted to remain on any other Lots, residences thereon or other permitted buildings constructed in the Properties.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 2. (p. 8): Covenant suspending owner voting rights for delinquency or covenant violations is void under the Texas Property Code.

Statutory / Legal Reference: Tex. Prop. Code § 209.0059(a) & § 209.00592

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:

Antennas, etc, No electronic antenna or device of any type, including any type or form of satellite dish, other than one antenna for receiving television signals, FM signals and/or citizen's band signals larger than 18" high or 18" diameter shall be crected, constructed, placed or permitted to remain on any other Lots, residences thereon or other permitted buildings constructed in the Properties.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Antennas, etc, No electronic antenna or device of any type, including any type or form of satellite dish, other than one antenna for receiving television signals, FM signals and/or citizen's band signals larger than 18" high or 18" diameter shall be crected, constructed, placed or permitted to remain on any other Lots, residences thereon or other permitted buildings constructed in the Properties.