

Section 7 - Sample Provision Excerpt (Public Preview)

COMMUNICATIONS ANTENNAE. No radio, citizen band or otherwise, or television aerial wires or antennae shall be maintained on any portion of any Lot, except those which are fully enclosed within the structure of the Living Unit.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 7 (p. 10): Clause prohibits front-yard/perimeter security fencing, security cameras, or motion detectors in conflict with Tex. Prop. Code § 202.023 (SB 1588).

Statutory / Legal Reference: Tex. Prop. Code § 202.023 (SB 1588)

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:

COMMUNICATIONS ANTENNAE. No radio, citizen band or otherwise, or television aerial wires or antennae shall be maintained on any portion of any Lot, except those which are fully enclosed within the structure of the Living Unit.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

COMMUNICATIONS ANTENNAE. No radio, citizen band or otherwise, or television aerial wires or antennae shall be maintained on any portion of any Lot, except those which are fully enclosed within the structure of the Living Unit. No microwave or other satellite dishes, antennas, receivers, or transmitters shall be placed on any Lot without the prior written approval of the Architeetural Control...