

Section 2. - Sample Provision Excerpt (Public Preview)

satellite dishes, and antennas, shall be located on the roof of any Dwelling Unit or Structure, unless the same are concealed from view from adjoining Lots and public streets, and do not materially alter the roof line of the Dwelling Unit or Structure; and further, plans designs for such equipment to be located on a roof must be submitted with the Plans...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 2. (p. 15): Governance clause suspends owner voting rights or imposes non-statutory disqualifications on running for the Board of Directors, which are void under Tex. Prop. Code § 209.0059 and § 209.00591.

Statutory / Legal Reference: Tex. Prop. Code § 209.0059, § 209.00591 & § 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...

CURRENT WORDING IN DOCUMENT:

satellite dishes, and antennas, shall be located on the roof of any Dwelling Unit or Structure, unless the same are concealed from view from adjoining Lots and public streets, and do not materially alter the roof line of the Dwelling Unit or Structure; and further, plans designs for such equipment to be located on a roof must be submitted with the Plans...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

satellite dishes, and antennas, shall be located on the roof of any Dwelling Unit or Structure, unless the same are concealed from view from adjoining Lots and public streets, and do not materially alter the roof line of the Dwelling Unit or Structure; and further, plans designs for such equipment to be located on a roof must be submitted with the Plans required pursuant to Article VII hereof,...