

Section 4. - Sample Provision Excerpt (Public Preview)

Seotion 12. Exterior Antennas. Without the prior written approyal of the ACC, no exterior television antenna, television
satellito rcception disc or radio antenna of any sort shall be placed, allowed or maintained upon any portion of the
improvoments aud structures to bo located in the Subdivision or upon any Lot, other than one conventional television...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 4. (p. 3): 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...

CURRENT WORDING IN DOCUMENT:

Seotion 12. Exterior Antennas. Without the prior written approyal of the ACC, no exterior television antenna, television satellito rcception disc or radio antenna of any sort shall be placed, allowed or maintained upon any portion of the improvoments aud structures to bo located in the Subdivision or upon any Lot, other than one conventional television...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Seotion 12. Exterior Antennas. Without the prior written approyal of the ACC, no exterior television antenna, television satellito rcception disc or radio antenna of any sort shall be placed, allowed or maintained upon any portion of the improvoments aud structures to bo located in the Subdivision or upon any Lot, other than one conventional television antenna, which antenna must bo cructed in...