

Section 1. - Sample Provision Excerpt (Public Preview)

33) Antenna & Antenna Towers. No radio, television or other type antenna, transmitting or receiving structure will be permitted in front or side yards. Such structures will be limited to 15' maximum height, when constructed in the rear yard, or when roof mounted, must not exceed the highest point of the dwelling roof.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 1. (p. 2): Provision authorizes holding regular Board of Directors meetings "without notice" or taking Board action by written consent outside a noticed open meeting, conflicting with Tex. Prop. Code §§ 209.005, 82.1141 & 1 TAC § 70.3 (Open Records Cost Schedule).

Statutory / Legal Reference: Tex. Prop. Code Ch. 209 (Texas Residential Property Owners Protection Act) & 22 TAC § 535.401 (TREC Management Certificate Rules); Tex. Prop. Code § 209.005 & 1 TAC § 70.3 (Open Records Cost Schedule)

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:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

PHASE IV 017329/31236 yards) or from another Lot will be 6' vertical privacy fences composed of new materials, being cedar picket and/or masonry malenal. Alternate fencing malcerials must be approved in advance by the ARC. In no case will a yard fence be forward of the front minimum building sctbodyack line as shown on the plat; or, for comer lots, forward of the side minimum building setback linc...