

Section ID - Sample Provision Excerpt (Public Preview)

technology and regulatory requirements. No antenna shall' be installed on a Residence which will . be visible from the Private Street in front of the Lot and no free standing antenna shall be installed or maintained which is located nearer than one hundred fifty feet (150') from the Private Street in front of the Lot nor nearer than fifty feet (50') from any other Private Street or an adjoining Lot.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. ID (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:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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