MARKED-UP PAGE 1: 1 COMPLIANCE ISSUE (#1) - SEE REDLINE COMMENTS AT RIGHT ->

Section 4.03. - Sample Provision Excerpt (Public Preview)

Antennas and Satellite Dishes .**.. Garbage, Refuse and Garbage Collection Removal of Dirt and Trees Lot Maintenance * . . . . . * * . * . . . * * * . * * * . Noise ****... Night Lighting ***... Mining and Drilling . · . . . ... · ..... . 24 · . . . . . -ii- 094~75~f794

ISSUE #1

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 4.03. (p. 6): Unlawful Voting Suspension or "Good Standing" Disqualification: Clause strips member voting rights without statutory authority/due process or conditions records inspection/meeting notice on assessment "Good Standing" in violation of TX law.

Statutory / Legal Reference: Tex. Prop. Code § 209.0059(a)

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:

Antennas and Satellite Dishes .**.. Garbage, Refuse and Garbage Collection Removal of Dirt and Trees Lot Maintenance * . . . . . * * . * . . . * * * . * * * . Noise ****... Night Lighting ***... Mining and Drilling . · . . . ... · ..... . 24 · . . . . . -ii- 094~75~f794

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Antennas and Satellite Dishes ... Garbage, Refuse and Garbage Collection Removal of Dirt and Trees Lot Maintenance * . . . . . * * . * . . . * * * . * * * . Noise ****... Night Lighting ***... Mining and Drilling . · . . . ... · ..... . 24 · . . . . . 094~75~f794 [FEDERAL OTARD CARVEOUT]: Provided that this restriction shall not prohibit or require prior approval for any owner or occupant installing an antenna, fixed wireless broadband hub/relay device, or satellite dish of one meter (39.37 inches) or less in diameter within areas under the owner's or occupant's exclusive use or control, in...**