Section General - Sample Provision Excerpt (Public Preview)

Antennas (Residential Design Guidelines, Page 13) See Satellite Dishes. Awnings (Residential Design Guidelines, Page 11) Neither metal nor plastic awnings will be allowed on any elevation fronting or siding to a street.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. General (p. 19): Clause restricts religious displays using the repealed 25-square-inch front-door cap or prohibits religious items in violation of Tex. Prop. Code § 202.018 (SB 1588).

Statutory / Legal Reference: Tex. Prop. Code § 202.018 (SB 1588)

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:

Antennas (Residential Design Guidelines, Page 13) See Satellite Dishes. Awnings (Residential Design Guidelines, Page 11) Neither metal nor plastic awnings will be allowed on any elevation fronting or siding to a street.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Board. No approval, whether expressly granted in a formal notice or deemed granted after 30 days, shall be inconsistent with the Design Guidelines unless a written variance has been granted. Don't Forget Your Permits! All improvements must comply with applicable codes and regulations of governing bodies with jurisdiction over the development, including but not limited to the City of Arlington,...