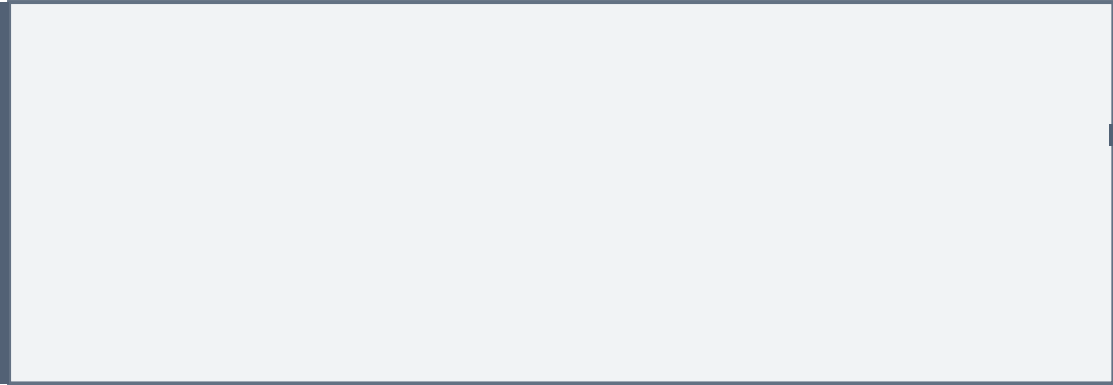


Section NOTICE OF VIOLATION - Sample Provision Excerpt (Public Preview)

writing by the Committee. Satellite dishes over 18 inches in diameter shall not be permitted unless specifically approved in writing by the committee as to location, size, height and color. No towers shall be permitted without express written consent from the Declarant or the Committee.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. NOTICE OF VIOLATION (p. 3): Enforcement/fining provision omits mandatory Texas Property Code § 209.006 certified mail notice, 30-day Board hearing request window, or HB 614 recorded fine schedule requirements.

Statutory / Legal Reference: Tex. Prop. Code § 209.006, § 209.0061 & § 209.007
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:
writing by the Committee. Satellite dishes over 18 inches in diameter shall not be permitted unless specifically approved in writing by the committee as to location, size, height and color. No towers shall be permitted without express written consent from the Declarant or the Committee.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
writing by the Committee. Satellite dishes over 18 inches in diameter shall not be permitted unless specifically approved in writing by the committee as to location, size, height and color. No towers shall be permitted without express written consent from the Declarant or the Committee.