

Section 2.6(m) - Sample Provision Excerpt (Public Preview)

No antennas shall be . permitted in the Addition except antennas for AM or FM radio reception and UHF and VHF tele reception.. All antennas shall be located inside the attic of the main residential sti:ucture except that, with the written permission of the Committee. satellite dishes
(s) The drying of clothes in full public view.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 2.6(m) (p. 2): Blanket ban, sub-1-meter size cap, or prior approval requirement on satellite dishes or antennas is preempted by federal FCC OTARD regulations.

Statutory / Legal Reference: 47 C.F.R. § 1.4000 (FCC OTARD Rule)

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:

No antennas shall be . permitted in the Addition except antennas for AM or FM radio reception and UHF and VHF television reception.. All antennas shall be located inside the attic of the main residential sti:ucture except that, with the written permission of the Committee. satellite dishes
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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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(s) The drying of clothes in full public view.**