### Section 3.19 - Sample Provision Excerpt (Public Preview)

the outside of any building, nor shall any free-standing antennas of any style be permitted. All radio or television aerial or antennas must be built within the main structure and must not be visible from outside of such structure. No satellite dish shall be permitted.

ISSUE #1

MARKUP #1 ->



MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

**Sec. 3.19 (p. 8): Provision prohibits exterior antennas/satellite dishes, requires prior written approval before installing a satellite dish, or bans street-facing satellite dishes/solar collectors in conflict with the FCC OTARD Rule (47 C.F.R. § 1.4000) and Tex. Prop. Code §§ 202.010, 202.019.**

**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:
the outside of any building, nor shall any free-standing antennas of any style be permitted. All radio or television aerial wires or antennas must be built within the main structure and must not be visible from outside of such structure. No satellite dish shall be permitted.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
**the outside of any building, nor shall any free-standing antennas of any style be permitted. All radio or television aerial wires or antennas must be built within the main structure and must not be visible from outside of such structure. No satellite dish shall be permitted. Any variances to this section must have prior approval from the Architectural Control Committee. Solar Panels.**