

Section 2. - Sample Provision Excerpt (Public Preview)

Banner shall not be permitted. Signs or stickers provided to an Owner by a commercial security or alarm company providing security or alarm service to the Dwelling Unit shall be permitted so long as the sign is no more than 12" by 12" or the sticker is no more than 4" by 4".

ISSUE #1



MARKUP #1 ->



MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 2. (p. 19): 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 federal Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243) prohibits community associations from adopting or enforcing any policy that prevents a member from displaying the flag of the United States on residential property to which the member has a separate ownership interest or right to exclusive possession or use.

CURRENT WORDING IN DOCUMENT:

Banner shall not be permitted. Signs or stickers provided to an Owner by a commercial security or alarm company providing security or alarm service to the Dwelling Unit shall be permitted so long as the sign is no more than 12" by 12" or the sticker is no more than 4" by 4".

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Banner shall not be permitted. Signs or stickers provided to an Owner by a commercial security or alarm company providing security or alarm service to the Dwelling Unit shall be permitted so long as the sign is no more than 12" by 12" or the sticker is no more than 4" by 4". [STATUTORY FLAG EXEMPTION]: In accordance with the Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243), any homeowner may respectfully display the official United States flag on residential property under their ownership or exclusive use.