Section II - Sample Provision Excerpt (Public Preview)

downspouts, screens, window covers, antennae, play equipment, decks, patio covers, etc., must be maintained in goo condition, replaced, or removed. Obstructions 1. To maintain sight lines at intersections, no fence, wall, hedge, shrub planting, or other thing may be installed, planted, or maintained which obstructs sight lines at elevations between 2 and 6...

ISSUE #1

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. II (p. 18): Clause prohibits or over-restricts solar energy devices in conflict with Tex. Prop. Code § 202.010.

Statutory / Legal Reference: Tex. Prop. Code § 202.010

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:

downspouts, screens, window covers, antennae, play equipment, decks, patio covers, etc., must be maintained in good condition, replaced, or removed. Obstructions 1. To maintain sight lines at intersections, no fence, wall, hedge, shrub planting, or other thing may be installed, planted, or maintained which obstructs sight lines at elevations between 2 and 6...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Guidelines. All other styles of address numbers require prior written approval by the ARC. This paragraph does not prohibit affixing address numbers to the mailbox installed on a Lot or painting the address numbers on the curb if such affixation or painting is in accordance with the Community-Wide Standard established throughout Trillium. Drains Cutting, breaking, and removing curbs for Lot...