

Section C - Sample Provision Excerpt (Public Preview)

30. Satellite Dishes & Terrestrial Antennas - Per Article VII, Section 0, of the recorded document: "Declaration of Covenants, Conditions, and Restrictions for WoodCreek Reserve", all sat~llite dishes and antennas shall be installed on the backyard facing side of the home as so not to detract from the overall aesthetic of the front elevation of the home.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. C (p. 6): 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:

30. Satellite Dishes & Terrestrial Antennas - Per Article VII, Section 0, of the recorded document: "Declaration of Covenants, Conditions, and Restrictions for WoodCreek Reserve", all sat~llite dishes and antennas shall be installed on the backyard facing side of the home as so not to detract from the overall aesthetic of the front elevation of the home.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

30. Satellite Dishes & Terrestrial Antennas - Per Article VII, Section 0, of the recorded document: "Declaration of Covenants, Conditions, and Restrictions for WoodCreek Reserve", all sat~llite dishes and antennas shall be installed on the backyard facing side of the home as so not to detract from the overall aesthetic of the front elevation of the home. Any satellite dish that must be installed...