

Section 4.1.2 - Sample Provision Excerpt (Public Preview)

, Radio and TV Antennac No radio or telcvision acrial wires or antennae shaff be maintained on any portion of any Lot forward of the front building line of said Lot. Furthermoro, no radio or television aerial wires or antennac (shall be placed or maintained on said Lot) which extends more than ten feet above the highest part of the roof of the main...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 4.1.2 (p. 4): Enforcement/fining provision omits mandatory Texas Property Code § 209.006 certified mail notice, 30-day Board hearing request window, or HB 614 recorded fine schedule requirements.

Statutory / Legal Reference: Tex. Prop. Code § 209.006, § 209.0061 & § 209.007
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:
, Radio and TV Antennac No radio or telcvision acrial wires or antennae shaff be maintained on any portion of any Lot forward of the front building line of said Lot. Furthermoro, no radio or television aerial wires or antennac (shall be placed or maintained on said Lot) which extends more than ten feet above the highest part of the roof of the main...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
, Radio and TV Antennac No radio or telcvision acrial wires or antennae shaff be maintained on any portion of any Lot forward of the front building line of said Lot. Furthermoro, no radio or television aerial wires or antennac (shall be placed or maintained on said Lot) which extends more than ten feet above the highest part of the roof of the main residenceo on any Lot.