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(g) No burning of any trash and no unreasonable or unsightly accumulation or storage of litter, new or used building materials, or trash of any kind shall be permitted within any Unit or upon any Common Elements. Trash and garbage containers shall not be permitted to remain in public view, but shall be deposited in the receptacles provided for that purpose.

(h) No structure of a temporary character, trailer, tent, shack, barn or other out building shall be maintained upon any Common Elements at any time, except for such temporary structures as shall be maintained by Declarant for purposes of construction and sale of Condominium Units in Phase I or any expansion of the Condominium in Phase II. No clothing, laundry, rugs or wash shall be hung from or spread upon any balcony, window, patio or exterior portion of a Unit or in or upon a General Common Element.

ISSUE #1

~~(i) No Owner or other resident shall install any electrical or telephone wire, television antenna, or other antenna, or conditioning unit or other machine or device on the exterior of any building or upon any patio or balcony in the Condominium or in such a fashion that it protrudes through the roof or any windows, or any walls of the building.~~

(j) There shall be no violation of any rules and regulations for the use of the Common Elements, or other "house rules", which may from time to time be adopted by the Board of Directors and promulgated among the membership by them in writing, and the Board of Directors is hereby and elsewhere by these By-Laws authorized to adopt such rules.

(k) Except for any Units which may be created within the Commercial Convertible space depicted in Exhibit C of the Declaration, no Unit shall be used except for residential purposes or for a builder's construction or sales office during the construction and sales period.

(l) No Owner shall allow occupancy of more than four residents in a three-bedroom Unit or a two-bedroom and den Unit, three residents in a two-bedroom or one-bedroom and den Unit, two residents in a one-bedroom Unit, or two residents in an efficiency Unit. PROVIDED, HOWEVER, that no Owner who qualified at the time of the acquisition of the Unit by such Owner shall be required to move by reason of occupancy of the Unit by child or children born or adopted by the Owner after occupancy commences.

(m) The maintenance, keeping, breeding, boarding and/or raising of animals, livestock, or poultry of any kind, regardless of number, shall be and hereby prohibited within any Unit or upon any Common Elements, nor shall any Unit Owner or his guests or invitees keep, harbor or maintain within any Unit, any of the Limited Common Elements or on any General Common Elements any pet, regardless of its breed, species, size, shape, quality or quantity.

ARTICLE XI

Architectural Control

Section 1. Additions, Alterations or Improvements by Unit Owners.

(a) Except for the original construction of the Units within the Condominium by the Declarant and any improvements to any Unit or to the Common Elements accomplished concurrently with said original construction, and except for the purposes of proper maintenance and repair as otherwise in these By-Laws provided, it shall be prohibited to install, erect, attach, apply, paste, hinge, screw, nail, build, alter, remove or construct any lighting, shades, screens, awnings, patio covers, decoration, fences, aerials, antennas, radio or television broadcasting or receiving devices, slabs, sidewalks, curbs, gutters, patios, porches, driveways,

Exhibit D to Declaration

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 378 (p. 46): 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 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 satellite dishes 1 meter or less in diameter, and fixed wireless broadband antennas (including hub and relay antennas) situated on property within the exclusive use or control of the owner/tenant.

CURRENT WORDING IN DOCUMENT:

antenna, or other antenna, or conditioning unit or other machine or device on the exterior of any building or upon any patio or balcony in the Condominium or in such a fashion that it protrudes through the roof or any windows, or any walls of the building.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Provided that this restriction shall not prohibit or require prior approval for any owner or occupant installing an antenna, fixed wireless broadband hub/relay device, or satellite dish of one meter (39.37 inches) or less in diameter within areas under the owner's or occupant's exclusive use or control, in accordance with FCC OTARD regulations (47 C.F.R. § 1.4000).