ISSUE #1

Section PARTD - Sample Provision Excerpt (Public Preview)

b) The location of the satellite dish can be any of the following and shall not be visible from the curb directly in front of the home:...

MARKUP #1 ->

MARKUP #1 · POTENTIAL FED LAW CONFLICT

BOARD & COUNSEL REVIEW

Sec. PARTD (p. 1): Blanket ban, sub-1-meter size cap, or prior approval requirement on satellite dishes or antennas on exclusive-use property is preempted by federal FCC OTARD regulations.

Statutory / Legal Reference: 47 C.F.R. § 1.4000 (FCC OTARD Rule)

Statutory Comparison: Blanket ban, sub-1-meter size cap, or prior approval requirement on satellite dishes or antennas on exclusive-use property is preempted by federal FCC OTARD regulations.

CURRENT WORDING IN DOCUMENT:

b) The location of the satellite dish can be any of the following and shall not be visible from the curb directly in front of the home:...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend provision to conform with controlling statute.