

## **CC&R Addendum**

### **Wording Change of Section 6.13**

#### **Restrictions of the Placement and Number of Antennas and Satellite Dishes**

##### **New Wording...**

Per the Telecommunications Act of 1996 (Section 207) and Federal Communications Commission (FCC) rule 47 C.F.R. 1.4000, it is not permissible of a Homeowners' Association to prohibit the erection of antennas for the reception of television broadcast signals, broadband radio service providers or direct broadcast satellite (DBS) service [provided that antennas for reception of DBS are not larger than 1 (one) meter in diameter. Therefore, property owners of the AVPOA may erect antennas per FCC 47 C.F.R. 1.4000.

The Architectural Review Committee (ARC) recommends that property owners considering the installation of any kinds of antenna related to the reception of one or more kinds of TV, satellite, or fixed wireless signals, consult the Committee prior to the purchase and or installation of the antenna(s) to obtain the Committees recommendation regarding placement of the antenna(s) with emphasis on a location, which is least noticeable to road traffic, public areas and neighboring residences. However, no ARC restriction shall impair installation, maintenance, or use of a protected antenna if it - (1) unreasonably delays or prevents installation, maintenance, or use; (2) unreasonably increases the cost of installation, maintenance, or use; or (3) precludes reception of an acceptable quality signal. The rule applies to restrictions on property within the exclusive use or control of an antenna user who has a direct or indirect ownership interest in the property. The only exceptions to the rule are restrictions that are necessitated by safety or historic preservation concerns and even then, the restrictions must be as narrowly tailored as possible, impose as little burden as possible and apply in a nondiscriminatory manner throughout the regulated area.