

Satellite Dish and Antenna Installation and Maintenance Policy

CHIANTI VILLAS HOMEOWNER ASSOCIATION

This document sets forth the Association's policies for the installation and maintenance of satellite dishes and television antennas within the development, pursuant to Section 207 of the Federal Telecommunications Act of 1996 and the Association's governing documents.

I. Antenna Type and Size

For the purposes of these Guidelines, the term "antenna" includes any direct broadcast system (DBS) satellite dish, wireless cable antenna system (MDS or MMDS) or television broadcast antenna system (TVBS) and any component of or addition to such antenna, including, without limitation, poles, masts, brackets, cables, or wiring.

These Guidelines apply to DBS, MDS and MMDS antennas that are one (1) meter less in diameter or diagonal measurement and to TVBS antennas sufficient in dimension to receive an acceptable quality signal in the viewing area. Larger antennas or antennas used for purposes other than video reception are not permitted unless expressly authorized in the governing documents.

II. Notification

Owners are required to notify the Association before installing an antenna and to work with the Board and/or Management to determine the most suitable location for the antenna. It is noted that the Board has up to 60 days to review applications.

III. Installation

An antenna may be installed on an owner's lot in the least obtrusive location and manner possible that does not unreasonably delay the antenna's installation, unreasonably increase the cost of its installation, maintenance or use or unreasonably interfere with the owner's ability to obtain an acceptable quality signal. Depending on the configuration of a particular lot, that location might include, without limitation, ground mounting, behind chimney chases, in patio areas, roof eaves or building surfaces that face away from the streets, common areas or neighboring lots. To the maximum extent possible, antennas shall not be installed on rooftops and shall be installed where they are shielded from view from other lots, the street or common area.

If an acceptable quality signal can be received by placing the antenna inside a residence, without an unreasonable increase in delay or cost, then indoor installation is preferred.

To the maximum extent possible, wiring or cabling shall be installed so as to be minimally visible and blend into the material to which it is mounted or placed. Where not unreasonable to do so, the antenna shall be painted to blend into the background to which it is mounted or placed, and masts shall be painted to match the antenna mounted on it.

The Association may require the owner to install screens or landscaping, at the owner's expense, that do not unreasonably delay the antenna's installation, unreasonably increase the owner's cost to install, maintain or use it, or unreasonably interfere with the owner's receipt of an acceptable quality signal. Any mast or pole extending more than 12 feet above a lot's roofline shall require the prior written approval of the Association and, if required by the local jurisdiction, a use permit. No mast or pole may be erected nearer to a lot line than the total height of the antenna above the roof. Masts or poles may not be located near power lines.

All antenna installations shall be made in accordance with applicable building, fire, electrical and related codes. No antenna shall be permitted that unreasonably interferes with the reception of the video or radio signals within another lot or, if applicable, the common area.

IV. Inspection

The Association may, following written notice to the owner, enter the owner’s lot to inspect the antenna equipment to ensure that it was installed in the least obtrusive location and manner possible. If the Association determines that the equipment could have been installed in a preferred location or manner without having unreasonably delayed its installation, increased its cost or interfered with receipt of an acceptable quality signal, the Association may require the owner, at the owner’s expense, to move the antenna to the preferred location or to change the manner of its installation.

V. Maintenance, Repair and Removal

The owner shall be responsible, at the owner’s sole expense, for the maintenance, repair, and removal of any antenna.

It shall be the owner’s responsibility to remove the antenna if, in the sole discretion of the Board of Directors, the owner fails to maintain the antenna to the minimum architectural standards in effect for the community, if the antenna creates a safety hazard, or if for any reason the Association must maintain, repair, or replace the area where the antenna is installed. Except in emergency situations, the Association shall notify the owner at least seventy-two (72) hours in advance of the need to remove the antenna. The cost of removing and, if applicable, replacing the antenna shall be the responsibility of the owner.

Should an owner fail to remove the antenna upon the Association’s request, the Association may, to the extent permitted in the governing documents, enter the owner’s lot and remove the antenna without further notice. The Association shall not be responsible for any damage to the antenna or the loss of video signal incurred in removing the antenna. The owner shall be responsible for any expense the Association incurs in removing the antenna, and the Association may recover such expenses in any manner allowed by law or the governing documents.

If the Association must remove the antenna, the Association shall not be responsible for replacing it.

I have reviewed the above policy concerning the installation of a satellite dish at my home and hereby agree to all of the above provisions and restrictions.

Date: _____ Address of Unit: _____

Name of Homeowner: _____

Signature: _____

Approval of Board of Directors _____
Board President