

SATELLITE DISH / ANTENNA INSTALLATIONS

1. Definitions:

(a) Reception Antenna means an antenna, satellite dish, or other structure used to receive video programming services intended for reception in the viewing area. Examples of video programming services include direct broadcast satellite services, multipoint distribution services and television broadcast signals. The mast supporting the Reception Antenna, cabling, supports, guy wires, conduits, wiring, fasteners, bolts or other accessories for the Reception Antenna or similar structure are part of the Reception Antenna. A Reception Antenna that has limited transmission capability designed for the viewer to select or use video programming is a Reception Antenna provided that it meets Federal Communications Commission standards for radio frequency radiation. Structures similar to Reception Antennas are any structure, device, or equipment that is similar in size, weight, appearance to Reception Antennas.

(b) Transmission Antenna means any antenna, satellite dish, or structure used to transmit radio, television, cellular, or other signals other than a reception antenna.

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(a) No resident shall install a Reception Antenna on any portion of the common areas and facilities unless the area is a limited common element or exclusive use area granted to the unit where the resident resides pursuant to the provisions of the Declaration creating the condominium.

(b) A Reception Antenna which encroaches on the air space of another owner's unit or limited common area or onto the general common areas does not comply with this rule.

(c) Tenants must obtain the written permission of the owner before they may install a Reception Antenna on any limited common areas or exclusive use areas, as defined in the Declaration as being within the owner's exclusive use or control.

3. If a Reception Antenna is installed in a limited common area or exclusive use area as defined in the Declaration, such installation shall be subject to the following:

(a) Reception Antennas shall be no larger than necessary for reception of an acceptable quality signal; provided that under no circumstances shall Reception antennas for direct broadcast satellite services are larger than one meter in diameter.

(b) Reception Antennas must be placed in areas that are shielded from view from outside the project or from other units to the extent possible; provided that nothing in this rule shall require a Reception Antenna to be placed where it precludes reception of an acceptable quality signal unless no acceptable reception is available in any limited common area or exclusive use area. In no event may Reception Antennas be installed on roofs, lawns or other common areas.

(c) Reception Antennas or similar structures shall not be placed in areas where it blocks fire exits, walkways, ingress or egress from an area, fire lanes, fire hoses, fire extinguishers, safety equipment, electrical panels, or other areas necessary for the safe operation of the project. The purpose of this rule is to permit evacuation of the units and project and to provide clear access for emergency personnel.

(d) Reception Antennas or similar structures shall not be placed within two feet of electric power lines and in no event shall they be placed within an area where they can be reached by the play in the electric power lines. The purpose of this rule is to prevent injury or damage resulting from contact with the power lines.

(e) If Reception Antennas are allowed to be placed outside the building, they must be painted to match, or be compatible with, the color of the building. In addition, the Board may require a resident to install and maintain inexpensive screens or plants to shield the Reception Antenna from view.

(f) Any resident installing, maintaining, or using a Reception Antenna shall do so in such a way that does not materially damage the general common elements or the units, void any warranties of the Association or other owners, or impair the watertight integrity of the buildings.

(g) The residents who own or use a Reception Antenna are responsible for all costs associated with the Reception Antenna including, but not limited to, costs to:

(a) repair, maintain, remove, and replace the Reception Antenna;

(b) repair damages to the common elements, the unit, other units, and other property caused by the installation, existence, or use of the Reception Antenna;

(c) pay for medical expenses incurred by persons injured by installation, existence, or use of the Reception Antenna; and

(d) reimbursed residents or the Association for damages caused by the installation, existence, or use of the Reception Antenna. Evidence of insurance of the installer in satisfactory kinds and amounts shall be provided to the Association prior to the commencement of work, naming the Association as an additional names insured.

(h) Due to safety concerns relating to the falling of structures, all Reception Antennas shall be securely attached to the building or ground and shall have guy wires securing the device to the building or ground, but only if said building or ground area is a limited common element. Otherwise, guy wires and the like may not be attached to common areas and facilities.

(i) Residents shall not permit their Reception Antenna to fall into disrepair or to become a safety hazard.

(j) No resident may install more than one (1) Reception Antenna or more than one (1) satellite dish.

4. Process and Procedure.

In the event of a violation of these rules, the Association may bring an action for declaratory relief with the Federal Communications Commission (FCC) or any court having jurisdiction over the matter. To the extent permitted by the FCC, the Association shall be entitled to fines, reasonable attorneys' fees, costs and expenses. In addition the Association may seek injunctive relief.

5. Transmission Antennas are prohibited.

6. The resident shall provide a copy of the Notification Form (Appendix A) attached herein to the Board. All work must be performed by licensed and insured contractors. Said contractor shall also provide detailed plans and specifications to the Board prior to commencing the installation.

7. The owner is responsible for the immediate removal of the Reception Antenna if it must be removed in order for the Association to repair, paint or maintain the area where it is installed. Dish must also be immediately removed upon sale of the unit and or discontinued use of the satellite service.

8. If any of these provisions are ruled to be invalid, the remainder of these rules shall remain in full force and effect.

9. The Board may amend this Resolution from time to time as it deems necessary.

In all other respects the Rules and Regulations as hereby amended by the Resolution are hereby ratified and affirmed.

APPENDIX A

NOTIFICATION OF INTENT TO INSTALL SATELLITE

DISH / ANTENNA

Unit Number _____

Type/Make/Model of Proposed Satellite Dish or Antenna (circle one) _____

Size of Dish or Antenna _____

Manufacturer Name & Address _____

Proposed Location (attach diagram) _____

Method of Installation _____

Installer Name and Address _____

Estimated Installation _____

Date of Application _____

Signature of Resident _____ Date _____

Property Manager _____ Date _____

*Jan S. Stewart, President
VMHB Board of Directors
March 21, 2017*