

Boulder Ridge Homeowners Association
Policy Resolution #5 – Video Antennas

WHEREAS Article VI, Section 10 of the Bylaws grants the Board of Directors with the power to set reasonable rules and regulations concerning Association business, to protect community harmony by providing guidelines and a procedure for addressing conditions that disrupt that harmony,

LET IT BE RESOLVED THAT the Board of Directors approves the installation of direct-to-home satellite dishes and other video antennas satisfying the Federal Communication Commission’s definition as an over-the-air reception device contained in 47 CFR 1.4000 subject to the conditions below.

1. **Authorization.** Article VI Section 13 of the Bylaws for Boulder Ridge requires that the Board of Directors must approve the installation of a so-called “mini-dish” (not to exceed 18 inches in diameter) located in a location that is fully-screened from view. The Board may, at its sole discretion, approve an outside antenna if the absence of an outside antenna causes substantial hardship.

2. **Federal Communication Commission (FCC) Over-the-Air Reception Devices Rule:** 47 CFR 1.4000 prohibits restrictions that impair the installation, maintenance, and use of antennas used to receive video programming. The rule applies to video antennas including direct-to-home satellite dishes that are less than one meter in diameter, TV antennas, wireless cable antennas, and customer-end antennas that receive and transmit fixed wireless signals. The rule prohibits most restrictions that: (1) unreasonably delay or prevent installation, maintenance, or use; (2) unreasonably increases the cost of installation, maintenance, or use; or (3) preclude reception of an acceptable quality signal. The rule allows Boulder Ridge to enforce restrictions that do not impair the installation, maintenance, or use of the types of antennas described above.

3. **Size Limitation on Mini-Dishes.** As addressed in 47 CFR 1.4000, a direct-to-home satellite dish or “mini-dish” shall be limited to less than one meter in diameter.

4. **Non-Structure Mounted Video Antennas.** Video antennas mounted a post or similar on a site and not mounted on the structure or home shall be placed where they are not visible from the street unless this placement prevents reception of an acceptable quality signal or imposes an unreasonable expense or delay. Video antennas not mounted on the structure or home which cannot be placed where they are not visible from the street shall be screened using natural or man-made materials to the maximum extent possible.

5. **Structure Mounted Video Antennas.** Video antennas mounted on the structure or home should be placed where they are not visible from the street unless this placement prevents reception of an acceptable quality signal or imposes an unreasonable expense or delay. Video antennas mounted on the structure or home which cannot be placed where they are not visible from the street do not need to be screened from view.

6. **Subordinate to Condominium Documents.** This resolution is subordinate to the Condominium Documents. If any part of this resolution is found to conflict with the Documents, the Condominium Documents will govern.

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7. **Each Provision Separate.** If any part of this resolution is deemed to be invalid, the remainder of the resolution shall remain valid and enforceable.

8. **Replacement of Previous Signs and Advertising Policy.** This resolution replaces any previous resolutions or policies regarding signs and advertising.

9. **Amendment and Revocation.** Per Article VI, Section 10 of the bylaws, the Board of Directors may amend this resolution. The resolution may also be revoked at any time by the affirmative vote of a majority of the Owners.

Signed: _____, 2004

President - Board of Directors

Board Member

Board Member

Board Member

Board Member