

Maple Forest Satellite Dish Guidelines

Definitions

Antenna - any device used for the receipt of video programming services, including direct broadcast satellite (DBS), television broadcast, and multipoint distribution service (MDS). A reception antenna that has limited transmission capability designed for the viewer to select or use video programming is a reception antenna, provided it meets FCC standards for radio frequency emission. A mast, cabling, supports, guy wires, conduits, wiring, fasteners, or other accessories necessary for the proper installation, maintenance, and use of a reception antenna shall be considered part of the antenna.

Mast - Structure to which an antenna is attached that raises the antenna height.

Transmission-only antenna - any antenna used solely to transmit radio, television, cellular or other signals.

Owner - any association unit owner. For the purpose of this rule only, "owner" includes a tenant who has the written permission of the unit owner to install antennas.

Telecommunications signals - signals received by DBS, television broadcast, and MDS antennas.

Exclusive-use area - limited common area as defined in the Master Deed and Bylaws.

Installation Rules

- Antenna Size and Type:

- DBS and MDS antennas that are one meter or less in diameter may be installed. Antennas designed to receive satellite signals which are larger than one meter are prohibited.
- Installation of transmission-only antennas is prohibited unless approved by the Board.
- All antennas not covered by the FCC rules are prohibited.
- No more than one antenna for each type of service may be installed by an owner.
- Attaching an antenna directly to a building is prohibited.

Location

- Antennas must be installed solely on the owners' limited common element as defined in the Master Deed and Bylaw documents. Part of the limited common area is an owners deck to which an antenna may be attached.
- Antennas must not encroach upon any general common elements, any other owner's individual unit or limited common element, or the air space of another owner's limited common element. (The building exterior is not part of a owner's limited common element)
- Antennas shall be located in a place shielded from view from outside the community or from other units to the maximum extent possible; provided, however, that nothing in this rule would require installation in a limited common area where an acceptable quality signal cannot be received. This section does not permit installation on the general common property, even if an acceptable quality signal cannot be received from an individual's limited common area. (The building exterior is considered general common area)

Installation on Limited Common Areas

- Antennas shall be no larger nor installed higher than is absolutely necessary for reception of an acceptable quality signal.
- All installations shall be completed so they do not materially damage the common elements, limited common elements, or individual units, or void any warranties of the association, or in any way impair the integrity of the building.

- Any installer other than the owner shall provide the association with an insurance certificate listing the association as an additional insured prior to installation. Insurance shall cover the contractor's General Liability, including completed operations; and Workers Compensation. Contractors shall not be permitted to bring any autos onto the lawn areas
- Antennas must be secured so they do not jeopardize the soundness or safety of any structure or the safety of any person at or near the antennas, including damage from wind velocity.
- There shall be no penetrations of the exterior of any building unless it is necessary to receive an acceptable quality signal or it would unreasonably increase the cost of antenna installation.
- If penetration of the exterior building is necessary, the penetration shall be properly waterproofed and sealed in accordance with applicable industry standards and building codes.

Maintenance

- 1) Owners who install or maintain antennas are responsible for all associated costs, including but not limited to costs to:
 - a) Place (or replace), repair, maintain, and move or remove antennas;
 - b) Repair damage to any property caused by antenna installation, maintenance or use;
 - c) Pay medical expenses incurred by persons injured by antenna installation, maintenance, or use;
 - d) Reimburse residents of the Association for damage caused by antenna installation, maintenance or use;
 - e) Restore antenna installation sites to their original condition.
- 2) Owners shall not permit their antennas to fall into disrepair or to become a safety hazard. Owners shall be responsible for antenna maintenance, repair and replacement, and the correction of any safety hazard.
- 3) If antennas become detached, owners shall remove or repair such detachment within 72 hours of the detachment. If the detachment threatens safety, the Association may remove antennas at the expense of the owner.
- 4) Owners shall be responsible for antenna repainting or replacement if the exterior surface of antennas deteriorates.

Safety

- 1) Antennas shall be installed and secured in a manner that complies with all applicable city and state laws and regulations, and manufacturer's instruction. Owners, prior to installation, shall provide the Association with a copy of any applicable governmental permit if required for safety reasons.
- 2) Antennas shall not obstruct access to or exit from any unit, walkway, ingress or egress from an area electrical service equipment, or any other areas necessary for the safe operation of the condominium.
- 3) Installations must comply with all applicable codes, take aesthetic considerations into account, and minimize the impact to the exterior and structure of the owner's unit.
- 4) To prevent electrical and fire damage, antennas shall be permanently grounded.

Mast Installation

- A) Mast height may be no higher than absolutely necessary to receive acceptable quality signals.
- B) Masts extending 12 feet or less beyond the roofline may be installed, subject to the regular notification process (see below).
- C) Masts must be installed by licensed and insured contractors.
- D) Antenna removal requires restoration of the installation location to its original condition at owners expense.

Association Maintenance of Locations Upon Which Antennas are Installed

- A) If antennas are installed on property that is maintained by the Association, the owners retain responsibility for antenna maintenance. Antennas must not be installed in a manner that will result in increased maintenance cost for the Association or for other residents. If increased maintenance or damage occurs, the owners are responsible for all such costs.
- B) If maintenance requires the temporary removal of antennas, the Association shall provide owners with 10 days written notice. Owners shall be responsible for removing or relocating antennas before maintenance begins and replacing antennas afterward. If they are not removed in the required time, then the Association may do so, at the owner's expense. The Association is not liable for any damage to antennas caused by Association removal.

Notification Process

- A) Any owner desiring to install an antenna must complete a notification form and submit to the Board of Directors c/o the property management company. If the installation is routine, conforming to all of the above restrictions, the installation may begin immediately.
- B) If the installation is other than routine for any reason, the owner and the Board of Directors must establish a mutually convenient time to meet to discuss installation methods.

Installation by Tenants

These rules shall apply in all respects to tenants. Tenants desiring to install antennas shall obtain prior written permission of the unit owner who as obtained board permission.. A copy of this permission must be furnished with the notification statement.

Enforcement

- A) If these rules are violated, the Association, after notice and opportunity to be heard, may bring action for declaratory relief with the FCC or any court of competent jurisdiction. If the court or FCC determines that the Association rule is enforceable, a fine of \$50 shall be imposed by the Association and \$10 per day for every day past 30 days that the violation remains. To the extent permitted by laws and the bylaws, the association shall be entitled to recover all costs incurred in the enforcement of this policy.
- B) If antenna installation poses a serious, immediate safety hazard, the Association may seek injunctive relief to prohibit the installation or seek removal of the installation.

Insurance

Association insurance does not cover damage to your antenna and connections. You are advised to check your policy for such coverage or contact your agent for inclusion.

I accept the requirements and responsibilities as stated above:

Co-Owner Signature: _____ **Date:** _____

Rules and Regulations
Addendum Document 101.3
Board Approved: April 28, 2008