

RULES REGARDING SATELLITE DISHES

Purpose: Adoption of Rules regarding Satellite Dishes by the Town & Country Village Homeowners Association, Inc. ("Association").

Authority: The Second Amended and Restated Declaration for Town and Country Village Townhomes as recorded in the real property records of Douglas County on July 10, 2019, at Reception No. 2019040998 ("Declaration"), the Association's Bylaws, Articles of Incorporation, and Colorado law.

Effective Date: September 1, 2019

Resolution: The Association hereby adopts the following rules:

As directed by Congress in Section 207 of the Telecommunications Act of 1996, the FCC adopted the Over-the-Air Reception Devices (OTARD) rule concerning governmental and nongovernmental restrictions on viewers' ability to receive video programming signals from direct broadcast satellites (DBS), broadband radio service providers (MMDS) and television broadcast stations (TVBS). The rule (47 C.F.R Section 1.4000) has been in effect since October 1996, and it prohibits restrictions that impair the installation, maintenance or 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 (39.37") in diameter, TV antennas and wireless cable antennas. The rule prohibits most restrictions that: (1) unreasonably delay or prohibit installation, maintenance or use; (2) unreasonably increase the cost of installation, maintenance or use; or (3) preclude reception of an acceptable quality signal.

The Board of Directors hereby adopts the following installation guidelines:

1. All satellite dishes may only be mounted on the chimney façade above the roof line or on a post/mast in the backyard that is NOT a part of the fence or building. If installation is on the chimney façade, the installer must provide proof of liability and workman's compensation insurance to the Association's management company prior to any work being initiated.
 - a. If placed on a pole in the yard, the maximum height of the pole-mounted dish cannot extend above the top of the fence, unless required to ensure proper reception, and then, only to the extent actually required.
2. NO satellite dishes may be mounted on Common Elements.
3. No satellite dishes larger than 1 meter (39.37") in diameter are allowed.
4. All satellite dishes must be mounted on a bracket in such a way that it does not damage the chimney or roof.
5. NO satellite dishes may be installed on the roof of building or shed.
6. No more than ONE antenna may be installed per unit.

7. All satellite dish installations are to be completed so as not to cause any damage whatsoever. If increased maintenance or damage occurs, the owner of the unit for which the satellite dish was installed are responsible for all such costs.
8. Owners shall not permit their antenna to fall into disrepair or to become a safety hazard. Owners shall be responsible for antenna maintenance, repair, replacement and the correction of any safety hazard.
9. If maintenance of the building requires the removal of the antenna, the Owner shall be responsible for all such costs.
10. ALL exterior wiring shall be installed so as to be minimally visible.
11. If neither of the above locations allow for reception of a proper signal, the Board of Directors will review the alternative requested location on a case by case basis.
12. All antenna that are not covered by the new FCC Rule are prohibited.
13. When the Owner sells the property, the satellite dish and all associated parts must be removed, and all damage created by the satellite installation must be repaired at the cost of the Owner. If Owner has not removed the satellite dish in its entirety by the time the status letter is requested in connection with a sale, the HOA will add a \$500 charge on the status letter to be paid to the Association at closing to cover its costs to remove the satellite dish and make necessary repairs.

14. ANY EXCEPTION TO THE ABOVE, REQUIRES PRIOR WRITTEN APPROVAL BY THE ACC.

15. Supplement to Law

The provisions of these Rules shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the community.

16. Deviations

The Board may deviate from the rules set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

17. Amendment

These Rules may be amended from time to time by the Board of Directors.

18. Severability

Invalidation of one of the foregoing provisions by court order or judgment shall have no effect on the remaining provisions which shall remain in full force and effect.

Certification:

The undersigned President of the Board of Directors for Town & Country Village Homeowners Association, Inc., a Colorado nonprofit corporation, hereby certifies that the foregoing Rules were approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on November 15, 2018 to be effective September 1, 2019.

Town & Country Village Homeowners Association, Inc.

By: Sue Leonard
Its: