

BALMDRAL GREENS HOMEOWNERS ASSOCIATION
SATELLITE RECEIVER AND EXTERIOR ANTENNA
POLICY RESOLUTION #99-06-09

RECITALS

WHEREAS, the Association is responsible for the regulations and enforcement of architectural controls over all of the lots within the community; and

WHEREAS, the Federal Communications Commission adopted the "Federal Telecommunications Act" effective October 14, 1996, which is intended to supersede the regulations of community associations concerning the installation, maintenance, and use of direct broadcast satellite receivers, television broadcasts, and multipoint distribution service antennas; and

WHEREAS, the Board of Directors believes it is in the best interest of the Association for the Board to adopt reasonable regulations governing installation, maintenance, and use of exterior antennas consistent with the FCC ruling.

NOW THEREFORE BE IT RESDLVED, that the Board of Directors adopts the following restrictions and regulations for the Association that shall be binding upon all owners and their family members, tenants, occupants, successors, heirs, and assigns who currently or in the future may possess any sort of property interest in a lot within the community and that shall supersede any current restrictions of record or previously adopted rules on the same subject matter.

I. DEFINITIONS:

- A. Antenna: any device used for the receipt of video programming services, including direct broadcast satellite dish (DBS) that is one (1) meter or less in diameter, television receiving antennas that do not exceed twelve (12) feet in height, and multipoint distribution service antennas (MDS). Masts, cables, supports, conduits, wires, fasteners, or other accessories necessary for the proper installation, maintenance, and use of a reception antenna shall be considered part of the antenna.
- B. Owner(s): any party named in a deed of record as an owner of a lot in the community or any party who acts with the written permission of the lot owner to install an antenna.

Ground Mount - Must be located on a rear lot location. In the event front or side yard locations are necessary, all equipment must be installed near other utility equipment, or among shrubbery. Screening may be required.

Roof Mount - Must be located on the rear of the roof, below the roof peak. If a front roof mount is necessary, all equipment must be installed to one side of the roof rather than in the center; and equipment must be painted to match the roof (so long as warranties are not voided).

Structure Mount - Shall be located so that the equipment is adjacent to a chimney or other structure on the home. If located on a deck, the equipment shall be installed to one side of the deck or adjacent to the house, if possible. Screening may be required.

The Association shall reserve the right to grant a variance from any of the Rules expressed herein, but shall endeavor to protect the architectural and aesthetic integrity of the community to the greatest degree possible and shall strive to ensure that all concerns over safety are satisfied.

2. Owner(s) is prohibited from installing an antenna that in any way encroaches on any common area, or any other owner's real property or air space.
3. Owner(s) must locate their antenna in a manner that shields it from view from the nearest street(s) or from other lots in the community to the maximum extent possible.

C. **INSTALLATION:**

1. Antennas shall be installed and secured in a manner that complies with all applicable Virginia building codes and manufacturer's instructions. If required by law, owners shall provide the Association with a copy of any applicable governmental permit, prior to installation.
2. Antennas must be properly secured so they do not jeopardize the safety of others. Wind velocity and other forces must be considered when installing the antenna.
3. Antennas shall be permanently grounded to minimize the possibility of electronic and fire damage.

D. **MAINTENANCE:**

BALMORAL GREENS HOMEOWNERS ASSOCIATION

RESOLUTIONS ACTION RECORD

Policy Resolution No. 99-06-09

Pertaining to: Satellite Receiver and Exterior Antenna

Duly adopted at a meeting of the Board of Directors held June 9, 1999.

Motion by: Director Riddle

Seconded by: Director Retrow

	Yes	No	Abstain	Absent
Director: _____	_____	_____	_____	_____
Director: _____	_____	_____	_____	_____
Director: _____	_____	_____	_____	_____

ATTEST: _____

Date: _____

Resolution effective: July 15, 1999

BALMORAL GREENS HOMEOWNERS ASSOCIATION
P.O. Box 7112
Fairfax Station, VA 22039
(703) 250-7394

**NOTIFICATION FORM FOR
SATELLITE RECEIVER/ANTENNA INSTALLATION**

NAME: _____

ADDRESS: _____

LOT NUMBER: _____ SECTION: _____

HOME PHONE: _____ WORK PHONE: _____

INSTALLATION DATE: _____

TYPE OF DEVICE: _____

DESCRIPTION OF DEVICE (Size, color, manufacturer, etc.): _____

INSTALLATION LOCATION (Check one of the following approved locations):

Ground Mount Roof Mount Structure Mount

If notification is being provided for installation in an unapproved location, please provide a detailed diagram showing the installation location and a description outlining the reasons why all approved locations are unacceptable alternatives.

Owner's Signature: _____

Date: _____

PLEASE MAIL TO THE ABOVE ADDRESS