

**COUNCIL OF CO-OWNERS OF FAIRLINGTON MEADOWS
POLICY RESOLUTION NO. 04-26-11**

Criteria for Installation of Satellite Dishes and Exterior Antennas

WHEREAS, the Fairlington Meadows Council of Co-Owners (“Council”) is responsible for the preservation of the architectural appearance of Fairlington Meadows (the “Condominium”) under state law and the governing documents of the Condominium; and

WHEREAS, in October 1996 the Federal Communications Commission promulgated rules (collectively known as “FCC Regulations”) which are intended, in certain cases, to supersede the regulations of condominium associations concerning the installation, maintenance, and use of antennas used in video programming services such as direct broadcast satellite, television broadcast, broadband radio, multi-point distribution service, or wireless service; and

WHEREAS, because the Condominium is a historic property listed on the National Register of Historic Places, the FCC Regulations provide that the Council is empowered to restrict the placement of antennas in order to further the goals of historic preservation; and

WHEREAS, the Council’s Board of Directors (“Board” or “Board of Directors”) believes that it is in the best interests of the Council to adopt and publish reasonable regulations governing the installation, maintenance, and use of satellite dishes and exterior antennas (collectively known as “Antenna”) consistent with the FCC Regulations.

NOW, THEREFORE, the Board of Directors adopts the following criteria, restrictions and regulations for the Council which shall be binding upon all Co-Owners and their family members, tenants, occupants, successors, heirs, and assigns, and which shall supersede any current restrictions of record or previously adopted rules on the same subject matter, including Policy Resolution 8-21-01 “Restrictions on Satellite Dishes.”

I. DEFINITIONS

- A. Antenna: any device, including its supporting accessories and related equipment, used for the receipt of video/telecommunication programming services, such as direct broadcast satellite service (“DBS”), direct broadcast station (“TVBS”), broadband radio service (“BRS”), and

multipoint distribution service (“MDS”), or fixed wireless service (such as a WiFi antenna), whereby the Antenna is smaller than one (1) meter (39.37 inches) in diameter.

II. INSTALLATION

- A. Co-Owners may, without application, install an Antenna if:
- i) The Antenna is **entirely** within the interior of the Co-Owner’s Unit;
or
 - ii) The Antenna is located within the Co-Owner’s exclusive-use patio area in the rear of the Unit and no part of the Antenna or related equipment is above the lowest horizontal plane of the top of the privacy fence surrounding the exclusive-use patio area. Stand-alone mounting posts are recommended, as the attachment of the Antenna to any part of the privacy fence or exterior surface of any Unit is prohibited. Screening or other mitigating measures may be required by the Board if the Board determines that the topography, location or manner in which the Co-Owner’s Unit is situated in relation to other Units or to the common elements justifies such mitigation.
- B. Installation of an Antenna in any location and in any manner other than specified in Section IIA above shall require the submission of a written application and prior approval by the Board.

III. REPAIR/MAINTENANCE

- A. Co-Owner shall be solely responsible for the proper installation and maintenance of any Antenna and for any and all damage to the Unit(s) or to the common elements associated with the installation, use, maintenance or removal of the Antenna.
- B. Co-Owner may not install any type of antenna which transmits a signal of any sort or which disrupts the reception of radios and/or television sets of surrounding units. Such antennas are strictly prohibited.
- C. Any type of antenna not specifically protected by the FCC Regulations is strictly prohibited unless provided for herein.
- D. Antennas shall be installed and secured in a manner that complies with all applicable local and state building codes, as well as with the manufacturer's instructions. Antennas shall not be placed anywhere near power lines (above-ground or buried). Antennas shall not obstruct access to or egress from any unit, walkway or electrical service equipment, nor ingress or egress from any area, especially those areas necessary for the safe operation of the Condominium. Antennas shall be permanently grounded to minimize the possibility of electronic or fire damage.

IV. COUNCIL MAINTENANCE

Once installed, the Antenna becomes the full responsibility of the Co-Owner, even if the Antenna is installed in a location where the Council would otherwise have maintenance responsibility. The Council shall not accept any responsibility to maintain or insure any Antenna installed by a Co-Owner. In addition to the conditions above, the Board reserves the power to deny approval for the installation of any Antenna that would result in increased maintenance costs for the Council or for other residents. The Antenna shall be maintained to community standards, as determined by the Board. The Board reserves the right to require a Co-Owner to correct any disrepair or safety hazards at any time.

V. SEVERABILITY

If a court of law rules any provision herein to be invalid, the remaining provisions shall remain in full force and effect.

This Resolution was duly adopted by the Board of Directors on this 27th day of April 2011.

FAIRLINGTON MEADOWS
COUNCIL OF CO-OWNERS

By: John Thurber
President

The resolution action record is on file with CMC and is available to Fairlington Meadows Co-owners upon request.