

**DEFOORS SQUARE II HOMEOWNERS ASSOCIATION, INC.
SATELLITE-/ANTENNA-/UTILITIES RULES EFFECTIVE JUNE 15, 2013**

Owners are strongly encouraged to ask any questions before installation.

I. Definitions

A. Installation. "Installation" shall include any "satellite dish" or "direct broadcast satellite (DBS) dish" and "television antenna"; any private over-the-air reception device, wireless antenna, wireless internet or broadcast antenna or wireless antenna system (MDA or MMDS); any CATV (community antenna video/cable tv), telephone, Internet, water, electric and natural gas service utilizing the public right of way and Association easement; and any component of or addition to such device, including, without limitation, mounts, poles, masts, brackets, transmission cables or grounding electrode wires associated with conducting electronic signals or electrical voltage, conduits, fasteners and/or other accessories necessary for proper installation, maintenance or use of an Installation.

B. Common Area and Area of Common Responsibility. "Common Area" is that area owned by the Association for the common use and enjoyment of the Owners. "Area of Common Responsibility" is the Common Area and all areas within or upon a Lot, the maintenance, repair or replacement of which is the responsibility of the Association.

C. Exclusive Use or Control Area. "Exclusive Use or Control Area" means those portions of the Owner's Lot which have been designated in the Association's governing documents to be in his or her exclusive ownership and possession, subject to the restrictions contained in the Declaration, including the Association's responsibility for Areas of Common Responsibility that are located on the Owner's Lot, as well as reasonable rules and regulations concerning use of, and facilities located on, the Lot.

II. General

A. Article II, Section 15. Antennas and Satellite Dishes, of the Covenants states in part: *"Such items shall be installed in the least conspicuous location on the Lot, which permits reception of an acceptable signal."*

B. Satellite dishes must be no more than one meter in diameter.

C. Owners should verify that installers are bonded and/or insured.

D. Satellite reflector dishes, as well as mounting hardware for both satellite dishes and television antennas, if visible, shall closely match background stucco, deck or siding colors as appropriate and as necessary be painted. Painting of a satellite dish for advertising or signage of any manner shall be strictly prohibited. Refer to the equipment manufacturer, installation manual or service provider for painting instructions.

E. Installations shall be removed if service is discontinued or Lot is sold unless provided for in sales contract. All impacted areas shall be restored to original condition.

III. Architectural Restrictions

A. Enforceable Placement Preferences

1. **Roof (On “Party Wall”/firewall/stucco wall):** Mount on the owner’s side of and on the vertical surface of either Party Wall, consistent with the least conspicuous location per the Covenant. Mount on the Party Wall as far forward towards the peak of the roof on the rear side of the roof so as to minimize or eliminate its visibility when viewed from the front of the property. Mount antennas as low as possible with as short a mast (if necessary) as possible. **Note: this location will enable all Lots to receive all signals.**

Note: Installations that penetrate the waterproof roof membrane may void the roof leak warranty. The Association is not liable for roof leaks, the cause of which is determined to be from antenna mounting by a current, past or future owner. Damage to the property caused by weather forcing the antenna from its mount is the Owner’s responsibility and not covered by Association insurance. Party walls are concrete block walls and provide a much more secure mounting location to anchor an antenna than the thin plywood roof deck.

2. **Deck:** Mount on or attached to the rear deck or within its confines. Owners may install anywhere on the surface of the deck or its railing or their own privacy fence as long as the antenna is secure. Owners may also mount to their side of the Party Wall, but no higher than if the antenna were mounted on the railing or privacy fence. Do not install an antenna outside of the confines of the deck if it protrudes into Common Area or over an adjacent property line. **Note: depending on signal origin and building orientation, not all deck areas will be able to receive all signals from this location.**

3. Do not install any antenna on Common Area.

4. Do not install any antenna on the front of buildings unless this is the ONLY position from which a sufficient over-the-air signal can provide an acceptable quality signal. The front-rear dividing line of buildings is the roof peak. The Association reserves the right to require certification from the installer or employ its own consultant to inspect and verify that there is no viable position for installation if any equipment is installed on the front of buildings. See (IV)(C) Enforceability below.

5. Antennas that are relocated from one preference location to another for existing or new service or reception are considered new Installations and shall conform to the service entrance and exterior wiring restrictions of these Rules.

B. Transmission from Comparable Devices, Including Exterior Dish or Antenna, to Interior of Dwelling*

1. Transmission of service via all comparable devices, including cables, wires, conduits, pipes or other physical conveyance means for the purposes of transmitting any video, audio or data transmission or any public utility, should not be made at more than one point of entry through the exterior building surface of the Lot except as follows.

a. For a public utility, if granted by easement or application to and approval by the Association.

b. For over the air reception devices, if separate or additional antennas are used and/or these devices are placed in different preferred placement locations.

2. Cables and wires shall not cross the roof surface horizontally or diagonally.

3. Once an acceptable quality signal is transmitted into the structure from the exterior dish or antenna, additional transmission cables shall not be placed on the building exterior or roof.

a. If mounting on roof (Party Wall), coaxial transmission cables can be routed into the structure through the roof vent and from there routed as desired to other areas inside the building.

b. If mounting on deck, coaxial transmission cables can be routed into the structure through the siding at deck level and from there the signal be routed as desired to other areas of the building. The penetration should be sealed with an appropriate waterproof grommet.

***Informational Notes: Routing cables through the interior of the structure is the owner's responsibility. To avoid drilling holes, owners can consider using a pre-existing opening or running "flat" cable under a door jamb or window so as not to interfere with its operation. To avoid cutting interior wallboard or unsightly loose cables, owners can consider wireless distribution.**

4. Coaxial cables and grounding conductor wires shall be hidden to the maximum extent possible consistent with safety codes* and based on the aesthetic judgment of the Association as sole arbiter of exterior alterations as governed by the Declaration of Covenants. Where visible, cables and wires shall be painted the background color (except electrical connections).

C. Enforceability: Preferred placement locations for antennas are enforceable as long as the signal can be obtained from the locations. If for any reason an acceptable signal is not achievable from these locations, please consult the Association. Inside wiring for signal or utility distribution and related costs are the Owner's responsibility. Restrictions on exterior cable distribution are permitted as long as they do not preclude signal reception: per C.F.R. §1.4000 (4) *Any fee or cost imposed on a user by a rule, law*

regulation or restriction must be reasonable in light of the cost of the equipment or services and the rule, law, regulation or restriction's treatment of comparable devices.

IV. Safety Restrictions and Liability - The Association has a legitimate safety interest* in limiting risks caused by antennas or other utilities. Antennas shall be mounted to conform to the Authority Having Jurisdiction (City of Atlanta safety and building/electric codes). Damage determined by any property and casualty insurance subrogation investigation to have resulted from any deviations from such codes will be the Owner's responsibility.

***Informational Notes - National Electric Code (NEC-2011 Edition):** Bonding antennas to interior metal piping (plumbing) requires metal piping be no more than 5 feet from service entrance and underground service pipe not be plastic. (Article 810.21(F)(2)) (E.g. do not bond to front hose bibb.) Where it is not practicable to achieve an overall maximum grounding conductor length of 20 feet, a separate grounding electrode (ground rod) is required and is to be connected to the power-grounding electrode (home's main ground rod). (Articles 820.100 (A)(4); (D); 250.52(A)(5),(A)(6) or (A)(7); 250.70). This provides a true earth ground. Grounding conductors (ground wires) from antenna masts or discharge units must be run in as straight a line as practical (Article 810.21(E)). Grounding conductors should be kept away from metal (such as downspouts and gutters as these are not grounded) to avoid voltages jumping to the structure. Always consult a Qualified Person and the actual codes for electrical safety questions.

V. Severability - If any provision of these Rules or the application thereof to any person or circumstance is held invalid, said invalidity shall not affect other provisions or application of these Rules, which can be given effect without the invalid provisions or application, and, to this end, the provisions of these rules are severable.

VI. Discretion and Selective Enforcement – These Rules do not cover every possible situation that may occur. The Association is authorized to exercise discretion that, in some circumstances, may differ from a standard set forth in these Rules. This neither constitutes a precedent nor selective enforcement.