

CUERNAVACA HOMEOWNERS ASSOCIATION

“Outdoor Antennae Regulations”

These Association-adopted regulations are intended to fit within the framework of Federal and California State as well as local laws and regulations applicable to the location, installation, maintenance, and use of outdoor antennae, including satellite dishes, by residents at Cuernavaca. These regulations are adopted pursuant to Civil Code section 1376 and with concern for safety, i.e., windstorm and other natural hazards.

1. At least seven (7) days prior to a planned antenna installation, the owner will request and complete an agreement form from the Association in evidence that the applicable rules have been read and will be complied.
2. Definitions:
 - (a) “Antennae” means any devices used for the receipt of video programming services, including direct broadcast satellite (DBS), television broadcast, and multipoint distribution service (MDS). An 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. Mast, cabling, supports, guy wires, conduits, wiring, fasteners, or other accessories necessary for the proper installation, maintenance, and use of an antenna shall be considered part of the antenna.
 - (b) “Owner” means any homeowners in the Association. For the purposes of this rule only, “Owner” includes tenant who has the written permission of the homeowner/landlord to install an antenna.
 - (c) “Mast” means the structure to which an antenna is attached that raises the antenna height.
 - (d) “Transmission-only antenna” means any antenna used solely to transmit radio, television, cellular, or other signals.
3. Owners are responsible to assure compliance with these regulations for their tenant occupants.
4. Antennae may not be installed on or in common areas, including fences and landscaped areas. Antennae shall be placed in the most discreet location available on owners unit or within owner’s property. If, after installation, a more discreet location is determined, the owner will be requested to relocate the antennae at their expense.
5. Antennae are to be installed, maintained, and used per the manufacturer’s instructions and in keeping with these Association regulations, and also shall comply with all applicable Federal, State, and local laws, regulations, and licensing, including installation permits, where such may be required by these authorities.

6. Antennae Sizes and Type:
 - (a) DBS antennae that are one meter or less in diameter may be installed. Antennae larger than one meter are prohibited.
 - (b) MDS antennae one meter or less in diameter may be installed. MDS antennae larger than one meter are prohibited.
 - (c) Antennae designed to receive television broadcast signals may be installed, provided that they are one meter or less in diameter.
 - (d) Installations of transmission-only antenna are prohibited unless approved in writing in advance of installation by the Board of Directors.
 - (e) All antennae not covered by the FCC rule are prohibited.
7. All attachments to a unit structure, as well as cable penetrations, shall be weather tight.
8. All wiring, cabling, visible antennae, and satellite dishes, etc. shall be of a similar color to blend into the background to which it is mounted or placed.
9. Upon receipt of reasonable notice, the owner, at his or her own expense, shall remove and then reinstall an antennae system to accommodate repairs and maintenance for which the Association is responsible.
10. Upon relocation or removal of the antenna system, or any part thereof, the owner, at his or her expense, shall make repairs to the unit at points of anchorage and penetrations to restore the structure to its condition prior to the antennae installation.
11. The owner assumes all legal liability for any damages or claims resulting from the installation, maintenance, and use of the antenna system, and will defend and indemnify the Association and its Board of Directors against any and all claims (regardless of merit) resulting therefrom.
12. The owner and tenant resident, if any understand and acknowledge that the Association has no obligation to alter common areas, including landscaping, to accommodate antenna reception. Any owner request for off-routine or off-schedule tree or other landscape trimming will be considered by the Association, but only if the owner agrees to any extra expense involved, and only if the trimming requested reasonably meets normal landscape practices for the complex.

