



## LAKE BARRINGTON COMMUNITY HOMEOWNERS ASSOCIATION

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# ANTENNA AND SATELLITE DISH REQUIREMENTS

Installation of antennas and satellite dishes must follow specific LBS guidelines regarding placement and installation. Current FCC regulations governing placement must also be followed. Check with your condo association board to find out if there are any additional requirements specific to your condo before getting started. You may need a Building Permit from the Village of Lake Barrington before installation can begin.

Detailed information about installing an antenna or satellite dish is described in the pages that follow. You must comply with the requirements for materials, placement and installation, and include all necessary documentation in your application. The Management Office will be happy to assist you through this process.

## SECTION I

### **UNIT OWNER'S CHECKLIST**

1. \_\_\_\_\_ *Select a contractor. Ensure the contractor is bonded and insured.*
2. \_\_\_\_\_ *Give your contractor a copy of the LBCCHA Antenna and Satellite Dish requirements described in the following pages.*
3. \_\_\_\_\_ *Obtain product information or a brochure for the device you are installing*
4. \_\_\_\_\_ *Obtain a signed proposal from the contractor.*
5. \_\_\_\_\_ *Complete the Application Form, including contractor information and signed approval form from all neighbors whose sightlines may be affected. (Visual obstruction issues an antenna or satellite dish installation might present to any neighbors must be resolved prior to installation.)*

### **The following must be included with your application:**

- a. *Drawing or photo showing where device will be installed on structure*
- b. *Approval page from the Application Form signed by all neighbors who will be able to see your antenna or satellite dish*

- c. *Product literature for satellite dish or antenna*
  - d. *Signed copy of contractor's proposal*
  - e. *Completed contractor's information page*
6. \_\_\_\_\_ *Submit your completed Application to the Management Office for review. They will forward it to your condo board for final approval. Failure to attach all the required documents may cause your application to be returned and may delay your application process. After approval of plan and drawings, check with the Village of Lake Barrington to see if they will require a Building Permit before installation can begin.*

## **SECTION II**

### **REQUIRED LBCHA STANDARDS FOR DEVICE AND INSTALLATION**

*(Provide a copy of these guidelines to your contractor)*

Homeowners must complete the Application Form for Antennas and Satellite dishes with required documentation and submit it to the Management Office prior to any installation.

#### **DESCRIPTION AND MATERIAL SPECIFICATIONS**

##### **I. Terms**

1. Antenna -- any device used for the receipt of video programming services, including direct broadcast satellite (DBS), television broadcast, and multipoint distribution service (MDS). A reception 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. See examples on page 7.
2. Transmission-only antenna - any antenna used solely to transmit radio, television, cellular or other signals. Transmission-only antennas are strictly prohibited.
3. Telecommunications signals - signals received by DBS, television broadcast, and MDS antenna.
4. Exclusive-use area - limited common area in which the owner has a direct or indirect ownership interest and that is designated for the exclusive use of the owner as defined in the appropriate association document. "Exclusive use" means an area of property that only the homeowner and persons permitted by the homeowner may enter and use to the exclusion of other residents. Note: Neither the roof nor the chimney are "exclusive use" areas and therefore cannot be considered for antenna or satellite dish installation.
5. Satellite Dish - a telecommunications device used to send and receive microwave signals. It is a parabolic shaped antenna used for data transmission and broadcasting. Satellite dishes are also known as DBS (Direct Broadcast Satellite) antennas.
6. MDS Antenna – Multipoint Distribution Antenna.

## II. Installation Rules:

### A. Antenna Size and Type

1. DBS antennas or satellite dishes designed to receive satellite signals must not exceed one meter in diameter. Any antenna larger than one meter is strictly prohibited.
2. MDS antennas one meter or less in width may be installed. MDS antennas larger than one meter are strictly prohibited.
3. Installation of transmission-only antennas is strictly prohibited.
4. All antennas not covered by the FCC rule are strictly prohibited.
5. No more than one antenna may be installed per unit.

### B. Location

1. Antennas must be installed solely in owner's unit or on individually owned property or exclusive-use area, as designated on the *Declaration of Condominium Ownership* defining the portions of common, limited common, individual-owned property or exclusive use area.
2. If acceptable quality signals can be received by placing antennas inside a unit without unreasonable delay or unreasonable cost, then outdoor installation is prohibited.
3. Antennas may not encroach upon any common elements, any other owner's individual unit or limited common element, or the air space of another owner's limited common element. An antenna that will extend out beyond the balcony or patio is considered to be in a common area and will not be approved.
4. Antennas must be located in an exclusive use area and shielded from view from other units to the maximum extent possible unless shielding would prevent receiving an acceptable signal. This section does not permit installation on common property, even if an acceptable quality signal cannot be received from an individually-owned or exclusive-use area. The following is a list of prioritized placement preferences:
  - a) fenced-in courtyard
  - b) underside of applicant's balcony
  - c) on balcony
  - d) on patio or deck
5. Under some circumstances, the availability of a central or common antenna can be used by a community association to restrict the installation of individual antennas. In addition, the rule does not apply to common areas that are owned by a community association, or jointly by condominium owners. Therefore, restrictions on antennas installed in common areas are enforceable.

### C. Installation on Exclusive Use Areas

1. Antennas must be installed no higher than is absolutely necessary for reception of an acceptable quality signal.

2. All installations must be completed so they do not materially damage the common elements, limited common elements, or individual units, or void any warranties of the condominium association or other owners, or in any way impair the integrity of the building.

3. Any installer must provide the Association with an insurance certificate listing the Association as a named insured prior to installation. The purpose of this regulation is to ensure that antennas are installed in a manner that complies with the building and safety codes and manufacturer's instructions. Improper installation could cause damage to structures, posing a potential safety hazard to association residents and personnel.

Insurance must meet the following minimum limits:

- a. Contractor's General Liability (including completed operations): *\$1,000,000*.
- b. Worker's Compensation: Statutory Limits.

4. Antennas must be secured so they do not jeopardize the soundness or safety of any structure or the safety of any person at or near the antennas, including damage from wind velocity.

5. There must be no penetrations of exterior, exclusive-use areas of the building unless it is necessary to receive an acceptable quality signal or unreasonably increase the cost of dish or antenna installation. The following devices must be used unless they would prevent an acceptable quality signal or unreasonably increase the cost of dish or antenna installation, maintenance or use:

- a. Devices that permit the transmission of telecommunications signals through a glass pane without cutting or drilling a hole through the glass pane;
- b. Devices, such as ribbon cable, which permit the transmission of telecommunications signals to a residence through a window or door without penetrating the wall; or
- c. Existing wiring for transmitting telecommunications signals and cable services signals.

6. If penetration of the exterior exclusive-use area is necessary the penetration must be properly water-proofed and sealed in accordance with applicable industry standards and building codes. The purpose of this rule is to prevent structural damage to the building and residents from moisture.

7. Upon completion, all installations must be inspected and approved. Any and all costs associated with this inspection will be the sole responsibility of the individual unit owner.

## **D. Maintenance**

1. Owners who install or maintain antennas are responsible for all associated costs, including but not limited to costs to:
  - a. Place (or replace), repair, maintain, and move or remove antennas;
  - b. Repair damage to any property caused by antenna installation, maintenance or use;
  - c. Pay medical expenses incurred by persons injured by antenna installation, maintenance, or use;
  - d. Reimburse residents or the Association for damage caused by antenna installation, maintenance or use;
  - e. Restore antenna installation sites to their original condition.
2. Owners must not permit their antennas to fall into disrepair or to become a safety hazard. Owners will be responsible for antenna maintenance, repair and-replacement, and the corrections of any safety hazard.
3. If antennas become detached, owners must remove or repair such detachment within 72 hours of the detachment. If the detachment threatens safety, the Association may remove antennas at the expense of the owner.
4. Owners will be responsible for antenna repainting or replacement if the exterior surface of the antenna deteriorates.

## **E. Safety**

1. Antennas must be installed and secured in a manner that complies with all applicable city and state laws and regulations, and manufacturer's instructions. Owners, prior to installation, must provide the Association with a copy of any applicable governmental permit if required for safety reasons. If the Village of Lake Barrington requires a building permit it is the responsibility of the owner to supply one.
2. The FCC has strict guidelines regarding placement of antennas near power lines. Your installer can advise you about this restriction should it need be taken into consideration where you are located. The purpose of this requirement is to prevent injury or damage resulting from contact with power lines.
3. Antennas must not obstruct access to or exit from any unit, walkway, ingress or egress from an area, electrical service equipment, or any other areas necessary for the safe operation of the condominium. The purpose of this requirement is to insure the safety of association residents and personnel and safe and easy access to the association's physical plant.
4. Installations must comply with all applicable codes, take aesthetic considerations into account, and minimize the impact to the exterior and structure of the owner's unit.
5. To prevent electrical and fire damage, antennas must be permanently grounded.

### **III. Antenna and Satellite Dish Camouflaging**

- A. Antennas must be painted to match the color of the structure to which they are installed.
- B. Camouflaging antennas through inexpensive screening or plants is required if antennas are visible from the street or other units.
- C. Exterior antenna wiring must be installed so as to be minimally visible.

### **IV. Antenna Removal**

Antenna removal requires restoration of the installation location to its original condition, especially when owner moves. Owners will be responsible for all costs relating to restoration of this location.

### **V. Association Maintenance of Locations Upon Which an Antennas is Installed**

- A. If antennas are installed on property that is maintained by the Association, the owners retain responsibility for antenna maintenance. Antennas must not be installed in a manner that will result in increased maintenance costs for the Association or for other residents. If increased maintenance or damage occurs, the owners are responsible for all such costs.
- B. If maintenance requires the temporary removal of antennas, the Association will provide owners with 10 days written notice. Owners will be responsible for removing or relocating antennas before maintenance begins and replacing afterward. If they are not removed in the required time, then the Association may do so, at the owner's expense. The Association is not liable for any damage to antennas caused by Association removal.

### **VI. Enforcement**

- A. If any of these rules are violated, the Association, after notice and opportunity to be heard, may bring action for declaratory relief with the FCC or any court of competent jurisdiction. If the court or FCC determines that the Association rule is enforceable, a fine of \$50 will be imposed by the Association for each violation. If the violation is not corrected within a reasonable length of time, additional fines of \$10 per day will be imposed for each day that the violation continues. To the extent permitted by law *and/or the governing documents*, the Association will be entitled to reasonable attorney fees, costs, and expenses incurred in the enforcement of this policy.
- B. If antenna installation poses a serious, immediate safety hazard, the Association may ask injunctive relief to prohibit the installation or seek removal of the installation.

### **VII. Severability**

If any provision is ruled invalid, the remainder of these rules will remain in full force and effect.

### **VIII. Subsequent Owners**

Unit owner's assumption of responsibility for maintenance, replacement and liabilities will be passed on to subsequent owners. It shall be incumbent upon unit owners to notify prospective buyers of their assumption of their antenna or satellite dish installation liabilities, and unit

applicants for antenna or satellite installation hereby agree to so notify all prospects. Notification methods and requirements may be changed from time to time, but notification of new buyers shall always remain incumbent upon the selling unit owner.

## **Satellite Dish (DBS Antenna)**



## **MDS Antenna**

