

RESOLUTION OF THE
MAJESTIC BEACH RESORT COMMUNITY ASSOCIATION
BOARD OF DIRECTORS
JUNE 30, 2010

WHEREAS, paragraph 31 of the By-Laws of Majestic Beach Tower I and II empowers the Board of Directors to exercise the powers and duties of the Association existing under the Condominium Act;

WHEREAS, the Over-the-Air Reception Device Rule (OTARD) adopted by the Federal Communications Commission (FCC) in 1996 prohibits restrictions that impair the installation, maintenance, or use of antennas that measure no more than 1 meter in diameter which are designed to receive direct broadcast satellite service or to receive or transmit fixed wireless signals via satellite;

WHEREAS, the Association may not prohibit or restrict the installation of appropriate antennas on the balconies of a unit since they are under the exclusive use and control of the unit owner. However, this does not mean that the Association must allow the antennas to be fastened to the walls, ceilings, or railings of the balcony since these are common elements;

WHEREAS, Section 718.115, Florida Statutes, authorizes the Board of Directors to enter into a bulk cable TV contract and that such contract shall be deemed a common expense of the Association;

WHEREAS, it is the intent that this policy resolution shall apply to all units in all buildings in all condominiums operated by this Association until this resolution is rescinded, modified, or amended by a majority vote of the Board of Directors;

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Directors does hereby establish the following specifications for installation of direct broadcast satellite service effective June 30, 2010; and

BE IT FURTHER RESOLVED THAT the following guidelines shall apply:

1. Only one satellite dish per condominium unit is permitted.
2. The fixture may not be installed in a manner that damages or defaces the common elements or limited common elements. Therefore, the fixture and the wiring cannot be attached to the building and must not penetrate the building envelope. The entire installation must fit within the balcony enclosure and must be completely contained within the vertical and horizontal boundaries of the Limited Common Elements.
3. The fixture cannot be attached to the railings or protrude past the railings.
4. The fixture must be on a tripod, a stand, or blocks.
5. The dish cannot be greater than 1 meter in diameter.
6. The fixture must be brought inside the unit when the unit is not occupied or when it rains.
7. The fixture must either be identified by painting, writing, stenciling, or otherwise labeling the fixture with the condo unit number, or, the serial number of the dish must be on file at the Owner Services office. This is to help identify the owner of a dish should it be blown off or otherwise removed from a patio.
8. Prior to installing a dish the unit owner must give the Association written notice accompanied by a Certificate of Insurance listing the Association as an additional named insured.
9. The installation must meet FCC and local building codes.
10. The Board of Directors reserves the right to direct association management to remove any satellite dish not installed in accordance with or in compliance with the FCC regulations or local building codes.
11. Installation of a dish does not exempt a unit owner from paying for the bulk cable TV service contract that is deemed a common expense of the Association, as described in Section 718.115, F.S.