

# Cimarron Ponds Home-owners Association (CPHA)

16 November 2004

CPHA Residents  
Plymouth, MN 55447

Re: CPHA Satellite Dish Installation Guidelines Form

Unlike other Cimarron Ponds architectural changes, no plans or drawings need be submitted for satellite dish installations that are less than 1 meter in diameter. (see App. A, 5/24/01)

However, our association is permitted by the FCC to have pre-existing guidelines for satellite dish installation. For example, we require a grounding wire on satellite dish installations; this is a safety issue. (see App. A, 9/29/03)

**If you ignore CPHA guidelines, we reserve the right to require improvements to your installation – at homeowner expense.**

We expect you to insist on a successful installation from your installer - one that provides a good TV signal with the lowest possible visibility. We have attached the addresses of several successful installations where the dish has been installed near the chimney with the least amount of visibility to neighbors and street traffic. Have the installer look at a successful installation that most closely matches your roof orientation.

Homeowners are responsible for repair and maintenance of additions and modifications to the original building that are made by the homeowner. This includes the roof and the satellite dish. **Your association recommends that you have your installer sign the form on the next page for your own benefit. Please turn in a copy to your block captain.**

CPHA Architectural Committee and Board of Directors

Revised 9/2/2006

# CPHA Satellite Dish Installation Guidelines Form

Address \_\_\_\_\_ Date \_\_\_\_\_

A satellite dish and associated cable(s) were installed at the above location on the date stated; the following guidelines were followed:

1. A dish grounding wire has been properly installed per code.
2. The necessary cable ingress opening through the exterior of the home has been properly caulked/sealed.
3. The necessary dish anchors into the roof have been properly caulked/sealed.
4. An existing successful Cimarron Ponds dish installation, with a similar roof orientation, was used as a guideline for the location of this dish.

Signed \_\_\_\_\_

Satellite Dish Installer / Company

**Guideline 5:** Homeowner associations are allowed by the FCC to specify dish color requirements. At present, gray and tan “as built” colors are permitted. Sub-standard painting is prohibited.

**Note for guideline 1:** The higher up the roof a dish is installed, the more likely it is to be struck by lightning. CPHA recommends that the dish not be the highest point on the roof; this would become a safety issue.

**Note for guideline 4:** Using the ponds map in your directory, find an example of a successful installation (Figs. A-F on the next page) that matches your roof orientation:

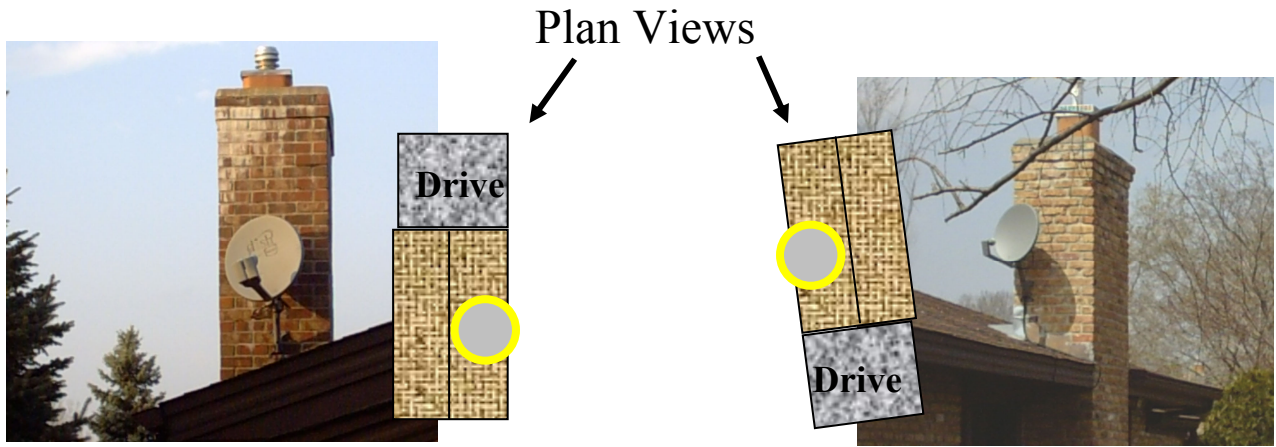


Fig. A: 985 Zanzibar

Fig. B: 1221 Black Oaks

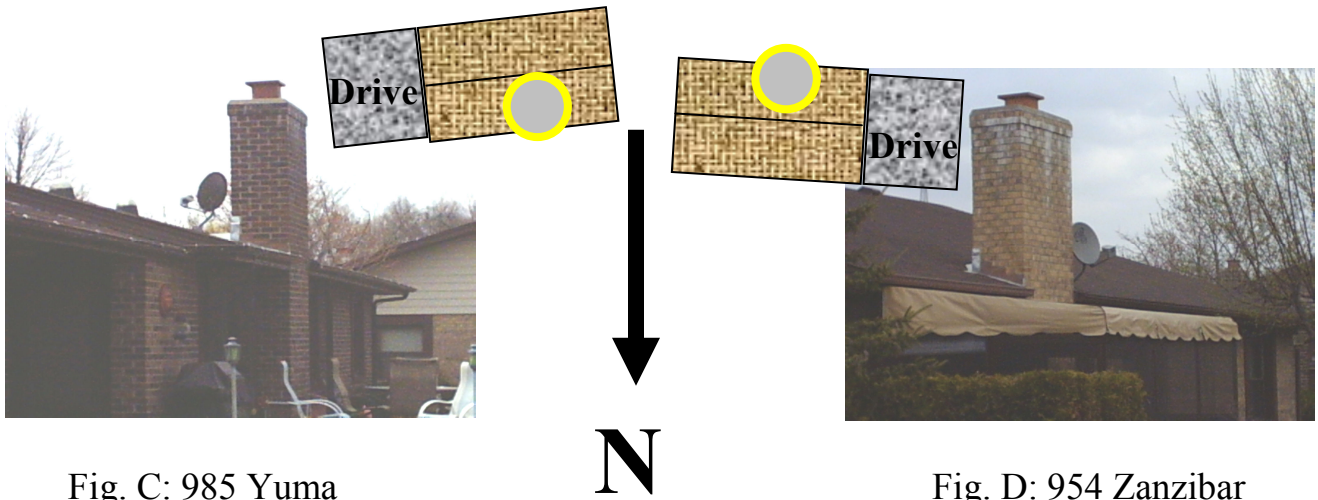


Fig. C: 985 Yuma

Fig. D: 954 Zanzibar

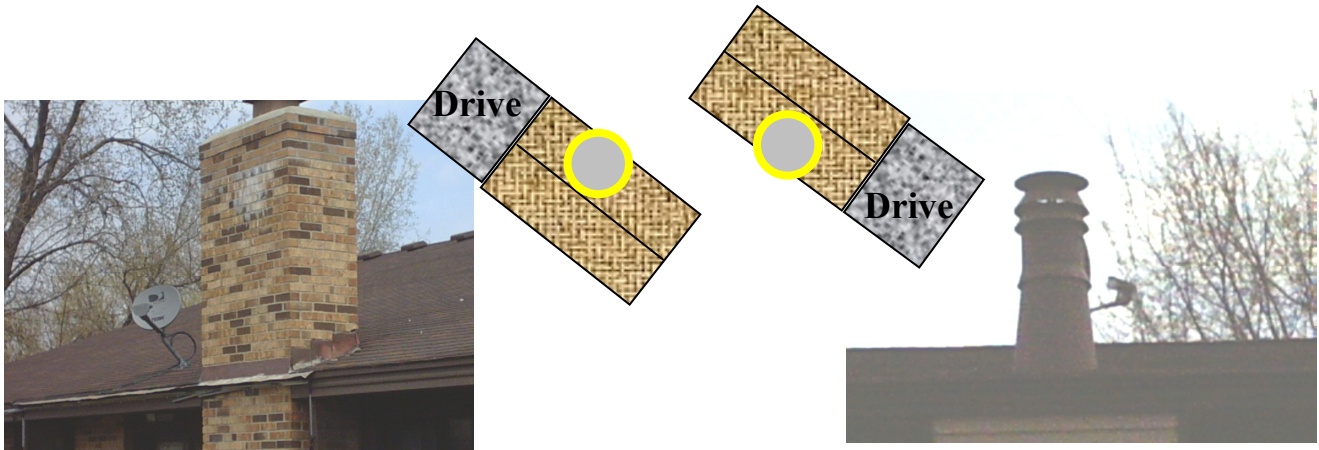


Fig. E: 1041 Xene

Fig. F: 984 Xene

## Appendix A: Summary of rulings that have modified the 1996 Dish Act.

Before the  
Federal Communications Commission  
Washington, D.C. 20554

### MEMORANDUM OPINION AND ORDER CSR 5531-0

Adopted: May 22, 2001

Released: 5/24/01

By the Chief, Cable Services Bureau:

The Association's regulation, as submitted for the record in this proceeding, requires prior approval by its Architectural and Landscape Control Committee ("ALCC") if the antenna is placed so that it is visible from neighboring property. Such prior approval, even if only required when a user installs the antenna beyond a parapet wall or otherwise visible from neighboring property, has the same effect as if the ALCC required prior approval prior to any antenna installation. The Association's prior approval requirement compels those potential antenna users who must install the antenna in a manner that requires screening or that is visible to first prepare and submit a detailed drawing or blueprint for the proposed screening or installation. In the *Report and Order*, the Commission stated that procedural requirements might act as a barrier between the new technology and the potential consumer because of the administrative delay and the myriad regulatory obstacles that the potential antenna user must hurdle before being able to utilize the new technology. The Commission specifically concluded that requirements for approval by community associations might prove to be a disincentive for potential antenna users, effectively "preventing" access to the video programming signals that Congress sought to protect under Section 207 of the 1996 Act.

### MEMORANDUM OPINION AND ORDER CSR-6030-0

Adopted: September 25, 2003

Released: 9/29/03

Prior Approval. Applying the Rule to the Association's restrictions, we find that its written restrictions and implementation thereof with respect to Petitioner's request to install his antenna on the roof create an impermissible prior approval requirement for antennas covered by the Rule. A prior approval requirement constitutes an unreasonable delay and is therefore impermissible unless it is necessary for bona fide safety or historic preservation considerations.