



EXTERNAL ANTENNA POLICY

The following rules shall apply to the utilization of antennas on Salem Housing Authority properties.

1.1. Definitions.

(a) **Reception Antenna** means an antenna, satellite dish, or other structure used to receive video programming services intended for reception in the viewing area. Examples of video programming services include direct broadcast satellite services, multipoint distribution services, and television broadcast signals. The mast or pole supporting the Reception Antenna, cabling, supports, guy wires, conduits, wiring, fasteners, bolts or other accessories for the reception antenna or similar structure are part of the Reception Antenna. A Reception Antenna that has limited transmission capability designed for the viewer to select or use video programming is a Reception Antenna provided that it meets Federal Communications Commission standards for radio frequency radiation. Structures similar to Reception Antennas are any structure, device, or equipment that is similar in size, weight, appearance to Reception Antennas.

(b) **Transmission antennas** mean any antenna, satellite dish, or structure used to transmit radio, television, cellular, or other signals other than reception antennas. A Transmission Antenna which is used solely in conjunction with a Reception Antenna shall be considered a Reception Antenna for the purpose of these Rules.

1.2. (a) No resident shall install a Reception Antenna on any portion of the common areas and facilities unless the area is a limited common area (exclusive use area) appurtenant to the unit where the resident lives.

(b) A Reception Antenna shall not encroach on the air space of another owner's unit or limited common area or onto the general common areas. Rather, the Reception Antenna must be kept within the boundary of the limited common area. Limited common areas are a cube bounded at the lower limit by the described area, (e.g., deck, patio, porch, terrace, yard, etc.), at the sides by the vertical extension of the boundaries of the described area and at the top by the surface above, or if there is no surface above then one standard story height above the described area.

(c) Before erecting a Reception Antenna, a resident must first consult with the Salem Housing Authority in order to ascertain whether or not the proposed site is within the resident's exclusive use and control.

1.3. If a Reception Antenna is installed in a limited common area as defined hereinabove, such installation shall be subject to the following:

(a) Reception Antenna shall be no larger than necessary for reception of an acceptable quality signal; provided that under no circumstances shall Reception Antennas for direct broadcast satellite services or multipoint distribution systems be larger than one meter (39.4") in diameter.

(b) Reception Antennas must be placed in areas that are shielded from view from outside the building or from other units to the extent possible; provided that nothing in this rule shall require a reception antenna to be placed where it precludes reception of an acceptable quality signal so long as it is kept within the bounds of the limited common areas available to the unit owners. In no event may antennas be installed on roofs, common lawns or other common areas. Connections of wiring must be through a part of the building nearest the installation that is itself part of the unit, such as the frame or the glass of the nearest window or sliding glass door of the unit, and may not be connected through general common areas, such as the building walls. All wiring shall be run so as to be as inconspicuous as possible. If a resident wishes to run wiring through a common area such as an exterior wall, this must be in strict compliance with orders issued, or standards established, by the Salem Housing Authority to ensure the structural and watertight integrity of the building. If no such order or standard is issued, then no wiring shall be run through the common areas. On removal of the Reception Antenna, common area must be restored.

(c) Reception Antennas and similar structures shall not be placed in areas where they block fire exits, walkways, parking spaces, ingress or egress from an area (including a unit), fire lanes, fire hoses, fire extinguishers, safety equipment, electrical panels, or other areas necessary for the safe operation of the property. The purpose of this rule is to permit evacuation of the units and project and to provide clear access for emergency personnel.

(d) Reception Antennas and similar structures shall not be placed within two feet of electric power lines and in no event shall they be placed within an area where it can be reached by the play in the electric power lines. The purpose of this rule is to prevent injury or damage resulting from contact with the power lines.

(e) The Salem Housing Authority may require Reception Antennas placed outside the building be painted to match, or be compatible with, the color of the building. If they do so they will publish a list of acceptable colors. Such painting will not be required if it interferes with reception. In addition, the Salem Housing Authority may require a resident to install and maintain inexpensive screens or plants to shield the Reception Antenna from view consistent with the requirements of Federal Communications Commission rules.

(f) Any resident installing, maintaining, or using a Reception Antenna shall do so in such a way that it does not materially damage the common elements or the units, void any warranties, or impair the watertight integrity of the buildings.

(g) Any resident who owns or uses a Reception Antenna is responsible for all costs associated with their Reception Antenna including, but not limited to, costs to: (a) repair, maintain, remove, and replace the Reception Antenna; (b) repair damages to the common elements, the unit, other units, and other property caused by the installation, existence, or use of Reception Antenna; (c) pay for medical expenses incurred by any persons injured by installation, existence, or use of the Reception Antenna; and (d) other damages caused by the installation, existence, or use of the Reception Antenna. If the installation is made by a contractor, the resident shall ensure that the contractor has liability insurance and workers compensation insurance in the minimum amount of \$500,000 each and that the Salem Housing Authority is named as an insured. A copy of these

certificates of insurance and a copy of the installer's license must be attached to the Salem Housing Authority's External Antenna Installation Request Form" and submitted at the time of the request.

(h) Due to safety concerns relating to the falling of structures, all Reception Antennas shall be securely attached to the patio, deck, terrace or ground provided that such is a limited common element. Otherwise, Reception Antennas shall be attached to a pole which is mounted in a weighted base of sufficient weight to prevent falling under anticipatable conditions. If a resident desires to attach a Reception Antenna to a wall, railing, fence, partition or other element which is part of the common areas and abuts/adjoins the limited common area where the Reception Antenna is to be placed, they must first obtain permission from the Salem Housing Authority upon terms which ensure the structural and watertight integrity of the property or adhere to orders issued or standards published by the Salem Housing Authority for this purpose, if such have been established.

(i) Residents shall not permit their Reception Antenna to fall into disrepair or to become a safety hazard.

(j) The resident is responsible for the immediate removal of the Reception Antenna if it must be removed for the repair, painting or maintenance of the area where it is installed. The Salem Housing Authority shall attempt to provide reasonable notice of the need for such removal. If a resident fails to timely remove their Reception Antenna, the Salem Housing Authority may do so at the resident's expense.

1.4. Transmission Antennas other than as indicated in 1(b) are prohibited.

1.5. A resident wishing to install a Reception Antenna shall complete and submit the Salem Housing Authority's "External Antenna Installation Request Form" attached herein for approval prior to the installation of an antenna.

1.6. In the event of a violation of these rules, the Salem Housing Authority may bring an action for declaratory relief with the Federal Communications Commission (FCC) or any court having jurisdiction over the matter. The Salem Housing Authority shall be entitled to fines, reasonable attorneys' fees and costs and expenses as provided by applicable law if these rules are validated. In addition, injunctive relief may be obtained.

1.7. If any of these provisions are ruled to be invalid, the remainder of these rules shall remain in full force and effect.

1.8. The Salem Housing Authority may amend these Antenna Rules from time to time. These Antenna Rules supersede any applicable rule previously adopted.

As adopted by the Board of Directors on January 23, 2007

File: External Antenna Policy

Salem Housing Authority's External Antenna Installation Request Form

I have read the attached Salem Housing Authority "External Antenna Policy". I agree to adhere to this policy. Therefore, I am formally requesting permission to install an antenna in my leased space in conformance with this policy.

Furthermore, I agree to notify the SHA management office in writing of the date of the professional installation of my antenna in order for an SHA representative to be present during the installation. I agree to have the company's representative sign this form as a testament of professional installation.

Type/size antenna: _____

Service Provider: _____

Proposed location of antenna (attach pictures and/or diagram):

Leased Tenant

Name: _____

Address: _____

Telephone Number: _____

Signature: _____

Date: _____

Professional Installer

Installer's Name: _____

Company's Name: _____

Company's Address: _____

Telephone Number: _____

Insurance Agent: _____

Ins. Agent Tel #: _____

Installer's Signature: _____

Date: _____

SHA Approval

Name: _____

Signature: _____

Date: _____

SHA Inspection/Installation Approval

Name: _____

Signature: _____

Date: _____



John A. Boris, Chairman
Peter K. Strout, Vice Chairman
Joseph M. O'Neill, Second Vice Chairman
Robert J. Jalbert, Treasurer
Kelly F. O'Neill, Assistant Treasurer

Carol A. MacGown, Executive Director

EXTRACT FROM THE MINUTES OF THE
REGULAR MEETING OF THE BOARD MEMBERS OF THE
SALEM HOUSING AUTHORITY HELD ON
TUESDAY, JANUARY 23, 2007

The BOARD MEMBERS of the SALEM HOUSING AUTHORITY met in a REGULAR MEETING at 27 Charter Street in the City of Salem, Massachusetts on TUESDAY, JANUARY 23, 2007 at 6:00 p.m., the place, hour, and date duly established for the holding of such meeting.

The meeting was called to order at 6:00 p.m. by Chairman John A. Boris and upon a roll call, the following answered present:

Present

Absent

John A. Boris
Peter K. Strout
Joseph M. O'Neill
Robert J. Jalbert

Also Present: Carol A. MacGown, Kathleen M. Wilkinson, Frances Carson, Pat Caron, Manette Hansen and Tina Stoner

The Chairman declared a quorum present.

RESOLUTION

The following resolution was introduced by Chairman John A. Boris, read in full, and considered:

Peter K. Strout moved to adopt the External Antenna Policy relative to the utilization of antennas on Salem Housing Authority properties and to authorize Carol A. MacGown to implement said policy, as presented. Joseph M. O'Neill seconded the motion and the vote was as follows:

Ayes

Nays

John A. Boris
Peter K. Strout
Joseph M. O'Neill
Robert J. Jalbert

The Chairman thereupon declared the motion carried and said resolution adopted.