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HOUSE BILL NO. 2542

Offered January 13, 2025

Prefiled January 9, 2025

A BILL to amend the Code of Virginia by adding sections numbered 55.1-1823.2, 55.1-1962.2, and 55.1-2139.2, relating to common interest communities; amateur radio antennas permitted.

Patron—Seibold

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 55.1-1823.2, 55.1-1962.2, and 55.1-2139.2 as follows:

§ 55.1-1823.2. Amateur radio antennas permitted.

A. Except to the extent that the declaration or other recorded governing document provides otherwise, no association shall prohibit any lot owner from installing an amateur radio antenna for the lot owner's personal use on property owned by the lot owner. An association may establish reasonable restrictions concerning the number, size, place, and manner of placement or installation of such amateur radio antenna on the exterior of property owned by the lot owner.

B. An association may prohibit or restrict the installation of amateur radio antennas on the common area within the development served by the association and may establish reasonable restrictions as to the number, size, place, and manner or placement or installation of amateur radio antennas on the common area.

§ 55.1-1962.2. Amateur radio antennas permitted.

A. Except to the extent that the condominium instruments provide otherwise, no unit owners' association shall prohibit any unit owner from installing an amateur radio antenna for the unit owner's personal use on the roof of the unit owned by the unit owner or on a roof appurtenant to the unit owned by the unit owner.

B. Notwithstanding any other provision of this chapter or the condominium instruments, the unit owners' association may prohibit a unit owner from installing an amateur radio antenna if installation of such antenna is not technically feasible or reasonably practicable due to safety risks, structural issues, or engineering conditions.

C. The unit owners' association may require as a condition of approving installation of an amateur radio antenna that the unit owner:

1. Provide detailed plans and drawings for installation of an amateur radio antenna prepared by a licensed contractor or other structural engineer familiar with the installation and core requirements of installing an amateur radio antenna.

2. Comply with applicable building codes or recognized safety standards.

3. Comply with reasonable architectural standards adopted by the unit owners' association that govern the dimensions, placement, or external appearance of the amateur radio antenna.

4. Pay the costs of installation, maintenance, operation, and use of the amateur radio antenna.

5. Pay the cost of removal of the amateur radio antenna and restoration of the area if the unit owner decides there is no longer a need for the amateur radio antenna or upon the sale of the unit by the unit owner.

§ 55.1-2139.2. Amateur radio antennas permitted.

A. Except to the extent that the declaration provides otherwise, no association shall prohibit any proprietary lessee from installing an amateur radio antenna for the proprietary lessee's personal use within the boundaries of a unit owned by the proprietary lessee.

B. Notwithstanding any other provision of this chapter or the declaration, the association may prohibit a proprietary lessee from installing an amateur radio antenna if installation of such antenna is not technically feasible or reasonably practicable due to safety risks, structural issues, or engineering conditions.

C. The association may require as a condition of approving installation of an amateur radio antenna that the proprietary lessee:

1. Provide detailed plans and drawings for installation of an amateur radio antenna prepared by a licensed contractor or other structural engineer familiar with the installation and core requirements of installing an amateur radio antenna.

2. Comply with applicable building codes or recognized safety standards.

3. Comply with reasonable architectural standards adopted by the association that govern the dimensions, placement, or external appearance of the amateur radio antenna.

4. Pay the costs of installation, maintenance, operation, and use of the amateur radio antenna.

5. Pay the cost of removal of the amateur radio antenna and restoration of the area if the proprietary

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59 *lessee decides there is no longer a need for the amateur radio antenna or upon the sale of the unit by the*
60 *proprietary lessee.*