

Wedding Canyon Estates II Homeowners Association

Flag, Sign, Banner & Exterior Posting Policy Pursuant to C.R.S. §38-33.3-209.5(1)(b)(IV), HB21-1310, the Fair Housing Act & the Association's Declaration of Covenants, Conditions & Restrictions, Article 7, Section 7.8. 1 - 4

BE IT RESOLVED, the Association hereby adopts the following procedures to be followed for enforcing the use of outdoor Flags, Signs, Banners and Exterior Postings in the Association.

1. Scope:

To adopt a procedure and policy outlining procedures to be followed for Flags, Signs, Banners and Exterior Postings in the Association in accordance with House Bill 21-1310, signed into law July 02, 2021.

Flags/Banners/Signs are regulated in accordance with Colorado State Law, which allows an Association to stipulate and enforce the number of Flags/Banners/Signs allowed on any one lot or property, as well as stipulate their location and size.

The Wedding Canyon Estates II Owners Association enforces the following flag restrictions:

A. One Flag/Banner/Sign that is not commercial in nature may be posted on any one Lot in the Association. If two Lots have been merged into one by the owner/s, only one Flag/Banner/Sign may be posted on the combined merged lot/s.

- Commercial Flags/Banners/Signs still fully regulated by the Association include sports' teams, businesses, unapproved Real Estate signs, home-businesses, or any other commercially related businesses, including For and Non-Profit entities.

B. Regulation, (unaltered) Federal, American, or State of Colorado Flags that are properly displayed as defined in US Code shall not be larger than

- 48 inches (4 feet) high by 72 inches (6 feet) wide for a 25'-30' pole
- 36 inches (3 feet) high by 48 inches (4 feet) wide for a pole under 25'

These flags can be flown anywhere on the owner's property and are limited to one.

C. One (1) political Flag or Banner or Sign or Exterior posting that the State of Colorado stipulates is "neutral content" shall be no larger than 12 inches (1 foot) high by 24 inches (2 feet) wide and is allowed to be posted on either an Owner's lot or in one window.

- Neutral content is still defined under the umbrella of the Fair Housing Act, per Sec. 800. [42 U.S.C. 3601 note] Short Title. Any expression of discrimination defined under the Fair Housing Act can and will be prosecuted to the fullest extent of the law.
- One Real Estate sign is exempt, and it shall not exceed four (4) square feet per the Declaration, Art. 7. Section 7.8.1.

D. Flags must be attached via a permanently installed pole that shall not exceed the Mesa County height restriction of thirty (30) feet.

2. Specifics:

Violations may be observed by anyone and reported via written correspondence through e-mail, digital format or mail service. The complaint must state specifically the violation observed, as well as a picture of the violation. For specificity, please see the Associations' Covenant Enforcement Policy.

If full details are not provided with a complaint, further action beyond additional observation may not be made. The Board will investigate the complaint further and will make additional observations if required.

3. Fines:

For fining, see the Association's Covenant Enforcement Policy, or below, and whichever fines are greater shall apply:

A courtesy notice shall be sent to the Owner giving them fourteen (14) days to remove the Flag/Banner/Sign that is in violation of this Policy.

If the violation is not resolved after fourteen (14) days, the Owner shall receive a follow up notice of violation and fine of \$100.00 per day until the violation is resolved.

If after thirty (30) days the violation is not resolved, the Board may choose to resolve by increasing fines to \$100.00 per day, per occurrence, as well as have the Flag/Banner/Sign removed from the premises. The Board may utilize the services of a private contractor and local law enforcement agencies. The Owner shall be charged for the cost of resolving the violation.

If a complaint is found to be in violation of a municipal code, the complaint will be forwarded to the appropriate authorities.

Owners are responsible for any fines that may be levied against their property due to non-compliance of their tenants.

Non-payment of fines will fall under the Dues Collection Policy.

Voting rights will be suspended for any Owner who is or has been in violation of the Master Declaration of Covenants, Conditions and Restrictions ("Declaration") in the previous thirty (30) days.

Definitions: Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning therein.

Supplement to Law: The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.

Deviations: The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

Amendment: The Board of Directors may amend this procedure from time to time.

President's Certification: The undersigned, being the President of the Association, certifies that the Board of Directors of the Association adopted the foregoing resolution and in witness thereof, the undersigned has subscribed his/her name.

Wedding Canyon Estates II Homeowners Association



President

Effective Date: _____

5.25.2022