

ISSUE #1

Posting of Signs and Flyers

No solicitation is allowed within Lake Crest including the attaching of any flyer, magnet or other advertisement to mailboxes. No signs or flyers may be fastened to traffic signs or their posts in Lake Crest. Any signs advertising yard, garage, or estate sales shall be removed within 24 hours of the close of the sale.

Security System Signs

One (1) security sign is permitted per house and shall be located in a shrubbery bed adjacent to the house, mounted near ground level. A security sign does not count toward the six (6) item yard art policy.

Small stickers may be placed on home windows at the homeowner’s discretion as long as they do not detract from the overall harmony of the area.

Political Signs, Contractor Advertisement Signs, Other Signs

No political signs, contractor advertisement signs, advertisement signs, nor any other signs are allowed in any windows or in the front or side yards.

Realtor Directional Signs/Realtor Open House Signs

Realtor Directional Signs are not allowed. Realtor open house directional signs are allowed to be posted in Lake Crest from Friday through the end of the open house. Realtors shall remove the open house signs immediately upon the end of the open house.

Rule # 11 – Garbage Cans and Recycling Bins

Garbage cans and Recycling Bins should be removed from curbside promptly after pickup (within 24-hours.) Between pick-ups trash cans and recycle bins must be kept inside the garage or at the rear or side of dwellings when possible. If not possible, trash cans and recycle bins must be at all times screened from view of the street by appropriate landscaping or fencing, and shall be approved by the ARC.

Large limbs and yard debris are not automatically picked up by the City of Hoover. Homeowners should call 205-444-7796 to be added to list for pickup.

Rule # 12 – Recreational Vehicles and Machinery and Equipment

See Covenant 6.24. An additional fine of \$50.00 per week will be assessed to the home owner for non-compliance after 30 days of original violation. This is in addition to the \$100.00 fine indicated under the LCHOA Rules and Regulations Enforcements and Remedies Section.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 6.25 (p. 7): Clause prohibits the display of the United States flag, military/state flags, or residential political signs in violation of 4 U.S.C. § 5 and Ala. Code §§ 35-20-5, 35-8A-302.

Statutory / Legal Reference: 4 U.S.C. § 5 Note (Freedom to Display the American Flag Act of 2005) & Ala. Code §§ 35-20-1 to 35-20-14 (Alabama Homeowners' Association Act)

Statutory Comparison: Under the Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5), a condominium, cooperative, or residential real estate management association may not adopt or enforce any policy, or enter into any agreement, that would restrict or prevent a member of the association from displaying the flag of the United States on residential property to which the member has a separate ownership interest or right to exclusive use. Additionally, under Ala. Code § 35-20-5, any restriction on residential political signs must be expressly set forth in the recorded declaration and subject only to reasonable time, place, and manner limits.

CURRENT WORDING IN DOCUMENT:

Residence "For Sale Signs" Signage indicating that any Lake Crest residence is "For Sale" shall meet guidelines set by the Lake Crest HOA. "For Rent" signs are strictly prohibited. See picture below. Revised Date: 1/30/2019 6 of 11 Posting of Signs and Flyers No solicitation is allowed within Lake Crest including the attaching of any flyer, magnet or other advertisement to mailboxes. No signs or flyers may be fastened to traffic signs or their posts in Lake Crest. Any signs advertising yard, garage, or estate sales shall be removed wi

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to 4 U.S.C. § 5 and Ala. Code §§ 35-20-5 and 35-8A-302, nothing in the Governing Documents shall prohibit an Owner from respectfully displaying the flag of the United States, the State of Alabama, or Armed Forces flags, or displaying temporary political signs on the Owner's Lot or exclusive-use area subject to reasonable size and placement guidelines.