

Section VINYL GUTTERS/DOWNSPOUTS AND RIBBED DOWNSPOUTS - Sample Provision Excerpt (Public Preview)

VINYL GUTTERS/DOWNSPOUTS AND RIBBED DOWNSPOUTS AIR CONDITIONING UNITS IN SIDE YARD SETBACKS (Can only be approved with Planning Department approval) EXTERIOR TANK TYPE WATER HEATERS (Tankless water heaters are accepted) EXCESSIVE PAVING (In front setback, keep paving to a minimum. Total lot coverage is limited to 65% including structures).

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. VINYL GUTTERS/DOWNSPOUTS AND RIBBED DOWNSPOUTS (p. 3): Sign or flag restriction conflicts with California Civil Code §§ 4705 and 4710 protections for the U.S. flag and noncommercial signs/banners.

Statutory / Legal Reference: Cal. Civ. Code § 4705 & 4710

Statutory Comparison: Under Cal. Civ. Code § 4705, the governing documents may not limit or prohibit the display of the flag of the United States by an owner in their separate interest or exclusive-use common area. Under Cal. Civ. Code § 4710, the governing documents may not prohibit posting or displaying noncommercial signs, posters, flags, or banners on or in a member's separate interest, except that an association...

CURRENT WORDING IN DOCUMENT:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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