

Section 2.7 - Sample Provision Excerpt (Public Preview)

SIGNS. Subject to Civil Code Sections 712, 713, 1353.5 and 1353.6, no sign, advertising device or other display of any kind shall be displayed in the Properties or on any public street in or abutting the Properties except for the following signs, so long as they comply with law:

- (a) entry monuments, community identification signs, and traffic or

ISSUE #1

MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 2.7 (p. 23): 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:

SIGNS. Subject to Civil Code Sections 712, 713, 1353.5 and 1353.6, no sign, advertising device or other display of any kind shall be displayed in the Properties or on any public street in or abutting the Properties except for the following signs, so long as they comply with law:
(a) entry monuments, community identification signs, and traffic or parking...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

**SIGNS. Subject to Civil Code Sections 712, 713, 1353.5 and 1353.6, no sign, advertising device or other display of any kind shall be displayed in the Properties or on any public street in or abutting the Properties except for the following signs, so long as they comply with law:
(a) entry monuments, community identification signs, and traffic or parking control signs maintained by the...**