

East Preserve at Waterside Village

Rules and Regulations

These Rules and Regulations are intended to be in the best interests of all owners and residents and to provide the greatest flexibility and protection of their rights and privileges. All residents (owners, renters and guests) are subject to the provisions of the Rules and Regulations as well as the Declaration of Condominium and Bylaws of the Association.

The Board of Directors is obligated to ensure that all owners are in compliance with all the governing documents of the Association.

Any person violating the foregoing provisions will receive a written notice stating the violation and providing reasonable time to correct the violation. Unit owners are responsible for ensuring that all persons using their units are in compliance with these Rules and Regulations.

Common Elements

No resident may cause loud or objectionable noises to emanate from the unit, the limited common elements or the common elements which may cause a nuisance to the occupants of any other unit. Loud or objectionable noises will be determined by the Board of Directors.

No resident may cause obnoxious or objectionable odors to emanate from the unit, limited common elements or the common elements which may cause a nuisance to the occupants of any other unit. Obnoxious or objectionable odors will be determined by the Board of Directors.

There may be no change to the limited common element or common element without written permission of the Board of Directors.

An Exterior Modification Request form must be submitted and approved by the Board of Directors for any alteration and/or addition to any portion of the unit that is visible from the common element. Exterior Modification Request forms are available on the Waterside Village Community Association website, [mywatersidevillage.com](http://mywatersidevillage.com).

No signs, flags except the American flag or symbols of any kind, except security system decals, are permitted to be displayed on any portion of the common element or any portion of the unit visible to the common element without permission from the Board of Directors.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. N/A (p. 1): Flag or flagpole restriction fails to include statutory exemption for the United States flag under the Freedom to Display the American Flag Act.

Statutory / Legal Reference: Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243)

Statutory Comparison: The federal Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243) prohibits community associations from adopting or enforcing any policy that prevents a member from displaying the flag of the United States on residential property to which the member has a separate ownership interest or right to exclusive possession or use.

CURRENT WORDING IN DOCUMENT:

No signs, flags except the American flag or symbols of any kind, except security system decals, are permitted to be displayed on any portion of the common element or any portion of the unit visible to the common element without permission from the Board of Directors.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

In accordance with the Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243), any homeowner may respectfully display the official United States flag on residential property under their ownership or exclusive use.

ISSUE #1