

ISSUE #1

With the exception of the state statute above, no flags shall be erected or maintained on any lot without prior written approval from the ACC unless otherwise noted below.

1. Professional Sports Teams
2. College Sports Teams
3. Seasonal flags can be displayed up to 30 days before the date of the season and removed 15 days after the date.

Except for flags and flagpoles specified in Florida statute 720.304(2)(a) above; flags cannot be larger than 3’ by 5’ and can only be hung from a 6 ft pole mounted inside a pole bracket properly anchored to the home.

All freestanding flagpoles [including those specified in Florida statute 720.304(2)(b)] require prior written approval by the ACC for placement, prior to installation.

Each Lot is permitted a total of two flags. If flying two flags at least one of those flags must comply with the Florida Statute 720.304(2)(a) and (b).

Any flag, banner or other display that is slanderous, obscene, profane, vulgar, repulsive, or offensive, either in theme or in treatment is prohibited.

Note: See section 9.1 for “garden banners.”

Note: See section 5.0 for “Political”

5.12 Hurricane/Storm Shutters

Permanent hurricane/storm shutters require prior written approval from the ACC. Temporary hurricane /storm shutters can be installed up to 72 hours prior to the expected arrival of a hurricane in the area and must be removed no later than one week after the warning is lifted. Any exposed hardware must be painted to coordinate with the existing house/trim color. (See Exhibit 6)

5.13 Solar Panels

Solar panels must be roof mounted so that the top surface is parallel with the roof surface with all appurtenances recessed into the building’s attic.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 13 (p. 14): 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:

of 44 Version May 27, 2026 With the exception of the state statute above, no flags shall be erected or maintained on any lot without prior written approval from the ACC unless otherwise noted below.

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.