

1/18/26

ARTICLE V - USE RESTRICTIONS

Section 1. Every owner shall conform to and abide by the Restrictions, Bylaws and uniform rules and regulations in regard to the use of his or her dwelling in Valhalla Subdivision or the use of Common Areas which may be adopted in writing from time to time by the Board of Directors of the Association. Each owner shall have the responsibility to see that all persons using his property, as guest, tenant or like manner, do likewise.

Section 2. A member shall not use or permit the use of his lot, or the dwelling thereon, for any purpose other than as a single family residence. No trade business of any kind shall be conducted that involves the coming and going by customers and delivery drivers. Further, a home may not be used to build, manufacture or store inventory of any sort. Notwithstanding the foregoing general prohibition, internet based businesses that merely involve clerical, telephone or computer work a resident does alone inside his/her residential dwelling or out of a home office is permitted.

In compliance with Valhalla standards, an owner shall at all times maintain the exterior of his home, whether he personally occupies the home or not. If at any time a home shall, in the sole opinion of the Board of Directors, be inadequately maintained, it shall be the duty of the Architectural Committee and/or Landscape Committee to examine the home and report in writing to the Board of Directors, specifying the defects and repairs necessary. The Board of Directors shall send a copy of the report to the owner with notice to make the necessary repairs within a reasonable time period determined by the Board.

Section 3. An owner shall not permit or suffer anything to be done or kept on a lot which would increase the rate of insurance relating thereto or to an adjacent lot in the subdivision; no owner shall commit or permit to exist on any lot any nuisance or illegal activity or any other activity which will obstruct or interfere with the rights of other lot owners.

Excessive noise created by things such as pets, the practice or playing of musical instruments, stereos, tape players or other audio or sound equipment shall be strictly prohibited. The Board of Directors shall be the sole decision maker as to when any such activity is excessive and should be prohibited.

Section 4. No signs of any kind shall be displayed to public view on a lot, dwelling, building or the Common Areas except as follows:

When a dwelling is for sale or heirs are disposing of personal property upon the death of an owner, one "Open House" or an "Estate Sale" sign may be placed at the entrance to Valhalla and another on the lot for the duration of the "Open House" or "Estate Sale" only. The duration of either such sale shall not exceed three (3) consecutive days. No flags, streamers, banners or such are to be displayed on the property for sale or at the Valhalla entrance at any time.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 4. (p. 8): 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:

duration of either such sale shall not exceed three (3) consecutive days. No flags, streamers, banners or such are to be displayed on the property for sale or at the Valhalla entrance at any time.

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