

shall be carried out on any lot, nor shall anything be done which will become an annoyance or nuisance to other residents. No lot owner shall permit or suffer anything to be done or kept on his lot which will obstruct or interfere with the rights of other residents or disturb them by unreasonable noises, smells or other offensive activity.

Section 9. Livestock and Poultry

No animals, livestock, or poultry (other than hens) of any kind shall be raised, bred, or kept on any lot. The limit on hens is 4 (four). Dogs, cats, or other common household pets may be kept, provided that they are not kept, bred, or maintained for any commercial purpose.

Section 10. Signs

Except for signs required to be permitted by law (for example, political signs), no sign of any kind shall be displayed to the public view on any lot except one sign of not more than 5 square feet advertising the property for sale or rent. A single temporary sign (for example, advertising a yard sale, home improvement, charitable causes or public safety) may displayed for up to 30 days. No signs, of any type, are permitted on the Common Ground of the subdivision without permission from the Directors.

Section 11. Residential Use

Use of a dwelling unit on a Lot for a home-based business shall constitute “Residential Use” and shall be permitted, provided such use, at the discretion of the Directors, results in no increase in noise or traffic, or other disturbance to lot owners in the subdivision.

Section 12. Parking

No commercial vehicles shall be parked on any Huntington Subdivision common ground unless approved by a majority of the Directors. No non-commercial vehicles shall be parked on any common-ground for a period of no longer than 24 hours without the written approval of the majority of Directors.

ARTICLE V: MEETING OF MEMBERS

Section 1. Annual Meetings

A semi-annual meeting of the Members shall be held no later than the end of May of each year for the purpose of holding elections of Board Members and any other business of the Association. A second semi-annual meeting of the Members shall be held no later than the second week of November of each year for the purpose of

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 10. (p. 5): Sign restriction prohibits "For Sale" signs or political signs on an owner's property in violation of Mo. Rev. Stat. §§ 442.403 and 442.404.1 - .2.

Statutory / Legal Reference: Mo. Rev. Stat. §§ 442.403 & 442.404.1 - .2

Statutory Comparison: Under Mo. Rev. Stat. § 442.403, no deed restriction, covenant, or similar binding agreement running with the land shall limit or prohibit the display of sale signs on a homeowner's property, and any such restriction is void. Under Mo. Rev. Stat. § 442.404.1 - .2, no deed restriction, covenant, or similar binding agreement running with the land shall limit or prohibit, or have the effect of limiting or prohibiting, the display of political signs on a homeowner's property (though an HOA may adopt reasonable rules regarding time, size, place, number, and manner of display that do not effectively ban political signs).

CURRENT WORDING IN DOCUMENT:

Signs Except for signs required to be permitted by law (for example, political signs), no sign of any kind shall be displayed to the public view on any lot except one sign of not more than 5 square feet advertising the property for sale or rent. A single temporary sign (for example, advertising a yard sale, home improvement, charitable causes or public safety) may displayed for up to 30 days. No signs, of any type, are permitted on the Common Ground of the subdivision without permission from the Directors.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to Mo. Rev. Stat. §§ 442.403 and 442.404, nothing in the Governing Documents shall prohibit an Owner from displaying a "For Sale" sign or political signs on the Owner's property, subject only to reasonable time, size, place, number, and manner regulations permitted by §§ 442.403 and 442.404.

ISSUE #1