

ISSUE #1

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

- 15.3.3. Street address of building site/location.
- 15.4. A construction sign MAY also include the following:
 - 15.4.1. Name of builder/contractor.
 - 15.4.2. Builder's business location and contact information.
- 15.5. Sign construction requirements:
 - 15.5.1. Made of weatherproof material.
 - 15.5.2. Size not to exceed 60" x 48"
 - 15.5.3. No signs are allowed on the golf course.

Sec. 15.5.3 (p. 41): Restriction prohibits the display of U.S./Montana flags or political signs in violation of 4 U.S.C. § 5 and Mont. Code Ann. § 70-17-404 (HB 211).

Statutory / Legal Reference: 4 U.S.C. § 5 Note (Freedom to Display the American Flag Act of 2005) & Mont. Code Ann. §§ 70-17-901 et seq. & Title 35, Ch. 2

Statutory Comparison: Under the Freedom to Display the American Flag Act (4 U.S.C. § 5) and Montana property rights protections (Mont. Code Ann. § 70-17-404 / HB 211), an association may not prohibit an owner from displaying the United States flag, the Montana state flag, or political campaign signs on the owner's property.

CURRENT WORDING IN DOCUMENT:

No signs are allowed on the golf course. 7/15/2026

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to 4 U.S.C. § 5 and Mont. Code Ann. § 70-17-404 (HB 211), nothing in the governing documents shall prohibit an owner from respectfully displaying the flag of the United States or the State of Montana, or displaying political signs on the owner's property subject to reasonable size and placement rules.