ISSUE #1

Section 5. - Sample Provision Excerpt (Public Preview)

Signs. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one (1) square foot, one sign of not more than five (5) square feet
advertising the property for sale or rent, or signs used by a builder to advertise the property during the
construction and sales period.

MARKUP #1 ->

MARKUP #1 · CONDITIONAL OUTCOME — FACT-DEPENDENT CHECK

Sec. 5. (p. 4): Sign restriction prohibits or curtails political signs during the protected 45-day pre-election to 7-day post-election window without the mandatory declaration disclosure required by N.C. Gen. Stat. § 47F-3-121(2).

Statutory / Legal Reference: N.C. Gen. Stat. § 47F-3-121(2)

Statutory Comparison: Under N.C. Gen. Stat. § 47F-3-121(2), an association may not prohibit the indoor or outdoor display of political signs on a lot/unit prior to 45 days before an election and 7 days after an election (nor restrict sign dimensions below 24 inches by 24 inches) unless the Declaration explicitly states that it regulates or prohibits political signs and, for declarations registered on or after October 1, 2005, prints on the first page in boldface capital letters: "THIS DOCUMENT REGULATES OR PROHIBITS THE DISPLAY OF POLITICAL SIGNS." Unrecorded Board rules cannot prohibit political signs.

CURRENT WORDING IN DOCUMENT:

Signs. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one (1) square foot, one sign of not more than five (5) square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to N.C. Gen. Stat. § 47F-3-121(2), unless expressly restricted on the first page of the recorded Declaration in the statutory boldface format, owners may display political signs on their property during the period beginning forty-five (45) days before an election and ending seven (7) days after the election, subject to a maximum size restriction of no less than twenty-four inches by twenty-four inches (24" x 24").