MARKUP #1 ->

Section 1: [Rules and Regulations, Section II (Property Maintenance & Fine Enforcement)] Continuing Daily Fines and

Any member cited for a violation of the LMPOA Building Code, Property Maintenance Code, or Lake Rules who fails to abate the violation within seven (7) days of notice shall be assessed a fine of $50.00 per day until the violation is corrected. All unpaid fines, together with the Association's legal and administrative collection fees, shall be added to the Member's account and enforced as a real estate lien against the Lot.

ISSUE #1

Section 2: [Building Code & Deed Restrictions, Section 11 (Signs and Flags)] Prohibition on Yard Signs, Political Displ

No signs, flags, banners, or pennants shall be displayed on any Lot or structure visible from the street or lake, except one house-number plaque and one standard real estate sign approved by the Building Committee. Freestanding flagpoles and military or commemorative flags are prohibited without a written permit from the Board of Directors.

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE | BOARD & COUNSEL REVIEW

Sec. 2 (p. 1): Clause prohibits flagpoles or restricts the display of the U.S. flag, Ohio State flag, POW/MIA flag, or military service flags in violation of Ohio law.

Statutory / Legal Reference: Ohio Rev. Code § 5312.15 (Ohio Planned Community Law)

Statutory Comparison: Under Ohio Rev. Code § 5312.15 (Ohio Planned Community Law), no declaration, bylaw, rule, regulation, or agreement of a planned community or condominium property may prohibit the placement of a flagpole or the display of the flag of the United States, the flag of the State of Ohio, the National League of Families POW/MIA flag, or a service flag (Blue Star or Gold Star banner) approved by the U.S. Secretary of Defense.

CURRENT WORDING IN DOCUMENT:

[Building Code & Deed Restrictions, Section 11 (Signs and Flags)] Prohibition on Yard Signs, Political Displa No signs, flags, banners, or pennants shall be displayed on any Lot or structure visible from the street or lake, except one house-number plaque and one standard real estate sign approved by the Building Committee. Freestanding flagpoles and military or commemorative flags are prohibited without a written permit from the Board of Directors.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Notwithstanding anything herein to the contrary, pursuant to Ohio Rev. Code § 5312.15 (Ohio Planned Community Law), Owners may install a compliant flagpole and display the flag of the United States, the flag of the State of Ohio, the POW/MIA flag, and an approved military service flag (Blue Star or Gold Star Banner) in accordance with statutory size and proclamation standards.