

Section d - Sample Provision Excerpt (Public Preview)

and decorations within the interior of a Dwelling that are not displayed in a window, lights and decorations that are erected or displayed on a Lot in commemoration or celebration of publicly observed holidays may not be displayed more than six (6) weeks in advance of that specific holiday and must be removed within thirty (30) days after the holiday has ended.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. d (p. 24): Clause prohibits swimming pool safety enclosures in conflict with Tex. Prop. Code § 202.022.

Statutory / Legal Reference: Tex. Prop. Code § 202.022

Statutory Comparison: Under Tex. Prop. Code § 202.023 (enacted by SB 1588), a subdivision property owners' association may not adopt or enforce any restrictive covenant that prevents a property owner from building or installing security measures, including but not limited to a security camera, motion detector, or perimeter fence (including front-yard security fencing) on the owner's private property, although the association may regulate the type of fencing material and appearance. Similarly, Tex. Prop. Code § 202.022 prohibits banning transparent mesh or black/clear pool safety enclosures.

CURRENT WORDING IN DOCUMENT:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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