Section 6.7Uses - Sample Provision Excerpt (Public Preview)

Specifically Prohibited.
(a)
No temporary dwelling, shop, trailer or mobile home of any kind or any improvement of a temporary character (except children's playhouses, dog houses, greenhouses, gazebos and buildings for storage of lawn maintenance equipment which may be placed on a Lot only in places which are not visible from any street on which the Lot...

ISSUE #1

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING
BOARD & COUNSEL REVIEW

Sec. 6.7Uses (p. 10): Sign restriction prohibits political signs or restricts their display window below the statutory 90-day pre-election / 10-day post-election period (or caps signs at 1 per lot rather than 1 per candidate/measure).

Statutory / Legal Reference: Tex. Election Code § 259.002 (formerly Tex. Prop. Code § 202.009)

Statutory Comparison: Under Tex. Election Code § 259.002 (recodified from Tex. Prop. Code § 202.009), a property owners' association may not enforce or adopt a restrictive covenant that prohibits a property owner from displaying on the owner's property one or more signs advertising a political candidate or ballot item on or after the 90th day before the date of the election to which the sign relates and before the...

CURRENT WORDING IN DOCUMENT:
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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Notwithstanding any contrary provision in this section, this covenant shall be administered and enforced strictly in accordance with Tex. Election Code § 259.002 (formerly Tex. Prop. Code § 202.009). Association counsel should review this provision and adopt a conforming amendment or board policy resolution to align with Tex. Election Code § 259.002 (formerly Tex. Prop. Code § 202.009).