



Section 6.1. - Sample Provision Excerpt (Public Preview)

Signs. All signage and flags displayed on a Lot or Building shall comply with the Design Guidelines and any applicable Governmental Requirements. No signs or flags shall be displayed to the public view on any Lot without the explicit, itemized approval of the Architectural Control Committee.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 6.1. (p. 8): Covenant suspending owner voting rights for delinquency or covenant violations is void under the Texas Property Code.

Statutory / Legal Reference: Tex. Prop. Code § 209.0059(a) & § 209.00592

Statutory Comparison: The federal Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243) prohibits community associations from adopting or enforcing any policy that prevents a member from displaying the flag of the United States on residential property to which the member has a separate ownership interest or right to exclusive possession or use.

CURRENT WORDING IN DOCUMENT:

Signs. All signage and flags displayed on a Lot or Building shall comply with the Design Guidelines and any applicable Governmental Requirements. No signs or flags shall be displayed to the public view on any Lot without the explicit, itemized approval of the Architectural Control Committee.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Signs. All signage and flags displayed on a Lot or Building shall comply with the Design Guidelines and any applicable Governmental Requirements. No signs or flags shall be displayed to the public view on any Lot without the explicit, itemized approval of the Architectural Control Committee. [STATUTORY FLAG EXEMPTION]: In accordance with the Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243), any homeowner may respectfully display the official United States flag on residential property under their ownership or exclusive use.