ISSUE #1

Section 19 - Sample Provision Excerpt (Public Preview)

SIGNS No sign of any kind shall be displayed to the public view on any Lot except during the construction and sales period except for the following: (1) One sign not more than two square feet in size identifying the property of the owner, (2) One sign not more than six square feet in size advertising the property for sale or rent,...

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 19 (p. 1): Protected Political/Real-Estate Signage, Flag, or Religious Display Restriction: Clause bans all yard signs without a statutory political/election sign carve-out or restricts protected U.S./military flags or religious displays under WI and federal law.

Statutory / Legal Reference: Wis. Stat. § 779.70 & Ch. 181 (2021 Wis. Act 199 HOA Notice Law) & Wis. Admin. Code DFI-CCS / ATCP Ch. 134

Statutory Comparison: Under Wis. Stat. § 779.70 & Ch. 181 (2021 Wis. Act 199 HOA Notice Law) & Wis. Admin. Code DFI-CCS / ATCP Ch. 134; 4 U.S.C. § 5, associations may not prohibit the display of the United States flag (4 U.S.C. § 5) or enforce blanket bans on residential yard signs that fail to carve out statutorily protected political election signs, religious door displays, or owner "For Sale/For Lease" signs...

CURRENT WORDING IN DOCUMENT:

SIGNS No sign of any kind shall be displayed to the public view on any Lot except during the construction and sales period except for the following: (1) One sign not more than two square feet in size identifying the property of the owner, (2) One sign not more than six square feet in size advertising the property for sale or rent,...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend Section 19 to carve out statutorily protected political signs during election periods, U.S./State/Military flags under 4 U.S.C. § 5, and religious displays in accordance with Wis. Stat. § 779.70 & Ch. 181 (2021 Wis. Act 199 HOA Notice Law) & Wis. Admin. Code DFI-CCS / ATCP Ch. 134; 4 U.S.C. § 5.