ISSUE #1

**Section 4. - Sample Provision Excerpt (Public Preview)**

No more than one flagpole shall be located on any lot. No flag having an area of more than three (3) feet by five (5) feet shall be flown from such a pole. No flags shall be lit after sundown. The maximum height of such flagpoles may not exceed nineteen (19) feet.

MARKUP #1 ->



MARKUP #1 · POTENTIAL STATUTE CONFLICT

BOARD & COUNSEL REVIEW

**Sec. 4. (p. 1): Signage or flag restriction prohibits the display of the United States flag, Wyoming state flag, or political yard signs.**

**Statutory / Legal Reference: 4 U.S.C. § 5 Note (Freedom to Display the American Flag Act of 2005) & Wyo. Stat. §§ 17-19-101 to 17-19-1807 (Wyoming Nonprofit Corporation Act) & 021-0002 Wyo. Code R....**

Statutory Comparison: Under the Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5) and Wyoming property law (Wyo. Stat. Ann. §§ 34-20-101 to 34-20-104), an association may not adopt or enforce any restriction that prevents an owner from respectfully displaying the U.S. flag or imposes an unreasonable blanket ban on protected political signs on the owner's property.

CURRENT WORDING IN DOCUMENT:

No more than one flagpole shall be located on any lot. No flag having an area of more than three (3) feet by five (5) feet shall be flown from such a pole. No flags shall be lit after sundown. The maximum height of such flagpoles may not exceed nineteen (19) feet.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

**Pursuant to 4 U.S.C. § 5 and Wyoming law, nothing in this provision shall prohibit an owner from respectfully displaying the flag of the United States or the flag of the State of Wyoming, or displaying noncommercial political yard signs subject to reasonable size and placement guidelines.**