

Swan Meadows Homeowners Association

Flag, Sign, Banner & Exterior Posting Policy

Pursuant to C.R.S. §38-33.3-209.5(1)(b)(IV)

BE IT RESOLVED, the Swan Meadows Homeowners Association (“Association”) hereby adopts the following procedures to be followed for enforcing the use of outdoor Flags in the Association.

1. **Scope:**

To adopt a procedure and policy outlining procedures to be followed for Flags, Signs, Posts and Banners in the Association.

Flags/Banners/Signs are regulated in accordance with Colorado State Law, which allows an Association to stipulate and enforce the number of Flags/Banners/Signs allowed on any one lot or property, as well as stipulate their location and size.

- **What is allowed:** One regulation, Federal American or State Colorado Flag, no larger than 36 inches (3 feet) high by 48 inches (4 feet) wide. Any flag larger than this size is prohibited.
 - If two Lots have been merged into one by the owner/s, only one Flag/Banner/Sign may be posted on the combined merged lot/s.
 - One political flag/sign/banner in addition to the regulation, Federal, American/USA flag or regulation, State, Colorado flag.
- **All Commercial flags/signs/banners are prohibited at all times**, except for Real Estate signs that may have exclusions in the Declaration. See the Declaration for more details.
 - Commercial Flags/Banners/Signs include sports’ teams, businesses, unapproved Real Estate signs, home-businesses, or any other commercially related businesses, including For and Non-Profit entities.
- No Banners/Signs/Exterior, **Political** postings visible from outside may be larger than 12 inches (1 foot) high by 24 inches (2 feet) wide.
- The owner may choose to post their one, political Flag/Banner/Sign in a window instead of on their Lot. If posted in a window, no more Flags/Banners/Signs are allowed to be posted that can be seen from the exterior, anywhere on the Lot.
- In sum, any owner can fly/post/erect one regulation, Federal, American (USA) flag or one regulation, State Colorado flag on their property/lot, as well as one political Flag/Banner/Sign in accordance with the size restrictions outlined in this Policy.

2. **Specifics:**

Violations may be observed by anyone and reported via written correspondence through e-mail, digital format or mail service. The complaint must state specifically the violation observed, as well as a picture of the violation. For specificity, please see the Associations’ Covenant Enforcement Policy.

If full details are not provided with a complaint, further action beyond additional observation may not be made. The Board will investigate the complaint further and will make additional observations if required.

3. Fines:

A courtesy notice shall be sent to the Owner giving them seven (7) days to remove the Flag/Banner/Sign that is in violation of this Policy.

If the violation is not resolved after 7 days, the Owner shall receive a follow up notice of violation and fine of \$50.00 per day until the violation is resolved.

If after 30 days the violation is not resolved, the Board may choose to resolve by increasing fines to \$100.00 per day, as well as have the Flag/Banner/Sign removed from the premises. The Board may utilize the services of a private contractor and local law enforcement agencies. The Owner shall be charged for the cost of removing the violation.

If a complaint is found to be in violation of a municipal code, the complaint will be forwarded to the appropriate authorities.

Owners are responsible for any fines that may be levied against their property due to non-compliance of their tenants.

Non-payment of fines will fall under the Dues Collection Policy.

Voting rights will be suspended for any Owner who is or has been in violation of the Master Declaration of Covenants, Conditions and Restrictions (“Declaration”) in the previous thirty (30) days.

Definitions: Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning therein.

Supplement to Law: The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.

Deviations: The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

Amendment: The Board of Directors may amend this procedure from time to time.

President’s Certification: The undersigned, being the President of the Association, certifies that the Board of Directors of the Association adopted the foregoing resolution and in witness thereof, the undersigned has subscribed his/her name.

Swan Meadows Homeowners Association


President

Effective Date: 11/17/21