

**Effective Date: March 1, 2022**

**Garden Grove Townhome Owners Association, Inc.**

**Policy on Flags and Signs within the community**

Whereas the State of Colorado has enacted legislation known as HB21-1310 and said legislation changes the "Colorado Common Interest Ownership Act" Colorado Revised Statutes, Title 38 Article 33.5 Section 106.5 so that notwithstanding any declaration, bylaw, rule or regulation the association shall not prohibit freedom of expression in the display of flags or signs; however, associations may regulate the number, placement and size of flags and signs. The Board of the Garden Grove Townhome Owners Association has approved the following policy on number, placement and size of signs and flags.

**Definitions:**

- 1) "Street" within this document means the street name portion of the Unit's postal address.
- 2) "Front yard" within this document means the common area between the street and the Unit within extensions of the long side of the individual Unit's platted boundary. Front yard does not include the city sidewalk, street, street signs and signs installed by the city such as (but not limited to) speed limit or parking signs or their supports, street lighting or their support, US Postal mailbox structure and any gravel area surrounding such postal mailbox structure.
- 3) "Garden Banner" within this document means a solid fabric banner designed to accentuate the appearance of the Unit's limited common area or front yard gravel common area.
- 4) "Flagpole" within this document means a round pole no longer than 8 feet in length including any supporting structure and any adornment at the top of the flagpole.
- 5) "Flag" within this document means a solid fabric banner designed to be displayed so as to move with the wind.
- 6) "Sign" within this document means any non-fabric device with symbols, printing or other information on it designed and placed so as the public may view it.

- 7) "Commercial Sign" within this document means any sign or flag that conveys a message to solicit any form of business, sell or promote any product or solicit any funds **EXCEPT** a "For Sale" sign for the Unit itself.
- 8) "Political sign" within this document means any sign advocating for or against any political party, candidate running for elective office, bond issue or any other issue that will appear on a local Federal, State, County or local city or district ballot. That includes supporting or opposing any collection of funds for such ballot issue, candidate, party or elected position.
- 9) "Offensive" means any sign, flag or banner that receives complaints, in writing filed with the management agent from more than 5% of the individual Unit owners.

Policy:

- All flag supporting methods and/or structures **MUST** be approved by the Architectural Control Committee, forms are available on the website.
- Commercial signs are prohibited. Political signs may **ONLY** be displayed 45 days before and 7 days after the date of the election.
- All flags, signs and Garden Banners must be kept in good repair.
- All flags, signs or garden banners that are contained wholly within the Unit are not regulated unless they are offensive.
- Offensive signs, flags or banners are prohibited.
- No sign is permitted without supporting legs that insert into the ground. No sign is permitted that requires digging in the ground to install.
- No flag is permitted without it being attached to a flagpole.
- **ONE** (1) flag and **ONE** (1) sign are permitted in the Unit's front **ONLY**. No signs or flags are permitted on side or the rear common area.
- **THREE** (3) Garden Banners are permitted in the Unit's rear limited common area and/or front gravel common area.
- No Garden Banner may be larger than 18" x 24" nor thicker than ¼"
- No flag may be larger than 3' x 5' nor thicker than ¼".
- No sign may be larger than 2' x 4' nor thicker than ¼"; however, it may have a supporting frame no larger than 2" wider than the sign it encloses. Sign legs may be up to 2' in length in addition to the sign and frame itself.
- No flag or sign may be placed in, on or attached to any tree or bush within the common area.

- No sign or flag or their supporting structure may be attached in any manner to any soffit, fascia, gutter, downspout, roof shingle or utility fixture.
- No flag, flagpole, banner or sign may interfere with routine maintenance, including lawn care; however, the Unit owner or tenant may remove any flag, flagpole or sign at least 1 hour prior to maintenance being scheduled and may return the flag, flagpole or sign at least 1 hour after the completion of the maintenance.
- No flagpole supports may be placed in or on the ground. They may be attached to any other portion of the front of the Unit that is **owned** by the Unit owner. **ANY** damage caused by mounting the flag support to the exterior portion(s) of the Unit, that are required to be maintained by the HOA (stucco, stone, concrete, wood or roof) shall be the sole responsibility of the **Unit Owner** and that responsibility **will transfer** with the title to the Unit. Once any damage is repaired by the Unit owner, the Unit owner may petition in writing for the HOA Board to inspect the repaired area and for the Board to absolve the Unit owner from any further responsibility for damage in the repaired area. If approved, the board **will** provide the Unit owner with a written and signed document to the same effect.

This policy was approved on 2/17/2022 at the regularly scheduled Garden Grove Townhome Owners Board Meeting and takes effect March 1, 2022.

Michael Munkie  
 President Garden Grove HOA

2-28-22  
 Date

Carolyn Helmgren  
 Secretary Garden Gove HOA

2-27-22  
 Date