Sign and Flag Policy

1. **Policy Owner:** Governance GOV
2. **Policy Name:** Sign and Flag Policy
3. **Policy Purpose:** To adopt content-neutral rules and regulations governing the display of flags and signs within the Genesee Foundation.
4. **Definitions:**
    a. Sign – A display, such as a lettered board, for public view.
    b. Flag – A piece of cloth or similar material with a distinctive design, typically rectangular, oblong, or square, attachable by one edge to a pole.
    c. Commercial – pertaining to the exchange of buying or selling of commodities and /or intending to make a profit. Commercial signs or commercial flags include 'for sale' or 'for rent' signs and flags.
5. **Policy**
    a. As stated in the Genesee Foundation Member Commitment to Civility, we believe all interactions in the community should be civil despite any difference of opinion on a particular issue. Finding common ground and engaging in civil discussion is important to each of us. We trust that all our residents will be respectful and accountable for their own actions and words.
    b. The content of Signs and Flags are not regulated by the Genesee Foundation.
    c. No more than a total of two displays, whether Signs, Flags, or both, may be displayed within the lot or unit boundaries, including in windows and on balconies, patios, or decks.
    d. All Signs and Flags shall be professionally manufactured and lettered. No handwritten Signs or Flags shall be allowed.
    e. All Signs and Flags must be maintained in good condition, free from fading, fraying, and may not be torn or ripped.

    f. Per Section 38-33.3-106.5 of the Colorado Common Interest Ownership Act, signs and flags may be posted by an Owner or Occupant of a unit on private property within the boundaries of that unit or in a window of the unit under the following conditions:
        i. <u>Signs:</u>
            1. Signs may only be displayed within the boundaries of an Owner's or occupant's lot.
            2. The area of an individual sign may not exceed 12 square feet.
            3. The top of any sign, except window signs, shall be no higher than 4 feet from the ground.
            4. Posting of signs on trees is not permitted.
            5. Lighting of signs is not permitted.
        ii. <u>Flags:</u>
            1. Flags may only be displayed on a freestanding flagpole or a flagpole that is attached to a dwelling unit.
            2. The area of an individual flag may not exceed 15 square feet.
            3. Lighting of flags:

a. 3. Lighting of Flags is not permitted, except the U.S. flag may be illuminated when displayed during hours of darkness as advised in the U.S. Flag Code (4 U.S.C. Chapter 1) in compliance with the provisions of this section. Lighting for illumination of the U.S. flag (including solar): (A) may not be installed without prior written approval from the Architectural Review Committee; (B) must adhere to ARC Standards regarding Exterior Lighting; and (C) shall be focused entirely on the flag using an up-lighting or down-lighting fixture. For the purpose of this Sign and Flag Policy, U.S. flag means the flag of the United States as defined in the U.S. Flag Code and Executive Order 10834 issued pursuant thereto.

iii. Flagpoles:

1. Freestanding flagpoles may not be installed without prior written approval from the Architectural Review Committee.
2. Each unit is limited to installing one freestanding flagpole within the boundaries of an Owner's or occupant's lot.
3. Freestanding flagpoles may not exceed 10 feet in height as measured from the ground and may only be located within the boundaries of a lot or unit. Flagpoles installed within the boundaries of a lot or unit prior to the effective date of this policy that exceed this height are exempted from this height restriction.
4. A Flagpole attached to an owner's unit may not exceed 6 feet in length.

g. No Signs or Flags bearing Commercial messages may be displayed in the Community other than as permitted in a Supplemental Declaration applicable to the filing.

h. No Signs, Flags, or flagpoles may be placed on any General Common Properties, including any Open Spaces. If a Sign, Flag or flagpole is placed on any General Common Properties, the Foundation will remove it immediately, store it at the Maintenance Shop 30 days. Should the owner of the flag or sign not claim it within that time period, the Foundation will dispose of it appropriately.

6. Conflicts

a. All provisions of the Declaration regarding signs and flags continue in full force, except insofar as any provisions of the Declarations are expressly prohibited under Section 38-33.3-106-5 (a) and (c) CRS. This Policy establishes reasonable, content-neutral rules regarding the number, size and placement of signs, flags and flagpoles as permitted under this statute.

b. To the extent a Supplemental Declaration contains content-neutral sign and flag regulations that are more stringent than those contained in this Policy, the Supplemental Declaration shall control. For example, if this Policy states that all signs shall be no larger than 3' x 4', but a Supplemental Declaration states that a particular type of sign shall be no larger than 2 square feet, the Supplemental Declaration is more stringent and, therefore, shall control.

7. Enforcement

a. Any violation of this policy will be subject to the terms contained within the Covenant Enforcement Policy and Fine Procedures of the Genesee Foundation.

APPROVED BY: Board of Directors, Governance
SUPERCEDES: Election Signs Policy
APPROVAL DATE: September 22, 2021, November 17, 2021. April 27, 2022, August 26, 2026
REVIEW DATE: 3 years (2029)