

THE WATERFRONT AT BOYD LAKE MASTER ASSOCIATION POLICY REGARDING FLAGS AND SIGNAGE

1. Introduction.

The Board of Directors (“Board”) of The Waterfront at Boyd Lake Master Association, a Colorado nonprofit corporation (“Association”), acting pursuant to the powers set forth in the Association’s Bylaws, Articles of Incorporation, the Master Declaration of Covenants, Conditions and Restrictions for The Waterfront at Boyd Lake (“Declaration”) (such documents being collectively referred to as the “Association Documents”), and in compliance with Colorado Revised Statutes § 38-33.3-106.5(1)(a) and (c), has enacted the following Policy effective as of the date set forth below. Unless the context otherwise indicates, capitalized words and terms shall have the meanings set forth in the Association Documents. This Policy supersedes any previously adopted Policy on the same subject matter.

2. Background and Purpose.

Colorado House Bill 21-1310, signed into law on July 2, 2021, amended Colorado Revised Statutes § 38-33.3-106.5 to provide that a homeowners association may not prohibit the display of any flag or sign on a unit owner’s property, in a window, or on a balcony adjoining the unit owner’s unit based upon subject matter, message or content, except that an association may prohibit flags and signs bearing commercial messages. However, an association may establish reasonable, content-neutral flag and sign regulations based upon the number, placement, or size of the flag or sign or based upon other objective factors.

This Policy is intended to establish reasonable, content-neutral flag and sign regulations based upon number, placement and size of the flag or sign and is intended to supersede any previously adopted Policy on the same subject matter as well as any provision of the Declaration to the contrary as required by Colorado law.

3. Flag and Sign Policy.

Notwithstanding any provision in the Declaration, Bylaws or rules and regulations of the Association to the contrary, the Association shall not prohibit the display of any flag or sign by an Association member, or an Association’s member’s occupant or tenant, on property within the boundaries of their Lot or their home, or in a window of their home, or on a balcony adjoining their home, based upon the content of the flag or sign, except that:

- A. The Association may prohibit the display of flags or signs that contain commercial messages; and
- B. The Association may regulate the size and number of signs and flags as set forth below.

The Association shall permit no more than three (3) flags, not to exceed four (4) feet by six (6)) feet, and no more than two (2) signs, neither of which may exceed three (3) feet by four (4) feet.

The size and location of any flagpole must be approved by the Association prior to installation.

4. Amendment.

This Policy may be amended from time to time by the Board.

5. Effective Date.

This Policy has an effective date of _____, 2021.

CERTIFICATION

The undersigned, being the duly elected and acting President or Secretary of The Waterfront at Boyd Lake Master Association, a Colorado nonprofit corporation (“Association”) certifies that the foregoing Policy was approved by the vote of a majority of the Association’s Directors at a meeting of the Association’s Board of Directors held on _____, 2021.

The Waterfront at Boyd Lake Master Association, a
Colorado nonprofit corporation

By: _____