

# BEAR CREEK LAND OWNERS' ASSOCIATION



82 East Coach Drive, Antonito, Colorado, 81120

## **SIGN, RELIGIOUS SYMBOL, AND FLAG POLICY POLICY #2022-2 (supercedes and replaces Political Expression Policy, #2020-2 in its entirety)**

Adopted Date: 4-30-2022

Effective Date: 5-15-2022

In compliance with the Colorado Common Interest Ownership Act ("CCIOA"), the Board of Directors of the Bear Creek Land Owners Association, Inc. ("Association") has adopted uniform and systematic rules to address the display of signs, religious symbols, and flags within the community. These rules supersede and replace any existing policy and rules concerning these items adopted prior to the Effective Date of these rules.

### **Sign, Religious Symbol, and Flag Rules**

1. **State Law Limitations and Authority.** The Colorado legislature determined that prohibitions with respect to the display of certain signs, religious symbols, and flags on the basis of their subject matter, message, or content within the community are contrary to public policy. (See C.R.S. 38-33.3-106.5.) The legislature also determined that the Association may prohibit signs and flags bearing a commercial message, and may establish reasonable, content-neutral sign and flag regulations based upon the number, placement, size or other objective factors.
2. **Limitation on Existing Covenants.** Based upon the CCIOA prohibitions recited above, the Association will not enforce Article VIII, Section 2 of the Declaration except to the extent allowed by law and these rules.

The existing covenants and restrictions in the Declaration state as follows:

No signs of any kind shall be displayed to the public view on the building site, except one sign of not more than two square feet advertising the Property for sale or rent.

3. **Sign and Symbol Rules.** An owner or occupant of a residence may display signs in accordance with the following:
  - A. All signs must be placed within the boundaries of the lot.
  - B. Any sign located on the common area/common elements may be removed and disposed of without notice.
  - C. All signs and symbols must be maintained in good condition and must be replaced as necessary when damaged, worn, or faded.
  - D. Non-Commercial Sign Rules:
    - (i) Signs may be no larger than 36" by 48" in size.

President – Gary Burke  
Secretary – Garth Reese

1<sup>st</sup> VP – Mike Tebo  
VP Community Affairs – Denise Purcell

Treasurer – Tim Jackson

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(ii) A maximum of two non-commercial signs are permitted to be displayed within the Owner's property at a time.

(iii) A sign may be displayed within a window inside the residence in the front, side or back yard. Front yard signs must be located behind the front property line.

(iv) Yard signs, in the property of the Owner, may not be permanently affixed to the property fencing, if any.

## E. Commercial Sign Rules:

### (i) For Sale/For Rent/Open House Signs

(a) One professionally-lettered For Sale sign or one professionally-lettered For Rent sign may be displayed on the property offered for sale or for rent. A sign may not be more than three feet by three feet. For Sale signs must be removed not later than the date of closing, and For Rent signs must be removed when the property is leased.

(b) One professionally-lettered Open House sign not to exceed three feet by three feet may be displayed on the property on the day of the open house and must be removed at the end of the day. ( Rentals are governed by Policy #2017-5 – Property Rental).

### (ii) Security Signs

(a) One professionally-lettered security sign not to exceed two square feet in size may be displayed on the property, and a reasonable number of professional security decals not larger than eight inches by eight inches may be displayed within windows in a residence.

(iii) With the exception of the permitted commercial signs noted above, all other trade, marketing, or commercial signs, including but not limited to, landscaping, painting, remodeling, or business advertising, are prohibited.

## F. Rules on Religious Items or Symbols

(i) A "religious item or symbol" means an item or symbol displayed because of a sincerely held religious belief. A religious item or symbol may not contain graphics, language, or any display that is obscene or otherwise illegal.

(ii) A religious item or symbol may be displayed on an entry door or entry door frame of a residence, individually or in combination with other religious items or symbols, as long as they do not cover an area greater than 36 square inches.

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4. Flag Rules. An owner or occupant of a residence may display flags in accordance with the following:

- A. All flags must be placed within the boundaries of the lot.
- B. Any flag located on the common area may be removed and disposed of without notice.
- C. All flags and flag poles or flag staffs must be maintained in good condition and must be replaced as necessary to prevent wear and tear.
- D. Non-Commercial Flag Rules:
  - (i) Flags shall be no larger than 3'x 5'.
  - (ii) A maximum of two non-commercial flags are permitted to be displayed within the Owner's property at a time.
  - (iii) A flag may be displayed within a window inside the residence, from a balcony adjoining the residence, or from a staff projecting horizontally from a location on the front or back of the residence. The staff may not be longer than 8' in length. Prior written approval of the Association is required for freestanding flag poles.
  - (iv) Notwithstanding the above, permitted flags may not be illuminated without prior written approval of the Association. Any request for lighting must detail the type and location of lighting. Lighting shall not be installed so as to disturb other residences.
- E. Commercial Flag Rules:
  - (i) Flags bearing a commercial message, including but not limited to, trade, marketing, landscaping, painting, remodeling, or business advertising are prohibited.

These Sign, Religious Symbol, and Flag Rules were adopted by the Board of Directors of the Association.

**Bear Creek Land Owners Association, Inc.],**  
a Colorado nonprofit corporation,

By: \_\_\_\_\_

Its: Secretary

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