

Kenswick Homeowners' Association

RESOLUTION REGARDING REGULATION OF FLAG DISPLAY

WHEREAS, Section 202.011 of the Texas Property Code provides for the regulation of flag display by a property owners' association;

WHEREAS, the Board of Directors desires to amend its dedicatory instruments to comply with the Texas Property Code.

NOW, THEREFORE, BE IT RESOLVED THAT the following policy is hereby adopted by the Board of Directors.

I. DEFINITIONS

"Flag" shall be referred to as defined in Texas Property Code Section 202.011 (a). The following are the only flags to be permitted: (i) the flag of the United States of America; (ii) the flag of the State of Texas; or (iii) an official or replica flag of any branch of the U.S. Armed Forces.

II. POLICY

1. The flag of the United States shall be displayed in accordance with 4 U.S.C. Sections 5-10
2. The flag of the State of Texas shall be displayed in accordance with Chapter 3100, Government Code
3. A flagpole attached to a dwelling or a freestanding flagpole shall be constructed of permanent, long-lasting material, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling.
4. The display of a flag, or the location and construction of the supporting flagpole shall comply with applicable zoning ordinances, easements, and setbacks of record.
5. The display of a flag, or the location and construction of the supporting flagpole shall be closer to the front building line than the front lot line; and shall be no closer than five (5) feet of the side building line.
6. A displayed flag and the flagpole on which it is flown shall be maintained in good condition and any deteriorated flag or deteriorated or structurally unsafe flagpole shall be repaired, replaced, or removed.
7. Only one flagpole shall be constructed and maintained per lot that is not more than 20 feet in height.
8. The size of the flag shall be no larger than three feet by five feet (3'X5').
9. The size, location and intensity of any lights used to illuminate a displayed flag shall not be disruptive to neighbors as determined by the Association.
10. No owner shall display a flag or flagpole on property that is owned or maintained by the Association or owned in common by the members of the Association.

Duly adopted at a meeting held by the Board of Directors of Kenswick Homeowners' Association, this 12 day of December, 2011.

Effective Date: December 12, 2011.

Signed:

Richard "Dick" Sprouse

Signature

Richard "Dick" Sprouse (Print Name)
President, Board of Directors