

RESOLUTION 20_09_21
OF THE
HIGHLANDS RANCH COMMUNITY ASSOCIATION, INC.
ADDRESSING SPECIFIC COVENANT ENFORCEMENT
RELATED TO SIGNS DURING COVID-19

SUBJECT: Adoption of a policy and procedures relating to enforcement of covenants and restrictions prohibiting and/or limiting signs in Highlands Ranch during the COVID-19 pandemic.

PURPOSE: The COVID-19 pandemic has fundamentally altered the ways in which community members can share messages of hope, encouragement, solidarity, and belonging, due to the contagious nature of the novel coronavirus. Section 9.9 of the Community Declaration for HRCA provides that no signs are permitted except with approval of the Architectural Committee. Section 2.72 of the Residential Improvement Guidelines specifies signs that are permitted without prior approval. Article XXII of the Commercial Design & Restrictions addresses signs on Commercial Sites. The Board of Directors desires to allocate the community's enforcement resources to covenant violations that may be more permanent and problematic than the signs contemplated herein, and to encourage community messages during times when in-person communications may be limited.

AUTHORITY: The Declaration, Articles of Incorporation and Bylaws of the Association, and Colorado law.

EFFECTIVE DATE:

September 15, 2020

RESOLUTION:

1. Statement of the Board. We have received a request to enforce removal of politically themed yard signs or those bearing cultural messages. As you have probably noticed, we currently have graduation, birthday, political message and various other types of signs in the community. The Board has looked at the issue and consulted with legal counsel for direction. Based on advice from counsel, the Board has determined that it will exercise its discretion and temporarily suspend enforcement activities related to yard signs. The only exceptions will be for those containing offensive or inappropriate language as determined by the Board, or political signs as defined by our guidelines and required by law. We are obviously in unprecedented and stressful times, and the Board believes that yard signs provide a small outlet of expression and a way to commemorate events that cannot be celebrated in typical ways. This is not a permanent change, just a recognition of the current challenges and an effort to

accommodate residents during this time.

2. Enforcement. The Board of Directors instructs Community Improvement Services to temporarily suspend enforcement activities related to signs permitted by this Resolution and to allow yard signs on Residential Sites in accordance with this Resolution. This suspension of enforcement activities shall not be interpreted to permit signs on Residential Sites that are permanently affixed to the property; signs that convey obscenity, defamation, fighting words, incitement, or other speech that is not protected under federal law; or signs that the Board or the Director of Community Improvement Services, in the exercise of their discretion, determine are contrary to the intent and purpose of the Community Declaration, subject to the Owner's right to request a hearing.
3. Residential Variances. In the event an Owner of a Residential Site requests architectural approval of a sign, the Board of Directors instructs the Architectural Committee to grant variances to the restrictions of Section 9.9 of the Declaration and Section 2.72 of the RIGs if the requested sign is not permanently affixed to the property, is not contrary to the intent and purpose of the Community Declaration, and does not convey obscenity, defamation, fighting words, incitement, or other speech that is not protected under federal law.
4. Commercial Signs. The Board of Directors instructs Community Improvement Services to permit temporary signs on Commercial Sites advertising that the Commercial Site is open or otherwise conducting business during the pandemic, provided that the size, location, and number of such signs shall be subject to reasonable restrictions proportional to the square footage of the Commercial Site.
5. Political and Other Signs. This Resolution does not alter Owners' rights to display political signs as permitted under Colorado law and other signs permitted under Section 2.72 of the RIGs or other governing documents.
6. Duration and Amendment. The Board of Directors will review this Resolution at least annually, if not more frequently, and may rescind or amend this Resolution in accordance with its Resolution adopting Procedures for the Adoption and Amendment of Policies, Procedures, and Rules. In the event this Resolution is rescinded or amended to require enforcement against and prior approval for the signs contemplated herein, no enforcement shall occur before giving Owners at least 15 days' notice of the rescission or amendment, as the case may be.
7. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.
8. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.
9. Deviations. The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

PRESIDENT'S

CERTIFICATION: The undersigned, being the President of Highlands Ranch Community Association, Inc. a Colorado nonprofit corporation, certifies that the foregoing Resolution was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on September 15, 2020 and in witness thereof, the undersigned has subscribed his/her name.

**HIGHLANDS RANCH COMMUNITY
ASSOCIATION, INC.,**

a Colorado nonprofit corporation

By: _____

A handwritten signature in black ink, appearing to read "Scott L. Green", is written over a horizontal line.

