

SPRINGPOINTE HOA RULE 5 REGARDING FLAGS AND FLAGPOLES

Introduction:

SpringPointe HOA recognizes the right of Arizona citizens to erect flagpoles and display flags on their property pursuant to Arizona Revised Statute § 33-1808:

A. Notwithstanding any provision in the community documents, an association shall not prohibit the outdoor front yard or backyard display of any of the following:

1. The American flag or an official or replica of a flag of the United States army, navy, air force, marine corps or coast guard by an association member on that member's property if the American flag or military flag is displayed in a manner consistent with the federal flag code (P.L. 94-344; 90 Stat. 810; 4 United States Code sections 4 through 10).
2. The POW/MIA flag.
3. The Arizona state flag.
4. An Arizona Indian nations flag.
5. The Gadsden flag.”

A. Provisions re: flags

1. SpringPointe HOA adopts Arizona Revised Statute § 33-1808, Part A, Subsections 1-5 restated as allowing the flying of the American flag or an official or replica of the flag of the United States army, navy, air force, marine corps or coast guard. The POW/MIA flag, the Arizona state flag, an Arizona Indian nations flag and the Gadsden flag may also be flown.
2. Other flags are allowed, but no flags can be flown that are political, anti-American, off color, crude or insulting in nature. This rule applies to all flags flown in SpringPointe regardless of location of the flag. The Architectural Committee reserves the right to identify and determine the acceptability of other flags in SpringPointe.
3. No more than two flags may be flown at one time.
4. Flags may not be larger than 3' x 5' in size.

B. Provisions re: flagpoles

These regulations shall apply to new flagpoles in SpringPointe as of March 1, 2016.

1. Pursuant to Arizona Revised Statute § 33-1808 Part B, members of the SpringPointe HOA may erect a flag pole in their front or back yard as long as it is located on the members' property according to the official plat of the member's lot maintained at the Pima County Assessor's office.
2. The flagpole may not exceed the height of the parapet wall/roof of the member's SpringPointe residence by more than one foot.
3. The Architectural Committee must approve the site and height of a proposed flagpole in writing prior to its installation.
4. Flags poles mounted on the homes will be a maximum of 8 feet long. All other flag pole rules will apply.

Violations of these rules may be enforced by all means available under existing rules of the SpringPointe HOA.

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