



Dear MSR POA property owner –

The following information is being provided regarding the flying of flags and the posting of political signs. There are Federal, Statutory and POA Design Guidelines that need to be followed. In the event you are not aware, this information should prove to be helpful:

Texas Property Code - Section 202.012 - Flags –

A property owners' association may not, except as provided in this section, adopt or enforce a dedicatory instrument provision that prohibits, restricts, or has the effect of prohibiting or restricting an owner from the display of:

- (1) the flag of the United States of America;
- (2) the flag of the State of Texas; or
- (3) an official or replica flag of any branch of the United States armed forces.

Texas Property Code - Political Signs –

Section -202.009 - Except as otherwise provided by this section, a property owners' association may not enforce or adopt a restrictive covenant that prohibits a property owner from displaying on the owner's property one or more signs advertising a political candidate or ballot item for an election: on or after the 90th day before the date of the election to which the sign relates; or before the 10th day after that election date. *This section does not prohibit the enforcement or adoption of a covenant that prohibits a sign that: contains language, graphics, or any display that would be offensive to the ordinary person;*

Section 259.002 – Which states in part.....

“...This section does not prohibit the enforcement or adoption of a covenant that prohibits a sign that: contains language, graphics, or any display that would be offensive to the ordinary person...”

As per the ASDGs for Mountain Springs Ranch – Section 7.12 - Flag Mounts and Flagpoles -which states in part...

“A lot owner may display flags permitted by the Texas Property Code and subject to all federal, state and county laws. A lot may have one flagpole or one residence-mounted flag mount, but not both. Displaying flags in a Common Area, or on any other lands owned or maintained by MSRPOA is strictly prohibited”...

With ACC approval, a flag mount attached to a dwelling or a freestanding flagpole must be constructed of permanent, long-lasting materials, with a finish appropriate to and harmonious with the house.

- One (1) flagpole is permitted provided it is:
- Free-standing and installed vertically;
- No higher than twenty feet measured from grade level;
- In compliance with existing zoning ordinances and setback requirements and not erected within an easement;
- Located within ten feet of the side-most building lines of the home, and within ten feet of the front most building line of the home;
- Not mounted so the external halyards (hoisting ropes) create loud noises.

A lot owner is responsible for ensuring that the flag display, flagpole, flag mount(s), and lighting remains in good condition.

Thank you

