

# TRAILS HOMEOWNERS ASSOCIATION I

## GUIDELINES FOR DISPLAY OF FLAGS

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the Trails Homeowners Association I ("Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the First Amended and Restated Declaration of Covenants and Restrictions for The Trails (Part B), filed of record on February 15, 1996, as Instrument No. 199600330616, Volume 96033, Page 2694, *et seq.*, Deed Records, Dallas County, Texas (the "Declaration"), as such may be amended and/or supplemented from time to time; and

WHEREAS, Chapter 202 of the Texas Property Code was amended to add Section 202.011 thereto regarding the display of flags; and

WHEREAS, the Board of Directors (the "Board") of the Association has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding the display of flags therein, it is appropriate for the Association to adopt guidelines regarding flag display within the community.

NOW, THEREFORE, the Board has duly adopted the following *Guidelines for the Display of Flags*.


1. An owner or resident may display:
  - a. the flag of the United States of America;
  - b. the flag of the State of Texas; and/or
  - c. an official or replica flag of any branch of the United States armed forces.
2. An owner may only display a flag described in 1. above if such display meets the following criteria:
  - a. The flag of the United States must be displayed in accordance with 4 U.S.C. Sections 5-10;
  - b. A flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code;
  - c. A flagpole attached to a dwelling or a freestanding flagpole must be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling;
  - d. The display of a flag or the location and construction of the supporting flagpole must comply with applicable zoning ordinances, easements and setbacks of record; and

**"ATTACHMENT 5"**

- e. A displayed flag and the flagpole on which it is flown must be maintained in good condition and any deteriorated flag or deteriorated or structurally unsafe flagpole must be repaired, replaced or removed.
3. The Association hereby adopts the following additional restrictions on the display of flags on an owner's lot:
- a. An owner may not install a flagpole which is greater than twenty feet (20') in height;
  - b. An owner may not install more than one flagpole on the owner's property;
  - c. Any flag displayed must not be greater than 3' x 5' in size;
  - d. Lights used to illuminate a displayed flag must comply with the following:
    - (i) Be ground mounted in the vicinity of the flag;
    - (ii) Utilize a fixture that screens the bulb and directs light in the intended direction with minimal spillover;
    - (iii) Points towards the flag and faces the main structure on the property or to the center of the property if there is no structure; and
    - (iv) Provides illumination not to exceed the equivalent of a 300 watt incandescent bulb or per the lighting stipulations of the City.
- Lights used to illuminate a displayed flag that do not comply with the above requirements constitute a nuisance and are not permitted on an owners' property.
- e. An owner may not locate a displayed flag or flagpole on property that is:
    - (i) owned or maintained by the Association; or
    - (ii) owned in common by the members of the Association.
  - f. Flagpoles must not generate unreasonable noise levels which would disturb the quiet enjoyment of other residents. Each flagpole owner should take steps to reduce noise levels by using vinyl or plastic snap hooks, installing snap hook covers or securing a loose halyard (rope) around the flagpole with a flagpole clasp.

This Policy is effective upon recordation in the Public Records of Dallas County, Texas and supersedes any policy regarding the display of flags which may have previously been in effect. Except as affected by Section 202.011 and/or by this Policy, all other provisions contained in the Declaration or any other dedicatory instrument of the Association shall remain in full force and effect.

This is to certify that the foregoing Policy was adopted by the Board at a meeting of the same held 5-10-12, and has not been modified, rescinded or revoked.

  
Name  
Title President  
Trails Homeowners Association I