



HIGHLAND PARK 3 ASSOCIATION, INC.

7075 Campus Dr. Suite 200, Colorado Springs, CO 80920

(719) 598-3198 / Fax (719) 598-2337 / info@HP3A.org

Yard Sign Policy

The purpose of this policy is to establish rules for posting yard signs and banners in the Highland Park 3 (HP3) neighborhood. The goal of the policy is to ensure our community maintains a high end look and feel which supports the high quality of life and peaceful enjoyment of homeowners in the community while reducing the burden on the ACC to approve smaller, temporary, signs. For the purposes of this policy the terms “members” and “home owners” are defined as the property owners of lots in Highland Park 3 regardless of the owner’s current place of residence.

Yard Signs

Covenants for the HP3 Homeowners Association - hereafter, HP3A - require property owners to obtain written approval from the Architectural Control Committee (ACC) before signs are displayed with the exception of “*reasonably sized builder or real estate signs not to exceed approximately six (6) square feet in size.*” In the event of a conflict between this policy and the covenants ([Paragraph 17: SIGNS](#)) the covenants will be followed. In the event of a conflict between this policy, the covenant, and the [Colorado Common Interest Ownership Act \(CCIOA\)](#), (paragraph 38-33.3-106.5), the law will be followed.

The following policies apply to all property owners within HP3A:

1. Signs and banners larger than a standard bandit yard sign (typically 24”x36” or less) require written approval by the ACC before the sign is placed regardless of sign content. Members are empowered to report oversized signs and banners to the Board of Directors and ACC to determine if the sign or banner was ACC-approved.
2. Similarly, signs of any size which are permanent in nature require written approval by the ACC. HP3A is a residential community, not a commercial district, and large signs which are commercial in nature are prohibited.
3. Celebratory banners (e.g. “Happy Birthday!” or “Congratulations!”) of a temporary nature do not require ACC approval and should be removed after one week.
4. Yard signs are limited to one per topic or issue. For example, if your high school senior recently graduated and you want to place a congratulatory sign on the property, you are limited to one sign not ten. Or, if you recently had a contractor complete work on your home and they ask to place a sign on your property, a single sign is acceptable. This limitation extends to signs of a political nature: *limit one per candidate and per issue.*
5. Yard signs must be placed 20 feet or more inside the owner’s property line and may not be placed street-side or in the easements surrounding the property line. (Easements extend 20 feet from the street.) To prevent over-eager individuals from littering the curbsides and common areas of HP3A with signs and advertisements, the HP3A will remove and dispose of *any* signs found along the community trail and along the streets and drainage easements. *All members* are empowered to remove signs placed on the common use trail, street intersections, and curb-side. The HP3A retains the right to place temporary signs such as those announcing public meetings or water meter readings in high visibility locations (intersections and trails).
6. Signs of a political nature are limited to 45 days prior to and 7 days after an election. This complies with State Law (CCIOA). For example, in 2022 the Colorado primary is June 28th and the general election is November 8th. Signs may be placed no earlier than May 15th and must be taken down by July 5th for the primary and September 24th/November 15th for the general election. Political signs posted before or after the 45/7 day limitation will be treated as yard refuse/litter under the HP3A trash policy. One sign per candidate or issue.
7. Signs which are deliberately antagonistic of a neighbor or impede the lawful right of other homeowners to peaceful enjoyment of their property - including by not limited to large signs which block views, signs that contain profanity, sign-wars between neighbors, and excessive numbers of signs - are prohibited. Profanity includes rearranging or

- covering letters to try and put a fig leaf over curse words. This policy specifically anticipates and prohibits this strategy by homeowners who intend to use this strategy to antagonize their neighbors.
8. Homeowners are reminded that going onto another property to remove or otherwise tamper with a yard sign is trespassing which is unlawful.
 9. In accordance with the CCIOA, the HOA may not regulate signs placed inside the owner's home (e.g. in a window) and may not ban the display of American flags, state flags, and flags of the armed services. The ACC may regulate the size and location of flagpoles to maintain the residential feel of the community and ensure displays do not block neighbors' views. However, members must obtain ACC approval for flag-banners flown from their flagpoles that are not one of the three flags identified above, such as those containing political statements or commercial advertisements. All American/State/Military flags must be flown in compliance with state and federal law.

Sign Policy Enforcement

Per the covenants, the Board of Directors is empowered to enforce the above rules. The purpose of fees and fines is to encourage homeowners to get into compliance and resolve the issue. The Board prefers to moderate fees and fines once members cure the issue, but is under no obligation to do so. Members are reminded that my right to speak presumes your right not to be forced to listen; that the number and size of signs can quickly spiral out of control creating a trashy look in the neighborhood; and that people passing through HP3A are more likely to litter the community with advertisements and other signs if they see homeowners doing it too.

1. *All members* are hereby empowered to remove and dispose of signs - regardless of the sign's content - planted along the common use trail in HP3A, at street intersections, and within arms reach of the pavement street-side. Typical examples include bandit signs placed at stop signs/intersections by landscaping companies and other companies offering services. During election season, volunteers for political candidates will often place bandit signs in neighborhoods especially targeting vacant lots and easements. *All members* are empowered to remove *any* such signs placed along the common use trail and at intersections. Members are reminded that going onto another property to remove a sign is trespassing and is unlawful. Concerns about signs on vacant lots should be submitted to the Board of Directors for review.
2. Signs posted without ACC written approval. The Board is empowered to issue a warning to the homeowner to move or remove the sign until ACC written approval is achieved. The warning will include the possibility and amount of the fine to be assessed if the issue is not corrected. The Board is further empowered to have offending signs removed at the homeowner's expense similar to the Board's power to remove unapproved structures and mow unmowed lots. Fines will be progressive in nature with fine amounts increasing based on the severity and the duration of the offending sign and sufficient to convince the homeowner that the financial cost is not worth the sign.
3. Political signs posted before the 45 day or after the 7 day requirements stated above (and also defined in the CCIOA) will be treated as yard trash and enforced under the HP3A trash policy.
4. The Board of Directors empowers the ACC to deny sign requests that do not suit the landscape or support the common look and feel of the community. The ACC may not dictate the content of political signage, but is empowered to regulate the size, shape, color, location, and general appearance of the sign so that it does not distract from the natural landscape of the community or impact the lawful peaceful enjoyment of neighbors.
5. Members may appeal enforcement measures in paragraphs 1-4 above to the HP3A Board of Directors by providing an acceptable reason why the sign was erected without ACC approval or placed in an unallowed location. The Board reserves the right to relieve penalties if the homeowner is making an active, good faith, effort to get into compliance.

This policy was published for public review on the hp3a.org website on: 6/4/2022

This policy was opened for public comment at the Board of Directors meeting on: 8/30/2022

APPROVED/DISAPPROVED by the Board of Directors on: _____ (date)

Timothy R. Cerniglia
President, Highland Park 3 Homeowners Association