

CATALINA FOOTHILL ESTATES NO. 9 ASSOCIATION
Effective as of February 1, 2021
RULES FOR FLAGPOLES AND POLITICAL SIGNS

Owners purchasing Lots in this Catalina Foothills Estates No. 9 Association (Association) are legally and contractually obligated to comply with the Declaration of Covenants, Conditions, and Restrictions (CCRs), including all applicable state and federal laws. The Board of Directors may from time to time adopt rules (Rules) pertaining CCRs to support the architectural objectives for Improvements on the Lots, and to set minimum Maintenance Standards. These Rules are enforceable to the same extent as the CCRs, are subject to the Schedule of Fines and the Association Lien, and are necessary to protect the substantial interests of the members of this Association.

A. FLAGPOLES

1. This Association may place reasonable limits on the time, place and manner of displaying the flag (The Freedom to Display the American Flag Act of 2005).
2. Flagpoles are “Improvements” and subject to the CCRs and these Rules (CCRs Section 2.c.). Flagpoles are permanent structures and, unlike a chimney, satellite dish or antenna, are not part of the house and are easily installed or removed.
3. No Flagpole shall be constructed or installed on any Lot without the prior written approval of the Board, and in accordance with the architectural review process set forth in the CCRs for “Improvements” (CCRs Section 4.a.(2) and Section 4.a(14)).
4. The height of all flagpoles shall be limited to no more than the following exterior elevation of the home (ARS 33-1808(B) and CCRs Section 4.a(12)):
 - a. thirteen feet from the finished floor to the highest point of the parapet wall for a single-level territorial style Residential Unit;
 - b. fifteen feet from the finished floor to the highest point of the roof ridge line for a single-level ranch style Residential Unit with a gabled roof;
 - c. thirteen feet from the main living finished floor level to the highest point of the Improvement for a split-level Residential Unit.
5. In addition to the requirements below, owners are limited to displaying no more than two (2) flags at one time. (ARS 33-1808 (b)). All flags must comply with the rules for Political Signs set forth below. Flagpoles cannot be used for advertising, promotions or self-endorsement.
6. No flagpole shall be erected or installed which creates a nuisance which is offensive or detrimental to any other Lot Owner. The Board in its sole discretion shall have the right to determine the existence of any such nuisance (CCRs Section 4.c). Some examples of a nuisance include, but are not limited to: violating the height restrictions in these Rules, creating an obstacle to neighboring views, or interfering with a neighbor’s enjoyment of his/her/their Lot.

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B. POLITICAL SIGNS, POLITICAL FLAGS, BANNERS, AND PARAPHERNALIA

1. In these Rules and the CCRs, "**Sign**" means every advertising message, announcement, declaration, display, flag, banner, poster, printed material, illustration, insignia, paraphernalia, surface or space erected or maintained in a location outside of a building and visible to the public for identification, advertising or promotion of the interest of any person, entity, product or service.
2. "**Political Signs**" shall mean and be defined as any Sign (including FLAGS as defined above) which (i) advertises, promotes or supports a candidate or candidates for public elective office or a political party, (ii) urges particular vote on a local, state, or national election or referendum, or (iii) expresses political beliefs, support or promotion of an individual or an issue related to or part of an election ballot (CCRs Section 4.m).
3. Unless otherwise provided in state or Pima county code, no Political Signs shall be erected or maintained on any Lot whatsoever. Per current state law, an Owner may display Political Signs on his/her/their Lot ONLY **seventy-one (71) days** before the day of an election (ARS 33-1808(c)). All Political Signs shall be removed no later than **three (3) days** after Election Day (ARS 33-1808(c)). State Law controls in the event of a conflict with these Rules.
4. "**Election Day**" shall be interpreted to mean day legally established for the election of public officials, *especially*, the first Tuesday after the first Monday in November in an even year designated for national elections in the U.S. and observed as a legal holiday.
5. The maximum aggregate total dimensions of all Political Signs on a member's property shall not exceed nine (9) square feet (ARS 33-1808(c)).
6. All Political Signs must remain respectful. No profanity or foul messages.
7. No Signs shall be erected or installed which violate state law and/or create a nuisance which is offensive or detrimental to any other Lot Owner. The Board in its sole discretion shall have the right to determine the existence of any such nuisance (CCRs Section 4.c). Some examples include but are not limited to violation of State Law, these Rules, or interfering with a neighbor's enjoyment, views or use of his/her/their Lot.