

EDGEWOOD AT EVERLANDS HOMEOWNERS ASSOCIATION

Flag Display and Flagpole Guidelines Architectural Control Committee (ACC) Standards

Purpose

The purpose of these Flag Display and Flagpole Guidelines is to establish reasonable, content-neutral standards governing the display of flags and the installation of flagpoles within Edgewood at Everlands while preserving the rights afforded to homeowners under Florida Statute 720.304 and maintaining the aesthetic character of the community.

These Guidelines shall be administered by the Architectural Control Committee (“ACC”) and enforced by the Association in a fair, consistent, and non-discriminatory manner.

Section 1. Authority

These Guidelines are adopted pursuant to:

The Declaration of Covenants, Conditions, and Restrictions for Edgewood at Everlands;
The Association’s Articles of Incorporation and Bylaws;
Florida Statute Chapter 720;
Florida Statute 720.304 relating to the display of flags and installation of flagpoles.

The Declaration provides that decorative objects and flagpoles visible from the exterior of a home generally require ACC approval. Accordingly, these Guidelines shall be interpreted in a manner that fully complies with Florida law.

Section 2. Protected Flags

Pursuant to Florida Statute 720.304, homeowners may display up to two (2) of the following flags without regard to content-based restrictions:

The Flag of the United States of America;
The Official Flag of the State of Florida;
A Flag of the United States Army;
A Flag of the United States Navy;
A Flag of the United States Air Force;
A Flag of the United States Marine Corps;
A Flag of the United States Space Force;
A Flag of the United States Coast Guard;
A POW-MIA Flag;
A First Responder Flag.

The Association and ACC shall not prohibit or unreasonably restrict the display of any flag protected by Florida law.

Flags not expressly protected by Florida Statute 720.304 shall remain subject to review and approval by the ACC in accordance with the Declaration of Covenants, Conditions, and Restrictions, these Guidelines, and any other duly adopted Association rules or standards. Such review shall be conducted in a fair, reasonable, and content-neutral manner and shall be based solely upon objective criteria, including size, location, installation method, maintenance, safety considerations, and compatibility with the community's architectural standards.

Decorative flags, including seasonal, holiday, celebratory, garden, and other ornamental flags that are not protected by Florida Statute 720.304, are not governed by these Guidelines. Such displays shall be addressed separately under the Architectural Control Committee's "Decorative Flags and Seasonal Display Guidelines," as adopted and amended from time to time by the HOA Board of Directors.

Section 3. Flagpole Standards

A. Wall-Mounted Flag Brackets

Homeowners may install a wall-mounted flag bracket on the front or side of a residence.

Wall-mounted flags should:

- Be securely attached;
- Not create a safety hazard;
- Be maintained in good condition.

B. Freestanding Flagpoles

Homeowners may install one freestanding flagpole consistent with Florida Statute 720.304.

Standards shall include:

- Maximum height: 20 feet;
- Constructed of aluminum, fiberglass, steel, or similar durable material;
- Professionally installed or installed in accordance with manufacturer specifications;
- Located to minimize interference with neighboring lots, utilities, easements, and sidewalks;
- Maintained in a safe and attractive condition.

Note: ACC approval shall be required solely to review compliance with location, safety, and appearance standards and not to regulate the content of protected flags.

Section 4. Flag Size Standards

To maintain visual harmony within the community:

Wall-Mounted Flags

Maximum size: 3 feet by 5 feet.

Freestanding Flagpoles

Maximum flag size: 4 feet by 6 feet.

Section 5. Maintenance Requirements

All flags and flagpoles shall be maintained in good condition.

Flags shall be replaced when:

Torn;

Faded;

Frayed;

Discolored;

Excessively weathered.

Flagpoles shall be maintained free from:

Rust;

Structural defects;

Leaning or instability;

Broken hardware.

Section 6. Illumination

Homeowners displaying the United States Flag during nighttime hours are encouraged to illuminate the flag in accordance with the United States Flag Code.

Lighting fixtures shall be unobtrusive and shall not create a nuisance for neighboring properties.

Section 7. Prohibited Displays

The following are prohibited:

Flags displayed in a manner that creates a safety hazard;

Flags attached to trees, utility equipment, street signs, or Association property;
Displays that obstruct sidewalks, roadways, or sightlines;
Flags maintained in a deteriorated condition;
Commercial advertising banners not otherwise permitted by the governing documents.

Nothing in this section shall be interpreted to prohibit any display protected by federal or state law.

Section 8. Content Neutrality

The ACC and Board shall administer these Guidelines without regard to:

Political viewpoint;
Religious viewpoint;
Military affiliation;
Historical interpretation;
Personal opinion regarding a flag's message.

All applications shall be reviewed using the same objective standards.

Section 9. Appeals

Any homeowner whose application is denied may request reconsideration by submitting additional information to the ACC and, if necessary, may appeal to the Board of Directors pursuant to Association procedures.

Section 10. Severability

If any portion of these Guidelines is determined to conflict with Florida law or a court order, the remaining provisions shall remain in full force and effect.

Section 11. Effective Date

These Flag Display and Flagpole Guidelines shall become effective upon adoption by the Board of Directors of the Edgewood at Everlands Homeowners Association and shall remain in effect until amended or repealed by the Board.

Certification

The foregoing Flag Display and Flagpole Guidelines were duly adopted by the Board of Directors of the Edgewood at Everlands Homeowners Association on:

Date

Joseph Auxilly – President

Cynthia Kushner – Vice President

Mandeep Mishra – Treasurer

Bianca Terrier – Secretary

IMPORTANT NOTICE

These Guidelines are intended to supplement, and not replace, the Edgewood at Everlands Declaration. In the event of any inconsistency between these Guidelines and the Declaration, the Declaration shall govern.