FOREST RIDGE HOMEOWNERS ASSOCIATION

POLICY/REGULATORY RESOLUTION NO. 2018-1

DISPLAY OF POLITICAL CAMPAIGN SIGNS ON LOTS

WHEREAS, Section 55-515 of the Virginia Property Owners' Association Act (Va. Code 55-508, et seq.) ("the Act") and the various Declarations and Supplemental Declarations of Covenants, Conditions and Restrictions (hereinafter "Declaration") which encumber all of the lots in the Forest Ridge subdivision charge all lot owners and their tenants, guests and invitees with compliance with the Declaration and all provisions of the Act; and,

WHEREAS, Articles VI and VII of the Declaration confer upon the Board of Directors the authority to exercise architectural control over the individual lots and common area and further set forth the enforceable restrictive covenants applicable to both individual lots and common area; and,

WHEREAS, Article VII, Section (4) (Protective Covenants and Restrictions) of the Declaration sets forth a general prohibition against the display in public view of "sign[s] of any kind" on any lot, which prohibition excepts one professional sign of not more than one square foot, one sign of not more than five square feet, advertising the property for sale or rent, or temporary signs used by a builder to advertise the property during renovation or repair projects; and,

WHEREAS, Section 55-513A of the Act confers upon the Board of Directors the power to establish, adopt and enforce rules and regulations with respect to use of the common areas and to such other areas of responsibility assigned to the Association by the Declaration (primarily, Articles VI and VII thereof); and,

WHEREAS, Article VIII, Section 1 (General Provisions - Enforcement) authorizes the Association to enforce by any proceeding at law or in equity all restrictions and covenants set forth in the Declaration; and,

WHEREAS, the above-cited sign prohibition is a restrictive covenant of record and therefore brings the subject matter of signs displayed upon a lot within the regulatory authority of the Board of Directors; and

WHEREAS, the Board has determined that it is in the best interests of the Association to establish a regulatory policy regarding the display of political signs upon the lots, which policy is intended to strike a balance between political expression and the restrictive covenant prohibiting signs to which every lot owner in Forest Ridge contractually agreed to abide;
Now, THEREFORE, BE IT RESOLVED that the Board of Directors hereby adopts the following policy regarding the display in public view of political and political campaign signs upon the private lots in Forest Ridge.

POLICY

The Board of Directors shall temporarily and conditionally waive the Association’s right to enforce the aforementioned restrictive covenant prohibiting signs, but such waiver shall be conditioned upon strict compliance by each lot owner with the following restrictions. Any non-compliance by any lot owner with the following restrictions shall operate to rescind the waiver as to that lot owner and shall subject the non-complying lot owner to the legal and equitable remedies available to the Association to enforce its restrictive covenants of record pursuant to the legal authorities cited above.

1. Political or political campaign signs may be displayed in public view upon the private lots in Forest Ridge only during the following period: not more than sixty (60) days before the date of any federal, state or local election or vote on any issue by the electorate, to not more than ten (10) days after the vote has occurred.

2. No political or political campaign sign shall exceed four (4) square feet (2' x 2') in size.

3. To lessen the visual blight of such signs, free-standing signs must be placed in the front yard within ten feet (10’) of the front plane of the dwelling structure.

4. Signs shall not be affixed to the dwelling structure, but may be attached to the interior side of windows so as to be visible through the windows.

5. At no time shall any signs be placed upon the common area. Any signs on the common area shall be immediately removed and disposed of by the Association. The Association is the owner in fee simple of all common area within the Forest Ridge subdivision and shall not tolerate encroachment, trespass or littering upon its land.

The regulations listed above shall be deemed rules and regulations of the Association and shall be enforceable as such by the Association pursuant to Va. Code § 55-513B.
RESOLUTION ACTION RECORD

Resolution Type: Policy/Regulatory  No. 2018-1

Pertaining to: Display of Political Campaign Signs on Lots.

Duly adopted at a meeting of the Board of Directors held September 6, 2018

Motion by:  Brandon White  Seconded by:  Marianne Bentley

VOTE:

YES  NO  ABSTAIN  ABSENT

Bill Brindley - Yes
Director

James Brindley - Yes
Director

Larry Bott - Yes
Director

Marianne Brindley - Yes
Director

Kerry Wight - Yes
Director

Thom Hefelf - Yes
Director

Joe A. Johnson - ABSTAIN
Director

Mike Ochoa - ABSENT
Director

ATTEST:

Date 9/6/2018

Secretary

FILE:

Book of Minutes - 2018
Book of Resolutions:

Policy
Regulatory
Special
General

Resolution effective: