

**RESOLUTION
OF THE
SAPPHIRE POINTE MASTER ASSOCIATION, INC.
AMERICAN FLAG AND SERVICE FLAG POLICY**

SUBJECT: Adoption of a policy and procedures regarding the size, location and manner of displaying of American and military service flags and flagpoles.

PURPOSE: The Association is charged with operating and managing the community, which includes the regulation of improvements, such as flags, installed within the community. Colorado law prohibits the enforcement of any covenant or rule which bans the displaying of American and military service flags. Therefore, the Board of Directors desires to adopt a policy that sets forth the size, location and manner of display of American and military service flags and flagpoles consistent with Colorado law.

AUTHORITY: The Declaration, Bylaws and Articles of Incorporation of the Association and Colorado law.

**EFFECTIVE
DATE:** February 1, 2006

RESOLUTION: The Association hereby adopts the following procedures to be followed regarding the size, location and manner of displaying of American and military service flags and flagpoles:

1. Definitions.

- A. American Flag – The flag of the United States of America.
- B. Service Flag – A flag bearing a star denoting any of the United States military services.
- C. Flagpole – Any pole on which to raise an American Flag or Service Flag.
- D. Freestanding Flagpole - A Flagpole that is installed in the ground.
- E. Attached Flagpole - A Flagpole that is attached to something other than the ground.

2. Approval.

- A. Any Owner desiring to install an American Flag, a Service Flag, or a Flagpole to the Owner's Property or Residence shall do so in accordance with this Policy. Any Owner shall obtain written approval from the Design Review Committee (hereinafter "DRC") prior to installing a Flagpole in accordance with this Policy.
- B. Compliance with the rules contained in this Policy does not relieve any Owner from obtaining approval for other exterior modifications, alterations and additions, as may be required by the Association's governing documents.

3. Size and Location of American Flags.

- A. An American Flag may be displayed anywhere on the Lot of the Owner so long as the flag is displayed in accordance with Section 5 of this Resolution. There is no size limit as to the dimensions of an American Flag that may be displayed pursuant to this section.
- B. An American Flag may be displayed on a Freestanding Flagpole, so long as the Freestanding Flagpole is no more than 12 feet high and 8 inches in diameter and is installed according to manufacturer specifications. The Freestanding Flagpole may only be installed in a front yard location approved by the DRC.
- C. An American Flag may be displayed on an Attached Flagpole, so long as the Attached Flagpole is no more than 6 feet long and 3 inches in diameter and is installed according to manufacturer specifications. The Attached Flagpole may only be installed in a location approved by the DRC.
- D. An American Flag may be installed in other locations only with prior written approval from the DRC.

4. Size and Location of Service Flags, and Qualification of Owner.

- A. In accordance with the below criteria, any Owner or resident may display a Service Flag at any time. Display is not limited to times of armed conflict.
- B. Service Flags may be displayed on the inside of the window or door of the Owner's Unit or on a Flagpole. The Service Flag shall be no larger than 3 feet x 2 feet.

- D. Service Flags may be displayed on a Freestanding Flagpole, so long as the Freestanding Flagpole is no more than 12 feet high and 8 inches in diameter and is installed according to manufacturer specifications. The Freestanding Flagpole may be installed only in a front yard location approved by the DRC.
- E. Service Flags may be displayed on an Attached Flagpole, so long as the Attached Flagpole is no more than 6 feet long and 3 inches in diameter and is installed according to manufacturer specifications. The Attached Flagpole may only be installed in a location approved by the DRC.
- F. Service Flags may be installed in other locations only with prior written approval from the DRC.

5. Manner and Display of American Flags and Service Flags.

- A. The American Flag must be displayed in accordance with the Federal Flag Code (P.L. 94-344; 90 Stat. 810; 4 United States Code Sections 4 through 10). The Federal Flag Code contains a number of requirements including, but not limited to, the following:
 - (1) the flag should never touch anything beneath it;
 - (2) the flag should never be used as a drapery;
 - (3) the flag should never be fastened, displayed or used in such a manner as to permit it to be easily torn, soiled, or damaged in any way;
 - (4) the flag is no longer in a condition fitting a emblem for display it should be destroyed in a dignified way, preferably by burning; and
 - (5) the flag may only be displayed from sunrise to sunset unless properly illuminated during the hours of darkness.

6. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.

7. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.

8. Deviations. The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

9. Amendment. This policy may be amended from time to time by the Board of Directors.

**PRESIDENT'S
CERTIFICATION:**

The undersigned, being the President of Sapphire Pointe Master Association, Inc. a Colorado nonprofit corporation, certifies that the foregoing Resolution was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on this 29 day of December, 2006 and in witness thereof, the undersigned has subscribed his/her name.

**SAPPHIRE POINTE MASTER
ASSOCIATION, INC.,**
a Colorado nonprofit corporation

By: Julie Cambler
President