

REFERENCE TITLE: homeowners' associations; cautionary signs

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2503

Introduced by
Representative Murphy

AN ACT

AMENDING SECTION 33-1808, ARIZONA REVISED STATUTES; RELATING TO PLANNED COMMUNITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 33-1808, Arizona Revised Statutes, is amended to
3 read:

4 33-1808. Flag display; political signs; caution signs

5 A. Notwithstanding any provision in the community documents, an
6 association shall not prohibit the outdoor display of any of the following:

7 1. The American flag or an official or replica of a flag of the United
8 States army, navy, air force, marine corps or coast guard by an association
9 member on that member's property if the American flag or military flag is
10 displayed in a manner consistent with the federal flag code (P.L. 94-344; 90
11 Stat. 810; 4 United States Code sections 4 through 10).

12 2. The POW/MIA flag.

13 3. The Arizona state flag.

14 4. An Arizona Indian nations flag.

15 B. The association shall adopt reasonable rules and regulations
16 regarding the placement and manner of display of the American flag, the
17 military flag, the POW/MIA flag, the Arizona state flag or an Arizona Indian
18 nations flag. The association rules may regulate the location and size of
19 flagpoles but shall not prohibit the installation of a flagpole.

20 C. Notwithstanding any provision in the community documents, an
21 association shall not prohibit the indoor or outdoor display of a political
22 sign by an association member on that member's property, except that an
23 association may prohibit the display of political signs earlier than
24 forty-five days before the day of an election and later than seven days after
25 an election day. An association may regulate the size and number of
26 political signs that may be placed on a member's property if the
27 association's regulation is no more restrictive than any applicable city,
28 town or county ordinance that regulates the size and number of political
29 signs on residential property. If the city, town or county in which the
30 property is located does not regulate the size and number of political signs
31 on residential property, the association shall permit at least one political
32 sign with the maximum dimensions of twenty-four inches by twenty-four inches
33 on a member's property. For the purposes of this paragraph, "political sign"
34 means a sign that attempts to influence the outcome of an election, including
35 supporting or opposing the recall of a public officer or supporting or
36 opposing the circulation of a petition for a ballot measure, question or
37 proposition or the recall of a public officer.

38 D. NOTWITHSTANDING ANY PROVISION IN THE COMMUNITY DOCUMENTS, AN
39 ASSOCIATION SHALL NOT PROHIBIT THE USE OF CAUTIONARY SIGNS REGARDING CHILDREN
40 IF THE SIGNS ARE USED AND DISPLAYED AS FOLLOWS:

41 1. THE SIGNS ARE DISPLAYED IN RESIDENTIAL AREAS ONLY.

42 2. THE SIGNS ARE REMOVED WITHIN TWELVE HOURS AFTER INITIALLY BEING
43 DISPLAYED.

44 3. THE SIGNS ARE DISPLAYED ONLY WHEN CHILDREN ARE ACTUALLY PRESENT IN
45 THE AREA.