



Circle D Civic Association

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DISPLAY OF SIGNS & RELIGIOUS ITEMS POLICY for CIRCLE D CIVIC ASSOCIATION

STATE OF TEXAS §
COUNTY OF BASTROP §



5 pgs
RESTRICTION

202208460

I, Gary Gagnon, Vice President of Circle D Civic Association (the "Association"), do hereby certify that at a meeting of the Board of Directors of the Association (the "Board") duly called and held on the 9th day of April, 2022, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following Display of Religious Items Policy was duly approved by a majority vote of the members of the Board:

RECITALS:

1. The properties encumbered by this Display of Religious Items Policy are those properties restricted by the following:
 - i. Reservations and Restrictions of Circle "D" Country Acres, East, recorded in Volume 206, Page 187, *et. seq.*, of the Real Property Records of Bastrop County, Texas;
 - ii. Reservations and Restrictions of Circle "D" Country Acres, Section 1, recorded in Volume 194, Page 8 *et. seq.*, of the Real Property Records of Bastrop County, Texas;
 - iii. Reservations and Restrictions of Circle "D" Country Acres, Section 2, recorded in Volume 194, Page 32 *et. seq.*, of the Real Property Records of Bastrop County, Texas;
 - iv. Reservations and Restrictions of Circle "D" Country Acres, Section 3, recorded in Volume 199, Page 649, *et. seq.*, of the Real Property Records of Bastrop County, Texas;
 - v. Reservations and Restrictions of Circle "D" Country Acres, Section 4, recorded in Volume 205, Page 278, *et. seq.*, of the Real Property Records of Bastrop County, Texas;
 - vi. Reservations and Restrictions of Circle "D" Country Acres, Section 5, recorded in Volume 200, Page 823, *et. seq.*, of the Real Property Records of Bastrop County, Texas;
 - vii. Reservations and Restrictions of Circle "D" Country Acres, Section 6, recorded in Volume 202, Page 407, *et. seq.*, of the Real Property Records of Bastrop County, Texas;
 - viii. Reservations and Restrictions of Circle "D" Country Acres, Section 7, recorded in Volume 201, Page 681, *et. seq.*, of the Real Property Records of Bastrop County, Texas;

- ix. Reservations and Restrictions of Circle "D" Country Acres, Section 8, recorded in Volume 202, Page 251, *et. seq.*, of the Real Property Records of Bastrop County, Texas; and
- x. Subdivision Restrictions of Circle "D" Country Acres, Section Nine, recorded in Volume 293, Page 221, *et. seq.*, of the Real Property Records of Bastrop County, Texas;

As same has been or may be amended and/or supplemented from time to time (collectively, the "Declaration"), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Association.

2. Section 202.018 of the Texas Property Code (the "Code") gives owners and residents certain statutory rights to install religious items subject to the right of the Association to adopt certain rules and regulations regulating the religious items and placement.

3. The Board of Directors of the Association desires to adopt a display of religious items policy consistent with the provisions of Section 202.018 of the Code.

4. This Display of Signs & Religious Items Policy replaces and supersedes any previously recorded or implemented policy that addresses the subjects contained herein, if any, adopted by the Association.

SIGNS POLICY:

The following signs are now clearly defined by the CDCA :

- **Business signs** - Since no businesses as defined by the CDCA Restrictions are allowed, no business sign can be displayed for a home business.
- **Temporary Directional Signs** - temporary signs include signs for yard sales, birthdays, auctions, family reunions, and other events. These signs are allowed and should be removed within five days of the completion of the event. Specific items like multi-week estate auctions would be allowable until five days after the last event was held.
- **Realtor Signs** - Having empty houses does not benefit the association, so realtor signs help move houses more quickly. They are allowed but should be removed within 30 days of the sale of the home.
- **Construction Advertisement Signs** - This includes signs that are put in front of a property by contractors working on the property. It is a way to get their name out and gives others in the neighborhood the ability to check with the homeowner about the quality of their work. These signs are allowed but should be removed 30 days after completion of the project.
- **Warning/ Advisory Signs** - Signs put up to make people aware of hazards or risks and advisory signs that let others know about conditions. This would include but is not limited to, beware of dog, no trespassing, horse crossing, slow children, signs

with instructions about deliveries, etc. These signs are allowed. If any are put in permanently in easements, they may be removed by the county, and therefore the owner needs to seek approval from the county for these signs.

- **Political Signs** - State restrictions on what an POA can and cannot restrict about political signs are contained in **Tx Election Code - Title 15. Regulating Political Funds And Campaigns - Chapter 259. Political Signs.**
 - A POA cannot enforce a restriction on political signs 90 days before or ten days after an election.
 - A POA can create the following restrictions on political signs:
 - Require a sign to be ground-mounted
 - Limit a property owner to displaying only one sign for each candidate or measure
 - A POA can prohibit the following in regards to political signs:
 - The use of roofing material, siding, paving materials, flora, one or more balloons or lights or any other similar building, landscaping or nonstandard decorative component
 - Being attached to plant material, a traffic control device, a light, a trailer, a vehicle or any other existing structure or object
 - The painting of architectural surfaces
 - Threatens the public health or safety
 - Is larger than 4 feet by 6 feet
 - Violates the law
 - Contains language, graphics or any display that would be offensive to the ordinary person
 - Is accompanied by music or other sounds or by streamers or is otherwise distracting to motorists
 - A POA may remove a political sign displayed in violation of any of the above restrictive covenants

RELIGIOUS ITEMS POLICY:

Owners and residents are generally permitted to display or affix one or more religious items on the owner's or resident's property or dwelling, the display of which is motivated by the owner's or resident's sincere religious belief.

ACC Application Required. Before a religious display contemplated by the Code is displayed or affixed on an owner's or resident's property, an Architectural Control Committee ("ACC") application must be submitted to the Association and approved in writing in accordance with the Declaration. The following information must be included with the application:

- a. Type and description of religious display;
- b. Site plan indicating the location of the proposed religious display with respect to

any applicable building line, right-of-way, setback or easement on the owner's or resident's property.

Notwithstanding the foregoing, the following displays shall not require ACC approval. All other religious displays shall require ACC approval as set forth above.

- a. One or more religious items displayed or affixed on the door, in the entry way or on the porch of an owner's or resident's dwelling, shall not require ACC approval.
- b. Seasonal religious holiday decorations which are temporary and commonly associated with a seasonal holiday may be displayed no more than 60 days before and 30 days after the seasonal holiday in question. The Board has the sole discretion to determine what constitutes a seasonal holiday decoration. Should an owner or resident desire to permanently display a religious display, an ACC application is required as set forth above.

The display or affixing of a religious item on the owner's or resident's property or dwelling is prohibited under the following circumstances:

1. The item threatens the public health or safety;
2. The item violates a law other than a law prohibiting the display of religious speech;
3. The item contains language, graphics or any display that is patently offensive to a passerby for reasons other than its religious content;
4. The item is installed on property:
 - a. owned or maintained by the Association; or
 - b. owned in common by members of the Association.
5. The item violates any building line, right-of-way, setback or easement that applies to the religious item pursuant to a law or the Association's dedicatory instruments; or
6. The item is attached to a traffic control device, street lamp, fire hydrant or utility sign, pole or fixture.

Any installation not in compliance with this Policy will be considered a violation of the dedicatory instruments governing the community.

I hereby certify that I am the duly elected, qualified and acting Vice President of the Association and that the foregoing Display of Religious Items Policy was approved by a majority vote of the Board of Directors as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Real Property of Bastrop County, Texas.

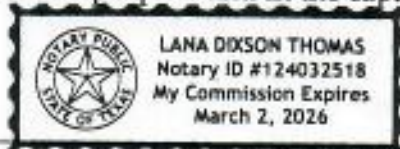
TO CERTIFY which witness my hand this the 19 day of April, 2022.

CIRCLE D CIVIC ASSOCIATION

By: [Signature]
Gary Gagnon
Vice President, Circle D Civic Association

THE STATE OF TEXAS §
 §
COUNTY OF BASTROP §

BEFORE ME, the undersigned notary public, on this 19 day of April, 2022 personally appeared Gary Gagnon, Vice President of Circle D Civic Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.



Notary Public in and for the State of Texas

[Signature: Lana Thomas]

**FILED AND RECORDED
OFFICIAL PUBLIC RECORDS**



[Signature: Krista Bartsch]

KRISTA BARTSCH, County Clerk

Bastrop Texas

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