

## ***Flag, Banner & Flagpole Guidelines & Standards***

The Flag, Banner and Flagpole Guidelines & Standards are prepared as part of the Community Wide Landscape Standards in accordance with Article XIII, as authorized by Article XII of the Restated Covenants, Conditions and Restrictions of Heron's Glen and Florida Statutes 720.304 (2) (a), (b).

### **Flags and Banners**

Homeowners may display in a respectful manner up to two of the following, portable, removable flags, from a house mounted flag holder, which may not be larger than 4 1/2 feet by 6 feet:

1. The United States flag.
2. The official flag of the State of Florida.
3. A flag that represents the United States Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard.
4. A POW-MIA flag.
5. A first responder flag. A first responder flag may incorporate the design of any other flag permitted under this paragraph to form a combined flag. For purposes of this subsection, the term "first responder flag" means a flag that recognizes and honors the service of any of the following:
  - a. Law enforcement officers as defined in s. 943.10(1).
  - b. Firefighters as defined in s. 112.191(1).
  - c. Paramedics or emergency medical technicians as those terms are defined in s. 112.1911(1).
  - d. Correctional officers as defined in s. 943.10(2).
  - e. 911 public safety telecommunicators as defined in s. 401.465(1).
  - f. Advanced practice registered nurses, licensed practical nurses, or registered nurses as those terms are defined in s. 464.003.
  - g. Persons participating in a statewide urban search and rescue program developed by the Division of Emergency Management under s. 252.35.
  - h. Federal law enforcement officers as defined in 18 U.S.C. s. 115(c)(1).

### **Display of Flags**

Homeowners' association documents, including declarations of covenants, articles of incorporation, or bylaws, may not preclude the display of up to two portable, removable flags as described in s. 720.304(2)(a) by property owners. However, all flags must be displayed in a respectful manner, consistent with the requirements for the United States flag under 36 U.S.C. chapter 10.

### **Other Flags and Banners**

If a resident chooses not to display a United States, Florida or U.S. Military flag, or First Responder flag, the following flags and banners are permitted:

1. a single flag or banner pertaining to a holiday may be displayed from a house mounted flag holder or approved flagpole, but only for a period not to exceed seven (7) days during the time of the holiday.
2. Special event (e.g. sports games, birthday and anniversary) flags or banners are permitted for that day only.

**Notwithstanding the above, Christmas flags or holiday banners may be displayed starting from the Monday before Thanksgiving to January 10 each year.**

## ***Hérons Glen Homeowners Association, Inc.***

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Flags and Banners must be timely removed when faded, tattered or dirty.

When severe weather is forecast, and/or a resident will be away from their home for an extended period of time, seven days or more, the Flag(s) must be taken down.

### **Installation and Use of Flagpoles**

A homeowner may erect one a freestanding flagpole on any portion of the homeowner's property in accordance with the conditions and specifications described.

The homeowner may further display in a respectful manner from that flagpole, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, one official United States flag, not larger than 41/2 feet by 6 feet, and may additionally display one other flag permitted as described in Flags and Banners #5 or in Florida Statute 720.304 (2) paragraph (a). Such additional flag must be equal in size to or smaller than the United States flag.

Conditions and Specifications for Flagpoles:

- Prior to installation, an application must be submitted to the Grounds Committee and approval received.
- Location of flagpole must not obstruct sightlines at intersections.
- A flagpole is not permitted within or upon an easement.
- The maximum height of a flagpole can be no more than 20 feet.
- The flagpole must be the telescoping design and constructed of a minimum 16-gauge aluminum.
- It must be of aluminum color or white.
- The sleeve which holds the flagpole must be set in a concrete base no larger than 15 inches in diameter but not less than 12 inches, and no less than 18 inches underground.
- The concrete base must be encircled with plantings extending not less than 2 feet in diameter, and a small area of mulch or border outside the plantings must be installed, so it does not interfere with the lawn mowing and trimming.
- Lighting is required for flag poles and must be installed to illuminate the flag.
- The lighting in no way can infringe or invade upon the neighbor's privacy.

Flags must be timely removed when faded, tattered or dirty.

When severe weather is forecast, and/or a resident will be away from their home for an extended period of time, seven days or more, the Flag(s) must be taken down and the flagpole fully retracted.

If a resident no long wishes to fly the U.S. Flag on a flagpole or the home is sold, and the new resident does not wish to fly a U.S. Flag the flagpole then must be removed.

*Adopted at the 11/14/07 HOA Board Meeting; amended at the November 12, 2008, HOA Board Meeting; administrative updates at the 10/14/15 HOA Board Meeting; amended at the October 11, 2023, HOA Board Meeting.*

## Application for the Installation of a Flagpole

A resident request to install a free standing flagpole must include a completed copy of this form as an addendum to a HOA Grounds Committee Request Form.

1. Height of flagpole: \_\_\_\_\_ ft.
2. Does the flagpole telescope? \_\_\_\_\_
3. Is the flagpole made of aluminum? \_\_\_\_\_
4. What is the color of the flagpole? \_\_\_\_\_
5. Describe the proposed base of the flagpole: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. On Page 2 of the HOA Grounds Committee Request Form, please draw a diagram of the bed where the flagpole is to be installed. Note any new plantings proposed for the bed.
7. What are the dimensions of the flag? \_\_\_\_\_ X \_\_\_\_\_ ft
8. Will the flag be illuminated at night? \_\_\_\_\_ If yes, please describe the plan for lighting the flag:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Resident Name: \_\_\_\_\_