

PERIOD OF WATER USE RESTRICTIONS DECLARED BY THE JURISDICTION IN WHICH THE COMMON INTEREST COMMUNITY IS LOCATED, IN WHICH CASE THE UNIT OWNER SHALL COMPLY WITH ANY WATERING RESTRICTIONS IMPOSED BY THE WATER PROVIDER FOR THE COMMON INTEREST COMMUNITY;

(II) ENFORCEMENT SHALL BE CONSISTENT WITHIN THE COMMUNITY AND NOT ARBITRARY OR CAPRICIOUS; AND

(III) ONCE THE DROUGHT EMERGENCY IS LIFTED, THE UNIT OWNER SHALL BE ALLOWED A REASONABLE AND PRACTICAL OPPORTUNITY, AS DEFINED BY THE ASSOCIATION'S EXECUTIVE BOARD, WITH CONSIDERATION OF APPLICABLE LOCAL GROWING SEASONS OR PRACTICAL LIMITATIONS, TO RESEED AND REVIVE TURF GRASS BEFORE BEING REQUIRED TO REPLACE IT WITH NEW SOD.

**SECTION 2.** Part 1 of article 33.3 of title 38, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**38-33.3-106.5. Prohibitions contrary to public policy - patriotic and political expression - emergency vehicles - fire prevention - definitions.** (1) NOTWITHSTANDING ANY PROVISION IN THE DECLARATION, BYLAWS, OR RULES AND REGULATIONS OF THE ASSOCIATION TO THE CONTRARY, AN ASSOCIATION SHALL NOT PROHIBIT ANY OF THE FOLLOWING:

(a) THE DISPLAY OF THE AMERICAN FLAG BY A UNIT OWNER ON THAT UNIT OWNER'S PROPERTY, IN A WINDOW OF THE UNIT OWNER'S RESIDENCE, OR ON A BALCONY ADJOINING THE UNIT OWNER'S PROPERTY IF THE AMERICAN FLAG IS DISPLAYED IN A MANNER CONSISTENT WITH THE FEDERAL FLAG CODE, P.L. 94-344; 90 STAT. 810; 4 U.S.C. 4 TO 10. THE ASSOCIATION MAY ADOPT REASONABLE RULES REGARDING THE PLACEMENT AND MANNER OF DISPLAY OF THE AMERICAN FLAG. THE ASSOCIATION RULES MAY REGULATE THE LOCATION AND SIZE OF FLAGS AND FLAGPOLES, BUT SHALL NOT PROHIBIT THE INSTALLATION OF A FLAG OR FLAGPOLE.

(b) THE DISPLAY BY A UNIT OWNER OF A SERVICE FLAG BEARING A STAR DENOTING THE SERVICE OF THE UNIT OWNER OR A MEMBER OF THE UNIT OWNER'S IMMEDIATE FAMILY IN THE ACTIVE OR RESERVE MILITARY SERVICE OF THE UNITED STATES DURING A TIME OF WAR OR ARMED CONFLICT, ON THE INSIDE OF A WINDOW OR DOOR OF THE UNIT OWNER'S RESIDENCE. THE ASSOCIATION MAY ADOPT REASONABLE RULES REGARDING THE SIZE AND MANNER OF DISPLAY OF SERVICE FLAGS; EXCEPT THAT THE MAXIMUM

DIMENSIONS ALLOWED SHALL BE NOT LESS THAN NINE INCHES BY SIXTEEN INCHES.

(c) (I) THE DISPLAY OF A POLITICAL SIGN BY A UNIT OWNER ON THAT UNIT OWNER'S PROPERTY OR IN A WINDOW OF THE UNIT OWNER'S RESIDENCE; EXCEPT THAT AN ASSOCIATION MAY PROHIBIT THE DISPLAY OF POLITICAL SIGNS EARLIER THAN FORTY-FIVE DAYS BEFORE THE DAY OF AN ELECTION AND LATER THAN SEVEN DAYS AFTER AN ELECTION DAY. AN ASSOCIATION MAY REGULATE THE SIZE AND NUMBER OF POLITICAL SIGNS THAT MAY BE PLACED ON A UNIT OWNER'S PROPERTY IF THE ASSOCIATION'S REGULATION IS NO MORE RESTRICTIVE THAN ANY APPLICABLE CITY, TOWN, OR COUNTY ORDINANCE THAT REGULATES THE SIZE AND NUMBER OF POLITICAL SIGNS ON RESIDENTIAL PROPERTY. IF THE CITY, TOWN, OR COUNTY IN WHICH THE PROPERTY IS LOCATED DOES NOT REGULATE THE SIZE AND NUMBER OF POLITICAL SIGNS ON RESIDENTIAL PROPERTY, THE ASSOCIATION SHALL PERMIT AT LEAST ONE POLITICAL SIGN PER POLITICAL OFFICE OR BALLOT ISSUE THAT IS CONTESTED IN A PENDING ELECTION, WITH THE MAXIMUM DIMENSIONS OF THIRTY-SIX INCHES BY FORTY-EIGHT INCHES, ON A UNIT OWNER'S PROPERTY.

(II) AS USED IN THIS PARAGRAPH (c), "POLITICAL SIGN" MEANS A SIGN THAT CARRIES A MESSAGE INTENDED TO INFLUENCE THE OUTCOME OF AN ELECTION, INCLUDING SUPPORTING OR OPPOSING THE ELECTION OF A CANDIDATE, THE RECALL OF A PUBLIC OFFICIAL, OR THE PASSAGE OF A BALLOT ISSUE.

(d) THE PARKING OF A MOTOR VEHICLE BY A UNIT OWNER ON A STREET, DRIVEWAY, OR GUEST PARKING AREA IN THE COMMON INTEREST COMMUNITY IF THE VEHICLE IS REQUIRED TO BE AVAILABLE AT DESIGNATED PERIODS AT THE UNIT OWNER'S RESIDENCE AS A CONDITION OF THE UNIT OWNER'S EMPLOYMENT AND ALL OF THE FOLLOWING CRITERIA ARE MET:

(I) THE VEHICLE HAS A GROSS VEHICLE WEIGHT RATING OF TEN THOUSAND POUNDS OR LESS;

(II) THE UNIT OWNER IS A BONA FIDE MEMBER OF A VOLUNTEER FIRE DEPARTMENT OR IS EMPLOYED BY AN EMERGENCY SERVICE PROVIDER, AS DEFINED IN SECTION 29-11-101 (1.6), C.R.S.;

(III) THE VEHICLE BEARS AN OFFICIAL EMBLEM OR OTHER VISIBLE DESIGNATION OF THE EMERGENCY SERVICE PROVIDER; AND

(IV) PARKING OF THE VEHICLE CAN BE ACCOMPLISHED WITHOUT OBSTRUCTING EMERGENCY ACCESS OR INTERFERING WITH THE REASONABLE NEEDS OF OTHER UNIT OWNERS TO USE STREETS AND DRIVEWAYS WITHIN THE COMMON INTEREST COMMUNITY.

(e) THE REMOVAL BY A UNIT OWNER OF TREES, SHRUBS, OR OTHER VEGETATION TO CREATE DEFENSIBLE SPACE AROUND A DWELLING FOR FIRE MITIGATION PURPOSES, SO LONG AS SUCH REMOVAL COMPLIES WITH A WRITTEN DEFENSIBLE SPACE PLAN CREATED FOR THE PROPERTY BY THE COLORADO STATE FOREST SERVICE, AN INDIVIDUAL OR COMPANY CERTIFIED BY A LOCAL GOVERNMENTAL ENTITY TO CREATE SUCH A PLAN, OR THE FIRE CHIEF, FIRE MARSHAL, OR FIRE PROTECTION DISTRICT WITHIN WHOSE JURISDICTION THE UNIT IS LOCATED, AND IS NO MORE EXTENSIVE THAN NECESSARY TO COMPLY WITH SUCH PLAN. THE PLAN SHALL BE REGISTERED WITH THE ASSOCIATION BEFORE THE COMMENCEMENT OF WORK. THE ASSOCIATION MAY REQUIRE CHANGES TO THE PLAN IF THE ASSOCIATION OBTAINS THE CONSENT OF THE PERSON, OFFICIAL, OR AGENCY THAT ORIGINALLY CREATED THE PLAN. THE WORK SHALL COMPLY WITH APPLICABLE ASSOCIATION STANDARDS REGARDING SLASH REMOVAL, STUMP HEIGHT, REVEGETATION, AND CONTRACTOR REGULATIONS.

(f) (I) THE REPLACEMENT BY A UNIT OWNER OF CEDAR SHAKES OR OTHER FLAMMABLE ROOFING MATERIALS WITH NONFLAMMABLE ROOFING MATERIALS FOR FIRE PREVENTION OR FIRE SUPPRESSION PURPOSES.

(II) THE DECLARATION OR BYLAWS MAY SPECIFY REASONABLE STANDARDS FOR THE COLOR, APPEARANCE, AND GENERAL TYPE OF NONFLAMMABLE ROOFING MATERIALS THAT ARE USED TO REPLACE FLAMMABLE ROOFING MATERIALS, BUT MAY NOT REQUIRE THE USE OF NONFLAMMABLE MATERIALS THAT EXCEED THE REPLACEMENT COST OF THE FLAMMABLE MATERIALS FOR WHICH THEY ARE BEING SUBSTITUTED.

**SECTION 3.** 38-33.3-117 (1) (g) and (1) (l), Colorado Revised Statutes, are amended, and the said 38-33.3-117 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**38-33.3-117. Applicability to preexisting common interest communities.** (1) Except as provided in section 38-33.3-119, the following sections shall apply to all common interest communities created within this state before July 1, 1992, with respect to events and circumstances occurring on or after July 1, 1992: