

**PLEASE NOTE THAT THE FOLLOWING IS A SAMPLE ONLY. SPECIAL CARE MUST BE TAKEN THAT ANY RESOLUTION ADOPTED BY THE BOARD DOES NOT CONFLICT WITH EXISTING GOVERNING DOCUMENTS AND PROPERLY STATES THEIR CURRENT PROVISIONS.**

## **RESOLUTION OF THE BOARD OF DIRECTORS OF ABC ASSOCIATION**

*Note: The solution to posting of materials in the common area is simple. A resolution can be adopted by the board of directors advising homeowners that board approval is required prior to the posting or distribution of materials in the common area. The board of directors, as the governing entity of the association, manages and controls the common area and, thus, has the right to restrict materials which include libelous content or expose the board and/or the association to liability. Additionally, board of directors concerned with the aesthetics of the community may reserve the right to restrict what may be posted in the common area and dictate the duration of time the posting may remain in the common area.*

**Re: POSTING AND DISTRIBUTION OF MATERIALS IN THE COMMON AREA.**

**WHEREAS**, the Governing Documents of the Association provide that the Board of Directors has the right to promulgate rules and regulations for the purposes of managing and controlling the affairs and business of the Association; and

**WHEREAS**, the Governing Documents of the Association provide the Board of Directors with the power and authority to regulate the use of the Association's Common Area; and

**WHEREAS**, the Governing Documents of the Association further provide the Board of Directors the power to enforce the provisions of the CC&Rs, bylaws and any and all rules and regulations relating to the control and management of the subdivision; and

**WHEREAS**, the Governing Documents of the Association provide that each Owner shall comply with the provisions of the CC&Rs, bylaws, rules and regulations of the Association; and

**WHEREAS**, the Board of Directors desires to adopt rules and regulations pertaining to the posting and distribution of materials in the Common Area; and

**WHEREAS**, the Board of Directors has determined that in order to preserve the aesthetics throughout the community and to inhibit littering within the community, it should control the duration of time and place of the posting in the Association's Common Area; and

**WHEREAS**, the Board of Directors has further determined that it should review materials to be posted in the Common Area to ensure the materials are free from potentially libelous content and free from language which may expose the Association to liability; and

**WHEREAS**, the Board of Directors has further determined that in order to further ensure conformity throughout the community, and to inhibit vandalism of Common Area property, prior written approval of the Board of Directors shall be required prior to posting materials in the Common Area; and

**NOW, THEREFORE, IT IS HEREBY RESOLVED** THAT THE POSTING GUIDELINES CONTAINED IN EXHIBIT A SHALL BE ADDED TO THE ASSOCIATION'S RULES AND REGULATIONS.

*[Insert Certificate of Secretary here]*

## EXHIBIT A

### POSTING OF NOTICES/MATERIALS/DOCUMENTS IN THE COMMON AREA

1. The posting of notices/materials/documents of any kind whatsoever in the Common Area without the prior written consent of the Board of Directors is prohibited.
2. The Board reserves the right to reject materials for posting in the Common Area if it determines that said notice/material/document contains libelous information or exposes the Association to liability.
3. The posting of notices/materials/documents shall be restricted to a maximum of seven days (approval may be sought for a longer period of time) and the place of posting shall be restricted to the following portion of the Common Area: \_\_\_\_\_  
\_\_\_\_\_
4. The unauthorized posting of notices/materials in the Common Area shall be deemed an alteration/damage to the Common Area pursuant to *Civil Code* '1367(b). The Association shall have the power and authority to remove the notice/material from the Common Area, the cost of which shall be collected from the resident who caused such posting by imposition of a reimbursement or special assessment on said resident's lot.