

# The Post and Courier

## Some subdivisions ban political signs

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It's election season, when political signs spring up like weeds. But some local homeowners associations have strict legal documents that act as a repellent.

One Summerville neighborhood has banned political signs, as resident Dekle Griffith learned. He discovered that a homeowners association's policy on signs can trump local government ordinances.

The issue started when Griffith wanted to put a sign in front of his Legend Oaks home supporting Jay Byars, a fellow Clemson University graduate who's running as a Republican for Dorchester County Council.

The Legend Oaks Homeowners Association bans most signs. When Griffin asked for an exception, he was denied.

"I'm making what I think is a reasonable request," said Griffith, who has lived in the neighborhood off S.C. Highway 61 for five years.

The association's board explained its decision in a subsequent e-mail. It summarized its lawyer's position, which says the association's ban on political yard signs is "not any (constitutional) violation on the HOA's part so long as all political signs are disallowed."

This is not the first time a homeowners association's attempt to regulate a neighborhood has clashed with a resident's desire to express a political view. The issue has triggered neighbor-versus-neighbor court disputes in states such as New Jersey and Pennsylvania, according to the Community Associations Institute, a Washington, D.C.-based nonprofit that focuses on independently governed neighborhoods.

States and municipalities often create their own rules regulating signs.

Summerville, for example, bans political signs except during a 40-day window around the day of the election, though signs still have cropped up outside that time period.

And some lawmakers in states including Arizona, North Carolina and Maryland passed rules protecting residents who want to display their political pride.

South Carolina doesn't have similar protections, leading Summerville attorney Mark Stokes to conclude that home-owners association rules win out.

"If they are stricter, and if they were legally recorded and enforceable, then the HOA covenants would prevail," Stokes said.

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