

OMEGA BAY IMPROVEMENT COMMUNITY , INC.

RELIGIOUS DISPLAY POLICY

STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

WHEREAS, Omega Bay Improvement Community, Inc. (the "Association"), is the governing entity for all sections of Omega Bay, according to the maps or plats thereof, and any amendments and re-plats thereto, and any additional real property brought within the jurisdiction of the Association (the "Community"); and,

WHEREAS, the Board of Directors of the Association is authorized to administer the affairs of the Association and provide for the health, safety and welfare of the members and property within the Association and this Religious Display Policy is applicable to the Community and Association; and,

WHEREAS, all terms used herein that are defined in Chapter 202 of the Texas Property Code shall have the meaning as defined in the statute; and

WHEREAS, Sections 202.018 of the Texas Property Code was amended to more specifically how owners may maintain religious displays on their property; and,

WHEREAS, to the extent this policy conflicts with any existing governing document of the Association or Community, this policy shall be controlling inasmuch as existing governing documents are pre-empted by State law; and,

WHEREAS, to the extent any existing governing document or dedicatory instrument does not conflict with this policy or Section 202.018 of the Texas Property Code, such provision remains in full force and effect, including requirements that application for and approval of improvements be obtained prior to installation; and,

WHEREAS, this Dedicatory Instrument represents Restrictive Covenants as those terms are defined by Texas Property Code §202.001, et. seq, and the Association shall have and may exercise discretionary authority with respect to these Restrictive Covenants;

NOW THEREFORE, in view of the foregoing and in compliance with the Texas Property Code, the Association hereby adopts and imposes on the Community and the Association the following policies, rules, and regulations:

Pursuant to Section 202.018 of the Texas Property Code, a property owner or resident may display or affix on the owner's or resident's property or dwelling, one or more religious items, subject to the following regulations:

1. No Owner may display or affix a religious item that:
 - a. is not motivated by the owner's or resident's sincere religious belief (the association should not attempt to discern a person's motive or sincerity of belief beyond that stated by the owner or resident);

- b. threatens the public health or safety;
 - c. violates a law other than a law prohibiting the display of religious speech;
 - d. contains language, graphics, or any display that is patently offensive to a passerby for reasons other than its religious content.
2. No Owner may display or affix a religious item on property owned or maintained by the Association.
 3. No Owner may display or affix a religious item in violation of any applicable building line, right-of-way, setback, or easement.
 4. No Owner may display or affix a religious item to a traffic control device, street lamp, fire hydrant, or utility sign, pole, or fixture.

CERTIFICATION

"I, the undersigned, President of Omega Bay Improvement Community, Inc., hereby certify that the foregoing was adopted by at least a majority of Omega Bay Improvement Community, Inc.'s Board of Directors, at a properly noticed, open board meeting, at which a quorum of the board was present."

By: *Daniel C Barnes*
DANIEL C. BARNES, PRESIDENT

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

THIS INSTRUMENT was acknowledged before me by the said DANIEL C. BARNES, PRESIDENT of OMEGA BAY IMPROVEMENT COMMUNITY, INC., a Texas non-profit corporation, on behalf of said corporation.

Given under my hand and seal of office this the 26th day of August, 2021.

Taylor Kelley
Notary Public State of Texas

