



MARKUP #1 ->

ISSUE #1

IX. Vehicles/Parking

- A. All vehicles located on a residential lot, or community street, must be operational and have valid tags.
- B. Mechanical work, repairs, and bodywork that lasts longer than two (2) hours, is not permitted, unless in the garage.
- C. Vehicles must be parked in the driveway and/or garage. No parking on the street (except temporary vehicles of a service provider to your property that is unable to park in your driveway).
- D. No parking on the grass.
- E. No trailers or habitable motor vehicles of any nature shall be kept on or stored on any Lot or any part of the Property, no commercial trucks of any nature shall be parked overnight on any Lot, no boats, canoes and or other watercraft whether on or off trailers may be parked on any part of the Property unless inside an enclosed garage, or behind a fence as approved by the ARC and Board on a Lot. (Note, for loading and preparation for use of a boat of habitable RV this may be allowed not to exceed three days.)
- F. As a courtesy, please do not block your neighbor's driveway.
- G. As a courtesy, please do not park in front of your neighbor's trash/recycle bins.

X. Garbage and Recycle

- A. Garbage and rubbish receptacles shall be in complete conformity with all applicable sanitary regulations. Trash and recycle bins must stay out of street view. They may be stored on the side of your home if they are screened from street view and screened from the view of the golf course behind the lot lines out the property if extended as a continuation of said side lot line.
- C. The bins may not be put at the curb any earlier than 6 pm, the evening prior to pick up. The bins must be put back, out of view, no later than 6 pm the day of pick up.
- D. No trash, rubbish, debris, waste material, etc. should be deposited or allowed to accumulate on any part of the property.
- E. Homeowners are responsible for setting up a special pick-up for any additional items not covered in your service agreement.

XI. Signs

- A. No signs may be displayed on any residential lot, other than a property address sign as approved by the ARC and Board, as well as a.
- B. Commercial and personal signs are prohibited.
- C. Security signs are permitted.
- G. Signs may not be posted to street signs.

XII. Flags

- A. Homeowner’s may display in a respectful manner up to two removable flags of those listed in F.S. § 720.304, not larger than 4 1/2 feet by 6 feet.

Fairways Homeowners Association at Bay Point, Inc., P.O. Box 27387, Bay Point, Florida 32411-7387
<https://www.fairways-hoa.org>

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE BOARD & COUNSEL REVIEW

Sec. D (p. 9): Parking clause restricts pickup trucks or authorized work vehicles in direct violation of Fla. Stat. § 720.3075(3) (HB 1203).
Statutory / Legal Reference: Fla. Stat. § 720.3075(3)
Statutory Comparison: Fla. Stat. § 720.3075 as amended by HB 1203 renders unenforceable any covenant that prohibits an owner from parking a personal vehicle, including a pickup truck, or an emergency service/work vehicle in their driveway.

CURRENT WORDING IN DOCUMENT:
No parking on the grass. E. No trailers or habitable motor vehicles of any nature shall be kept on or stored on any Lot or any part of the Property, no commercial trucks of any nature shall be parked overnight on any Lot, no boats, canoes and or other watercraft whether on or off trailers may be parked on any part of the Property unless inside an enclosed garage, or behind a fence as approved by the ARC and Board on a Lot.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Notwithstanding any provision herein to the contrary, personal pickup trucks, law enforcement vehicles, emergency services vehicles, and work vehicles operated by a resident or owner may be parked in the resident's designated driveway or parking area, pursuant to Fla. Stat. § 720.3075.