ISSUE #1

**Section 1: [Bylaws Article V, Section 5.12] Holiday Decorations and Exterior Lighting Window**

No holiday lighting or seasonal decorations may be displayed prior to Thanksgiving Day, and all holiday lighting must be removed by January 10th. Failure to remove holiday lights within forty-eight (48) hours of a courtesy notice shall result in an automatic daily fine of $100.00 per day beginning on the third day.

MARKUP #1 ->



MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

**Sec. 1 (p. 1): Holiday decoration restriction imposes fines without the mandatory 1-week written notice cure period under HB 1203.**

**Statutory / Legal Reference: Fla. Stat. § 720.305(2)(b) (HB 1203)**

Statutory Comparison: Under Fla. Stat. § 720.305(2)(b), an HOA may not levy a fine or suspension for leaving holiday decorations or lights on a structure or parcel longer than indicated in the governing documents unless they are left up for more than 1 week after the board provides written notice of the violation to the parcel owner.

CURRENT WORDING IN DOCUMENT:

[Bylaws Article V, Section 5.12] Holiday Decorations and Exterior Lighting Window No holiday lighting or seasonal decorations may be displayed prior to Thanksgiving Day, and all holiday lighting must be removed by January 10th. Failure to remove holiday lights within forty-eight (48) hours of a courtesy notice shall result in an automatic daily fine of $100.00 per day beginning on the third day.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

**Pursuant to Fla. Stat. § 720.305(2)(b), no fine or suspension shall be imposed for holiday decorations or lights unless such decorations remain displayed for more than one (1) week after the Board delivers written notice of the violation to the parcel owner.**