

Sec. 07 (p. 7): Trash container restriction violates HB 1203 statutory protections.

Statutory / Legal Reference: Fla. Stat. § 720.305(2)(a)

Statutory Comparison: HB 1203 explicitly prohibits homeowners associations from imposing fines or suspensions for leaving garbage receptacles at the curb or out of an enclosure within 24 hours before or after the designated collection time.

CURRENT WORDING IN DOCUMENT:

/22/2026 underbrush, weeds, accumulation and storage of personal property, except items such as patio furniture, bicycles, refuse containers and barbecue grills. The exterior of the home shall be free of mold, mildew and/or dirt visible when the home is viewed from the street or any adjacent lot. No open fire flames are allowed.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Provided, however, that pursuant to Fla. Stat. § 720.305(2)(a), no fine or suspension may be levied against an owner for leaving garbage or recycling receptacles at the curb or outside an enclosure within 24 hours before or 24 hours after the scheduled collection time.

DEED RESTRICTIONS

The Board of Trustees may consider special circumstances for stays longer than twenty-one (21) days. An application for this purpose is available in the District office. The Board of Trustees has the authority to review and vote on the application in a public meeting.

Section 7 Maintenance of Lot and Exterior of Home

All lots and exterior of homes shall be maintained by the owner of such lot in good appearance free of underbrush, weeds, accumulation and storage of personal property, except items such as patio furniture, bicycles, refuse containers and barbecue grills. The exterior of the home shall be free of mold, mildew and/or dirt visible when the home is viewed from the street or any adjacent lot. No open fire flames are allowed. A propane fire pit is a controlled flame which is permitted. The District, its agents or employees, shall have the right, but not the obligation, to enter upon any lot to cure any violation herein. Any such curing, maintenance or repair shall be at the expense of the owner of the lot on which the violation has occurred or exists. The expense shall be payable by such owner of the lot to the District as a result of the District’s abating or curing violations. Payment shall be due and payable within twenty-one (21) days from the date of mailing of a statement by the District. Entry to cure any violation shall not be a trespass. The rights of the District described in this section shall not be construed as a limitation of the right of the District to prosecute proceedings as law or in equity for the recovery of damages against persons violating or attempting to violate these covenants or for the purpose of preventing or enjoining any violations or attempted violations. The remedies contained in this section shall be construed as cumulative of all other remedies provided by law or in equity. The failure of the District to enforce the Declaration, however long continuing, shall not be a waiver of the right to enforce the Declaration at a later time.

All refuse shall be kept in containers of the type provided by the city’s waste removal company and shall be kept on the carport, the rear of the home, or storage shed at all times. Trash and yard waste containers may not be placed for curbside pickup before 5:00 P.M. the day prior to pick-up and must be removed from curbside the day of pickup.

Section 8 Condition of Skirting Material on Home

All mobile/manufactured homes in the District must be appropriately skirted to conceal under carriage. Provisions for skirting material on home are provided for in the Rules and Regulations of the ACC.

Section 9 Roads

Title to the roads within the subdivision belongs to the District who shall assume responsibility for maintenance and repair unless there is a conveyance of such roads to a governmental agency.

Section 10 Decals

(A) Holiday Park residents whether owners, non-owner occupants or renters, shall display a Holiday Park gate access decal on all motor vehicles and other conveyances which are required to have a decal. Decals are to be placed on the outside upper corner of the driver’s side front windshield or an alternate