

of such dispute or question. No immoral, improper, or unlawful use shall be made of any portion of the Property, and all valid laws, zoning ordinances, and regulations of governmental agencies having jurisdiction thereof shall be complied with.

The residents of Providence Island can contact the Queen’s Harbour gatehouse or roving patrol for assistance in reporting violations of Queen’s Harbour’s Rules and Regulations within Providence Island, including nuisance violations. The Controlled Access personnel are limited to taking action as prescribed in the Patrol Post Orders section of the contract between Queen’s Harbour Yacht & Country Club Owners Association, Inc. and the Controlled Access vendor.

If the Providence Island Board of Directors determines that there is an incidence of nuisance within Providence Island, it may notify the Master Association and provide the details of its determination. The Master Association shall have the right, but no obligation, to enforce the provisions of the Master Association’s Rules, Regulations and Enforcement Procedures in regard to the nuisance violation.

Garbage, Recycling and Yard Waste – Providence Island

The Master Association will enforce within Providence Island the Master Association’s Rules, Regulations and Enforcement Procedures pertaining to garbage, recycling and yard waste (Section X as amended from time to time) subject to the following mandatory requirements for Providence Island:

All containers for garbage, recycling and yard waste which are the personal property of residents or tenants residing in any of the town home units of Providence Island must have the address of the town home identified, on the front and rear sides of the containers, in letters and numerals, which shall be not less than 1 inch in height, and which can be read clearly by the driver of a vehicle without the need for the driver to exit the vehicle. The Providence Island Board of Directors will select standard lettering and placement for said identification, and will require all owners of town homes to apply such lettering as stated above. Additionally, the containers must be placed at the curbs of either Princess Kelly Drive or Providence Island Court for service on the days scheduled for refuse collection and in further compliance with Section IX of the Master Association’s Rules, Regulations and Enforcement Procedures as set forth below.

SECTION IX. GARBAGE, RECYCLING AND YARD WASTE:

- A. CURBSIDE PLACEMENT: In accordance with City of Jacksonville Ordinance Sections 380.206 and 382.415 garbage and recycling containers, shall not be placed at the curb before 4 PM the night before the scheduled collection day. Containers and yard waste shall not block sidewalks or encroach into traffic lanes.
- a. Any yard waste generated after the designated collection day, MUST BE placed and retained behind a service wall or at the rear of the dwelling, then re-located to the street no earlier than 4 PM Saturday.

b. Garbage and recycling containers shall be removed from the curb and stored out of sight behind a service wall or inside a garage by 6AM the day after collection day.

MARKUP #1 ->

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

Sec. 380.206 (p. 3): 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:
b. Garbage and recycling containers shall be removed from the curb and stored out of sight behind a service wall or inside a garage by 6AM the day after collection day. In addition to any penalties that may be imposed by the City of Jacksonville for placement of yard waste at the curb prior to the allowed day / time, lot owners will be subject to Owners Association fines for:
a.

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.

ISSUE #1