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13.3 Land Use Standards. Land use standards constituting the initial restrictions and standards are established by the Declarant.

13.4 Signs. No sign of any kind shall be erected by an Owner within the Properties without the written consent of the ADMC. All professionally-made realtor signs not to exceed two (2) signs per Unit or Parcel do not need approval. Notwithstanding the foregoing, the Board and the Declarant shall have the right to erect signs without having to obtain ADMC approval. Notwithstanding any provisions to the contrary, signage identifying security systems on a Unit or Parcel are exempt from the provisions of this Section.

13.5 Parking and Garages Owners' automobiles shall be parked in the garage or driveway and shall not block the sidewalks. No vehicle which cannot operate on its own power shall remain on the Properties for more than twelve hours, except in the garage of a Unit. No repair, except emergency repair (*i.e.* , fixing a flat tire or "jump-starting" a battery, but not involving the changing of fluids or mechanical or body repairs), of vehicles shall be made within the Properties, except in the garage of a Unit. No commercial vehicle, recreational vehicle, boat or camper, may be kept in the Properties except in the garage of a Unit. The term "commercial vehicle" shall not be deemed to include sport utility vehicles (*i.e.* Broncos, Blazers, Explorers, etc.) up to 21'5" or non-commercial vehicles such as pick-up trucks, vans or cars if they are used by the Owner on a daily basis for personal transportation, or governmental vehicles such as police cars. Limousines shall be considered commercial vehicles and therefore are prohibited. No garage may be altered in such a manner that the number of automobiles which may reasonably be parked therein after the alteration is less than the number of automobiles that could have reasonably been parked in the garage as originally constructed. Notwithstanding the foregoing, the provisions of this Section shall not apply to Parcels containing Apartment Buildings.

13.6 Occupants Bound. All provisions of the Declaration and of any rules and regulations or use restrictions promulgated pursuant thereto which govern the conduct of Owners and which provide for sanctions against Owners shall also apply to all occupants of any Unit.

13.7 Animals and Pets.

13.7.1 Pets Generally A Residential Unit may house no more than 2 dogs or cats, in the aggregate, provided same are not kept, bred or maintained for any commercial purpose, do not become a nuisance or annoyance to any neighbor. Birds and fish shall be permitted only to the extent same remain at all times within the boundaries of the Residential Unit and do not constitute an annoyance or nuisance to any other Owner. No reptile, rodent or other wildlife shall be kept in or on a Residential Unit or upon any Parcel. The owner of the pet must pick-up all solid waste of their pet as are deposited on the Common Areas and dispose of such waste appropriately. All dogs and cats must be kept on a leash no more than 6 feet in length held by a person at all times when outside the residence located on a Residential Unit and shall be walked only within areas, if any, designated for such purpose by Association or the Neighborhood Association. The owner of a pet shall indemnify Association and Declarant and hold them harmless from and against any loss or

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 13.5 (p. 31): 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:

Parking and Garages Owners' automobiles shall be parked in the garage or driveway and shall not block the sidewalks. No vehicle which cannot operate on its own power shall remain on the Properties for more than twelve hours, except in the garage of a Unit. No repair, except emergency repair (*i.e.* , fixing a flat tire or "Jump-starting" a battery, but not involving the changing

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.

ISSUE #1

OR BK 10998 PG 1836