

ISSUE #1

reasonable size provided by a contractor for security services within ten feet (10') of any entrance to a dwelling.

**9.07. Campers, Boats and Recreational Vehicles.** No trailer, camper, motor home, boat, boat trailer, recreational vehicle (R.V.), non-passenger vans, motorbikes, motorcycles, scooters or any other type of non-passenger vehicles, equipment, implements or accessories may be kept or parked on any Lot, the streets or the Common Areas. It is the intent that the vehicles which may be kept or parked on a Lot are customary private passenger vehicles and passenger vans. Such vehicles shall be maintained in an operable condition and shall be properly licensed. The ARC as designated in this Declaration, shall have the absolute authority to determine from time to time whether a vehicle is operable or properly licensed. If not operable or properly licensed, the vehicle shall be removed and/or otherwise brought into compliance with this paragraph within ten (10) days of notice by the Association of the violation. No dismantling or assembling of motor vehicles, boats, trailers, recreational vehicles, or other machinery or equipment shall be permitted on a Lot or the Common Areas. Parking vehicles on the lawns of Lots or other grassy areas in the Subdivision, including but not limited to the grassy shoulders of Westwind Lane, shall be prohibited. Overnight parking on the street shall be prohibited, except by guests. The Board shall adopt a definition of "guest."

**9.08. Commercial Vehicles.** No commercial trucks, commercial vans, mowers, tractors, service vehicles or other commercial vehicles shall be permitted to remain within the Subdivision other than for temporary parking. Temporary parking shall mean the parking of such vehicles while being used in the furnishing of services or materials to Owners, or used by Owners for loading and unloading purposes only.

**9.09. Animals.** No animals, livestock or poultry of any kind shall be raised, bred or kept within the Subdivision, except that dogs, cats or other recognized household pets may be kept upon ~~and within the Lots and dwellings of their Owners, provided that they are not kept, bred or~~ maintained in numbers deemed unreasonable by the Board or for commercial purposes. Any more than two (2) total of such permitted pets on any one Lot shall be deemed to be unreasonable and in violation of this restriction unless prior written approval is obtained from the Board. All animals permitted pursuant to this Section shall be kept on a leash except when they are carried or within an enclosed area on a Lot. Any such pets, whether from number, disposition or otherwise, that cause, create or contribute to a nuisance or unreasonable disturbance or annoyance or noise may be required to be permanently removed within fourteen (14) days of receipt of written notice from the Board to the Owner or other person responsible for such pet and the Owner of the Lot on which such person resides, if such Owner is not also the person responsible for the pet. All pet owners shall be fully responsible for the actions of their pets and shall immediately and properly dispose of any excrement their pets leave on Lots, Common Areas, lawns, and streets.

**9.10. Garbage and Refuse Disposal.** No Lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept on a Lot, except in sanitary containers which shall be hidden from view at all times except at times of collection. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

MARKUP #1 ->

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

**Sec. 9.08 (p. 20): 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:**  
Commercial Vehicles. No commercial trucks, commercial vans, mowers, tractors, service vehicles or other commercial vehicles shall be permitted to remain within the Subdivision other than for temporary parking. Temporary parking shall mean the parking of such vehicles while being used in the furnishing of services or materials to Owners, or used by Owners for loading and unloading purposes only.

**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.