Section 1. *Flags.*

Consistent with Section 720.304(2), Florida Statutes, no provision of this Declaration shall preclude the display of up to two (2) portable, removable flags by a property owner, including any of the following: the United States flag, the flag of the State of Florida, an official flag of the United States Armed Forces, a POW-MIA flag, a first responder flag, or a flag representing a branch of the United States military. All flags must be displayed in a respectful manner consistent with the requirements of 36 U.S.C. Chapter 10. Flagpoles or flag mounting brackets require Board of Directors approval.

Section 2. *Signs.* No sign shall be erected without Board of Directors approval, except: (a) one "For Sale" or "For Rent" sign not exceeding 18" × 24"; (b) one security sign not exceeding 12" × 12"; and (c) political signs, which shall be permitted thirty (30) days before an election and removed within seven (7) days after the election. Portable, feather, or commercial signs are prohibited.

ARTICLE X — LAWN, LANDSCAPING, AND EXTERIOR MAINTENANCE

Section 1. *Lawn Care.* Grass shall not exceed six inches (6") in height and must be maintained free of weeds.

Section 2. *Landscaping.*

Trees, shrubs, and plantings shall be trimmed and maintained to avoid obstruction or hazard. Notwithstanding any other provision of this Declaration, the Association may not prohibit or enforce any provision so as to prohibit a property owner from implementing Florida-Friendly Landscaping, as defined in Section 373.185, Florida Statutes, on the owner's land, or create any requirement or limitation in conflict with any provision of Part II of Chapter 373, Florida Statutes, or a water shortage order, other order, consumptive use permit, or rule adopted pursuant thereto. Native, drought-tolerant, and water-conserving plantings are specifically encouraged.

ISSUE #1

Section 3. *Exterior Tidiness.* Yards, porches, and driveways shall be kept free of debris, clutter, or unsightly items. Holiday decorations must be removed within thirty (30) days after the holiday. Fines for failure to timely remove holiday decorations are subject to the notice and cure requirements of Article VI, Section 6(e) of this Declaration.

Section 4. *Building Maintenance.* All structures, siding, roofs, driveways, and fences shall be maintained in good repair and in a manner consistent with the community's general scheme of development.

ARTICLE XI — FENCING

Section 1. *Height.* Rear and side yard fences shall not exceed six feet (6') in height. Front yard fences shall not exceed four feet (4') in height.

Section 2. *Materials.* Fences shall be constructed of wood, vinyl, composite, or aluminum. Chain-link fencing is prohibited in front yards.

Section 3. *Compliance; No Prior Approval Required.* New or replacement fences must comply with the height and material requirements of this Article and with applicable Pasco County codes. No Board of Directors approval is required prior to installation.

MARKUP #1 ->

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

Sec. 3. (p. 6): 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:

Exterior Tidiness. Yards, porches, and driveways shall be kept free of debris, clutter, or unsightly items. Holiday decorations must be removed within thirty (30) days after the holiday. Fines for failure to timely remove holiday decorations are subject to the notice and cure requirements of

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.