

Section 1: [Article I, Section 1.1] Definitions, Purpose, and Governing Act

This Declaration of Covenants, Conditions, and Restrictions (or Declaration of Condominium) establishes the governance framework, maintenance obligations, and property covenants for all Lots and Units within the Association in the State of Florida.

Section 2: [Article II, Section 2.1] Membership and Voting Rights

Every record Owner of a fee or undivided fee interest in any Lot or Unit shall be a mandatory Member of the Association and shall be entitled to one (1) vote per Lot or Unit in all Association affairs.

Section 3: [Article VI, Section 6.5] Personal Pickup Trucks and Work Vehicles in Driveways

No pickup truck, work van, or vehicle bearing commercial lettering or equipment racks may be parked overnight on any Lot driveway. All such vehicles must be parked inside an enclosed garage, or the Association may tow the vehicle from the driveway at the Owner's expense.

Section 4: [Article VI, Section 6.9] Solar Panels and Clotheslines

Outdoor clotheslines are prohibited on all Lots, including within fenced rear yards. Solar collectors may not be installed on any roof slope visible from any street.

Section 5: [Article VIII, Section 8.1] Architectural Review Committee Denial Standard

The Architectural Review Committee may disapprove any application for exterior modification in its sole aesthetic discretion without citing any specific written covenant or guideline, and the Committee's decision shall be final.

ISSUE #1

Section 6: [Article X, Section 10.3] Fining Committee Independence and Notice

Fines of up to \$100.00 per day may be imposed upon seven (7) days' written notice to the Owner, subject to review by a Committee consisting of two (2) Directors and one (1) property manager.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. Article VI, Section 6.9 (p. 1): Covenant prohibits clotheslines in direct violation of Fla. Stat. § 163.04.

Statutory / Legal Reference: Fla. Stat. § 163.04

Statutory Comparison: Florida Statute § 163.04 renders null, void, and unenforceable any deed restriction, covenant, or rule that prohibits or has the effect of prohibiting solar collectors, clotheslines, or other energy devices based on renewable resources.

CURRENT WORDING IN DOCUMENT:

Solar Panels and Clotheslines - Outdoor clotheslines are prohibited on all Lots, including within fenced rear yards. Solar collectors may not be installed on any roof slope visible from any street.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to Fla. Stat. § 163.04, solar collectors and clotheslines shall not be prohibited, subject only to reasonable architectural guidelines regarding placement that do not impair performance.