

MARKUP #1 ->

- 4) The walkways, entrances, halls, corridors, stairways and elevators shall not be obstructed or used for any purpose other than ingress and egress to and from the Condominiums and other portions of Whitehall Condominiums of the Villages of Palm Beach Lakes.
- 5) No bicycles, scooters, skateboards, baby carriages, similar vehicles, toys, or other personal articles shall be allowed to stand or remain on any of the Common Elements.
- 6) The exterior of the Apartments and all other areas appurtenant to an Apartment shall not be painted, decorated or modified by any Apartment Owner in any manner without prior written consent of the Association’s directors which may be on purely aesthetic grounds within the sole discretion of the Board.
- 7) All draperies, curtains, shades or other window or door coverage installed within an Apartment (except approved window tinting), which are visible from the exterior of the Apartment or any other portion of Whitehall Condominiums of the Villages of palm beach lakes shall have a white or off white backing. Installation of accordion or roll up hurricane shutters ONLY in the color white will be allowed providing plans for installation to cover Windows, Sliding Glass Doors and Alcove at front entry way and Front Doors.
- 8) No sign, notice or advertisement shall be inscribed or exposed on or at any window or other part of the Apartment visible from the exterior of the Apartment.
- 9) No article, including towels and clothes, shall be hung or shaken from rails, doors or windows of the Apartment or placed upon the outside window sills of the Apartment, nor shall anything be projected out of any window except the flag of the United States of America as required by law.
- 10) Nothing may be swept or thrown from an Apartment or walkway.
- 11) No clothesline or other similar device shall be allowed on any portion of the Common Elements of the Recreation Area.
- 12) No plants, receptacles, or any moveable objects shall be placed or maintained on balcony rails, or walkway rails.
- 13) Apartment Owners shall keep their Apartments in a good state of preservation and cleanliness.
- 14) No radio or television aerial or antenna shall be attached to, or hung from, the exterior of the Apartment or any portion of the Common Elements, including the roofs.
- 15) No apartment owner, their family members, lessees, or guests shall make or permit any noise between the hours of **11:00 p.m. and 8:00 a.m.** that will unreasonably disturb or annoy the occupant of any other Apartment, or do or permit anything to be done at any hour, which interferes with the rights, comfort or convenience of other Apartment Owners or occupants. This Prohibition includes music and noise emanating from automobiles and audio equipment in the Association Common Elements.
- 16) All garbage and refuse from the Apartment must be bagged, tightly sealed and deposited with care in dumpsters provided for garbage and refuse. Before depositing cardboard boxes they **MUST** be cut up with the boxes sides, bottom and top separated. NO trees, wood, crate, furniture, corrosive materials, hazardous or similar articles are to be placed in dumpsters.

ISSUE #1

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. C (p. 2): 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:

11) No clothesline or other similar device shall be allowed on any portion of the Common Elements of the Recreation Area. 12) No plants, receptacles, or any moveable objects shall be placed or maintained on balcony rails, or walkway rails.

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.