

Polices of Heritage Oak Park

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Policies of Heritage Oak Park

ANIMAL POLICIES

Animal policies for existing owners, new owners and renters can be found on the HOPCA website under Policies. This policy covers:

- screening and registration requirements;
- permissible animals;
- restrictions;
- enforcement; and
- service and assistance animals.

Be sure to consult this policy BEFORE bringing an animal into Heritage Oak Park. The policy can be found on the HOPCA website under policies. If a resident does not have access to the internet, a copy can be attained by contacting the Community Association Manager (CAM).

ARBORIST PAYMENTS

Approved 7/21/20

The Heritage Oak Park Architectural Review Committee requires an impartial arborist when an arborist's report is required for the removal of an oak tree in the Park. The Community Manager will be tasked to obtain the report from an arborist not involved with the Company removing the tree. The following guidelines shall be followed as to payment for the arborist's report:

1. If the Neighborhood is requesting the oak tree to be removed, the neighborhood shall be responsible to pay for the arborist's report.
2. If the homeowner is requesting the oak tree be removed and will be paying to remove the oak tree as well, the homeowner will be responsible to pay for the arborist's report.
3. If the homeowner is requesting the tree to be removed but the neighborhood agrees to pay for the tree removal, the neighborhood will be responsible to pay for the arborist's report if the report supports removing the tree. If the report does not support removing the tree, the homeowner will be responsible to pay for the report.

ARCHITECTURAL STANDARDS

The HOP Architectural Standards apply to all external changes or improvements to any Heritage Oak Park (HOP) dwelling, villa, duplex and carriage house, unless specifically excluded. Although they are written mainly for these dwellings, some standards may apply to multi-storied condos, such as paint color, landscaping and storm and screen doors. (See also Community Maintenance Standards.)

The Standards are posted on the HOPCA website on the ARC page. If a resident does not have access to the internet, a copy can be attained by contacting the Community Association Manager (CAM).

ASSUMPTION OF RESPONSIBILITIES FOR NEIGHBORHOOD COMMITTEES

Approved 1/18/11

Newly elected Neighborhood Committee members officially assume responsibility for that position upon the close of the Annual Neighborhood meeting where they were elected. As stated in Article 3.3 of the Declaration of Covenants, the Committee is elected for one year.

AUDIT

Approved 3/16/10; Revised 7/21/20

According to Florida Statute 720.303.7.a.3, "An association with total annual revenues of \$500,000 or more shall prepare audited financial statements." Therefore, this is an expense of the Master budget and included in the fees assessed to the membership.

BANKRUPTCY OR FORECLOSURE - ELECTRICITY FOR PARCELS

Approved 2/15/11

When a Parcel is involved with bankruptcy or is foreclosed upon, if necessary, the Neighborhood shall provide an electrical account for that Parcel to be billed to the Neighborhood to run air conditioning until it is sold. Any costs for electrical usage shall become part of the lien that is placed on the Parcel and reimbursed to the Neighborhood.

BANKRUPTCY OR FORECLOSURE - INSURANCE FOR PARCELS

Approved 2/15/11

Heritage Oak Park Community Association requires that all Neighborhood Parcels carry insurance. Section 8.8 of the Declaration of Covenants states: "Each Owner shall carry casualty insurance on insurable portions of his Parcel Improvements..."

When a Parcel is involved with bankruptcy or is foreclosed upon, if necessary, the Neighborhood shall purchase casualty insurance on that Parcel until it is sold. Any costs for paid insurance shall become part of the lien that is placed on the Parcel and reimbursed to the Neighborhood.

BIRD FEEDERS

Approved 4/20/10

Bird feeders will not be considered for approval as decorations in the park.

BOARD OF DIRECTOR REIMBURSEMENT

Approved 2/15/11

Officers and members of the Board of Directors of HOPCA may be entitled to reimbursement of out-of-pocket office expenses (i.e. paper, ink, etc.) incurred in conducting the authorized business of HOPCA. For expenses under \$100, the Board member or Officer may submit the original sales receipt(s), approved by either the President or Treasurer to the Property Manager for reimbursement.

For expenses over \$100 but less than \$250, the Board member or Officer may submit the original sales receipt(s) approved by both the President and Treasurer to the Property Manager for reimbursement.

For expenses over \$250, the Board member or Officer may submit the original sales receipt(s) approved by the Board of Directors to the Property Manager for reimbursement.

BUDGET - ITEMS COVERED UNDER "LEGAL MASTER" BUDGET

Approved 3/16/10

All changes involving the Heritage Oak Park (HOP), Declaration of Covenants, Articles of Incorporation and By-Laws.

Any cost for filing those changes with the County Clerk and any legal cost involved in making those changes.

All disputes with the HOPCA Board of Directors, regardless of the nature of the dispute.

- For example, when someone accuses the BOD of mismanaging money and files a complaint with the State.

Any Election disputes for positions on the Board of Directors.

BUDGET - ITEMS COVERED UNDER "LEGAL VILLAS" or "LEGAL CARRIAGE HOMES" BUDGET
Approved 3/16/10

All changes which involve the Supplemental Declarations will be charged to the neighborhood, including but not limited to any cost for filing those changes with the County Clerk and any legal cost involved in making those changes.

COMMERCIAL VEHICLES **Approved 5/19/09; Rev 7/21/20**

From Villa and Carriage Home Declarations of Restrictions Article 1.46 "Restricted Vehicle": "As used herein, "Commercial Vehicle" shall include, but not be limited to, any truck with a bed and bearing signage identifying a business name, or as otherwise defined by the Board of Directors from time to time by Rule or in the Community Standards."

Effective 5/19/09, the Board further defines a Commercial Vehicle as any vehicle that is a length longer than the garage of the residence, has signage identifying a business name or type, tools or equipment on the vehicle or visible inside the vehicle, a vehicle with a flat bed or ladder rack.

See also Driveway Restrictions Policy in this document.

COMMUNITY MAINTENANCE STANDARDS

The Community Maintenance Standards establishes paint standards and maintenance requirements for doors, gutters, downspouts and soffits, roofs, sidewalks and driveways and shutters. (See also Architectural Standards.)

The Standards are posted on the HOPCA website under Policies. If a resident does not have access to the internet, a copy can be attained by contacting the Community Association Manager (CAM).

DECORATIONS **Approved 5/20/14; Rev 7/21/20**

Reference: Declaration of Covenants 11.6

"No person shall place or maintain on a Parcel any flags, banners, decorative lights or ornaments, or similar items WITHOUT THE WRITTEN APPROVAL OF THE ASSOCIATION; provided, however, that nothing herein shall prohibit the display of seasonal Christmas or holiday decorative lights and ornaments between Thanksgiving and January 10 or the appropriate display of the American Flag."

Policy:

Date modified 07/21/2020

The Board, in its opinion, will uphold the continuity of the neighborhood and will not approve items it considers extreme or unacceptable.

1. The Board will give approval for an unlimited number of live, well-tended potted plants. The pots must be cohesive in design and displayed in a level and well-arranged pattern. The resident shall be responsible to maintain these plants. The Board reserves the right to reevaluate its approval if there is a complaint regarding a specific residence or the display is not kept up to these standards.
2. The Board will give approval for three non-seasonal, tasteful and non-controversial decorations per residence. The Board reserves the right to reevaluate its approval if there is a specific complaint by a resident.
3. Decorative lights to be placed in plantings or along walks would be applied for separately.
4. Fruit or vegetables are not allowed to be grown or placed outside in any neighborhood or used as a decoration.
5. Items such as balloons, artificial garland, or tinsel will not be allowed outside in any neighborhood.
6. Decorations must be placed so they do not interfere with lawn maintenance, or cause damage to grass or plants.

Resident complaints should be put in writing and signed, dated and given to the Property Manager to be reviewed and acted upon. These complaints are kept confidential.

DISASTER PREPARDNESS EXTERNAL ITEM POLICY

Approved 11/18/14; Rev 7/21/20

Residents should consult the latest edition of the HOP Disaster Readiness Plan by June each year in preparation for a hurricane or other such natural disaster. When a natural disaster such as a hurricane is declared by the governor, the HOP Disaster Readiness Plan will be followed. The plan is available on the DRC Committee page of the HOPCA website. If a resident does not have access to the internet, a copy can be attained by contacting the Community Association Manager (CAM).

DRIVEWAY RESTRICTIONS

Approved 8/17/10; Rev 7/21/20

1. Truck and dumpster weights

No trucks greater than 34,000 GVW (Gross Vehicle Weight) are to be allowed on any villa driveway. Note: The GVW is the weight of the truck and the load it carries. It can be found inside the driver's side door. A truck of 34,000 GVW is a very large truck.

No dumpster greater than one with a 9-yard capacity is to be allowed on any villa driveway.

2. Length of time a dumpster or moving truck may be parked.

For situations such as cleaning out furniture and other minor situations a dumpster or truck may be parked for a maximum of three days.

For restoration or minor renovations, a dumpster may be placed in a driveway for no more than three weeks.

3. Any dumpster or truck parked overnight must have a permit attached to the unit. The permit will be provided by the Property Manager, who will notify the Villa Chairperson.

4. Adjoining Owners must be notified by the originating Owner at least one day prior to any dumpster or truck being parked overnight.

This policy is based on Article 5.8 Common Improvements and 5.8.E of the Villa Declaration of Restrictions.

See also Commercial Vehicles policy in this document.

FEEDING WILD ANIMALS

Approved 4/20/10

Feeding wild animals is not allowed in Heritage Oak Park.

FINANCIAL POLICY

Approved 12/8/09; Rev 7/21/20

Equity:

Equity is that operating money which is not spent during the month it was budgeted for. It is transferred by the accounting firm into the equity account.

Reason:

This is a prudent policy, recommended by most management companies, and practiced by most HOAs.

Policy:

All unincorporated neighborhoods shall keep operating expenses equal to three months of revenue for equity. The Treasurer shall review the accounts for compliance. This is prudent to keep for unforeseen emergencies. This figure does not include money designed for reserves. All monies above this minimum may be spent to help keep future expenses down.

FINANCIAL POLICY CONCERNING WITHDRAWAL SIGNATURES

Approved 3/15/11

All withdrawals from money market accounts or Certificate of Deposits must be signed by at least two of the authorized officers.

Any Certificate of Deposit that is to be renewed within the same financial institution may be signed by any authorized officer.

FORM CHANGE PROCEDURE

Approved 2/15/11

Any changes to forms sanctioned by Heritage Oak Park Community Association shall be approved by the President or Vice President of the Association prior to publication. Forms may include, but are not limited to: Architectural Request, Violation Notification, Work Orders, Emergency Contact Information, Sales Application, and Lease Application.

GARBAGE CONTAINERS

Approved 7/20/10; Rev 7/21/20

The Board defines garbage cans, waste containers and recycle containers as Unsightly Objects, covered in the Villa and Carriage Homes Declaration of Restrictions 10.16 Unsightly Objects and Declaration of Covenants 11.1 Nuisances. Therefore, these items cannot be left or placed in any location on a Lot that is visible from the street or other Lots. In addition, the Declaration of Restrictions 10.7 Trash indicate the allowed times that these containers can be placed along the road for garbage collection and when they must be promptly removed. The

Declaration of Restrictions can be found on the HOPCA website on the pages for each neighborhood. The Declaration of Covenants are also available on the HOPCA website.

GRILLS

Approved 3/16/10; Rev 7/21/20

Resolution pertaining to all Neighborhoods that do not have existing restrictions in Supplemental Declarations.

In accordance with the Declaration of Covenants, Article 11.1 any resident who uses and stores a cooking grill with or without a propane tank will comply with the following conditions, based on the opinion of the HOPCA Board of Directors.

1. The grill and/or tank shall not emit any foul or obnoxious odors.
2. The grill and/or tank is not kept in an unsanitary condition and attracts insects or animals.
3. The grill and/or tank is not unkempt, unsightly, and is covered by a standard grill cover.
4. The grill and tank are to be placed in the least obtrusive location on the lot that the Florida Fire Prevention Code or Local codes allow.
5. The propane tank for the gas grill should be used and stored following the regulations of the Florida Fire Prevention Codes¹ (NFPA1) and any other applicable Codes.

*Note 1. Any resident having questions or is reporting violations involving conditions #1, #2, or #3, contact the property manager.

*Note 2. Any resident having questions or is reporting a violation involving the Florida Fire Prevention Code or any other local fire codes should call the Charlotte County Fire Marshall.

HOPCA BOARD RECOGNITION PLAQUE

Approved 1/18/11

Names of HOPCA Board of Directors who have completed their full term of office shall be added to the HOPCA Recognition Plaque.

HORNET AND WASP NESTS

Approved 7/20/10

Hornet and wasp nests may be a safety concern for all residents. If actual nests are found in shrubbery around homes, the Park Manager and /or the HOPCA Board of Directors will determine how to proceed. Elimination of any nests may be an option, as determined by the Park Manager and/or the HOPCA Board. Based on Article 4.1 of the Declaration of Covenants.

INSURANCE - ASSOCIATION

Approved 4/20/10; Rev 7/21/20

In reference to the Declaration of Covenants for Heritage Oak Park, Sections 8.3 Liability Insurance and 8.5 Other Association Insurance:

- The Fidelity Bond shall name all officers, directors, and/or contracted persons who have access to or are responsible for Association funds.

- The cost of all insurance policies for the Board of Directors, such as D&O insurance, General Liability and the Umbrella policy shall be paid for from the Master Budget, per Article 8.3 of the Declaration of Covenants for Heritage Oak Park.
- The cost of the Workers Compensation Policy shall be paid for by the four villa neighborhoods and the Carriage Homes.

LIEN POLICY

Approved 4/19/11

It is the policy of the Heritage Oak Park Community Association Board of Directors to lien a Parcel as provided for by Florida Statutes (see Florida Statute 720.3085) whenever financial obligations attributable to it owing the Association exceed \$750.00. See Article 10 Lien of Assessments of the Declaration of Covenants for HOP.

MAINTENANCE PERSONNEL EXPENSES

Approved 4/20/10; Rev 7/21/20

The four Villa neighborhoods currently pay the salary of the maintenance person as part of their management contract. If an unincorporated neighborhood, carriage home owner or condo association or owner were to use this maintenance person, that neighborhood, association or owner is responsible to reimburse the Villas for the time worked at the maintenance person’s hourly rate for that year.

MAINTENANCE RESPONSIBILITIES

Approved 12/21/10

The Association (HOPCA) now assumes maintenance responsibilities for all Villa electrical boxes under Covenant 6.6B. Cost will be included in the Neighborhood Expenses and paid through Neighborhood Assessments.

OAK TREES AND PALM TREES

The policy for tree removal is covered under the HOP Architectural Standards. The standards are available on the ARC Committee page of the HOPCA website. If a resident does not have access to the internet, a copy can be attained by contacting the Community Association Manager (CAM).

OCCUPANCY

Approved 7/18/17; REV 7/21/20

A “guest” is defined as anyone visiting an owner or renter in a Parcel for up to and including 30 days in a 12-month period.

Any person 18 years or older occupying, or intending to occupy, a residence with an owner or renter for more than 30 days in a 12-month period will not be considered a guest but rather an occupant and will be subject to a background check at the owner’s expense. This includes a new spouse, relatives, friends, and anyone else who may be occupying the residence. This applies to all Parcels in the Park.

SEASONAL DEPARTURE CHECKLIST

Approved 3/20/18; Rev 7/21/20

When a resident leaves the Park for longer than two weeks during Hurricane Season (June 1st to December 1st), it is for the benefit of both the residents leaving and the residents remaining in the Park that steps are taken to prepare their residences in the event of a hurricane during their absence.

Therefore, residents must fully complete the Seasonal Resident/Extended Vacationer Departure Check List prior to leaving the Park for an extended period, longer than two weeks during Hurricane Season. The checklist should be submitted to the Community Association Manager (CAM). Failure to submit, to not follow the instructions on the list, or to falsify responses on the list can result in a fine to the resident/homeowner. The form is available on the HOPCA website and in the Lodge.

STANDING COMMITTEE APPOINTMENTS

Approved 1/18/11

Members of any Heritage Oak Park Community Association Standing Committee shall be appointed by and shall serve at the pleasure of the Board for a term of one year. At the Board's pleasure, committee members may be reappointed for additional terms.

VIOLATION FEE

Approved 8/17/10

Should an Owner be mailed a violation letter via certified mail, the Owner shall be charged a \$35 fee to offset costs involved with processing the violation resolution. This fee is independent of any possible fine actually levied.

Should an owner be mailed a second or subsequent letter, for a recurring violation as an example, via certified mail, the Owner shall be charged \$35 each time a certified letter is sent to offset further costs involved with processing the violation resolution.

The fee is based on the Declaration of Covenants Article 7.5 and Article 7.5. F

VOTING RIGHTS

Approved 7/19/11; Revised 7/21/20

Florida State Statutes 720.305 state: Obligations of members; remedies at law or in equity; levy of fines and suspension of use rights.

(4)An association may suspend the voting rights of a parcel or member for the nonpayment of any fee, fine, or other monetary obligation due to the association that is more than 90 days delinquent

Therefore, it was voted on by the Board to suspend the voting rights of any member for the nonpayment of any fees including but not limited to assessments, fines or any other monetary obligations, that are delinquent in excess of 90 days.