

Policies of Heritage Oak Park

Oak Trees and replacement

Approved at the May 17, 2016, Board of Directors Meeting

Oak trees are an integral part of Heritage Oak Park. Only trees that are damaging existing structures, are diseased, or are approved by the Architectural Review Committee due to extenuating circumstances or imminent danger, will be considered for removal. The HOPCA Board of Directors voted a policy to replace any oak tree removed with a new oak tree. Fines may be levied if this policy is not followed.

Commercial Vehicles

Approved at the May 19, 2009 Board of Directors Meeting

Villa and Carriage Home Declarations of Restrictions Article 1.46, as used herein define a “Commercial Vehicle” to be any vehicle designed and/or outfitted to be engaged in commercial activity. This may include, but not limited to, vehicles that have any one or more of the following: a length longer than the garage of the residence, 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, or as otherwise defined by the Board of Directors from time to time by rule or in the Community Standards.

Decorations:

Approved at the May 20, 2014 Board of Directors Meeting

Reference: 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:

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 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.
2. The Board will give approval for three non-seasonal decorations per residence. The residents will apply for Board approval on a form supplied by the Board. 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.

Financial Policy

Approved at the December 08, 2009 Board of Directors Meeting

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 HOA's.

Policy:

The Treasurer should make sure the villa neighborhoods keep three months of operating expense for equity. This is prudent to keep for unforeseen emergencies, which could happen. This figure does not include money designed for reserves. All monies above this minimum can be spent to help keep future expenses down.

Gas Grills

Approved at the March 16, 2010 Board of Directors Meeting

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

In accordance with the Covenants, Article 11.1 any resident who uses and stores a gas cooking grill and propane tank will comply with the following conditions, based on the opinion of the HOPCA Board of Directors.

1. The gas grill or tank shall not emit any foul or obnoxious odors.
2. The gas grill or tank is not kept in an unsanitary condition and attracts insects or animals.
3. The gas grill or tank is not unkempt, unsightly, and is covered by a standard grill cover.
4. The gas grill and tank is to be placed in the least obtrusive location on the lot that the Florida Fire Prevention Code or Local codes allow.
5. 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.

ITEMS COVERED UNDER "LEGAL MASTER" BUDGET

Approved at the March 16, 2010 Board of Directors Meeting

- All changes involving the Heritage Oak Park HOP, 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.

ITEMS COVERED UNDER “LEGAL VILLAS” or “LEGAL CARRIAGE HOMES” BUDGETS

- All changes which involve the Supplemental Declarations will be charged to the neighborhood.
- Any cost for filing those changes with the County Clerk and any legal cost involved in making those changes.

AUDIT

- The full cost of an annual audit will be paid for by the four, (4), unincorporated villa neighborhoods since the only reason we are required to have an annual audit is that the total villa reserve funds exceed the \$400,000 limit set by the state in 720.7.a.3. Note there are no reserves associated with the Carriage Homes.

MAINTENANCE PERSONNEL EXPENSES

Approved at the April 20, 2010 Board of Directors Meeting

- Each unincorporated neighborhood and condo association shall be responsible to pay for the maintenance personnel for any work which they have done. A fair hourly labor shall be set rate based on the salaries of these personnel. The maintenance will no longer be included in the CDD contract as part of services.

INSURANCE

Approved at the April 20, 2010 Board of Directors Meeting

Heritage Oak Park Community Association.

- 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.

Feeding Wild Animals

Approved at the 4/20/10 Board of Directors Meeting (Covenants Article 11.1 Nuisances)

Feeding wild animals is not allowed in Heritage Oak Park.

Bird Feeders

Approved at the 4/20/10 Board of Directors Meeting (Covenants 11.6 Decorations)

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

Decorations

Approved at the 4/20/10 Board of Directors Meeting

Hanging decorations must be displayed on a flag pole or supporting staff and not attached to trees or other foliage.

Flag Poles

Approved at the 6/15/10 Board of Directors meeting (Covenants 11.6 Decorations)

The supporting staff or flag pole can be no taller than 3 feet.

Garbage Containers

Approved at the July 20, 2010 Board of Directors Meeting:

Add an addition to the resolution passed on 5/19/09 regarding Garbage Containers, etc., to read: Covenants Article 11.1 and Villa and Carriage House Declaration of Restrictions 10.16 Unsightly Objects. Garbage Cans, Waste Containers, and Recycle Containers are unsightly and unkempt and have to be stored out of public view except on pick up day and after 5 P. M. the day before.

Hornet and Wasp Nests

Approved at the July 20, 2010 Board of Directors Meeting

Hornet and wasp nest 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 Covenants

Driveway Restrictions

Approved at the August 17, 2010 Board of Directors Meeting

1. Truck and dumpster weights

No trucks greater than 34,000 GVW are to be allowed on any villa driveway.

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 and 5.8.E of the Covenants.

Violation Fee (Individual Parcel Expenses)

Approved at the August 17, 2010 Board of Directors Meeting

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 Covenants Article 7.5 and Article 7.5.F

Maintenance Responsibilities

Approved at the December 21, 2010 Board of Directors Meeting

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.

Assumption of responsibilities for Neighborhood Committees

Approved at the January 18, 2011 Board of Directors Meeting

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 Covenants, the Committee is elected for one year.

Standing Committee Appointments

Approved at the January 18, 2011 Board of Directors Meeting

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.

HOPCA Board Member Recognition Plaque

Approved at the January 18, 2011 Board of Directors Meeting

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

Board of Director Reimbursement

Approved at the February 15, 2011 Board of Directors meeting

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.

Form Change Procedure

Approved at the February 15, 2011 Board of Directors meeting

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, Decoration Requests, Emergency Contact Information, Sales Application, and Lease Application.

Insurance for Parcels in bankruptcy or foreclosure

Approved at the February 15, 2011 Board of Directors meeting

Heritage Oak Park Community Association requires that all Neighborhood Parcels carry insurance. Section 8.8 of the Covenants state: 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.

Electricity for Parcels in bankruptcy or foreclosure

Approved at the February 15, 2011 Board of Directors meeting

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.

Financial Policy concerning withdrawal signatures

Approved at the March 15, 2011 Board of Directors meeting

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.

Lien Policy

Approved at the April 19, 2011 Board of Directors meeting and amended December 18, 2012

It is the policy of the Heritage Oak Park Community Association Board of Directors to lien a Parcel as provided for by Florida Statutes whenever financial obligations attributable to it owing the Association exceed \$750.00

Common Access Restriction

Approved at the April 19, 2011 Board of Directors meeting

Any owner that is in arrears for any monies owed to Heritage Oak Park Community Association, Inc., may, by Board vote, have restrictions placed on their access to the private areas of the Heritage Oak Park web site.

Voting Rights

Approved at the July 19, 2011 Board of Directors Meeting

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

(3) If the governing documents so provide, an association may suspend the voting rights of a member for the nonpayment of regular annual assessments that are delinquent in excess of 90 days.

Therefore, it was voted on by the Board to suspend the voting rights of any member for the nonpayment of assessments that are delinquent in excess of 90 days.

Disaster Preparedness External Item Policy

Approved at the November 18, 2014, Board of Directors Meeting

In the event of a possible natural disaster event, once the Disaster Preparedness Plan has been invoked, it is the owner's responsibility to remove all loose items outside their home to prevent those items from damaging the exterior of their home as well as damaging other homes. This assumes that winds will reach at least 60 mph.

Our Disaster Preparedness plan states: Coordinators will conduct a pre-storm walk around, make note of who is here, distribute door knockers as needed—look for objects that could become airborne, assist homeowners if necessary, e.g. moving planters, yard decorations, lanai furniture etc.

Further: All residents must remove all objects from outside the home including within the lanai. Lanai enclosure panels and garage door screens must be removed.

Occupancy

Approved at the July 18, 2017, Board of Directors Meeting

A "guest" is defined as anyone visiting an owner or renter in a Parcel for not more than 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.