

Harper Place Property Owners Association

P.O. Box 2252

Winter Park, FL 32790

Rules and Regulations

Trash Pick-Up and Refuse Containers

The City of Winter Park currently enforces a series of codes regarding refuse containers, their use and timely placement for trash pick-up within its boundaries. For Harper Place purposes the statutes have been paraphrased below from City Ordinance: Sec.82-36.

- Trash Collection:
 - o Mondays: **Garbage (Gray Container)** and **Recycling (Blue Container)** Collection
 - o Wednesdays: **Yard Waste (Green Container)** Collection
 - o Thursdays: **Garbage (Gray Container)** Collection
- All refuse and recycling containers are coded with a unique number keyed to each townhome address to identify anyone who violates the trash collection ordinance.
- All refuse and recycling containers must be labeled with the owner's townhome address, or at least the street number.
- The City of Winter Park requires that all containers, trash, and recycle bins be placed to the side or rear of owner's townhome on days when service is not provided.
Our HOA requires the Recycling (Blue) Container be kept inside the garage. The Garbage (Gray) Container may be kept outside. Two **Yard Waste (Green) Containers** will be kept in the Tract "C" area, adjacent to Units 12 & 18, for use by any resident, as needed. Please return **Yard Waste Containers** to where taken from.
- Otto carts/refuse containers, trash and recycle bins can be placed at the curb after 4:00pm the day before your collection day, and must be removed from the curb and returned to the garage, the rear or side of owner's townhome by 9:00pm on the day of service.
- Violations may result in a \$300.00 fine.

The City of Winter Park Code Enforcement has approached the BoD on more than one occasion with concerns of code violations, giving warnings before issuing citations to the homeowner in violation.

*Any fines associated with a violation are the responsibility of the unit owner/resident and are subject to the fining procedures found in the **Declaration of Covenants, Conditions and Restrictions (DCCRs)** for Townhomes at Harper Place (Article 12.4 § c.).*

Parking Rules, Regulations & Guidelines

There have been a number of vehicle related issues within the TaHP private drive and guest parking area referred to as “Tract C”, and in the surrounding area. Vandalism, parking and fire code violations have been the most egregious. These incidents have been cited by the City of Winter Park Code Enforcement, our local police, and TaHP Board members.

In an effort to ensure the safety and security of TaHP owners/residents, and to maintain compliance with our DCCR's, the following policies were implemented on **July 1, 2015**, with subsequent revisions made from time to time.

- Each unit has available two (2) garage spaces, and one (1) angled parking spot immediately behind the garage. The units fronting Indiana, Schultz and Miller Avenues also have street parking available. Parking by Homeowners (“Owners”) or Renters/Tenants (collectively referred to as “Residents”) should be limited to these parking areas whenever possible.
- Each unit has been issued up to two (2) **Resident Parking Stickers** (“RP Stickers”), at no cost to the Owner. The Board requires the RP Sticker be positioned on each vehicle on the driver side of the windshield no more than six inches from the bottom and side of the windshield.
 - RP Stickers have been issued, assigned and labeled to each unit owner/resident and their vehicles.
 - A new owner/resident may obtain up to two (2) RP Stickers for their vehicles.
- Each unit has received two (2) **Guest Parking Hangtags** (“GP Hangtags”) that will grant the bearer the same parking privileges as TaHP owners/residents for overnight parking (between the hours of 12 midnight and 7:00am) in one of the eight unreserved Tract C parking spots alongside Buildings 2, 3 and 4.
 - GP Hangtags have been issued, numbered and labeled to each townhome.
 - When a GP Hangtag is required to be displayed, it must be hung from the mirror so the Unit #, Townhome # and Permit # are easily readable.
 - Failure to properly display a required RP or GP Hangtag may result in your vehicle being towed.
 - When parking in one of the Tract C Parking spots, there will be no requirement for a Resident Parking Sticker or Guest Hang Tag to be displayed unless the vehicle is parked between the hours of 12 midnight and 7:00am.
- Only vehicles with the appropriate parking designation (RP Sticker/GP Hangtag) may be parked in Tract C parking between 12 midnight and 7:00am. When Tract C parking is full, (see diagram on page 6 for further details), all other vehicles should be parked in the roadways along Indiana, Schultz, or Miller.
- **Replacement Policy – Resident Parking Stickers (RP Stickers):** It is inevitable that Homeowners or Tenants may replace a vehicle, or a new Homeowner or Tenant may

move in. In such cases, the Association will provide the Homeowner/Tenant with a replacement sticker at a cost of \$5.00 per RP Sticker. Since the stickers are labeled, the old sticker (being replaced) will be invalidated. Any car with an invalidated sticker will be considered in violation of TaHP parking policies and will be subject to towing.

- **Replacement Policy - Guest Parking Hangtags (GP Hangtags):** It is inevitable that Homeowners or Tenants will lose one or both of the GP Hangtags, or a guest may inadvertently leave with one. If a GP Hangtag is reported lost by a Homeowner or Tenant, a new GP Hangtag will be issued at a cost of \$5.00 per GP Hangtag. Since each GP Hangtag is numbered and labeled to a specific townhome, lost GP Hangtags will be invalidated. Any car with an invalidated GP Hangtag will be considered in violation of TaHP Parking Policies and will be subject to towing.
- All vehicles within the TRACT C parking area should be appropriately parked, taking into consideration the "No Parking Areas" and the City of Winter Park Fire Code, which requires a non obstructed Fire Lane, both designated by yellow-painted curbing.
- Angle parking is not permitted in any of the eight Tract C guest parking spots.
 - Florida Fire Prevention Code: Chapter 4A-60.003 § 11(d) - At least one elevation of each building shall be accessible to the fire department. Required fire lanes shall be provided with the inner edge of the roadway no closer than 10 feet and no further than 30 feet from the building. (see Tract C Parking & Drive Site Plan attached below).
 - Fire apparatus access roads shall be a minimum width of 20ft.
- Any vehicle parked alongside a garage must be angle parked at no more than a 45 degree angle so as not to block the Tract C drive, or cause a driving hazard by protruding too far into the driving lane, which must be maintained at a width of 20ft. ***Any vehicle parked alongside a garage that protrudes too far into the drive will be identified and the unit Owner/Resident notified. If after notification, the identified vehicle is not repositioned, or again parked so that it protrudes too far into the drive, the Owner/Resident will receive a 2nd notice, and an "Illegally Parked" sticker will be placed on the driver door window warning that the vehicle may be towed if continued violations occur.***
- No vehicle may be "stored" in a Tract C Parking spot for a period exceeding 72 hours unless pre-arranged and approved by the BoD.
 - Any such request must be made by email to the BoD at:
harperplacehoa@gmail.com. It is suggested that requests be made as early as possible (preferably 2 weeks) in advance to allow ample time for a response.
- Any vehicle parked within the TaHP Tract C found to be in violation of the stated rules is subject to being towed at the owner's expense.
 - Towing Company: Contact info is displayed on the signs at each Tract C entrance.
- **Towing Policy**

Any Vehicle found to be in violation of TaHP Parking Rules, Regulations & Guidelines is subject to being towed at the owner's expense. The procedures to be followed before any vehicle will be towed are as follows:

1. Two or more Board members must observe and report the violation.
2. Photographic proof of the violation is required.
 - a. Photographic evidence shall be noticed to homeowners and/or tenants to try to determine whose vehicle is in violation (if the vehicle is not readily identifiable). NOTE: Each Owner renting their unit is responsible to make sure the TaHP BoD has been given a valid email address for its Tenant, and a mobile number.
 - b. All notifications will be made via email so the attempt to contact the owner is recorded. If the BoD has a mobile number on hand, a secondary attempt will be made using the mobile number.
3. If the vehicle in violation of the TaHP Parking Rules, Regulations & Guidelines policy as stated herein, has an appropriate RP Sticker or GP Hangtag displayed, an effort will be made to directly contact the owner of the vehicle as provided for herein.
 - a. If direct contact with the vehicle's owner is unsuccessful, the time and type of notification attempted (email and if available, mobile phone), will be noted and a grace period of three (3) hours will be given before the designated towing company will be contacted.
 - b. PLEASE NOTE: If direct contact is successfully made, the BoD simply asks that the owner of the vehicle in violation be considerate of the parking situation, and kindly remedy the situation within the allotted grace period, or be subject to having the vehicle towed.
4. Once the owner of the vehicle has been contacted directly by email or phone, there will be a three (3) hour grace period before the designated towing company is contacted.
5. The vehicle owner will be liable for all towing expenses and any potential fines, if any.

Owner and Rentals

As the BoD continues to work to maintain the quality of life we all enjoy within TaHP community, we require everyone's participation and assistance to ensure the Rules & Regulations are fairly implemented and followed. There are ongoing concerns relating to renters and rental units.

Pursuant to Article 16 of the Declaration of Covenants, Conditions and Restrictions (DCCRs):

All Tenants shall be subject to the terms and conditions of the DCCRs, the

*Articles of Incorporation, the Bylaws and the Rules and Regulations
promulgated thereunder as though such Tenant were an Owner.*

Requirements for Rentals: To ensure the BoD can continue to effectively manage HOA property, which includes Common Ground and exteriors of all units, and also communicate with its Residents as/when necessary, the BoD requires (as of May 1, 2015) a copy of ALL lease agreements be submitted to the BoD within 30 days of signing, the names and contact information (mobile phone and email address) of the Renters, and a signed copy of the (Notice of Compliance) with the TaHP HOA and its governing documents (DCCRs). All extant agreements, if not already submitted, should be submitted within a week of receipt of these revised Rules and Regulations. All rentals are restricted to a minimum lease term to be no less than one (1) year (12 months) from the lease effective date.

Additionally, any homeowner who rents his/her townhome is required to submit to the HOA, along with the required Lease Agreement and Renter's contact information, the following:

1. An affidavit of the homeowner (or third party property manager) ensuring verification of a background check consistent with the Fair Housing Act.
2. An affidavit of the homeowner (or third party property manager) ensuring delivery of a copy of the (DCCR's) and the Rules & Regulations to the Lessee.
3. An affidavit of the Renter affirming receipt of the DCCRs, and the Rules and regulations, and agreement to comply with Section 16.2 of the DCCRs.
4. A copy of the Lease Agreement signed by both parties (as stated above).
5. An administrative processing fee of One Hundred Dollars (\$100.00) to offset costs related to processing the above paperwork, including but not limited to any work or time required of the BoD for review.

Non-compliance with the above Renter requirements may result in the use of amenities being suspended, such amenities include any amenities afforded to Members by the HOA. Any costs incurred during any such time of Non-compliance shall be the sole responsibility of the Member and may also result in a fine being levied against the Member whose townhome is being rented. Affidavits may be submitted via email to the Board at the TaHP HOA email address: HarperPlaceHOA@gmail.com.

All unit owners and tenants are subject to fines and penalties under Article 12.3 and 12.4 §c, of DCCRs for failure to comply with this requirement.

Landscape Do's and Don'ts

Every Owner/Resident is responsible to abide by the Restrictive Covenants as set forth in the TaHP Declaration of Covenants, Conditions and Restrictions with respect to Landscaping.

Landscape Maintenance: Owners/Residents shall keep their yards clear so that the Association and its agents can perform regular maintenance without hindrance or inconvenience. Further, no Owner/Resident shall plant any shrubs, plants (including potted plants) or the like in the yard area of their unit that detracts from the visual harmony of the Property or interferes with Association maintenance of the grounds. Ornamentation, such as flagpoles, fountains, bird feeders, bird baths, sculpture, accent lighting and/or pottery shall not be allowed in the front or side yards of any Unit, unless without prior HOA Board approval. American flags may be displayed on national holidays, if attached to a Unit. Alarm / security system warning signs may be placed in the front yard provided such signs are no larger than 12" x 12", and are placed as far back from the sidewalk as possible.

HOA Fees, Special Assessments & Other Fees

HOA Fees: \$195.00/month. Fees are due on the first day of each month. If not received by the 15th of the month due, a \$35.00 late fee will be assessed. HOA Fees can be paid via check, money order, or bank draft, and should be made payable to:

Townhomes at Harper Place Property Owner's Association

Roofing Assessment: A special assessment is in place to cover the cost of roof replacement for each building. It is estimated the roofs will need to be replaced sometime during the next five years. The Roofing Assessment for each unit is currently \$888.00 annually. The Roofing Assessment may be paid as follows:

Monthly - \$74.00, Quarterly - \$222.00, Semi-annually - \$444.00, or Annually - \$888.00

All Roofing Assessment payments should be made to:

Townhomes at Harper Place Property Owner's Association Roofing Fund

and mailed to: Townhomes at Harper Place POA

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Roofing Assessment Late Fee: if Roofing Assessment payments fall behind by more than three months, a late fee of \$25.00 will be assessed for each month after the third month that the payment is late.

New Owner "Initiation" Fee: All new owners who purchase a home at Townhomes at Harper Place will be required to pay a Seven Hundred Fifty Dollar (\$750.00) fee to be paid at closing. All such fees are to be placed into the Reserve Account to be used as needed and as determined by the BoD.

Estoppel Fee: A request for an Estoppel letter, in the normal course of business, will be assessed a One Hundred Dollar (\$100.00) fee. If the Seller is in arrears, an additional One Hundred Dollar (\$100.00) fee will be the fee added. If it is requested the Estoppel letter be expedited, an extra One Hundred Dollars (\$100.00) will be assessed.

TRACT C Parking & Drive Site Plan

Townhomes at Harper Place Tract C Parking

Schultz Ave										
Bldg #4					Bldg #1					
1120 (#11)	1118 (#10)	1116 (#9)	1114 (#8)	1112 (#7)	1110 (#6)	1108 (#5)	1106 (#4)	1104 (#3)	1102 (#2)	1100 (#1)
Owr Use Only	Owr Use Only	Owr Use Only	Owr Use Only	Owr Use Only	Owr Use Only	Owr Use Only	Owr Use Only	Owr Use Only	Owr Use Only	Owr Use Only

Bldg #5				Bldg #3 (Indiana Ave)				Bldg #2			
FIRE		LANE		FIRE		LANE		FIRE		LANE	
Guest Spot #1		Guest Spot #2		Guest Spot #3		Guest Spot #4		Guest Spot #7		Guest Spot #8	
1257 (#18)		1255 (#19)		1253 (#20)		1251 (#21)		1278 (#12)		1274 (#13)	
Owr Use Only		Owr Use Only		Owr Use Only		Owr Use Only		Owr Use Only		Owr Use Only	

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