
Resolution Regarding Flags

Water Oak Homeowners Association of Manatee, Inc

* Whereas, Article IV Section 4.1 and Article V of the Water Oak Homeowners Association of Manatee County Inc. (WOHA) Covenants, Conditions, and Restrictions gives the Board of Directors the powers and duties necessary to conduct the affairs of the Association and to make such rules and regulations as the Directors deem in the best interests of the Association; and

Whereas, This resolution is reasonable, consistent with the Declaration, Bylaws, and State Statutes, and does not exceed the authority given to the board.

For the health, safety, welfare, and comfort and convenience of all residents, the Board wishes to establish rules enforcement policies and procedures so that it may fairly and consistently enforce the governing documents.

Whereas, The State of Florida Statutes Section 720.304 of the Homeowners' Association Act (*In regard to flags.*) states:

(2)(a) Any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag, in a respectful manner, not larger than 4 1/2 feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association.

(b) Any homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement.

The homeowner may further display in a respectful manner from that flagpole, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, one official United States flag, not larger than 4 1/2 feet by 6 feet, and may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marines, or Coast Guard, or a POW-MIA flag. Such additional flag must be equal in size to or smaller than the United States flag.

The flagpole and display are subject to all building codes, zoning setbacks, and other applicable governmental regulations, including, but not limited to, noise and lighting ordinances in the county or municipality in which the flagpole is erected and all setback and locational criteria contained in the governing documents.

*** Compliance / Fines**

Each member and the member's tenants, guests and invitees are governed by and shall comply with this resolution. Failure to comply will result in penalties outlined in ARTICLE 3 - 9 of the Declaration, Articles and these Bylaws, and the rules of the Association. Fines, not to exceed One Hundred Dollars (\$100) per violation, shall be levied against a member or any tenant, guest or invitee, but in no event shall such fine exceed One Thousand Dollars (\$1,000) in the aggregate. Such fine may be levied on the basis of each day of a continuing violation, with a

single notice and opportunity for hearing. Such fine or suspension shall be as provided for and governed by FSS Section 720.305(2).

NOW, THEREFORE BE IT RESOLVED, that the following rules enforcement policies are adopted by the Board effective NOV 19, 2019 and that notice of their adoption shall be given to the membership within 15 days of the above date.

Approved By:  
President Secretary