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## RESOLUTION ON FRUIT PRODUCING TREES AND BUSHES

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.

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.

### **FRUIT PRODUCING TREES AND BUSHES**

To promote the common benefit and enjoyment of members in the Water Oak Homeowners Association, and to prevent wild animals, rodents and insects from using fruit as a food source:

1. No fruit-bearing/producing tree or any other type of tree may be planted within the community of Water Oak without the permission of the Architectural Review Committee (ARC).
2. Any existing fruit trees previously approved by the ARC are grandfathered in upon the approval of this document. All others will be reviewed by the ARC on a case-by-case bases.
3. Any fruit tree not approved by the ARC must be removed at the member's expense within five (5) days of written notification.
4. Any fruit falling to the ground must be removed within 24 hours.
5. Members failing to comply will be subject to fines as outlined elsewhere in the declarations, articles, bylaws, provisions and other documents of Water Oak Homeowners Association Of Manatee, Inc.

### **\* PLEASE NOTE.**

Although pineapples are considered a fruit (and a fruit generally comes from trees — unless it's a berry), pineapples actually grow on a plant, and for the purpose of this resolution are acceptable. However, the number of pineapples plants on any lot my not exceed more than 12 and may not replace a sodded lawn.

### **\* 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, she 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.

\* Rev 11/15/2019

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).

Approved By: Arthur Bohner J. J. [Signature]  
President Secretary