

PORT MALABAR HOLIDAY PARK

MOBILE HOME PARK RECREATION DISTRICT

POLICIES

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ANIMAL TRAP POLICY

1. Animal Traps are available through the District Office to trap stray or wild animals that are a nuisance or not in compliance with our pet regulations. A \$50.00 fee for its use is required for the trap and is refunded when the trap is returned in the same condition as borrowed.
2. Arrangements can be made on a first-come first-serve basis to have a designated volunteer set a trap on your property. You may pick up a trap, when available, and set it yourself. In either case, you the homeowner are solely responsible for the animal, the use of the trap, and your welfare.
3. It is the resident's responsibility to have the animal removed from the Park if the resident sets the trap or requests the trap to be set for them.
4. It is in the best interest of a resident to use a professional trapper when dealing with wild animals. Animals that are trapped are dangerous.

CARD ROOM POLICY (PENNY-ANTE GAMES)

Gambling is forbidden in all areas of the Port Malabar Holiday Park Mobile Home Park Recreation District as provided by Florida Statute 849.08.

FLORIDA STATUTE 849.08 reads:

Gambling – Whoever plays or engages in any game of cards, keno, roulette, faro or other game of chance, at any place, by any device whatever, for money or other thing of value, shall be guilty of a misdemeanor of second degree, punishable as provided in s. 775.082 or s. 775.083.

FLORIDA STATUTE 849.085 – Certain penny-ante games are not crimes.

1. Notwithstanding any other provision of law, it is not a crime for a person to participate in a game described in this section if such game is conducted strictly in accordance with this section.
2. As used in this section:

“Penny-ante game” means a game or series of games of poker, pinochle, bridge, rummy, canasta, hearts, dominoes, or mahjong in which the winnings of any player in a single round, hand or game do not exceed ten dollars (\$10.00) in value.

The Board has determined that any noticed violations of these Statutes shall be reported to the Palm Bay Police Department.

Revised 5/12/2015
Revised 5/6/2015
Revised 12/23/2014
Approved 1/14/1991

COMPLAINT POLICY

Complaints are filed only when the owner/resident has a problem which needs action or actions taken by the Park or a representative on behalf of the Park. The Park cannot become involved in disputes between neighbors or unlawful actions.

All complaints must be made in writing on forms available at the office and signed. The form must contain the nature of the complaint, with whom, and the date of the complaint. The complaint must be turned in or mailed to the office. The office will stamp the complaint form with the date it was received and provide a copy to the complainant.

A member of the staff will contact you within five (5) business days to review the complaint and you will receive written notification of the action taken within ten (10) business days.

Should you receive an unsatisfactory answer, you should contact the District Office and the complaint will be placed on the agenda for discussion at the next Board of Trustee public meeting. The District Office will notify you of the date and time of said meeting. At this time, you will be asked for your comments and a decision rendered from the Board of Trustees.

Revised	5/13/2015
Workshop	3/27/2000
Revised	5/16/2000

**CONTRACTORS ENTERING THE PARK
HOLIDAYS OR SUNDAY POLICY**

It shall be the policy of the Port Malabar Holiday Park Mobile Home Park Recreation District that contractors not be allowed to work in the Park on holidays or Sundays except in emergency situations. The District observes the following national holidays: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

Revised	12/23/2014
Public Trustee	7/11/1994
Workshop	5/23/1994
Rules & Regulations	5/10/1994

DAMAGE TO COMMONLY OWNED DISTRICT PROPERTY POLICY

It shall be the policy of the Port Malabar Holiday Park Mobile Home Park Recreation District that any resident and/or owner (guest of same) shall be liable for damage costs, including labor, for said damage to commonly owned District property.

Revised	5/13/2015
Revised	12/26/2014
Public Trustee	4/11/1994
Workshop	3/30/1994
Rules & Regulations	3/8/1994
Office Affairs	8/17/1993

FLAG FLYING POLICY

The following flag policy is in effect:

The United States of America flag in Port Malabar Holiday Park Mobile Home Park Recreation District will be flown at half-staff on National and /or State days of mourning as designated by the President of the United States or Governor of Florida.

Revised	5/13/2015
Revised	12/26/2014
Revised	4/6/2004

GIFTS TO PARK OFFICIALS AND EMPLOYEES POLICY

SOLICITATION OR ACCEPTANCE OF GIFTS: No Trustee, officer or employee of the District shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service.

DOING BUSINESS WITH THE DISTRICT: No employee of the District, acting in his or her official capacity, shall either directly or indirectly purchase, rent or lease any realty, goods or services for the District from any business entity of which the officer or employee or the officer's or employee's spouse or child, has a material interest.

UNAUTHORIZED COMPENSATION: No Trustee, officer or employee of the District or his or her spouse or child shall accept any compensation, payment, or thing of value when such person knows or should know that it was given to influence a vote or other action.

Approved 11/17/2016

MARQUEE POLICY

Port Malabar Holiday Park Mobile Home Park Recreation District owns a lighted Marquee located near the gatehouse. It is the policy of the District that items on the south side of the marquee be given to the District for business purposes.

The north side of the marquee is given to the Holiday Park Property Owners Association (HPPOA) for advertisement of social events. However, the District's business takes precedent should space be required on the north side as per statutory requirements of special taxing District.

Revised

5/13/2015

NEW OWNER REGISTRATION POLICY

On or before occupancy, new owners must register with the District Office in order to gain access to Park.

Within fifteen (15) days, a new owner must provide the District Office with a copy of the recorded warranty deed of the property purchased upon registration. If the recorded warranty deed has not been obtained at the time of registration, the unrecorded deed or a closing paper will be temporarily acceptable. The owner will provide the District Office with a copy of the recorded deed when received.

The District Office will make copies of the deed for the office file at no cost. New owners need to provide the District Office with a copy of their driver's license or other legal identification for Fair Housing compliance.

The District Office will provide a vehicle decal upon registration. The owner will need to provide his/her vehicle registration to the District Office at which time a copy will be made at no cost and kept in owner's file. If more than one car is registered, the owner shall provide all vehicle registrations.

Revised	5/13/2015
Revised	12/26/2014
Public Trustee	3/12/2001
Public Trustee	11/10/1997
Workshop	10/27/1997
Bureau of Administration	9/23/1997

OWNER IN GOOD STANDING POLICY

Reference: Non-Payment of Taxes

(TO BE REVIEWED AFTER FUTURE DEED RESTRICTIONS ARE APPROVED)

On April 13, 2015, the Board of Trustees adopted the Amended, Consolidated and Restated Declaration of Restrictions, Conditions, Covenants and Reservations affecting property located in Port Malabar Holiday Park, Unit One and Unit Two. In order to document the process for enforcement, the following procedure was adopted for property owners who do not qualify as an “Owner in Good Standing” as defined in, Article I, Definitions.

In May of each year, the District office shall request, from Brevard County Tax Assessor, a list of all resident properties in Port Malabar Holiday Park who are not current with taxes/assessments. Upon review of this list, it shall be determined what, if any, amenities are used by the owners that do not meet the “Owner in Good Standing” definition. A 15-day notice shall be generated that advises the owner(s) of amenities that will be suspended. Amenities will be reinstated when **proof of payment** has been provided to the District.

The following amenities will be suspended if proof of payment is not received by the District:

Rental Property (lease property): Suspend right to lease the delinquent property.

In the case of rental property, a notice to both the owner and the tenant shall be generated which includes a statement that the Board may pursue eviction of the tenant, suspension of a renter’s decal or non-renewal of a renter’s decal. In the event that eviction of the tenant is pursued, the owner shall be responsible for attorney fees and costs incurred by the District in pursuing such eviction.

Compound Storage:

If an owner has a vehicle/boat/trailer or R.V. in the Compound, the District shall suspend/remove the decal and the owner shall have 15 days to remove the vehicle or have the vehicle towed at the owner’s expense.

Revised & Approved 1/14/2019
Original Adopted 4/13/2015

OWNER in GOOD STANDING

Reference: No Violations of

Deed Restriction, Rules and Regulations and A.C.C. Policy

(TO BE REVIEWED AFTER FUTURE DEED RESTRICTIONS ARE APPROVED)

A Property Owner who has no outstanding violations of Deed Restriction (D.R.) Rules and Regulations (R.R.) and Architecture Control Committee (A.C.C.) Policy is considered “Owner in Good Standing”.

A Property Owner who has outstanding violations of D.R., R.R. and A.C.C. shall have certain rights and privileges suspended. Those rights and privileges may include the following:

Compound Storage: Suspend right to use space in compound storage area.

In the case of the Compound Storage, the District shall suspend/remove the decal of the R.V., boat or trailer and the vehicle owner shall have 15 days to either show proof of correcting the violation to the District office or remove the vehicle from the storage area. If the vehicle is not removed, the District shall have the vehicle towed at the owner’s expense. Once a vehicle/boat/trailer is removed from the compound for outstanding violation(s), the space shall be assigned to another owner on the waiting list. Once violation(s) are cured, the owner can request to be put on the waiting list and assigned another space, once a space is available.

Decal: At the first opportunity after the required notification process is complete, the District shall remove the vehicle decal from personal vehicles owned by the owner and renter. Also, the District shall remove decal on any boat, trailer, R. V. Motor Home, camper stored in the compound.

Recreation Facility: Use of Recreation Hall and Swimming Pool will be suspended. Owner and renter will not be permitted to attend any function at the recreation hall.

Rental Property (lease property): Suspend right to lease the delinquent property.

In the case of rental property, a notice to both the owner and the tenant shall be generated which includes, a statement that the Board may pursue eviction of the tenant, suspension of a renter’s decal or non-renewal of a renter’s decal. In the event that eviction of the tenant is pursued the owner shall be responsible for attorney fees and costs incurred by the District in pursuing such eviction

Rewritten & Approved 1/14/2019
Approved 6/8/2015

Owner in Good Standing

Voting: Suspend right to vote in a District wide ballot (suspension of the right to vote shall not apply to the election of District Board of Trustees).

A Property Owner shall have the suspended rights/privileges reinstated upon satisfactory proof of correcting all outstanding violations as determined by the District Manager or an appointee designated by the Manager. Proof of such suspended rights/privileges shall be noted on the violation notice sent by the District Office, of which a copy will be given to the Property Owner, original to be filed in Property Owner's file.

Rewritten & Approved 1/14/2019
Approved 6/8/2015

REALTOR PROCEDURE & POLICIES

Realtors entering the Park will present identification to the gate attendant stating which broker they represent. Holiday Park Deed Restrictions, Rules and Regulations and Policies have been mailed to realtors in the area. It is the responsibility of the real estate offices to inform and provide said rules of Holiday Park to interested buyers prior to closing.

Realtors must familiarize themselves with Holiday Park Deed Restrictions including the placement of their signs. Real estate signs must be placed in planter boxes or in close proximity to the home. Failure to comply can result in said company being denied entry into the Park until corrected.

The District Office is responsible for providing a copy of the About Us Book to all new residents.

Revised 5/6/2015
Revised 12/26/2014
Approved 1/11/1993

RECREATION HALL RENTAL POLICY

RENTAL:

It shall be the policy of Port Malabar Holiday Park Mobile Home Park Recreation District, that the Recreation Hall and kitchen may be rented when the facilities are not reserved for use by either the District or Holiday Park Property Owners Association (HPPOA).

An owner/resident of Holiday Park may rent, when available, the Recreation Hall and kitchen, and that person shall be responsible for the event. The District requires that the renter sign the required documents and pay all fees prior to event.

For further information please see District Office

RECREATIONAL VEHICLE VISITORS' POLICY

Upon arrival at Port Malabar Holiday Park Mobile Home Park Recreation District and with authorization from a resident host, visitors with recreational vehicles will be issued a one-day pass and are not permitted to park at resident property.

With District Office permission only, a visitor's recreational vehicle may be parked at the Recreation Hall parking lot for no longer than forty-eight (48) hours. The recreational vehicle must be parked as far away from the building as possible in such a way that it does not hinder the flow of traffic.

Residing in the recreational vehicle is not permitted. All facility rules must be obeyed.

ROLLERBLADING, ROLLER SKATING AND SKATEBOARDING POLICY

It shall be the policy of the Port Malabar Holiday Park Mobile Home Park Recreation District that rollerblading, roller skating, and skateboarding shall not be permitted or allowed on any of the streets, road, sidewalks, parking lots, recreational facilities or any other property of the District. The District Manager and the District's Attorney shall be authorized to institute appropriate civil legal action in order to retain and enjoin violators of this policy.

The gate access personnel will provide a verbal warning to violators. Signs are posted by the entrance and other places stating "Rollerblading, Roller skating, and Skateboarding are prohibited in Holiday Park". If any repeat violations are observed, the next step in the enforcement process would be a written warning from the District Manager. Further violations would result in legal action seeking a restraining order against the violator.

SMOKING AND ALCOHOL POLICY

SMOKING

The Board of Trustees has established a Policy regarding smoking around the recreation building and pool area. There is no smoking allowed in any area of the recreation building. The area inside the chain link fence which surrounds the pools and patio, bocce courts, horseshoe pits, and shuffleboard courts has been designated as a smoke-free area.

A designated smoking area is set aside and outside the pool fenced area on the west side of the pool and away from the shuffleboard courts. A table and cigarette urn has been placed in this area for that purpose.

Additionally, cigarette urns have been placed away from the door at the front entrance and at the breezeway entrance.

ALCOHOL

No alcoholic beverages allowed in swimming pool area.