

## YARD SALES ON TPOA-OWNED PROPERTY

The Tampa Palms Owners Association discourages individual yard sales at resident's homes. This is done for several reasons: 1) congestion in the streets; 2) untidiness, unsightliness and nuisance within the villages that impacts adjacent property owners; 3) risk to the community that such activities could provide for casing of homes for future break-ins.

A yard sale conducted at an individual residence that results in congestion or untidiness could be construed to effectively be a nuisance which is in conflict with the published Covenants, Conditions and Restrictions CCR's.

**CCRs Article XII Section 5, Nuisance** states in relevant part: It shall be the responsibility of each owner to prevent the development of any unclean, unhealthy, unsightly, or unkept condition on his or her Unit. No Unit shall be used, in whole or in part, for the storage of any property or thing that will cause such Unit to appear to be in an unclean or untidy condition or that will be obnoxious to the eye; nor shall any substance, thing, or material be kept upon any Unit ... that will or might disturb the peace, quiet, safety, comfort, or serenity of the occupants of surrounding property. No noxious or offensive activity shall be carried on upon any Unit, nor shall anything be done thereon tending to cause embarrassment, discomfort, annoyance, or nuisance to any person using any property adjacent to the Unit. There shall not be maintained any plants or animals or device or thing of any sort whose activities or existence in any way is noxious, dangerous, unsightly, unpleasant, or of a nature as may diminish or destroy the enjoyment of Properties.

To address the need expressed by residents to sell or dispose of items safely, the TPOA created the Community-Wide Yard Sale (which was initially known as the Community-Wide Rummage Sale). The Tampa Palms Women's Club took over running the event for the TPOA almost twenty years ago. This event is allowed once annually for a closed, community-wide yard sale conducted on common property, which avoids the risks and dangers of the foregoing neighborhood impacts and allows for re-use of property no longer needed by its owner.

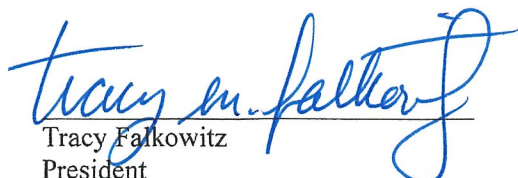
It should be noted that this single community-wide yard sale, which is a community-based activity, is approved as the sole exception to the restrictions found in the Joint Parks Manual preventing the selling merchandise of any type on park property.

**The Joint Parks Manual, Section 5: Commercial** use states in relevant part: Tampa Palms parks are open to the residents of Tampa Palms and the general public for **private and personal** recreational use. The parks are not available for commercial purpose, which is to say that they may not be used by anyone, resident or member, for whom donations or charges are accepted for activities conducted in the parks.

- a. Selling merchandise of any type on park property is not allowed. Charges or donations may not be accepted by anyone for activities conducted in the parks....
- c. Advertising of any kind, including the distribution of fliers, leaflets or pamphlets either in the park or by placing them on vehicles parked within any park, is not allowed.

The TPOA has not, and will not permit any activity allowing commercial vendors or persons not associated with a community activity to sell on its property. Activities such as "Flea Markets," junk sales, or commercial sales not only violate the restrictions, they may affect the Association's insurance costs and tax status, and are strictly prohibited. Only residents of Tampa Palms or members of activities sponsored by the Tampa Palms Owners Association will be permitted to participate in the sole approved annual "Community-Wide Yard Sale."

For the Board

  
Tracy Falkowitz  
President

4/22/2021  
Date