

## **TIDE CREEK BRUSH CLEARING GUIDELINES**

*Adopted April 17, 2018*

The Tide Creek Board of Directors finds that the practice of clearing lots merely to facilitate sale disturbs the ecology of Tide Creek and should be managed. However, some underbrush does accumulate and could pose a fire danger. Hardwood trees, e.g., live oaks, are especially valued and should be spared for the overall appearance and continuity of the subdivision.

Article XXIV of the Tide Creek Declaration of Covenants, Conditions and Restrictions prohibits the removal of native vegetation except as reasonably necessary for the construction of improvements and landscaping as approved by the Architectural Committee. Further, Article XXIX establishes a vegetative buffer of 35 feet in width on the landward side of all wetlands and waters and that this buffer be maintained in a natural vegetated state.

Therefore, the following conditions shall be incorporated into the Architectural Committee's approval of such requests:

1. Any clearing of lots shall be limited to areas 35 feet landward of wetland areas;
2. All hardwood, non-deciduous plants with bases larger than two (2) inches in diameter such as live or scrub oak (except pine and palmettos) within the area to be cleared shall first be identified and marked so that interested parties may observe the work that is planned to be undertaken;
3. All debris shall be promptly removed from the lot(s);
4. No damage shall be inflicted upon easements and adjoining properties;
5. All cleared ground shall be regraded and leveled;
6. No clearing activity shall occur earlier than 9:00 a.m. nor later than 6:00 p.m. daily; and
7. All clearing efforts shall be started within 45 days and be completed within 30 days of the commencement of the work.

Lot owners whose request to clear the underbrush from their lot(s) is approved by the Architectural Committee subject to these conditions (and other special conditions as may be required by the Committee) may be fined up to \$500 for each violation and be responsible for such court costs and attorney fees that the Association may incur if injunctive relief is deemed to be necessary. Such fines and costs will be billed within thirty (30) days and thereafter be immediately due and payable to the association.