

3/12/21

Attn Owners: At the end of March 2021, the Board plans to proceed with proposing an amendment to our Declaration Section 3.1. Our goal is to maximize the number of days each of us is permitted to occupy our units, in a given year, under county law. The county permits us to occupy our lots from April 1- September 30 with no limitation. We would be allotted an additional 60 days from October 1- March 31, (no more than 30 consecutive days, a day out, and then an additional 30 days). The county code gives WHP owners more access than we have under our current Declaration. Please read the amendment below. We look forward to any feedback you may have before official ballots will be mailed out for voting at the end of the month.

White Horse Park Community Association

Re: Amendment to Declarations of
White Horse Park

Dear White Horse Park Lot Owner:

The Board of Directors is proposing an amendment to Section 3.1 of the recorded Declarations of Restrictions.¹ The proposed amendment will give all owners more days to occupy lots, and it will align the Park's occupancy limits with the Worcester County Code.

Currently, the first sentence of the second paragraph of Section 3.1 of the Declarations limits days of occupancy throughout the year. It states:

“CAMPSITES SHALL BE OCCUPIED ONLY ON A SEASONAL BASIS AND IT SHALL BE UNLAWFUL FOR ANY PERSON TO CONTINUALLY OCCUPY ANY SUCH CAMPSITE OR LOT OR UNIT FOR MORE THAN NINETY (90) CONSECUTIVE DAYS OR FOR MORE THAN NINETY (90) DAYS IN ANY SINGLE ONE HUNDRED EIGHTY (180) DAY PERIOD.”

This means in a one-year period, a lot may be occupied for only 180 days. However, Section ZS 1-318(d)(1)J of the Worcester County Code allows more days of occupancy because it limits occupancy only from September 30 to April 1. The Code states:

“Between September 30 of each year and April 1 of the succeeding year, units or sites shall not be occupied for more than thirty consecutive days or an aggregate of sixty days.”

Thus, the Code allows a total of 243 days of occupancy, 183 days from April 1 to September 30 and 60 days from October 1 to March 31.

The proposed amendment to the Declarations would replace the current 180-day occupancy limit with the County's 243 day occupancy limit. Nothing else would change. The first sentence of the second paragraph of Section 3.1 would be replaced with the following:

“Between September 30 of each year and April 1 of the succeeding year, campsites or lots or units shall not be occupied for more than 30 consecutive days or an aggregate of 60 days.”

¹ There are three identical Declarations for three phases or sections of the Park.