



Palm Coast
PLANTATION

Rules
&
Regulations

Abridged Edition - 2013

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This Rules and Regulations guide is meant to provide an easy guide for new and established residents of Palm Coast Plantation and should not be considered all-inclusive nor are they intended to replace or amend the existing By-Laws, Declaration of Protective Covenants, Restrictions, Easements, or Architectural Review Committee Guidelines (ARC) and that in the event there is a contradiction or inconsistency between these rules and regulations and Florida Statute 720, the By-Laws, CC&R'S and ARC rules shall be controlling. As a property owner you are responsible for knowing and complying with all Rules & Regulations, By-Laws, CC&R's and ARC requirements. Copies may be requested from the property manager. They are also located on our website.

The purpose of these rules and regulations is to maintain community values, tranquility, and safety within Palm Coast Plantation and to ensure that all amenities are available for use by all owners. Guests may be accommodated as noted herein but the priority for use of amenities is for the residents. A resident may report a violation to the property manager, board member, Rules & Regulations committee member, or a governmental authority where appropriate.

1. Regulations and Use of Community Amenities

For the purposes of these rules, a resident is defined as the deeded owner of the property at Palm Coast Plantation or the lessee of that person or Trust. An "adult" is defined as a person age 18 or older. Any adult who is a full time PCP resident is considered as part of the immediate family of the property owner/lessee and as such would not be considered a guest and is entitled to all the rights, benefits and responsibilities of the resident in the use of the amenities.

The use of PCPHOA amenities and common grounds are not for the purpose of private or large family and/or friend parties. Nearby county parks or your private home are available for these types of functions. Temporary structures, such as sunshade tents, slides, etc., may not be erected on common property without prior Board approval.

Use of amenities for scheduled classes or lessons must be approved by the Board before being announced to the community and must be primarily for the benefit of all residents and open to all PCP property owners and their family members. **Certificates of Insurance** listing the Association as an “Additional Insured” must be provided to the Property Manager where an outside instructor is providing lessons involving physical activity. All nonresidents must sign a waiver of liability, which shall be filed with the property manager before participation is allowed.

All residents and their children that reside with them must have their PCPHOA issued Amenity Card with them at all times when using the amenities and must produce the Amenity Card if requested. Failure to produce the PCPHOA Amenity Card will result in you being requested to leave the amenity and subject to penalties for violating these regulations should you fail to immediately leave.

OPERATING HOURS

The Pool, Spa, Shuffleboard, Bocce Courts, Horseshoe Courts, Intracoastal Dock & Gazebo, and Playground areas may be used from dawn to dusk.

Tennis and basketball courts are open from 7AM to 10PM. Please turn off lights when finished.

GENERAL POOL, SPA & KIDDIE POOL RULES:

Persons under the age of 18 must be accompanied by an adult

Notice: There is no lifeguard provided. Use of the pool & spa is at your own risk.

1. No glass containers of any kind inside the pool area
2. Swimmers must shower before entering the pool
3. Children in diapers must wear training pants
4. No food in pool or on deck area – except under the gazebo
5. No smoking
6. No animals
7. No running, diving, or horse play allowed in pool area
8. No loud music or excessive noise
9. Proper swimming attire required
10. No use of electrical appliances (such as radios) on deck area - except under the gazebo
11. Please do not enter pool if you have or recently had diarrhea

POOL CAPACITY – 90 PEOPLE

SPA RULES:

Persons under the age of 18 are not permitted in the spa

1. Enter and exit slowly
2. Do not use spa alone
3. Swimmers must shower before entering spa
4. Do not use spa when under the influence of alcohol, tranquilizers, or other drugs that cause drowsiness, or raise or lower blood pressure
5. Pregnant women, elderly persons, and persons suffering from heart disease, diabetes, or high/low blood pressure, should not enter the spa without prior medical consultation and permission from their doctor
6. Observe reasonable time limits – recommended limit if 10-15 minutes. Then leave the water to cool down before returning for another brief stay
7. Long exposure may result in nausea, dizziness, or fainting
8. Proper swimming attire required
9. Please do not enter spa if you have or recently had diarrhea
10. Please turn off spa jets and heater after each use to conserve energy

SPA CAPACITY – 10 PEOPLE

When thunderstorm occurs, please clear the pool, spa and deck area – This means that lightning may be near

AMENITY CARDS: Two Amenity Cards will be issued per property to owners. Replacement cards are \$20.00. Amenity Cards are not permitted to be issued to - or used by - “non-residents”.

AMENITY AREA PARKING FACILITIES

The amenity parking facilities located throughout PCP are for the intended use of residents and their guests using the associated amenity and no other parking is permitted in these areas. Personal vehicles may be parked with pass or decal.

MAIN CLUBHOUSE

The clubhouse is open to daily use by all residents in good standing to partake in social activities with their neighbors.

1. Access to the Clubhouse will be by use of the access control card reader @ the NE door.
2. Hours will be from 7AM until 10pm.
3. Committee & BOD meetings along with Social Committee functions will have priority use of the Clubhouse and will be posted on the front door and on the web site.
4. A resident may bring his/her children & four (4) guests and must be present at all times.
5. Private parties, business meetings and events are not authorized.

6. Residents are expected to clean up after their use of the clubhouse, turn off all lights, and ensure that all doors are closed & locked when exiting.

ADULT GAME (BILLIARDS) ROOM

Operating hours are the same as the clubhouse. Any resident(s) who wish(es) to remain in the game room can do so by signing a form that the guard will carry. If an entire group wants to stay, they must all sign and one must be designated as the responsible person for the group.

The Game Room is for use by residents who may invite two (2) adult guests per household. A resident may bring his or her children, but the resident (parent) must be present and remain in the room.

FITNESS ROOM

Operating hours are 24 hours. The use of the fitness room is for residents age 18 and older. Adult residents may bring one (1) guest per household. Children under the age of 18 must be accompanied by a parent who must be present and remain in the room at all times. Children under 18 are not permitted to use the gym equipment. Due to the small size and limited fitness equipment available, under no circumstances may a child of a resident bring a guest.

BOAT RAMP

Operating hours - dawn to dusk. Residents may only use electric, sail, or self-propelled boats on Emerald Lake. Internal combustion engines are disallowed from the lake. Use of internal combustion engines may result in permanent banishment from any future lake usage. If a guest wishes to use his/her private boat on the lake, the resident must be onboard. The use of this area is for residents, their guests and approved fountain and water service maintenance vendors only. Overnight parking is prohibited in the boat ramp parking lot. Fountain and water service vendors may use internal combustion engine boats for fountain service and lake maintenance, if necessary. **Caveat: The boat ramp can be short and shallow during drier seasons therefore making it difficult to launch or retrieve a larger boat. No boats over 19 feet are permitted.**

GUEST POLICY FOR OTHER RECREATION AREAS

Guest Policy for Basketball Courts: A resident over the age of 12 may bring his or her family and up to three (3) guests and must be present at all times with their guests. Children under age 11 must be accompanied by an adult resident who must be present at all times. Only one half-court may be used if others are waiting to play.

Guest Policy for Tennis Courts: A resident over the age of 12 may bring his or her family and up to three (3) guests and must be present at all times with their guests. Only one court may be used if others are waiting. Children under age 12 must be accompanied by an adult resident who must be present at all times.

Guest Policy for Shuffleboard, Horseshoe Courts, and Bocce Courts: A resident may bring his or her family and up to three (3) guests and must be present at all times with

their guests and use only one play area if others are waiting.

Guest Policy for Pool, Spa, Intracoastal Dock & Gazebo, BBQ/Picnic Area, and Playground: At this time, residents and their “extended family”, including and defined as, grandparents, parents, children and grandchildren are welcomed to use our amenities. Residents may bring up to four (4) guests in addition to their “extended family” for a total attendance not to exceed twelve (12) people, including the residents.

If a resident’s extended family, as defined above, and four guests exceeds more than twelve (12) people who wish to use an amenity, the resident must provide a guest list by mail, in person or by email to the Property Management seven (7) days prior to the desired date. If another resident has previously reserved the requested date, approval may be declined and another date may be submitted. Holiday weekends, such as Memorial Day, Fourth of July or Labor Day, will be for the use of all residents and no reservations will be granted. During reserved dates and times the amenities are still open for other residents and their guests’ use.

Children under age of 18 who visit the pool must be accompanied by the adult parent who must be present at all times. Children under age 18 may not use the spa as this is an adult only amenity. Residents under age 18 may bring one (1) guest under 18 years of age to the pool when accompanied as above.

FISHING/WILDLIFE/FIREARMS

Fishing is for residents and guests of the Association only. Contractors, subcontractors and their employees are not permitted to fish in any body of water located within the community. Feeding of the alligators is never allowed. Licensed Trappers are not allowed within PCP unless authorized by Property Manager or PCP HOA for a specific nuisance. Boating and fishing is solely permitted on Emerald Lake. On that part of Emerald Lake lying north of Emerald Lake Drive’s causeway, fishing is only permitted from onshore. Those who fish from the shore must park their vehicles in the boat launch parking lot. There are no boats permitted on this part of Emerald Lake. No other lake or retention pond area within PCP shall be used for swimming, boating, diving, or fishing. Emerald Lake is a catch-and-release lake for bass only. Please keep any pan fish, i.e., bream and crappie, and trash fish such as gar, mudfish, and catfish/bullheads up to Florida state limits.

Firearms cannot be discharged within PCP unless essential for personal safety.

Damages to Common Grounds and Amenities

All residents shall be responsible and liable for any damage caused to common property and amenities by their extended family as well as their contractors, subcontractors, and guests. Any damage to common area of the Association will be fully reimbursable to the Association in addition to fines and other penalties. This may also result in deactivation of barcode and/or suspension of amenity use rights for a specified amount of time, which would be determined by a hearing committee.

In addition, owners and their lessees who are delinquent in payment of assessment fees for more than 90 days are suspended from use of all amenities

until such time that their assessments are made current or they are on an approved payment plan.

2. Gate Access Rules

Hours: The Gate access officer will be on duty at assigned times. During this period of time the entrance gates will be down and when the gatehouse is occupied the keypad access box will be covered. After hours, the gates will be down and the keypad access system will be uncovered to allow access.

Bar Codes: Two bar codes per property will be issued free-of-charge for Owners. Additional bar codes are \$20.00 each. Bar codes are not permitted to be issued to – or used by - “non-residents”.

Vendor access Sundays and Holidays: Non-emergency vendor/contractors will NOT have access to the community on Sundays and Holidays: New Years Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day.

Note: If residents would like their name and phone number listed on the after hours call box located at the Main Gate they should notify management and provide them their name and phone number. This will allow residents’ guests to call residents directly for access to the community.

Owners should NOT give out the numeric access code to guests, construction workers or other visitors. Doing this defeats the security and access control of our community and is a violation of PCPHOA regulations and is fineable as a violation.

If residents have guests, deliveries or workers arriving between assigned hours you must call the Main Gate @ 386-439-2029 and ask the officer to put whoever you may be expecting on the guest list for that day for access. **Failure to do this will result in the denial of the residents’ quest or worker access to PCP, if the officer can not contact you for access approval.**

Note: Management and PCPHOA have owner information cards that allow residents only to list their contact information and authorize permanent access guests so they do not have to call the gatehouse for the designated permanent guests. These cards also allow the officer to contact the resident in the event of an emergency at the residents’ home or to obtain approval of residents’ visitor. If a resident is interested in completing an Owner card (highly recommended) please contact management or obtain a card from the gatehouse. This will become an option in the future.

Private Parties: Private residential parties involving more than 12 non-PCP residents must have a guest list provided to the guardhouse. This can be faxed, emailed, or dropped off personally to the guard on duty. This will speed up access for all guests. If they are not on the list, then the resident will be contacted by phone by the guard. The guest will be denied access if phone contact cannot be made.

Other

- Extended visitor passes of up to 2 weeks can be authorized by the resident as needed for long term guests.
- No bicyclists or pedestrians will be admitted unless they can present proper ID and be verified on the resident or guest list or are personally known and recognized by the gate officer.

Real Estate Agents, Brokers, and Appraisers must provide a Florida Realtor business card or license and a valid state driver's license prior to being allowed into PCP. They will then be issued a visitor's pass. Anyone wishing to look at properties must have a realtor with them. Realtors who are listing a property must possess a letter from the owner or have the owner contact the gate officer.

Open Houses: Allowed on **all** weekends (Saturday and Sunday) of each month. Hours are from noon until 5 PM. No one wishing to visit an "Open House" will be allowed in before noon or after 5 PM on those days.

Construction Personnel: Construction vehicles and personnel will only be given access to PCP from 7 AM until 7 PM Monday through Friday and 8 AM to 5 PM Saturday. There will be **no access** on Sunday or the following holidays: New Years Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day. The ARC may allow exceptions to this with prior written permission. Construction personnel are **not** allowed to bring into PCP any of the following: pets, weapons, illegal drugs, alcohol, children under 18 unless they are coworkers, boats unless they are needed for dock construction or lake maintenance. Use of any amenity is not allowed, including lakes and ponds.

3. Storage Lot Rules

The storage Lots are for registered watercraft vehicles and manufactured RV/Enclosed Travel trailers. "Additional vehicles" such as converted vans and trailers such as horse or utility trailers will also be considered. These "additional vehicles" must meet all the requirements set forth below and may not be for commercial use or commercially licensed. If there are any concerns about the appropriateness of an "additional vehicle", the Board will make the final determination.

RV/Enclosed Travel trailers and watercraft vehicles will be given first preference at the beginning of each calendar year before any "additional vehicles" are considered. Stored items must be owned by Palm Coast Plantation property residents, and a copy of the boat trailer, RV, or "additional vehicle" registration must match the property resident's name. The resident must be in good standing with all assessments being paid in full. The annual fee for storage is currently \$300.00 per year. This fee will be billed for the entire annual amount at the beginning of each year. If you begin storage after the start of the New Year, the prorated fee (monthly) must be paid in full for the balance of the year before access is granted.

Waiting List: All of the data must be supplied as above including copies of registration before a resident can request that his name be placed on the waiting list. If the resident is buying a boat/RV pending a slot becoming available a non-refundable 4-month advance deposit equal to the prorated fee can be substituted for the registration documents. The 4-month clock begins when the slot becomes available and is offered to the resident. If the resident fails to provide the necessary registration by the end of the 4-month window, the resident loses the slot and the space must be immediately vacated.

Property owners will be assigned a specific numbered space for use and may not utilize any other space without prior written permission from the PCP HOA. Any violations may result in the vehicle being towed with all charges assessed against the property owner and forfeiture of the owner's assigned slot.

Up to five spaces are designated for short-term homeowner guest rental usage at a cost of \$5.00 per day. These spaces shall continue to be available until such time that homeowner demand requires their conversion to yearly rentals. Interested property homeowners may make reservations and pre-pay through Management.

Property owners using this storage facility will be assigned a tag that must be displayed on the equipment in plain sight. The tag must be affixed to your property so that the tag is visible from the outside of the assigned space.

No vehicles other than those with registered tag supplied by the Association may be parked in the storage area. Any illegally parked non-registered vehicles will be subject to towing at the owner's expense.

The Palm Coast Plantation Homeowner's Association, Inc. is not responsible for any damage, theft or vandalism that may occur to property stored in this area. The owner must agree in advance to fully indemnify the HOA or its agents against any property loss, damage of any kind, and liability associated with using this amenity.

All residents are responsible for ensuring the gates are properly closed and locked after each entry or exit from the storage lot.

All vehicles must be kept in operable condition, no flat tires on trailers or RVs. Any owners of trailers, watercraft, or RVs will be given 14 days to correct any issue or problem. If they are not corrected, the owner will be asked to immediately remove it from the storage area. Nothing will be allowed to be stored on the ground or pavement in or around the assigned space. The storage area will be inspected on a monthly basis for discrepancies and reported to the property manager.

In the event you purchase a new recreational vehicle, boat, or "additional vehicle", you must re-register with the Management Service within 30 days.

In the event that you sell your Palm Coast Plantation property, your space is non-

transferable to the new property owner. The new owner must contact the Management Service and, if necessary, to be placed on the waiting list.

Resident's no longer needing space at the storage facility must notify Management Services in writing. Charges will continue to accrue until this occurs, AND, the space is fully vacated and ready to be occupied.

Each tenant will be given the secured access code to the storage area. This code is not to be shared with anyone. Violation of this will be immediate loss of use of the storage facility.

Resident's not following any or all of the above rules may be subject to immediate removal of the resident's property from the facility.

4. Architectural Review Requirements

Property owners (and the HOA itself) are required to consult the ARC guidelines, apply for and obtain approval from the Architectural Review Committee prior to any new construction, addition or anything else that alters the exterior of an existing home in any manner including the landscaping and all exterior features. If there is any question, please contact the Management Company.

Examples of changes include, but are not limited to:

Exterior Appearance: Painting, lighting, landscaping, hardware, flagpoles, fountains, pools, docks, screens, etc. In addition, the home and property must be kept in a good state of presentation and cleanliness.

Trees: Any trees to be cut must be approved prior to new construction of a home. No tree(s) more than six (6) inches in diameter at 4 feet above the natural grade may be cut down or removed at any time after occupancy without the prior written approval of the ARC.

Antennas: Radio, television, satellite dishes or other electronic equipment should be physically attached to the house.

Fences: The composition and height of fence or walls to be constructed on any lot shall be subject to the approval of the ARC. In no case will fences and walls exceed 6 feet in height. Fencing must be finished on both sides. Fences will not enclose or define lots or define property lines, nor will they be allowed further forward on a lot than the front corners of a house. No fence may be placed on any lot closer to any lot line than the setback lines. Additional landscaping will be required to break up and mask fences. Wire, chain link and wood fences are prohibited.

Signs: The only signs allowed are "Available" signs for residents wishing to sell their homes. Please refer to the "For Sale" Sign Policy on the website for further details. No

advertising is allowed. The Association may enter upon any lot and summarily remove, without notice, any signs, which have not been approved and follow the guidelines.

Exposed Equipment: All exterior tanks, pumps, gas containers, etc., must be screened from public view and must be approved by the ARC.

Solar Panels: Location requires prior approval.

Wells: Prior approval and special attention to prevent water staining.

Mailboxes: Mailboxes shall be of the type specified by the ARC and shall be in good, presentable condition including complete house numbers.

Conservation Areas:

Areas that have been designated as conservation areas by the St. Johns River Water Management District, Florida Department of Environmental Protection, Flagler County or any other government or regulatory authority may not be cleared, damaged or otherwise altered without obtaining permits and approvals from the regulatory authorities. Please contact the ARC for further information.

Grading:

No Lot or part thereof or any other portion of the Property shall be graded, and no changes in elevation of any portion of the Property shall be made which would adversely affect any adjacent property without the prior written consent of the ARC.

5. General Rules and Regulations

Solicitation

Palm Coast Plantation is a private community, no unauthorized solicitors are allowed on the property at anytime. Please report any violators to the guard.

Commercial photographing of common areas for publication

No person(s) are authorized to photograph or videotape any common amenity or area for use in a commercial publication without specific approval from the Board.

Play/Recreation Equipment

Recreation equipment, including, but not limited to basketball goals, soccer nets, bicycles, etc., are not to be left in view at a home or on a lot overnight.

Pet Waste Removal

All persons bringing a pet onto the common areas or properties belonging to other residents, including vacant lots shall be responsible for immediately removing any solid waste of said pet.

Pets on a leash, including electric leashes

No Dogs shall be permitted to roam the Property and the Association may have strays

and dogs that are not leashed and are found off their owner's lot picked up by governmental authorities. All pets are required to be leashed and fully controlled while not on the owner's property. All dogs must be vaccinated. Any pet that shows aggressive tendencies, ie chasing cyclists, aggressive barking, and attempts to jump on people or other pets must be kept on a leash no longer than 6 feet while near other people or pets.

Traffic Rules & Regulations

PCP HOA hereby adopts Florida traffic codes as our traffic regulations within PCP. Security officers are authorized to conduct a "traffic stop" (under the HOA authority) on any roadway inside of the property boundaries and issue PCP traffic violation notices. Penalties for traffic violations shall be handled in accordance with the penalty provision of these rules and regulations and allowed by the CC& R's and Florida law.

Motorized Vehicles

No non-registered vehicles are allowed on property and/or operated on the private roads and sidewalks, except as noted below. (Note: non-registered vehicles are defined as motorized non-public street registered vehicles, i.e. go-carts, scooters, mini-bikes, dirt bikes, three wheelers, four wheelers, etc.) Electric golf carts are authorized but must be operated by a licensed driver when operated off the owner's property. If golf carts are operated after dark, they must be equipped with lights consistent for motor vehicles governed by Florida statutes. Landscape maintenance workers contracted by the Association are allowed to use all terrain vehicles and other landscaping motorized vehicles. Transportation used by disabled persons is exempt from this regulation.

Nuisances

Quiet hours are between 10PM and 7AM and a Homeowner, Resident or Guest shall not make or permit any noises that will disturb or annoy the occupants of any other Homes or permit anything to be done which will interfere with the rights, comfort or convenience of other Homeowners. No noxious, unlawful, or offensive activity shall be carried on any lot or residence that causes annoyance or a nuisance to the neighborhood. A resident shall not cause or permit the blowing of any horn except in an emergency nor allow excessive radio, muffler, or motor noise from any vehicle of which the resident is or shall be an occupant.

Use of Home/Lot for Business Purposes

Business activity at a home or on a lot but not limited to: a rooming or boarding house, gift shop, antique shop, landscape business, professional office, beauty shop or any trade of any kind whatsoever is prohibited. Home offices are permitted that do not generate traffic into the community.

Garage

Garage doors must be closed except when entering or exiting said garage or while a resident is working in their garage or around their home. It is not the intention of the PCPHOA from preventing a resident from accessing their garage while they are working in and around it, rather to prevent a garage door to remain open for extended periods of time for no apparent reason. No garage on any lot shall be enclosed or converted for

use as part of the living area of a dwelling unit, or used for any purpose other than that for which it was originally constructed. ARC approved invisible garage door screens are permitted.

Exterior Lighting

Exterior lighting may not be so installed on any lot so as to illuminate any portion of a neighboring lot or to shine in any window on an adjoining lot.

Window & Door Coverings

No aluminum awnings, or reflective glass or other reflective material shall be permitted on any window of any building or other improvement on the property. No objects, which are unsightly or offensive or out of the character of PCP, shall be placed in the windows so as to be visible from the street or other property.

Cars, Trucks, Boats, RV, Commercial Vehicle and Contractor Parking

There is no overnight parking in the street for vehicles. Overnight, all cars shall be parked in a garage or on a driveway. Boats, RVs or commercial vehicles shall not be parked overnight at Palm Coast Plantation residences. Boat and RV storage is available for daily and yearly rental (contact property manager for details). Please see separate section on rules for the RV/Boat storage lots.

Contractors, subcontractors and their employees must park their vehicles on the same side of the road as the construction site. Contractors, subcontractors and their employees may not park on adjoining empty lots unless the owner of that lot has consented in writing. Parking on or blocking a sidewalk is prohibited.

Decorations

Holiday decorations may be displayed no earlier than 14 days before the holiday. These decorations must be removed by the end of the weekend following the holiday. The exception is Christmas decorations, which can be displayed from Thanksgiving until the weekend after New Years Day.

Leasing

All property leases must be for a minimum of six (6) months and must be turned in to the Property Manager for verification of compliance. The lease must provide that the lessee shall be bound by the provisions of these rules and any noncompliance by such lessee shall be the responsibility of the Owner, and the lessee shall be subject to the same penalties and suspensions as the owner, where legally applicable. The owner also is responsible for providing the lessee a copy of the Community Covenants and Restrictions and the most recent set of Community Rules & Regulations prior to the lessee moving in to the community. Upon moving in to the community, lessee must make an appointment and register with the Property Manager to receive the Tenant Welcome Pack and necessary bar codes.

Leaseholders may use the amenities in accordance with these rules and regulations in place of the property owner unless the owner's use rights have been suspended. If the Property Manager has record of issuing amenity cards to the owner, the owner shall make these cards available to the tenant. If this is not possible, (i.e. these cards are

presently out of state), there will be a \$20 charge for each additional card issued to the tenant. If the owner has previously been notified by the Board of Directors that their amenity rights have been suspended due to an outstanding balance of 90-days or more, the tenant will not be issued any bar codes or amenity cards and will be notified, as applicable, of the Association "Demand for Rent and Eviction Policy".

Drying

No article, including, but not limited to, cloth, clothing, rugs or mops shall be hung from the doors, windows or balconies of the Homes or placed upon the outside window sill of Homes. No clothesline or other similar device shall be allowed in any portion of the Common elements or Common Areas. Clotheslines within a home site shall be concealed from view from all portions of Palm Coast Plantation.

Animals

No animals, livestock or poultry of any kind shall be raised, bred, or maintained on any lot or other portion of the property. Household pets are not to exceed a total of three (3) for each residence except with Board approval provided such pets are kept for the pleasure and use of the resident, and not for commercial purposes, and provided that such pets shall not be permitted to run free.

Garbage Collection

Each resident shall regularly pick up all garbage, trash, refuse or rubbish outside his or her home, and no resident or contractor shall place or dump any garbage, trash, refuse or other materials on any other portion of the Common Area, including sidewalks and streets, or any other adjoining lots. All garbage, trash, refuse or rubbish must be placed in appropriate trash receptacles or bags. All containers, dumpsters or garbage facilities must be kept in a clean and sanitary condition. No noxious or offensive odors shall be permitted. Owners of improved lots must provide for trash or refuse collection. Regular trash is Monday and Thursday. Yard waste is Wednesday. (Yard waste shall not be placed out before Sunday PM). Recyclables are also on Thursday.

Trash & Fires

Burning of trash, rubbish, garbage, leaves or other materials, in the open, by an incinerator, fire or otherwise, is prohibited. All garbage and trash must be stored in closed containers and in such location so as to be hidden from view from any adjacent lot or street until the night before scheduled trash collection.

Hurricanes

Each resident who plans to be absent from his or her home during a hurricane season must prepare his or her home prior to departure by removing all furniture, potted plants and any other movable objects from his or her lanai/balcony, and by designating a responsible firm or individual satisfactory to the Association to care for the home should the home suffer hurricane damage. Construction site material must also be secured to prevent windblown damage to neighboring properties or common areas. Hurricane shutters must be removed within 72 hours after hurricane clearance in occupied homes or at time of occupancy in vacant homes.

Window Air Conditioner

No window air conditioner unit shall be installed in any building upon any lot.

Lawn/Shrub Maintenance

It is the responsibility of each resident to prevent the development of any unclean, unsightly, or unkempt condition of buildings or grounds on such lot, which shall tend to substantially decrease the beauty of the neighborhood as a whole or the specific area. Each resident is responsible to keep grass, bushes, trees, hedges and all other elements of the landscaping in good, presentable and a well maintained condition.

Condition of Lots & Structures

The owner shall maintain the structures and ground on each lot at all times in a neat and attractive manner. The owner shall keep underbrush and weeds mowed. All vacant lots are to be clear of any fallen trees that pose a threat or fire hazard. Trash, garbage, rubbish, debris, refuse or unsightly objects shall not be allowed to be placed accumulated, or suffered to remain anywhere on any lot or street. The purpose of this is to maintain reasonable standards of health, fire safety and appearance within the community.

Use of Lots

All lots shall be used for single-family residences and for non-commercial purposes only. No immoral, improper, offensive, or unlawful use shall be made of the property or any part thereof, and all valid laws, zoning ordinances and regulations of all governmental bodies having jurisdiction thereof and ARC shall be observed. The responsibility of meeting the requirements of governmental bodies, ARC, etc. pertaining to maintenance, replacement, modification or repair of the property shall be the same as is elsewhere herein specified.

Insurance

No use shall be made of any lot or of the Common Area, which will increase the insurance premium upon the property or any lot, without prior consent of the Association or the owner of any affected lot. No owner shall permit anything to be done or kept on the owner's lot or on the property of Common Area, which will result in cancellation of insurance on any lot or any part of the property of Common Area, or which will be in violation of any law.

Exterior of Home - Required Maintenance

The exterior of homes (including driveways and sidewalks) shall be in good, presentable condition. Exterior of homes may not have chipped paint, missing shingles, rust stains, mold/mildew, or any other deficiency not noted here. Rust stains caused by a homeowner's irrigation system must be promptly removed from sidewalks, curbing, and drainage troughs, as best as technically feasible.

6. Violation and Appeal Process

Any violation involving ARC Guidelines will be handled by the ARC.

In the event of a violation of these rules and regulations the following process for notification of required corrective action, imposition of penalties, and appeal shall be followed:

- 1) Initial contact will be attempted by a member of the R&R Committee on a personal and educational basis. A note on the results of this initial attempt will be filed with the R&R committee.
- 2) If initial contact is unable to be made or results in unsatisfactory compliance, a letter will be sent to both the lot address and the mailing address of record to the offending owner. This letter may cover the violation, the amount of time (usually 14 days) allowed to correct the violation, the phone number of the property manager, the maximum fine, and the appeal process. These letters will be individualized based on the initial contact, if any was able to be made. This notice will also be sent by email if a known address exists.
- 3) A third and final notice by mail and email with receipt certification will be sent 21 days after the second notice was sent if no or inadequate results have been received by the property manager. This will be sent by certified mail to out of state recipients. This letter will readdress the appeal process in addition to the previous items.

Appeal Process

- 1) Request in writing within 14 days of receipt of the above written notice a hearing by the Covenants Committee. This request can be directed to the Board of Directors or the property manager. **Failure to make this request within the 14 day period may cause automatic forfeiture of any appeal process and allows fines and/or sanctions to take place.**
- 2) The Covenants Committee hears from the property manager concerning the nature of the violation and the owner's response, if any.
- 3) The owner also may speak and give his/her side of the dispute. The committee then renders its decision based upon a simple majority vote. If it votes in favor of the owner, there will be no fine or sanctions. If it decides against the owner, then he/she may then appeal directly to the Board of Directors by giving written notice within 30 days of the Covenants Committee decision. This must be received by the property manager, President or Secretary of the Board within the allowed 30-day period. The R&R Committee may not appeal a Covenants Committee decision.