

**RULES AND REGULATIONS**  
**Oaks East Homeowners Association, Inc.**  
**Consolidated Edition Incorporating Community Wide**  
**Standards**

October 2024 Update



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## **INTRODUCTION and PURPOSE**

*Introductory note to April 2022 edition: This edition of the Association's Rules, Regulations and Guidelines consolidates the previous edition of the Rules and Regulations with the previous edition of the Community Wide Standards, eliminating the Community Wide Standards document. The consolidation has the benefit of putting all the Association's rules and guidelines into a single, cohesive document for easy reference and, when necessary, ease of updating or modification.*

*January 2023 edition: This edition updates the references to the Covenants to reflect changes to the Covenants adopted in the most recent amendments (December 2022) to the Covenants as recorded with the County. In addition, new rules approved by the Board at various meetings are now incorporated in this document.*

*September 2023 edition: Continuing the practice of keeping this document up to date these new revisions reflect changes made by the Florida Legislature that directly affect FS 720 (July 2023) HOA requirements. Among these are revisions to the Association's fining process and its schedule of fines which is an important part of the overall rules' enforcement program. It is attached here as an appendix. In addition, some rules have been revised or added for improved clarity and administration.*

*October 2024 edition: The changes this year include deleting both the guidelines and quoted excerpts from the HOA's Declaration of Covenants. This is based upon legal counsel's recommendation to remove language that is not specifically a rule or regulation. It follows the numerous changes to FS 720 made by the Florida Legislature and meets the Board's general intent to streamline the document. Where applicable, references to FS 720 or the Covenants are noted for information.*

This document sets forth the rules and regulations, for the use of property in Oaks East

Rules and Regulations are established by the Board of the Oaks East Homeowners Association (the Association), as authorized by the Declaration of Covenants and Restrictions for Oaks East (the Covenants) and by Florida Statute 720. They are based in part on the experience of current and prior boards, committees, residents, management companies, vendors, and legal advisors as to which rules and regulations have proven most beneficial to the entire community in actual practice.

The Rules and Regulations derive from the Covenants, and provide additional, specific, and practical detail on the requirements contained in the Covenants. Relevant sections of the Covenants are referenced for convenience. All definitions contained in the Covenants are incorporated into this document by reference.

This document, at its passage on the above date, hereby rescinds and supersedes all Rules and Regulations that were previously enacted by the Board of Directors of the Oaks East Homeowners Association. All future amendments and newly enacted Rules and Regulations will be annotated hereto with the date of enactment, until such time as the Board approves and publishes a new, updated, comprehensive document. Thus, this document, as annotated, along with Covenants, Articles of Incorporation, and By-Laws, comprise a complete set of the governing documents of the Association. Each homeowner must have and keep current a set of these documents to be used as necessary.

#### **APPLICABILITY**

Each Owner and the Owner's tenants, lessees, family members, guests, invitees, agents, contractors, employees, and licensees are collectively defined as "Unit Users."

All Unit Users, as well as the Oaks East Homeowners Association shall abide by each term and provision of the Declaration of Covenants and Restrictions, the Articles of Incorporation, the By-Laws of the Oaks East Homeowners Association, and these Rules and Regulations of the Oaks East Homeowners Association, as amended from time to time.

All provisions of the Oaks East Declaration of Covenants remain in full force and effect, even though they are not repeated in this document, unless said provisions are in conflict or superseded by applicable law.

The Board's failure to enforce any rule should not be interpreted as a decision not to enforce that rule or any other rule in the future.

In addition to the above-named Governing documents, Unit Users shall also abide by each term and provision of the Declaration of Covenants and Restrictions, the Articles of Incorporation, and the By-Laws of The Oaks Property Owners Association, Inc.

Any failure of a Unit User to follow the terms and provisions of the above-named documents and the results of that failure (e.g., fines or damages) will be the responsibility of the Unit Owner. Ignorance of these terms and provisions is no defense.

#### **VIOLATIONS**

The Association may impose fines and suspensions of the right to use common areas and facilities (Common Areas) against the Owner or the Owner's tenant, guest, or invitee, for any violations of the Declaration of Covenants, the Articles of Incorporation, the By-laws, or the Rules and Regulations, all as amended from time to time (collectively, the Governing Documents), and violations of applicable law.

Every violation shall be the responsibility of the Owner regardless of whether the offending party is the Owner or the Owner's tenants, lessees, family members, guests, invitees, agents, contractors, employees, or licensees.

There shall be no exceptions or exemptions, unless the Board of Directors decides to do so, granted to the Rules and Regulations. Appendix A, attached to these Rules and Regulations forms the basis of the fining and violation process. It is designed to make the fine and suspension procedure consistent, fair, non-selective, and easier to use. It is not an all-inclusive list of possible violations. A violation not specifically identified will be reviewed by the Board and assigned a fine value based on similar violations that are in the schedule. This determination is at the Board's sole discretion. (September, 2023 )

Appendix A can be altered at any time by the Board of Directors.

### **DEFINITIONS**

All definitions contained in the Declaration of Covenants and Restrictions for Oaks East Homeowners Association are hereby incorporated into this document by reference. Some are repeated here for convenience. Additional definitions are added to improve understanding and interpretation.

**Association:** Association shall mean and refer to the Oaks East Homeowners Association, Inc., its successors, and assigns.

**Common Area:** Common Area shall mean those areas of real property shown on the plat of Oaks East, together with all improvements thereto, which are devoted to the common use and enjoyment of the Members of the Association. The term "Common Area" may sometimes be used interchangeably with the term "Association Property". The common area shall consist of:

- A. All portions of the Property (hereinafter defined), which are submitted to the Declaration of Covenants and Restrictions, and are dedicated to the Association, that are not Parcels.
- B. All portions of the Property submitted to the Declaration of Covenants and Restrictions that are not dedicated to any governmental entity or to the public for a public use, if any.

**Exterior:** The exterior of the home comprises all the Owner's property outside the structural components (walls, doors, roofs, windows, etc.) of the home. That includes the outer surfaces of those structural components and the sidewalks, driveways, landscaping, fences, patios, screen enclosures, and other appurtenances.

The front vestibule is part of the exterior, but furnishings and other items of removable personal property within the vestibule will be treated as non-structural alterations.

**Interior:** The interior of the home comprises all parts of the home that are completely enclosed within the structural walls, doors, and windows of the building. Per FS 720.3035 (1)(b)(1) The Association cannot prohibit changes to the interior if they are not visible from the parcel's frontage

or an adjacent parcel or adjacent Common Area. (July 2024). However, interior components that are clearly visible from outside the home (e.g., outer surfaces of window treatments or signs, etc.) may be regulated by the Homeowners Association.

In Writing or Written Notice: “Written” correspondence between the Board and the homeowner may be by hard copy, paper letters delivered either by US Postal Service mail or by hand to the Property Manager at the office. If a homeowner has previously consented, in writing, to accept electronic documents from the Board all notices and other “written” correspondence may be by E-Mail both to and from the homeowner. If applicable, the written notice will also be sent to any occupant, licensee, or invitee of the homeowner.

Lot: Lot shall mean a Unit, as defined below.

Owner: Owner shall mean and refer to one (1) or more Persons who hold the record title to any Lot which is created on the Property, but excluding any party holding an interest merely as security for the performance of an obligation.

Superficial Repair: Superficial repair shall be interpreted to mean the maintenance or repair of the surface of the structure, not extending to subsurface or structural components. Such work might include removing surface debris, stains, insect nests, mold, or other contaminants; washing or power washing; or patching, repairing, or repainting the stucco surface that has been damaged or caused to deteriorate by physical damage or by the accumulation of material foreign to the structure.

Unit:

“Lot” or “Unit” shall mean each individually numbered lot as shown on the plats of the Property, together with the improvements thereon, including, without limitation, the Home. The Home, the Lot or Unit, and the improvements thereon may collectively be referred to as a “Lot” or “Unit” as the context may require. Lots contain Front Yards and Back Yards, as such terms are previously defined. (Jan 2023)

Unit User: A Unit User is the Owner or the Owner’s lessees, family members, guests, invitees, agents, employees, contractors, or licensees of each unit.

#### **GENERAL RULES**

All Unit Users must obey and comply with federal, state, and local laws and not commit crimes or participate in criminal acts or illegal behavior. (Adopted 8/2006)

The Association established requirements and constraints regarding the appearance and maintenance of the exterior of homes within Oaks East. Certain maintenance activities, modifications or improvements require Architectural Control Committee (ACC) review and approval, and in some cases, Board approval. Applications for consideration by the ACC must be signed and submitted by the Owner.



Certain rules have been designated as Zero Tolerance. Violation of these Zero Tolerance rules is subject to immediate enforcement and penalty, without the usual warning procedure. (September, 2023)

### **RULES AND REGULATIONS ON SPECIFIC TOPICS**

#### **ABUSE - Zero Tolerance Regulation**

Physical or verbal abuse by Unit Users towards other Board members, Association personnel, contractors, Owners, tenants, or guests is prohibited whether in person or by way of correspondence, telephone, or e-mail.

Abuse is defined as a threat against persons, property or livelihood, uninvited touching, harmful physical contact, as well as the use of words which are considered curse or swear words, including language otherwise not permitted on broadcast television.

Abuse should be reported to the Property Manager in writing as soon as possible. The incident(s) should be described in detail, including the date and time of the incident, all involved parties, their addresses, and possible other witnesses. Video or audio recordings, if available, should be noted and included if possible. (September 2023)

#### **ACC APPROVAL FORMS (Jan. 2023)-Zero Tolerance Regulation (Sept. 2023)**

The Architectural Control Committee (ACC) uses various approval forms to manage and administer its responsibilities to the Association. These ACC forms (as applicable) are to be completed and signed by Homeowners and submitted to the ACC Committee for approval prior to work being performed. The forms specify various obligations and requirements that a Homeowner must agree to as part of the proposed work, repair, etc. The requirements and conditions for approval set forth in these ACC applications are part of these Rules and Regulations and are enforceable as if they were included herein. A complete listing of the ACC approval forms may be found in the Association's Applications, Forms, and Guidelines Booklet (2023 Edition).

#### **ANIMALS – Zero Tolerance Regulation**

*[Ref Covenants. Article V.2.F]*

No animals are allowed in the community pool or pool deck area. In addition to a fine the violator is also responsible for possible clean-up costs.

Pets, including cats, shall not be allowed to roam freely. Any pet in a Common Area must be on a leash.

When walking a pet, Unit Users must pick up after the pet and dispose of the waste appropriately.

Feeding wildlife is not allowed.

## **ANTENNAS AND SATELLITE DISHES – Requires ACC Review**

, [Ref Covenants. Article V. (3). H.]

Satellite dishes, no larger than one (1) meter in diameter, are to be installed behind the hose bib only, so long as it does not cost the owner more to install or use it in that location, it does not cause any delay in usage in that location, and does not preclude the owner from receiving an acceptable quality signal that provides satisfactory reception. If any of these exceptions are met, then the end user may install the satellite dish in the least prominent location that provides satisfactory reception. (Dec. 2022).

## **ARBORS AND TRELLISES – Requires ACC Review**

General Trellis requirements: (Jan 2023)

All trellises must be approved by the ACC and shall be maintained by the Owner of the Unit to which the trellis is attached and by which it is supported (as applicable).

All trellises shall be constructed of non-combustible materials.

No trellis shall be permitted to have a solid roof.

No trellis shall be enclosed by any means.

No trellis shall be closer than 2.5 ft. from the adjacent property line, or exceed 10 ft in height when measured from the finished floor elevation.

### **1. ARBORS OVER SIDEWALKS AND GATES:**

In the front of the house, a metal or plastic arbor may be placed over the sidewalk behind the front wall of the house, but not in front of the neighbor's FPL meter. It may be placed over the gate of a front fence.

On the right side of the house or in the rear yard, a metal or plastic arbor may be placed over the sidewalk or over a gate in a rear fence or hedge.

### **2. TRELLISES ON WALLS:**

A metal or plastic trellis may be placed on the outside wall of the house, but behind the side window of the front room. It must be securely fastened to the wall with proper anchors to withstand hurricane-force winds.

The color must be white black, bronze, or green. Wood arbors or trellises are not permitted.

All arbors and trellises must be anchored adequately to resist hurricane winds.

## **ARTIFICIAL TURF (Jan 2023) Requires ACC Review (October 2024)**

Artificial turf (grass) may only be placed on the Backyard. It is not allowed in the Front yard.

## **AWNINGS – Requires ACC Review**

Awnings that are supported on poles cannot extend beyond the end of the privacy wall or 22’10” feet from the back wall of the house, whichever is shorter.

Metal awnings (aluminum or other) will not be permitted or approved unless they meet the standards defined for Rigid Awnings in Unit Structures.

Except for retractable awnings, awnings that are visible from the street must have side panels to conceal hardware and framing.

Awnings cannot interfere with the easement area.

Awning installation and fabric sample require ACC approval.

## **CAR COVERS (Relocated Jan 2023.)**

Vehicles that are parked on the driveway are not to be covered with car covers, blankets, tarpaulins, or any other cover.

## **COCONUT REMOVAL (March 2023)**

*Reference: Palm Beach County Hurricane Planning Guide*

All coconut trees will be inspected twice a year and Homeowners must remove all coconuts, coconut blooms, and dead or dying fronds from their trees before February 1 and August 1 of each year, and at any other time when such coconuts, coconut blooms and/or fronds are identified as presenting an imminent risk to fall. If a property Owner is unable to perform the inspection and removal themselves, they must hire a qualified professional to do so.

Failure to comply with this rule may result in penalties, including fines, and may also result in the HOA taking action to perform the necessary work on behalf of the homeowner, and all costs and expenses incurred shall be assessed to the homeowner and the homeowner’s property, which shall be collectible in the same manner as a regular assessment.

The purpose of this rule is to prevent year-round damage or injury to Residents and Property from falling or windblown coconuts.

This rule applies to all coconut palm trees on Homeowner property, including Front and Back yards, regardless of whether the property is located along the Development Outer Wall or along one of the Association’s lakes.

## **COMPLAINTS**

Complaints must be submitted to the Association in writing and signed by the complaining Unit User.

Complaints regarding the management of the Association Property should be emailed to the Board at [Board@Oakseasthoa.org](mailto:Board@Oakseasthoa.org).

Complaints about the actions of other Unit Users should be submitted to the Association in writing, signed by the complaining Unit User. Complaints may be mailed to the attention of the Property Manager, Oaks East Homeowners Association, Inc. 100 East Tall Oaks Circle, Palm Beach Gardens, FL 33410. Alternatively, complaints may be sent via email to: [Propertymanager@Oakseasthoa.org](mailto:Propertymanager@Oakseasthoa.org).

## **CONSTRUCTION – Requires ACC Review**

*One (1) copy of all plans and specifications shall be furnished to the ACC for its records. Except as otherwise provided in this Declaration or the Rules and Regulations, no permission or approval shall be required to repair or rebuild in accordance with originally approved plans and specifications. Nothing herein shall be construed to limit the right of an Owner to remodel the interior of his Unit, or to paint the interior of his Unit any color desired.” [Ref Covenants. Art. XII.6.A] (Dec. 2022)*

## **CONSTRUCTION HOURS and PROHIBITED WORK DAYS (March 2023)**

Unit Users are responsible to ensure construction is limited to Monday through Saturday 8:00am to 6:00pm. No construction activity is allowed on Sundays or the following holidays: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day except for emergency situations requiring plumbers, air conditioning service, cable service, electrical service. Contractors will be allowed to work on other holidays. (March 2023)

Prohibited Contractor Services include Landscape Maintenance work, Pool Maintenance, Roofing and Home Improvement Contractors.

## **DAMAGE TO ASSOCIATION PROPERTY**

Any damage caused by a Unit User to common elements, property, or equipment of the Association shall be repaired or replaced at the expense of the Owner of the Unit whose resident, guest or visitor caused the damage.

## **DECORATIVE SHUTTERS (Relocated Jan 2023)**

Decorative Shutters. Decorative Shutters are optional. At the Owner’s option, exterior decorative window shutters may be affixed to specific windows depending on the house model.

For Carmel models, shutters may be used on the garage window, the front-most bedroom windows, and the front-facing dining room window.

For Bedford models, shutters may be used only on the garage window. The use of shutters elsewhere requires ACC review and approval.

If used, shutters must be white and louvered, and match (as closely as possible) the height, width and depth of the shutters originally installed by the builder.

### **DOOR, FRONT – Requires ACC Review**

The original front door may be replaced with a door that has a glass insert or with a comparable quality wood door. Either must meet Palm Beach Gardens building code requirements. Wooden doors may be painted with any of the approved colors, or they may be stained and varnished to a natural wood finish. See section under “Paint” for approved colors.

The original front door configuration, consisting of a transom window above and a sidelight window adjacent to the door, may be replaced with a door system that includes a single taller door eliminating the transom window above. A sidelight window is still required. Solid doors must have a raised panel design like the original door. The existing opening size must remain the same.

The ACC-approved front door paint colors are any shade that falls within the following categories:

- (1) White/Neutrals
- (2) Blue
- (3) Green
- (4) Red
- (5) Muted Orange/Gold
- (6) Beige/Brown
- (7) Grey/Black

Non-approved front door color categories:

- (1) Neon or Energetic Bright
- (2) Pinks
- (3) Purples

### **DRAINAGE AND SEPTIC SYSTEMS**

No person, other than the Association or the South Florida Water Management District, may obstruct or re-channel drainage flows. Septic systems are prohibited. *Ref. Covenants, Article V.2.Q]*

## **DRIVEWAYS AND SIDEWALKS – Requires ACC Review**

1. Homeowners shall maintain the driveway surface in a clean, debris-free condition.
2. Coatings and Concrete Stains may be applied to driveways, aprons, and sidewalks (if applicable) with prior ACC approval. The homeowner is responsible for proper maintenance, including a required reapplication of the stain as necessary to maintain its condition and appearance. Coatings may be applied to the driveway apron or to the common area sidewalk, which are maintained by the Association subject to the following specifications:
  - a. Solvent-based, Xylene concrete stain may be applied to driveways, aprons, and sidewalks (if applicable).
    - i. The base color of the coating must be estate tan, followed by a coat of 3-
  3. color speckles (atelier tan, autumn brown and white). Decorative patterns are not permitted.
    - i. The topcoat must be a clear sealer with a slip-resistant additive.
  - b. Concrete stain: Approved suppliers and colors.
    - i. Behr Roman Plaster UL-170-11 Siliconized 100% Acrylic Concrete Stain, or equal.
    - ii. Florida Paints Tropicrete “Bombay” color. (Board approved: Oct. 2022)
4. In addition, Coatings applied to common area aprons or sidewalks maintained by the Association are subject to the same conditions for Pavers in Section C (1) through (3) below.
5. Pavers
  - a. All owners desiring to use pavers must submit an Install Pavers Request Form to the ACC. Pavers must be installed on the driveway, including the driveway apron, extending across the common area sidewalk, if applicable, all the way to the Road. The detailed specifications of the paver material and construction standards are a part of the Request Form, and the installation must conform to these standards.
    - i. Following approval of an application by the ACC to install pavers or apply coating and during the period of construction, the Association grants the owner and its agents a temporary license to install the pavers and/or apply the coating in the Association’s common area, as provided in the approved application. Such license shall automatically expire upon the completion of the construction or work in the Association’s common areas.
    - ii. Following the installation of the paver materials or application of coating in the common areas, such materials shall be considered Association property, and shall be maintained and replaced by the Association in the same manner as existing common area sidewalks and common area driveways currently made of concrete. The owner shall relinquish all private or individual rights or claims to those pavers installed or coatings applied in the Association’s common areas, and shall have no

obligation to repair, maintain or replace those pavers installed in the Association's common areas except as set forth herein. The owner shall retain complete responsibility to repair, maintain or replace those pavers installed in the driveway or coating applied to the driveway located on the owner's unit. The owner shall also be responsible for repairing damage, at the owner's expense, to the common area driveway apron caused by heavy or leaking vehicles; provided, however, that such vehicles are present on the common area driveway apron at the request of the owner.

- iii. The Homeowner has the option to repair and/or replace pavers installed in the apron in lieu of the association repairing it and/or replacing it with concrete to match existing sidewalks. The association is not involved with warranties and they cannot legally be transferred after paver installation is complete (Oct, 2024)

#### 6. Front Sidewalk/Driveway Extensions

- a. A homeowner may extend the width of the short sidewalk that leads from the driveway to the front door, without replacing the entire concrete path installing flat concrete tiles, in concrete grey or to match driveway coating, with up to 18" tiles.
- b. A homeowner may extend the width of the driveway perpendicular to the short sidewalk that leads from the driveway to the front door, by installing flat concrete tiles in concrete grey or to match the driveway coating up to 18". The tiles do not have to be adjacent to each other (i.e., grass may separate them) but must be at the same level as the driveway to not interfere with the irrigation sprinkler pattern or the contractor's maintenance of the landscape.

#### **EDGING, LANDSCAPING - Requires ACC Review**

Edging may be installed around parcel flower beds and trees, but not around street trees or in any Common Areas.

Concrete, brick, metal, and plastic edging is permitted.

Owners are fully responsible to maintain the condition and appearance of installed edging, and must remove or replace any damaged edging material. If the Owner fails to maintain the edging properly, the Association will assume that responsibility at the Owner's expense.

The Association is not responsible for damage to edging resulting from Association-sponsored maintenance.

#### Concrete Edging

Concrete edging may be straight, scalloped, or another design that is acceptable to the ACC. Permitted concrete colors are terra cotta, unfinished concrete, and stucco that matches the

house color. Concrete and brick edger height is limited to no more than 18 (eighteen) inches above ground.,

#### Metal and Plastic Edging

Black, brown, bronze, or green edging is permitted. Metal and plastic edging must be installed in a manner that reduces its visibility to the community by limiting height to grass level, approximately 3 (three) inches.

### **FENCES, DECORATIVE - Requires ACC Review**

#### 1. Description:

- a. Railings and pickets must be square and made of white or bronze aluminum. (Board Approved Oct. 2022)
- b. Pickets must be 3/4 inch wide and 48 inches high, with no spikes. Spacing between the pickets must be no less than 2 inches and no greater than 5 inches apart on center, allowing the space between the pickets to be 1 ¼ inch to 4 ¼ inches.
- c. Pickets may end flush with the top and bottom horizontal fence rails, or they may extend above and below the railings.
- d. Gates must be at least 36 inches wide and self-closing.
- e. Fences may not be attached to the neighbor's Home Perimeter Wall.
- f. All fences that extend across the space between two houses must include at least one gate that provides access to and egress from the enclosed space for the residents of both houses.
- g. For containment of small pets, a plastic lattice fence, the same color as the fence, may be installed on the inside of an existing aluminum fence, including the gate. It must be attached to the fence, and must be no taller than 24" high.

#### 2. Placement:

- a. Fences must be located to the rear of the neighbor's FPL meter.
- b. Fences at the rear of the property must not be placed beyond the end of the Unit's privacy wall, except when extending the privacy wall to the back wall.

#### 3. Caution: The Association will not maintain lawn or landscaping within the fenced area.



## **FENCES, SWIMMING POOL BARRIER - Requires ACC Review**

A. Florida and Palm Beach Gardens codes require every outdoor, private, swimming pool, or private, portable, swimming pool to have a safety barrier, not less than four feet in height, constructed so that it has no openings, holes, or gaps larger than four inches in any dimension, except for doors or gates. The safety barrier may be a screened-in patio, an aluminum or wire fence, a concrete block or rock wall, or other suitable materials.

(1) The top of the fence must be at least 4 feet above grade measured on the outside of the fence, and the bottom of the fence must be no more than 2 inches above grade. (See c.4 below)

(2) The fence may have no opening that would allow passage of a 4-inch (102 mm) diameter sphere.

(3) If the distance between the tops of the horizontal members of the fence is less than 45 inches (1143 mm), the horizontal members must be located on the swimming pool side of the fence, and spacing between vertical members must not exceed 1.75 inches (44 mm).

(4) If the distance between the tops of the horizontal members of the fence is 45 inches (1143 mm) or more, the spacing between vertical members must not exceed 4 inches (102 mm).

(5) Access gates must be self-closing and comply with all the height and spacing requirements above. They must open outward, away from the pool, and they must be equipped with a self-latching, locking device located on the pool side of the fence. The gates and barrier fence must have no opening greater than 0.5 inches (12.7 mm) within 18 inches (457 mm) of the release mechanism.

(6) All house openings (doors and windows) that are within the confines of the fenced pool area must be connected to an alarm system that meets Palm Beach Gardens Code requirements and sounds immediately throughout the house whenever the door or window is opened.

B. The danger posed by an open pool fosters requirements that differ from the decorative fences that are described earlier in this document.

C. Additional Oaks East HOA Standards (Adopted 8/2006 and 10/2022)

(1) A swimming pool barrier fence will usually be constructed within the space bounded by: (a) the rear wall of the house, (b) the privacy wall, (c) a line extending from the end of the privacy wall and parallel to the rear wall of the house, and (d) a line perpendicular to the first line that is no more than 7.5 feet from the right side of the house and no closer than 3 feet from the privacy wall of the adjacent house. If any portion of the fence is outside the above definition, the fence, gates, and opening alarms must comply with the city building codes listed above.

(2) The fence material must be aluminum, white or bronze in color. Pickets must be square ¾" pickets, with no spikes. (Board Approved Oct. 2022)

(3) The fence may not have any gaps, openings, indentations, protrusions, or structural components that could allow a young child to crawl under, squeeze through or climb over.

(4) The top of the fence must be 4 feet or 5 feet in height above the ground.

(5) Where there is another fence or gate contiguous to the pool barrier fence on the same lot, the heights must be consistent. That means all fences and gates that are visible at the back of the property should be either 4 feet or 5 feet in height, with the same spacing of components.

### **FISHING-Zero Tolerance Violation (Sept. 2023)**

*Ref. Covenants, Article V.2.S]*

Fishing in any of the lakes and ponds within the Association is not allowed at any time.

### **FLAGS - Requires ACC Review (Sept. 2023)**

Display. *[Ref. Florida Statute 720.304 (2) (a)]*

Homeowners may display up to two of the following portable, removable flags:

1. The United States flag.
2. The official flag of the State of Florida.
3. A flag that represents the United States Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard.
4. A POW-MIA flag.
5. A first responder flag. (See referenced Statute for details). A first responder flag may incorporate the design of any other flag permitted under this paragraph to form a combined flag. For purposes of this subsection, the term "first responder flag" means a flag that recognizes and honors the service of any of the following:
  - a. Law enforcement officers as defined in s. 943.10(1).
  - b. Firefighters as defined in s. 112.191(1).
  - c. Paramedics or emergency medical technicians as those terms are defined in s. 112.1911(1).
  - d. Correctional officers as defined in s. 943.10(2).
  - e. 911 public safety telecommunicators as defined in s. 401.465(1).
  - f. Advanced practice registered nurses, licensed practical nurses, or registered nurses as those terms are defined in s. 464.003.

- g. Persons participating in a statewide urban search and rescue program developed by the Division of Emergency Management under s. 252.35.
- h. Federal law enforcement officers as defined in 18 U.S.C. s. 115(c)(1).

Flags must be displayed in a respectful manner consistent with Title 36 U.S.C. Chapter 10. No flag can be larger than 4 1/2 feet by 6 feet.

**Installation of Flagpoles. Requires ACC Review**

Flagpoles may be attached to the side of the house with brackets. The brackets may be white, gold, black, grey, or ivory in color.

**FRUIT TREES - Requires ACC Review**

Fruit trees are not allowed on homeowner property unless the tree is grandfathered-in as of June 25, 2018. Existing grandfathered fruit trees can maintain their grandfather status only if they are currently at least 3 feet away from other trees as well as any house, fence, roof, or other structure. Any homeowner with grandfathered fruit tree(s) must abide by the following rules:

(a) Trim or prune the fruit tree(s) to maintain the 3 feet distance from any house, fence, roof, or other structure.

(b) Trim the limbs to ensure they are not hanging closer than 18 inches to the ground.

The removal of any fruit tree requires ACC approval.

**FUEL TANKS - Requires ACC Review**

Also see Permanent Generators.

Only devices that use LP gas or natural gas are permitted. No diesel or gasoline devices are permitted.

Fuel tanks for permanent generators, pool heaters, kitchen stoves, other cooking devices, or appliances, etc. (except portable grills) must be buried in the ground.

Buried fuel tanks must be at least 10 feet from property lines and easements, and they must be anchored to a concrete slab that is heavy enough to prevent flood water from pushing the tank to the surface.

Fill pipes must be located at least 10 feet from any potential ignition source, such as generators, air conditioning units, or pool control units. They cannot be further than 75' from the street, the maximum permitted length of the hose required for refilling.

NO HOA trees can be removed to install a fuel tank.

Utilities and Irrigation must be flagged before the contractor excavates for the Fuel Tank.

To Flag Utilities, Contact SUNSHINE 811 or, SUNSHINE811.COM.

To request flagging for the Irrigation System, contact the OAKS EAST PROPERTY MANAGER.

### **GARAGE DOORS**

Replacement garage doors require ACC approval. Only white doors with a raised panel are permitted, this is be the same pattern as the original door.

The paint color approved for metal garage doors and plastic shutters is:

(1) White (Behr 1852 F-620) Or equivalent.

### **GENERATORS, PERMANENT - Requires ACC Review**

Permanent generators, if requested by an Owner, must be installed outside the home, and professionally wired into the home. They require a contractor who must secure two permits from the City of Palm Beach Gardens, one for the generator and one for the embedded fuel tank.

Generator installation must comply with the following in addition to any City, County, or State Building Codes:

1. Generators must be located immediately adjacent to the principal structure.
2. Generators may not be located in any front setback. (Include property survey or reference.)
  - a. Oaks East properties with a side entry garage have a front setback of 12 feet from the front property line.
  - b. Oaks East properties with a front entry garage have a front setback of 20 feet from the front property line.
3. Generators must be placed 3 feet away from any wall or other machinery, to allow for Maintenance access.
4. Generators may not be located to impede surface drainage of the site in any manner.
5. Landscape plants with a minimum height of 3 ft. must be installed to immediately screen the generator from the front road or any adjacent property.
6. The generator shall be located to minimize noise disturbance to adjacent residents(s). It is recommended to locate the generator away from adjacent residents(s) wall and/or master bedroom.
7. Periodic operational testing is limited to weekdays between 9:00 a.m. and 5:00 p.m.
8. Automatic Transfer switches, panelboards, disconnect switches, generator controller, pullboxes, splice boxes, etc. shall be located within the garage or other interior space so it is not visible from the exterior. Any surface mounted raceway or conduit on the exterior of the dwelling unit must be painted to match the existing color of the exterior wall and must be installed in a neat and orderly manner.
9. During power outages within Oaks East the recommend hours of operation for generators

are between 6:00 A.M. and 11:00 P.M.

Not all properties and/or plots may be suitable for a generator installation due to setback and code requirements. It is recommended to apply for ACC approval prior to submission to the city to ensure the generator installation is acceptable.

### **GENERATORS, PORTABLE**

Homeowners using Portable Generators are advised to follow the manufacturer's directions and to operate in consideration of their neighbors.

### **GUTTERS, ROOF**

Gutters must be kept clear of dirt and debris. Plant material should not be allowed to take root and grow in gutters.

### **HOLIDAY CONSTRUCTION PROHIBITION**

No construction activity is allowed on Sundays or the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day except for emergency situations requiring plumbers, air conditioning service, cable service, electrical service. (March 2023)

### **HOLIDAY DECORATIONS**

Homeowners shall comply with Covenants restrictions on display periods for Holiday Decorations. *[Ref. Covenants, Article V.3.M]*  
Notification of violations to these display restrictions must meet FS 720.305 (7) procedures. (July 2024).

### **HOUSE NUMBERS**

All houses must have at least one house number that is clearly visible from the Road and is not obscured by foliage or other obstructions.

The house number must be black, block numbers, no smaller than 4" and no larger than 8". Back-lit illuminated styles are permitted.

A maximum of two house numbers are allowed. House numbers may be located beside the front entrance, beside or above the garage door within the area illuminated by the carriage lights, or centered over the garage door of a front facing garage.

Metal or tile (not wood) house number plaques may be placed on the right side of the front door, and/or beside the garage door within the area illuminated by the carriage lights or in the garden

bed, but not under common- area trees except for ACC approved tile house number plaques (see below). The garden bed plaques may contain the house number and street name, but occupants or other names are not permitted.

**HURRICANE SEASON AND BUILDING CODE**

*[Ref. Covenants, Article V.2.L] (Dec. 2022)*

**HURRICANE SHUTTERS - Requires ACC Review**

1. Permanent Shutters: Shutters that either roll up and down or close in an accordion manner and are designed to remain permanently in an open or closed position. These must be white or ivory.
  - a. Impact-resistant windows that meet Florida building codes will be treated the same as permanent shutters.
  - b. Tinted film that is applied to the inside of windows is NOT a hurricane shutter. The film may prevent glass from shattering, but it will not prevent a window from being blown out in hurricane force winds.
2. Temporary Shutters: Shutters that are designed to fit into or onto permanently installed hardware. They may be made of steel, aluminum, or fabric (e.g., Storm Shield), and they must be white, ivory, unfinished metal or clear and colorless.
3. Emergency Shutters: Shutter devices that do not meet the definition of “permanent” or “temporary” hereunder, are readily removable, and are made of plywood, other types of wood, or metal.
4. Open: When permanent shutters, as defined above, are in an open or up position.
5. Closed: When permanent shutters, as defined above, are in a closed or down position.

**Approval:**

Permanent or temporary shutters and associated hardware may be installed only with prior written approval of the ACC. A Building Permit is also required.

**Installation:**

1. Permanent and temporary shutters and associated hardware shall be installed in a professional manner, and they must satisfy county, city, and local government codes and requirements for strength and resistance.
2. The property owner is responsible to obtain all permits required for installation.

Use:

1. Permanent shutters shall remain in an open position, and temporary shutters may not be put in place, except:
  - a. During the period beginning seventy-two (72) hours prior to and ending seventy-two (72) hours after a hurricane or tropical storm watch or warning, as declared by the National Hurricane Center, or
  - b. When a homeowner is not in residence and wishes to secure the home. The Property Manager must be informed of the dates of absence and be provided with contact information to be used in case of emergency.
2. Emergency shutters may be put in place only during the period beginning seventy-two (72) hours prior to and ending seventy-two (72) hours after a hurricane or tropical storm watch or warning, as declared by the National Hurricane Center, i.e., they must be removed when no longer necessary for storm protection.

General:

1. Any shutters that are not installed or used as provided herein may be removed by the Association with at least three (3) days prior notice to the owner and/or lessee. Should the Association remove the shutters, the cost of the removal shall be charged to the owner and shall be a special assessment against the Lot.
2. Any damage that occurs to the building during the installation or removal of shutters shall be the responsibility of the owner. All repairs shall be completed within thirty (30) days.

## **IRRIGATION SYSTEMS**

*Ref. Covenants, Article V.2.0*

All sprinkler problems should be reported to the Association Property Manager upon discovery.

Sprinkler heads in front yards and backyards will be replaced by the Association.

Repair of damages to sprinkler heads or the irrigation system caused by an Owner or Owner's representatives will be billed to the Owner who is responsible for reimbursement to the Association. (Jan 2023)

Unit Users shall not manually activate or tamper in any way with the irrigation system.

## **LANDSCAPING - Requires ACC Review**

*[ Ref. Covenants Article V.2.R] (Dec. 2022)*

Landscaping approval relates only to shrubs, trees, and sod; flowers are excluded.

**ACC approval is needed** for the following:

1. New Landscaping and/or sod in front yards to side front fence or hose bib.
2. New landscaping along the adjacent Home Perimeter wall, and the backyard.
3. Any landscaping that will be removed and not replaced within 30 days.
4. Hardscape Modifications (including landscaping stones, pools, fences, screen enclosures, generators, shutters, benches, pavers, arbors, fountains, antennas/satellite dishes, artificial turf, and lighting) being installed on the exterior of any unit.
5. Removal of any trees that are located on an Owner's property. Trees with a numbered round metal tag attached to the trunk are HOA trees and may not be removed by a resident under any circumstance.
6. HOA Oak Trees: Oak trees lining the street in front of each property are owned by the HOA and may not be removed by a resident under any circumstance.
7. Refer to the **Tree Management** Section for details regarding removing or trimming an HOA tree.

No planting beyond an Owner's lot boundary line is permitted. Please check your survey and provide a copy with the ACC application. Any request from an Owner for removal of a tree must include the survey and the Owner must depict clearly on the survey where the tree being proposed for removal is located.

Flowers, shrubbery, or mulch are not permitted around the bases of HOA trees.

Plant species prohibited by the State of Florida are not permitted. Check an "Invasive Plants" listing.

Any damage done to the irrigation system by a Unit User is the responsibility of the Owner.

Annual (seasonal) flowers and plants must be removed at the end of their season. Unit Users who depart for an extended absence before the end of a season must remove their annuals before they leave.

The Oaks East HOA is not responsible for replacing homeowner's material or sod. All plant replacement will be at homeowner expense, except for screening plants that surround the AC units, FPL boxes, and irrigation equipment. Replacement of screening plants will be performed at the discretion of the HOA and only when the plants are dead or are bare to the extent that they no longer comply with City of Palm Beach Gardens Code of Ordinances Sec. 78-195 - "Mechanical and Service Equipment Screening" which states: "[G]round-mounted mechanical equipment shall be screened from public view...Landscape screening must include a dense planting."

The HOA will continue to be responsible for maintenance of front yards up to the side hose bib or front fence. Maintenance is specifically defined as trimming, mowing, fertilization, irrigation and



sprinkler systems, pest control, and weed control.

### **LIGHTING, EXTERIOR - Requires ACC Review**

1. GARAGE LIGHTS: Garage carriage lights must be no larger than 11" wide, 11" deep and 22" in height. Fixtures must be white, almond, brushed chrome/nickel, brushed brass/bronze or black. The fixture must be single-enclosed only, may have 1-3 bulbs, white or yellow in color, with a maximum of the equivalent of 75-watt incandescent intensity or 1300 lumens per fixture.
2. GARDEN LIGHTS: Malibu-type Garden lights must be no more than 18 inches in height and must be maintained in good condition.
  - (a) Bulbs must be white.
  - (b) Lights must be low voltage or solar (not to exceed 24 volts and 8 watts, with no high intensity bulbs).
  - (c) Fixtures may be black, gray, dark green, or brown.
  - (d) Controls, outlets, and transformers must not be visible from the street.
3. TREE HIGHLIGHTS:
  - (a) Bulbs must be white, not exceeding 50 watts, with no high intensity bulbs.
  - (b) Fixtures may be black, gray, dark green, or brown.
  - (c) (c) Controls, outlets, and transformers must not be visible from the street.
  - (d) (d) Spotlights must be installed in a manner that avoids glare to other residences.
4. MOTION-SENSOR LIGHTS:
  - (a) Bulbs must be white, not exceeding the equivalent of 150 watts of an incandescent light bulb or approximately 2600 lumens.
  - (b) Fixtures must be white or almond.
  - (c) Controls, outlets, and transformers must not be visible from the street.
5. FLOOD HOUSE LIGHTS:
  - (a) Only white or yellow "bug light" bulbs, not exceeding the equivalent of 150 watts of an incandescent light bulb or approximately 2600 lumens, are permitted.
  - (b) Fixtures must be white or almond.
  - (c) Flood lights must be installed in a manner that avoids glare to other residences. The Property Manager will contact the homeowner if an adjustment is needed.

### **NUISANCE**

*Ref. Covenants, Article V.2.B] & Article v.2.C]*

No Unit User shall commit any nuisance or other act that will cause any noise or other condition that will or may disturb the peace, quiet, safety, comfort, enjoyment, or serenity of any other

individual within Oaks East or to the development as a whole. (Adopted 10/2000)

### PAINT COLORS- Exterior

Exterior Walls (Jan 2023)

The paint colors approved for the exterior stucco walls of the home are:

- (1) Oaks East Beige 1), or
- (2) Oaks East Beige 2

The paint may be obtained from any quality paint supplier if the following color code formulation is used:

SHERWIN-WILLIAMS 702787 09/16/22  
561-840-1083 Order# 0125333

EXTERIOR ARCHITECTURAL  
SUPER PAINT LATEX  
FLAT STANDALONE

OAKS EAST BEIGE 1  
CUSTOM MANUAL MATCH

CCE*COLORANT	OZ	32	64	128
N1-Raw Umber	-	-	1	1
R3-Magenta	-	-	1	1
Y3-Deep Gold	-	7	1	-

ONE GALLON EXTRA WHITE  
A80W02151 651149494

BEIGE 1

NOT RECOMMENDED FOR USE ON VINYL

#### Non Returnable Tinted Color

CAUTION: To assure consistent color, always order enough paint to complete the job and intermix all containers of the same color before application. Mixed colors may vary slightly from color strip or color chip.



0125333-001

SHERWIN-WILLIAMS 702787 09/16/22  
561-840-1083 Order# 0125333

EXTERIOR ARCHITECTURAL  
SUPER PAINT LATEX  
FLAT STANDALONE

OAKS EAST BEIGE 2  
CUSTOM MANUAL MATCH

CCE*COLORANT	OZ	32	64	128
B1-Black	-	4	1	-
R2-Maroon	-	1	1	-
Y3-Deep Gold	-	24	1	-

ONE GALLON EXTRA WHITE  
A80W02151 651149494

STUCCO/MASONRY

NOT RECOMMENDED FOR USE ON VINYL

#### Non Returnable Tinted Color

CAUTION: To assure consistent color, always order enough paint to complete the job and intermix all containers of the same color before application. Mixed colors may vary slightly from color strip or color chip.



0125333-001

Some paint suppliers may require a color sample (i.e., a chip off the wall) for their Spectrophotometer to analyze and use to match the Sherwin-Williams formulation.

Paint must be Exterior Flat Sheen and suitable for Stucco/Masonry application.

## **PARKING - STREETS and DRIVEWAYS - Zero Tolerance Regulation\***

*[Ref. Covenants, Article V.2.D.] (Dec. 2022), Covenants Article V.2.E, and FS 720.3075(3)(b).*

On-street parking is totally prohibited on East Tall Oaks Drive. Elsewhere, it is allowed ONLY on the “sidewalk” side of the street, except for momentary parking by delivery vendors.

No parking is allowed on grass, sidewalks, or the driveway apron between the sidewalk and roadway, in front of a private driveway, and in front of mailboxes and fire hydrants.

Vehicles parked on the street shall face the same direction as the flow of traffic.

There will be no overnight parking on the streets or on the driveway apron where a sidewalk exists between the hours of 1:00 a.m. and 5:00 a.m.

No vehicle shall be parked or positioned to block sidewalks or prevent access to another unit.

On those infrequent occasions when a homeowner or resident finds it necessary to park, a trailer, or boat on his or her driveway overnight due to moving, packing, or preparing for vacation; permission may be granted by the Property Manager for a maximum of three nights. The Homeowner or resident is responsible to contact the Property Manager’s office to obtain written permission and a pass that must be affixed to the vehicle in a manner that it can be seen from the street. The pass must be signed by the Property Manager, and it will state the homeowner’s or resident’s name and address and the dates that the vehicle may be parked on the driveway. It is advisable to call ahead with the request so the Property Manager can prepare the paperwork in advance and to arrange a mutually agreeable pick-up time. July 2024

## **PARKING, POOL - Zero Tolerance Regulation**

Parking at the pool parking area is for the use of Residents and Guests using the pool facilities or doing business with the property manager’s office only. No overnight parking is allowed unless prior approval is obtained from the Property Manager and an Association authorized Parking Pass is displayed in the vehicle’s window.

Approved Overnight Parking is limited to the hours of 8:00 pm to 8:00 am. Overnight does not mean 24 hours, nor does it mean all weekend.

In order to obtain an Association authorized Parking Pass a resident must submit a form to the Property Manager that contains the resident’s name, address, phone number and the date(s) that the vehicle may be parked in the pool parking area. The Parking Pass will contain an emergency contact phone number. Violators will be subject to fines in accordance with the Association's fining procedure. Repeat or continued violations will subject the vehicle to removal.

**Short Notice Weekend Parking Approval:**

In the event a Resident requires overnight pool parking when the property manager’s office is closed (weekends) the Resident should send an email to the Property Manager (Propertymanager@OaksEastHOA.org) notifying the PM of their need for parking and providing all of the information required in the application form. The Resident must also place a sign in their window showing their name, an emergency contact number, and a message stating that “Property Manager has been informed of parking by email” or words to that effect.

**PAYMENTS TO ASSOCIATION-**

All payments of Oaks East invoices that are made to the Association or its management company shall be made by check, money order, or electronic funds transfer sent directly to the bank lockbox address on the invoice and payment envelope. Do not deliver the payment to the on-site Property Manager’s office.

Delinquent fines and assessments (not including late fees) will incur interest charges, from the date they become delinquent until the date they are paid, at the highest rate permitted by Florida law.  
July 2024

**PLANTERS AND FLOWER POTS**

Flower pots may be no larger than 36" in height and 20" in diameter. Pots may be made of terra cotta, cement, tile, or glazed material only; nursery or landscaping pots are not allowed. Pots may be any color.

- A maximum of ten flower pots may be located only on
- 1) the concrete driveway at either side of the garage doorway.
  - 2) in the garden beds on both sides of the garage.
  - 3) in the garden beds in front of the dining room windows; or
  - 4) in a garden bed in front of a side fence. Flower pots or planters must not be placed on the lawn or anywhere they may interfere with the irrigation sprinkler pattern or the contractor’s maintenance of the landscape and sprinkler system.

Flower pots must not be empty of vegetation and both the pots and the plants must be well maintained. Empty pots must be removed.

## **PRESERVES, USE OF**

No private parties, picnics, etc. will be permitted in the common area preserves. (Adopted 8/2006)

## **PRIVACY WALL (September 2023)**

*.[ Ref. Covenants, Article VIII. (2) (A)]*

That portion of the Privacy Wall that can be seen from the front Road shall be kept clean, without stains or discoloration and shall be the same color (Oaks East Beige #1 or #2) as the Home Perimeter Wall. The HOA may, at its discretion, clean privacy walls as part of the annual pressure washing.

## **RECORDS, ASSOCIATION: ACCESS TO, INSPECTION, AND COPYING**

Only Homeowners Association members may request access to the Association's records. They may do so by following the procedures specified in the Policies & Procedures Booklet (2023 Edition)

## **RECORDS, ASSOCIATION: MAINTENANCE AND RETENTION**

The Official Records of the Association will be maintained. and made available to any members for inspection, in accordance with FS 720.303(5), as amended from time to time.

## **REFUSE MANAGEMENT-Zero Tolerance Violation**

*[Ref. Covenants, Article V.2.C]*

No littering is permitted on Association property.

All garbage and refuse from each Unit shall be deposited with care in the Unit's private garbage containers.

Garbage and recyclables containers may be placed for pick-up on the driveway apron, but on no other common property.

Plastic bags with trash must be placed in rigid-sided, lidded garbage containers. Bare plastic bags may be used for yard and construction debris only. **Zero Tolerance Regulation**

*[Ref. Palm Beach Gardens Municipal Code Section 54-57]*

Garbage, yard debris and recyclables may be placed curbside up to 24 hours ahead of pickup, and empty containers must be returned to their storage within 24 hours after pickup. Residents are recommended to refer to the city of Palm Beach Gardens municipal code for additional requirements related to garbage pickup. **Zero Tolerance Regulation**

Except when placed for pick-up, garbage and refuse containers must be stored in an enclosed location, out of sight from adjoining streets, Units, or common areas.

With prior approval of the Property Manager, construction waste dumpsters may be placed in unit driveways for a maximum of ten consecutive days. It is the homeowner's responsibility to communicate/negotiate these restrictions with their contractor.

### **ROOFS - Requires ACC Review**

See ACC Roof Application for additional requirements and specifications.

1. In compliance with the Planned Unit Development agreement between the City of Palm Beach Gardens and the Oaks East Developer, the only roofing materials authorized for use on Oaks East structures are "clay or concrete, barrel tiles."
2. Only the approved tile colors and profiles referenced in the roof ACC application are permitted. These choices change from time to time depending on manufacture color names, and product availability.
  - a. Roof tile, tile colors, skylight colors (lens and frame), solar tubes and attic vents are approved through the ACC approval process.
  - b. Sealing on roof tiles is allowed. Homeowners must inspect the roof periodically to assure maintenance of the approved color (see ACC Roof Application for color options) including addressing any fading or non-uniformity of roof color.
3. Homeowners are responsible for inspecting their roofs periodically and to repair loose tiles that could become hazardous projectiles that may damage property or injure persons in the community. If loose tiles cannot be repaired prior to forecasted windstorms, they must be removed from the roof prior to the storm's arrival.
4. Roofs, including vents, skylights, or solar equipment, should be cleaned periodically to prevent discoloration due to dirt and mold, and gutters should be cleaned of debris.
5. New, replacement or faded attic vents, fans, and solar tubes must be painted to match the roof color. (Jan 2023)
6. All new roof work, including installation of vents, skylights, and solar tubes must meet current hurricane code requirements.

### **SALES – GARAGE SALES, ESTATE SALES.**

Except for estate sales, all individual garage, yard, or street sales are prohibited. However, an annual community-wide sale can be allowed on a Saturday, for friends and relatives ONLY, with prior approval of the plan by the Board of Directors and under the direct approval of an ad hoc committee approved by the Board.

With prior approval by the Board of Directors, estate sales of furniture and other household or

personal property, by residents who are moving away or by beneficiaries of deceased residents, may be conducted within the residence and within specified time limits. No signs are to be displayed, and the garage and other doors are to remain closed with all sale activities to be conducted inside the residence.

## **SALE OR LEASE OF UNIT**

New Homeowners and residents (renters) shall have an orientation prior to the sale or rental of a Unit. At that time, they are required to sign a disclosure summary stating that they have been given copies of the Association Documents--Articles of Incorporation; Declaration of Covenants and Restrictions; By-Laws; and these Rules and Regulations; - and that they agree to govern themselves and their guests, tenants, and visitors by these documents.

Oaks East allows Unit rentals of no less than 12 months. Leases will be placed on call- up for one month prior to their expiration. At that time the lease and the historical file for that unit will be reviewed, and the homeowner will be contacted and queried with regard to their plans. If there are outstanding delinquencies or issues, or a new acceptable lease is not presented, it will be brought to the attention of the Board for remediation.

In the event any lease of a Unit is terminated prior to the expiration of the twelve (12) months minimum term, or renewal term, no new lease shall be approved by the Association until after the expiration of said minimum twelve (12) month period, as if the lease or renewal of the lease went to term. The foregoing restriction may be waived by the Board in its sole discretion in certain situations where the Owner demonstrates a bona fide "hardship" in the literal enforcement of this limitation.

Refer to the Applications, Forms and Guidelines Booklet (2023 Edition) for additional information, disclosures, and forms.

## **SALE OF UNIT - OPEN HOUSE (Board Revised, July 2022 & Jan 2023)**

Open Houses may be held only between 1:00pm and 4:00pm on Saturdays, Sundays, and holidays. Open Houses for brokers only may be held between 10:00am and 12:00pm on Thursdays.

The HOA must be informed of all planned Open Houses in advance via an application form submitted to the Property Manager. The form must be received by 4:00pm on the Thursday prior to the Open House, and for Open Houses for brokers, by 4:00pm of the Friday before the event. The Open House application form is available on the website and from the Property Manager.

No signs (For Sale, Open House, For Rent, etc.) banners, flags, balloons, etc. are permitted on Oaks East property or any resident's property inside the Development Outer Wall. One sign may be placed outside the Community between the sidewalk and the street. The sign must be removed

immediately following the open house (July 29, 2022 BOD Update).

Refer to Open House Application form for additional requirements.

### **SCULPTURE, EXTERIOR - Requires ACC Review**

No sculpture of any kind is allowed in the front of any Unit,

In the backyard, sculptures, planters, bird baths, and benches may be placed behind the front fence or hose bib, but not beyond a line drawn perpendicular to the end of the Privacy Wall. All items must be maintained in a neat and clean condition and must not present a cluttered appearance.

### **SCREEN ENCLOSURE, FRONT ENTRY - Requires ACC Review**

Screen enclosures at the entry of the home are optional. Replacement screen doors must be

1. White aluminum frame and door, with charcoal screening.
2. Entry closure may be one or two doors, depending on model of home.
3. May have simple, minimal decorative elements.

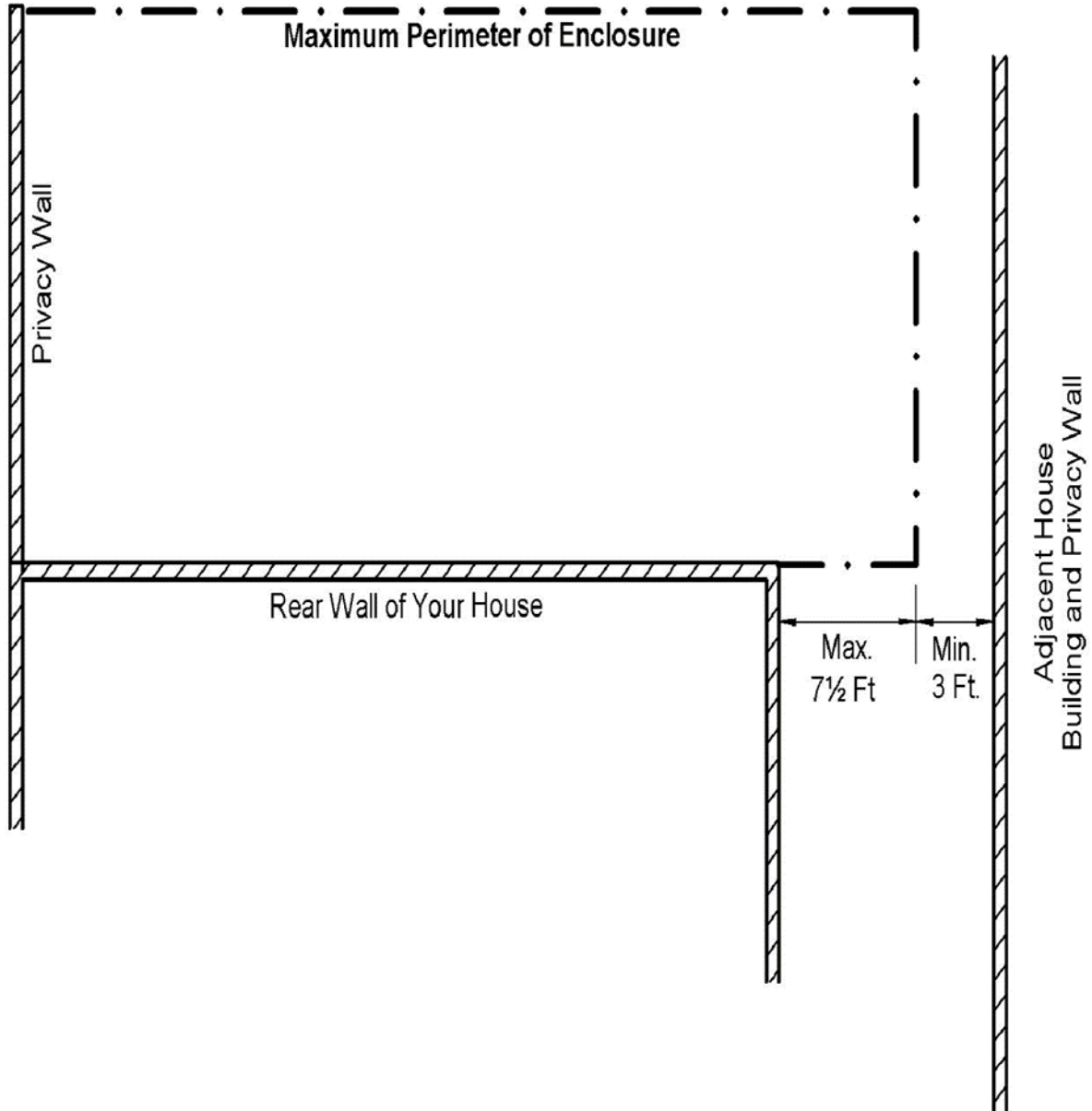
### **SCREEN ENCLOSURE: PATIO AND/OR POOL - Requires ACC Review**

New or replacement screen enclosures over the patio or pool must meet the following conditions:

1. Description:
  - a. A white or bronze aluminum colored frame with charcoal screening. (BOD Approval Oct. 2022) and,
  - b. Only a Mansard roof shape is allowed.
2. Installation:
  - a. Must be installed at the roof line, meeting the gutter, and not below the overhang.
  - b. Enclosures may not extend beyond the following limits (See diagram below):
    - (1) A line extending from the end of the privacy wall. parallel to the back of the house.
    - (2) A second line perpendicular to the first line that is less than 7 ½ feet from the
3. right side of the house and is at least 3 feet from the adjacent house's privacy wall.
4. If there is a covered Lanai there can be an exit from the enclosure to the back yard. A minimum of one exit must be available from the enclosure. Exits must meet code requirements for locking and closure if they are installed for swimming pool enclosures.



Screen Enclosure Diagram



## **SIGNS.**

*Ref. Covenants, Art. V.2.L]*

a. All signs or symbols are prohibited, except holiday or special occasion decorations and related greetings and security or emergency notices, as permitted below. No signs may be exhibited on Common Areas, or on private property. In no event shall any sign or advertisement ("for sale," "open house," "estate sale," or similar type of sign or advertisement) be permitted to be displayed on any portion of the Properties, including, but not limited to, the window of any vehicle parked on any portion of the Common Areas or in the driveway of any Unit. One Open House sign may be placed **outside the Community** between the sidewalk and the street. The sign must be removed immediately following the open house (Board Approval *July, 2022*).

(1) With the approval of the Property Manager, special occasion decorations and related greetings shall be interpreted to include those used for private or family celebrations such as birth announcements, birthdays, anniversaries, and other special party occasions. Such special occasion decorations and greetings may be displayed for no more than 48 hours.

(2) Security and emergency notices refer specifically to notices of security system use and notices to police, fire, and rescue personnel that a handicapped resident, children, or pets are in residence or that hazardous materials such as oxygen are present. Such notices or decals should be concise and unobtrusive, and they should be placed in the front window or door where they are usually sought and will be seen by police, fire, or other rescue personnel.

b. The foregoing rule applies also to signs or symbols that may be displayed in the windows of vehicles parked in Unit driveways or on the streets or other common areas and to those that may be displayed in any other manner.

c. Document boxes (or "doc boxes") are sometimes used by contractors to hold the required construction/permit paperwork which a homeowner is required to post on their Lot in accordance with local ordinance and/or Florida's Construction Lien Law.

## **SKYLIGHTS AND SUN TUBES - Requires ACC Review**

Must meet hurricane codes.

Sun Tube components must be painted to match the color of the portion of the house against which they lie.

Skylight frames may be white, bronze, or black.

## **SOFFIT VENTS - Requires ACC Review**

Soffit vents shall be cleaned periodically to remove dirt and mold, so they present a clean, white appearance. Missing or damaged soffit vents shall be replaced with vents of the same design and color.

With ACC approval, the original plastic soffit vents may be replaced with white, louvered, aluminum vents of 6 inch x 16 inch dimension that can be installed with the louvered vent openings directed in either direction.

## **SOLAR ENERGY SYSTEMS - Requires ACC Review**

*Ref. Covenants, Art V.2.1]*

Installation:

Solar panels are black. To maintain a uniform appearance, the pipes should be black or a color that matches the part of the house where they are located. Prior to December 19, 2017, white color pipes are acceptable ("grandfathered in"). All other visible parts of the system and equipment (excluding the solar panels) must be painted to match the part of the house where they are located.

Apparatus (e.g., heaters, filters, fuel tanks, etc.) and controls must be located within the privacy wall and the building lines of the house.

## **SOLICITATION**

Solicitation by any individual within Oaks East is prohibited, except solicitation for a response, signature, proxy, consent, vote, or the like, regarding any Oaks East Homeowners Association, Inc. matter. (Adopted 10/2000)

## **STONES, LANDSCAPING -ACC review is required**

Landscaping stones cannot be used to replace the sod in the front yard. Stones are permitted in beds that contain plant material, and that are not adjacent to Association-maintained lawn areas. Refer to the landscaping standards appended to the ACC Landscaping application for current requirements.

Permitted locations include the plant bed that extends from the garage door to the unit front door and the plant bed that extends along the side of the unit from beneath the front room window to the rear patio.

No stone or rock mulch is allowed in any area that may create a hazard or interfere with moving machinery during Association-sponsored maintenance.

Permitted stone colors are grey, white, rust/brown, or other earth tones. The maximum size stone is 3" inches in diameter (Oct. 2024)

Homeowners who install stones assume full responsibility for maintenance and the appearance of these areas. A homeowner's failure to maintain these areas properly and to the Association's satisfaction will cause the Association to assume responsibility at the homeowner's expense.

## **STORAGE PODS**

With prior approval of the Property Manager, moving/storage PODS may be placed in unit driveways for a maximum of six consecutive days.

## **SWIMMING POOLS: COMMUNITY POOL**

Pool Rules for Oaks East are as developed by the Florida Department of Health & Rehabilitative Services (HRS). The rules are posted at the pool, and HRS inspectors do visit the pool. HRS can and will close the pool if any rules are violated.

1. Hours of operation: 8:00 a.m. to dusk
2. No Life Guard on Duty. Swim at your own risk.
3. Shower before entering the pool - no soap or shampoo is to be used in the pool or pool rinse shower at any time. Suntan and Sun Screen lotions clog pool filters. Please apply them according to the manufacturer's instructions.
4. Bathing suits only. No street clothes of any kind.
5. No food or drinks are permitted within 12 ft. of the pools.
6. No running, ball playing, or rough play of any kind in the pool area.
7. No animals in the pool or on the pool deck.
8. No toys or floating devices in the pool area, except that toys or personal flotation devices of limited size may be used only when the pool is not crowded and their use does not interfere with other pool users.
9. No glass containers in the pool area.
10. No diving or jumping into the pool.
11. No pool furniture may be removed from the deck.
12. No skates, skateboards, bicycles, or mopeds are allowed.

13. Children less than 14 yrs. of age are not allowed in pool or pool area unless supervised by an adult.
14. Any persons who are not fully potty-trained must wear snug-fitting rubber pants over cloth or disposable diapers. No disposable diapers alone!
15. Violators may lose pool privileges.
16. Bathing-load: 66 persons at one time.
17. Alcoholic beverages are prohibited within the fenced pool area except for Association sponsored events.
18. Swimming pool party procedures will be administered by the Property Manager.

#### **SWIMMING POOLS, PRIVATE - Requires ACC Review**

##### Installation:

- (1) As seen from the back of the house, the perimeter of the swimming pool will not extend beyond the parameters established by the privacy wall on the left side, a line perpendicular to the end of the privacy wall at the rear, and a line continued from the wall of the house to the rear line on the right side.
- (2) Pool equipment can be located within the area of the privacy wall or behind the hose bib.
- (3) Screen materials such as a white fence or landscaping must be placed around any pool equipment that is behind the hose bib or within the privacy wall so it is not visible from the road or an adjacent property.
- (4) The remaining lawn and landscaping are to be restored to their original condition. New replacement landscaping requires ACC approval.
- (6) Sidewalks and driveways in the front of the property must be washed down each day during construction to maintain a clean and safe environment.
- (7) Materials for construction can only be stored behind the hose bib during construction.

## **TOYS AND RECREATIONAL EQUIPMENT**

*. [Ref. Covenants, Article V.(3). U.]*

Bicycles, tricycles, scooters, baby carriages, or similar vehicles, toys, or recreational structures (such as skate board ramps or basketball backboards) may not remain in the common areas when not in active use.

Electric and gas scooters (e.g., Go-Peds) and similar recreational vehicles, may not be used between sundown and 10:00am the following day.

## **TREE MANAGEMENT -Requires ACC Review (July, 2023)**

The mature Hardwood and Palm trees growing throughout the Oaks East community contribute significantly to the overall appearance and value to all Owners and residents. Managing and maintaining this high-quality visual presentation is a shared responsibility between both the Homeowners Association and all the Property Owners.

### **1. TREE TRIMMING and PRUNING – HARDWOOD TREES**

The signature of our community is the Live Oak tree and therefore the proper care and maintenance of our oak trees is of paramount importance.

#### **A. HOA Oak Trees**

The Board shall be responsible for keeping an up-to-date Tree inventory list of all HOA owned Oak trees located on common property. General guidelines for HOA Oak tree locations are as follows: Oak Trees located within 25 feet of the street centerline on either side of the street, within the 20-foot Lake Maintenance Easement as shown on the Plat drawings and an Owner's Property Survey, and on the outside of the Development Outer Wall.

The HOA is responsible for the trimming and pruning of all these oak trees located on Common Area. Cul De Sac trees located within an Owner's Property are generally trimmed by the HOA but shall be done so at the Board's discretion. The Board shall not take any responsibility for maintaining the Owner's tree in a way that would prevent damage from root growth, tree disease, or tree growth. Any Cul De Sac tree located within Homeowners Property that requires removal shall be done so at the Homeowners Expense.

A homeowner can request **ACC approval** to trim & prune an HOA oak tree that they deem is an impediment to their parcel or home at their expense outside of the HOA tree trimming schedule. This Owner initiated trimming is preferred to be done by the HOA's Tree Maintenance company in agreement of their certified Arborist or with another tree maintenance company with their certified Arborist in conformance with the same ANS 1-A-300 standards used by the HOA.

#### **B. Owner Hardwood Trees.**

Are in the front and backyards (including inside the Development Outer Wall) that are not HOA Trees as defined above. The Owner is responsible for trimming and pruning these trees, at their

expense, but must do so in conformance with the same ANS 1-A-300 standards used by the HOA. Only the removal or installation of any tree on Owner property requires ACC approval

## 2. TREE TRIMMING and PRUNING – PALM TREES

Sable palm trees will be trimmed by the HOA at their discretion and subject to budget considerations. A Homeowner may trim their palm trees more frequently if they wish. Debooting may be included as part of the HOA Palm Tree Trimming at the Board’s discretion.

General: The standard for trimming of Sable palm trees, whether done by the homeowner or a professional landscaper, shall be an umbrella cut (10-2 o’clock), to eliminate the lower drying or yellow fronds and seed pods. Any more severe method is not acceptable.

## 3. TREE REMOVAL -Requires ACC Review

. [Ref. Covenants, Article VII.1.E”]

An ACC application is required when an Owner wants to remove a tree located within their property boundary (per property survey). Stumps must be ground and removed. All Tree removal applications must include a property survey identifying the tree(s) to be removed.

Tree stumps are not normally picked up by the regular trash collectors, so the homeowner must make special arrangements for stump removal and disposal.

Under no circumstances shall a homeowner remove a tree on common area property. Removal of an HOA common area will result in fines, and the cost of planting a replacement tree in kind.

## **UNIT STRUCTURES - Requires ACC Review**

*Ref. Covenants, Article XII.6.B & Article V.2.H*

### 1. EXTENSIONS, ADDITIONS OR CHANGES:

- a. Enclosing a lanai with windows, screens, sliding doors, French doors and/or walls is permitted, but the external walls may not extend beyond the perimeter of the existing roof. No other home extension is permitted, including flat, add-on, roof extensions, except as defined below under “Rigid Awnings”. It must be noted that all changes that affect the roof line, external walls, doors, or windows of the house must be reviewed and approved by the Association Board, in addition to the ACC
  - i. Structural changes to a window and/or door opening at the back of the house is permitted, but any structural change to a window and/or door openings on the side of the house is permitted only in locations behind the hose bib.
- b. No second-story additions will be approved.
- c.

2. SHEDS, STORAGE OR UTILITY:

- a. Pre-manufactured sheds that do not require foundations (e.g., Rubbermaid models 3746-01-714, Large Vertical Storage Shed; 3747-01-714, Horizontal Storage Shed; or 3752-01-714, Slide Ridge Storage Shed; or their equals) may be used subject to material and size limitations stated below:
  - i. The footprint shall not exceed 60 inches by 82 inches.
  - ii. The volume shall not exceed 100 cubic feet.
  - iii. 3). The height of the shed shall not exceed the height of the side party fence or the rear perimeter wall.
  - iv. 4). No PBG building permit is required for pre-manufactured sheds.
- b. The shed must not be substantially visible from the street.
- c. The ACC will determine the position of the enclosure and the extent of vegetative or other screening to be installed to minimize visibility from adjoining or nearby properties.
- d. In the event of hurricanes, these temporary and portable structures must be stored within the house or garage to prevent damage to nearby properties.
- e. Metal sheds and sheds fabricated from wood or wood products are not permitted.

3. Pergolas: (Adopted 5/2009) (Requires ACC approval only)

- a. A rectangular or square design feature, installed at the side yard, not to exceed 12' X 12' in size.
- b. It consists of four posts and an open, flat, lattice-like roof structure. It is not a building or addition; it may not be enclosed with walls/screening and a solid roof. The four posts should be no less than 2" in diameter on a side. The structure should be no higher than the bottom of the adjacent gutter. No point of the roof can be nearer than 6 feet to the neighbor's perimeter wall.
- c. It shall be constructed of aluminum (not steel, wood, or plastic), and painted white in color.
- d. It must be anchored adequately to resist 140mph hurricane winds. The posts should be sunk in concrete, at least 2 feet in depth.
- e. Due to wind resistance in a hurricane, no plants or vines can be allowed to grow on the structure. If privacy is desired, shrubbery can be planted around the perimeter.

4. Rigid Awnings: (Adopted 4/2011) (Requires ACC approval and Building Permit)



- a. A rectangular roof extension attached to the rear wall of the house (under the eaves), not to extend beyond 11' from the wall, and no longer than 24'.
- b. Constructed of a 3" polystyrene composite insulated material and covered with an aluminum skin (forming a Snap-N-Lock locking system), the roof is sloped from the house (to provide drainage), and installed with a gutter and downspouts.
- c. It must be constructed of aluminum (not steel, wood or plastic), and painted white in color. It may not be enclosed with walls/screening.
- d. The material and the anchoring systems must be able to resist 140mph winds, and anchored by three 3"X3" aluminum posts into the patio floor, or sunk in concrete at least 2 feet in depth.

5. Construction Debris Dumpsters: (Adopted 8/2012)

- a. When construction or remodeling requires that a dumpster be on site, the following standards apply:
  - i. If exterior work is the cause, this requirement must be noted in the ACC Request Form.
  - ii. If interior work is the cause, the Property Manager must give prior approval.
  - iii. In both cases, the unit can only be placed in driveways for a maximum of ten consecutive days. It is the homeowner's responsibility to communicate/negotiate these restrictions with his/her contractor.

**VEHICLES, AND TRAFFIC**

*Ref. Article VI.4.] (Dec. 2022)*

Vehicle Registration: The residents of each Unit shall register their vehicles with the Association Property Manager and may have an RFID sticker (aka a "bar code") installed on the windshield that will open the residents' security gate at the entrance to the community. Use of the resident's security gate is for Homeowners and qualified Tenants only. All others must enter through the guard side of the entryway (Jan 2023)

Unit Users will obey the posted parking and traffic regulations. The speed limit is 25 MPH.

Sidewalks, walkways, streets, and parking areas shall not be obstructed or used for any purpose other than for ingress to and egress from the Units and other areas of Oaks East.

Vehicle Maintenance: No Unit user shall perform or permit any assembly or disassembly of motor vehicles, except within the garage. Each Unit User is required to clean the driveway of any oil or other fluid discharged by any motor vehicle.

Towing: Violations are subject to fines and towing. The Association has the right to authorize towing of any vehicles that are in violation of these rules. Costs and fees, including any attorney's fees, will be borne by the vehicle owner or violator.

### **VESTIBULE, FRONT**

The front vestibule may not be used for storage or become cluttered or unsightly.

### **VINES ON HOUSE SURFACES**

No new vines of any type are permitted on any exterior wall of any structure. Any owners found to have installed new vines on walls shall be responsible for removing the vines at their expense.

### **WINDOWS and SLIDING GLASS DOORS- Requires ACC Review**

*Ref. Covenants, Article V.2.J]] (Dec. 2022)*

Window coverings must have neutral colored backing without any patterns, or designs.

Garage windows must have closed window coverings, to shield contents of the garage from view.

(1) Garage windows covered with opaque window films without color or pattern that shield the garage interior from view shall meet this requirement.

Sliding Glass doors must generally conform to the same requirements, colors, framing, etc. as the requirements for windows. (See below.)

Windows and/or replacement windows must coordinate with the original model's design standards; single/double hung, white frames, and (with or without Muntins, i.e., grid trim). When window Muntins deteriorate, replacement is at the owner's discretion.

Replacement glass, including glass for windows, sliding glass doors or French doors, must be clear, light gray tinted, or light bronze tinted only, except for "Low E" (energy efficient low emissivity) replacement glass. Replacement windows require a building permit.

### **WOOD-BURNING FIRES - Zero Tolerance Regulation**

Wood burning fires create health and safety concerns to any person, property, buildings, or landscaping and are prohibited on homeowner or HOA property.

## **AMENDMENTS**

These Rules & Regulations may be modified, added to, or repealed in accord with Association By-Laws.

This section will serve to file future amendments to the document that will be distributed as they are enacted by the Board of Directors. With them will be an updated Table of Contents that will establish an index of the amendments for easy reference. The separate amendments should be retained until they are integrated into a completely new document that will be assembled and distributed periodically, as the need arises.

## Appendix A

### FINING SCHEDULE

*(Revised per FS 720.305, July 2024)*

**Objective:** Encourage homeowners to recognize and support the goal of a well-maintained community that will preserve and enhance the value of the homes and prevent / discourage unsightly nuisance situations and obnoxious behavior.

To accomplish these objectives, violations of the rules in the current editions of the Governing Documents, including this Rules and Regulations document, may subject homeowners to a fine by the Board as authorized by Florida Statute 720.305 which provides the HOA Board the authority to levy fines.

The amount and administration of the fine depends on Categories of the violation which are listed below *(References are to the Rules and Regulations document.)*

**Category I - Zero Tolerance Violations** *(ref. page 7):* Fines shall be \$100 per occurrence and do not receive a written courtesy notification.

**Category II.** Category II violations receive a written courtesy warning notification allowing a 30-day correction period. – These Violations are subject to a \$100 fine per occurrence if not corrected during the courtesy warning period.

**Daily Accrual.** Per FS 720.305 (2) The Board may levy a fine for each day of a continuing violation, with a single notice, up to a maximum of \$1,000.

**Administration.** Rule violations shall be administered by the Property Manager and Management Company. Board Members, Committee Members, and homeowners may report violations to the Property Manager.

If a Category II violation is corrected within the 30-day correction period the violation will be closed out by the Property Manager and/or Management Company. The Property Manager will follow up on any uncured violations after the 30-day correction period and advise the Board of Director on additional measures required. Uncured violations shall be presented by the Property Manager to the Board of Directors at a future Board Meeting for any necessary fine(s) to be levied.

Any fine levied by the Board of Directors requires a minimum 14-day written notice sent to the homeowner advising them of the fine and that their violation will be heard by the Covenants Committee at future hearing. The Covenants Committee hearing must be within 90 days of the issuance of the 14-day notice.

The Homeowner may notify the Property Manager within the 14-day period if the violation has been cured. The Property Manager will inspect the violation and provide notice to the Homeowner that the violation has been cured. Cured violations within this 14-day period shall be closed out by the Property Manager/Management Company.

The Covenants Committee may either uphold or reject the fine(s). If rejected the matter is closed and the management company will send written notice to the homeowner within 7 days of the Covenants Committee's decision.

If the Covenants Committee upholds the fine the homeowner will be notified of the by the management Company within 7 days of the hearing indicated a due date and payment amount. The due date may not be earlier than 30 days after delivery of the written notice of the Covenants Committee's decision.