

Paradise Moorings Homeowner's Association

Rules and Regulations

The goal and purpose of the Paradise Moorings Homeowner's Association is to maintain the quality of the property and the lifestyle of the community. All members, and their tenants, have the responsibility to occupy, use and maintain their property in accordance with the documents of the community. These documents include the Declaration of Covenants, Restrictions and Easements for Paradise Moorings, the Architectural Review Board documents (including Paradise Moorings Design Standards dated December 2001 and any other documents approved by the Board of Directors which cover rules and regulations.

For owners, these documents should have been provided to you by your closing agent and for tenants, it is the responsibility of the owner to provide a copy of these documents when signing a leasing agreement. These documents are also available on the Owners Association Newsletter. Article V, Paragraph F(2e) and Article VI, B(5) of the Declaration give the Board of Directors the authority to impose fines for violations.

Enclosed is a summarized list of the Paradise Moorings Rules and Regulations; however, it cannot be considered as all inclusive. The Declaration of Covenants, Conditions, Restrictions and Easements document is recorded with the Clay County Clerk of Circuit Court, Book 2148 and Page 0900.

Resolution of Violations

Fines up to \$100 per day may be imposed for failure to comply with the Rules and Regulations of the Paradise Moorings Covenants, Conditions, Restrictions and Easements for Paradise Moorings document, the Architectural Review Board documents, and any other documents approved by the Board of Directors which cover rules and regulations.

Any resident (owner and/or tenant) breaking these Rules and Regulations will receive a violation letter from the Owner's Association. Each violator is responsible for correcting the violation as stated in the letter.

The adopted Violation Procedure is as follows:

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| 1 st Reminder Notice Letter | 7 days or less to correct the problem |
| 2 nd Letter, same matter | 7 days or less to correct the problem |
| 3 rd Letter, same matter | Notice of Intent to Impose Fine shall be mailed or hand delivered.
(approximately 30 days from first letter to next Board Meeting) |

Notice of Intent to Impose Fine letter allows the property owner 14 days from the receipt of the Notice to request a hearing before the Compliance Committee to dispute the fine violation. (The Compliance Committee consists of at least three members who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee.) Should the property owner accept the violation as stated, or the property owner does not request a hearing, the fine is charged to the property owner on the 15th day after the Notice is received and continues to be charged daily until it is paid or reaches an aggregate of \$1000.00. The Compliance Committee determines whether the fine for the violation is charged or dismissed. If the Compliance Committee

votes to dismiss, no further action is taken. If the Compliance Committee votes to uphold the fine, the fine will be enacted the day following the decision and will be charged daily until it is paid or reaches an aggregate of \$1,000.00.

Rules and Regulations

- Temporary/Movable Structures** – no sheds, trailers, mobile homes, tents
- Grading** – no changes in elevation of the property
- Trash Cans** – closed containers must be hidden from view of adjoining neighbors
- Window A/C Units** – no window units; all compressors screened from view
- Fence, Hedge, Walls Docks, Piers** – required ARB approval
- Antennas** – required ARB approval
- Solar Energy Devices** – required ARB approval and screened from view
- Driveways** – all changes require ARB approval
- Recreational /Playground Equipment** – required ARB approval
- Mailboxes** – required ARB approval; standard mailbox and letters established
- Window Coverings** – exterior appearance of window must be neutral color
- Water Conservation** – limited irrigation during drought conditions as per County rules
- Irrigation** – underground irrigation systems required
- Clotheslines** – ARB approval, must be screened from view from street and adjacent lots
- Artificial Vegetation** – not allowed
- Fishing** - Day Dock, Main Dock, homeowners from their own backyard only including adjacent community property. No fishing from Walking Bridge
- Garage Doors Closed** – closed unless in use
- Garage/Yard Sales** – community effort unless unit is transferring ownership
- Solid Waste** – subject to Clay County collection schedule and no dumping on Community or vacant property
- Hazardous Materials** – no hazardous or toxic materials, no polluting
- Utility Lines Underground** – all lines underground; boxed above ground
- Lawful Use** – no improper or unlawful use of property and no commercial business use
- Maintenance** – all property shall be neat, clean and attractive at all times
- No Further Division** – no subdividing property
- Nuisances** – no activity that is an annoyance or nuisance to neighbors permitted
- Off-street Operation of Motor Vehicles** – allowed on paved roads and driveways only
- Open Air Burning** – in controlled fire pits/containers only per Clay County ordinances only
- Pets and Animals** – maximum of four (4) domestics allowed; no unreasonable noise; must be leashed
- Signs/Billboards** – no signs, advertisement, endorsement or notice except uniform realtor signs. “ For Sale” or “Lease signs are subject to ARC approval.
- Exterior Holiday Decorations** – must be removed within 30 days after holiday
- Picketing/Demonstrating** – owner cannot ridicule or impugn the character of another owner
- Vehicular Restrictions** – no repairing or overhauling vehicles; no oversized vehicles, boats, trailers, commercial vehicles, campers or motorhomes (on a limited basis may be on property a maximum of 3 days but must be in driveways, no parking in roads). RV's allowed 7 days for visiting guests but must be parked in driveway
- Parking** – no overnight parking on roadways, no overnight parking in amenities center overflow parking lot. Vehicles will be towed at owner's expense.
- Rental Property**- maintain property in accordance with Paradise Moorings standards, **no sub leasing to other tenants, must provide copy of lease agreement to Paradise Moorings Management company with valid contact telephone number and name of leasing agent as point of contact.**

Schedule of Fining Fees		Minimum Fee	Action Time Line
a.	Temporary/Movable Structures – no sheds, trailers, mobile homes, tents	\$50	5 days or less
b.	Grading – no changes in elevation of the property without ARB approval	\$100	Cease Operations - ARB
c.	Trash Cans/Recycle Bins – closed containers must be hidden from view of adjoining neighbors	\$25	Remove Immediately
d.	Window A/C Units, Fans – no window units; all compressors screened from view	\$50	5 days or less
e.	Fence, Hedge, Walls Docks, Piers – required ARB approval	\$50	10 days or less
f.	Antennas (satellite dish) – required ARB approval for location and screened from view	\$25	10 days or less
g.	Solar Energy Devices – required ARB approval and screened from view	\$50	10 days or less
h.	Driveways – all changes require ARB approval	\$100	10 days or less
i.	Recreational/Playground Equipment – required ARB approval	\$50	10 days or less
j.	Mailboxes – required approval for new construction, standard mailbox and numbers required	\$25	10 days or less
k.	Window Coverings – exterior appearance of window must be neutral color/natural wood tone	\$25	10 days or less
l.	Irrigation – underground irrigation systems are required	\$25	10 days or less
m.	Artificial Vegetation - no artificial grass, plants, flowers	\$25	Remove immediately
n.	Parking - no overnight in Road or designated parking areas	\$25	Remove immediately
o.	Solid Waste – subject to Clay County collection (water heaters/grills/bulk items)	\$50	Remove immediately
p.	Hazardous Materials – no hazardous or toxic materials, no polluting	\$50	Remove immediately
q.	Lawful Use – no improper or unlawful use of the property	\$50	Cease immediately
r.	Maintenance – all property shall be neat, clean and attractive at all times	\$50**	10 days or less
s.	Nuisances – no activity that is an annoyance or nuisance to neighbors is permitted	\$50	Immediately
t.	Off-street Operation of Motor Vehicles – allowed on paved roadways and driveways only	\$25	Immediately
u.	Pets and Animals – max of four (4) domestics allowed; no unreasonable noise; must be leashed	\$50	Immediately
v.	Signs/Billboards – no sign, advertisement, endorsement or notice allowed except uniform realtor signs." For Sale" or " Lease "signs subject to ARC approval	\$25	Immediately
w.	Exterior Holiday Decorations – must be removed within 30 days after the holiday	\$25	5 days or less
x.	Picketing/Demonstrating – owner cannot ridicule or impugn the character or another owner	\$25	Immediately
y.	Vehicular Restrictions – no repairing or overhauling vehicles; no oversized vehicles, boats, trailers, commercial vehicles, campers or motorhomes (on a limited basis may be on property a maximum of 3 days but must be in driveways, no parking in roads). RV's allowed 7 days for visiting guests but must be parked in driveway	\$25	Immediately
z.	All other violations – not specifically listed in schedule of fining fees	\$25	5 days or less

****Note:** Fines can be raised to \$100 per day to a maximum of \$1,000 per Florida law

Paradise Moorings Homeowner's Association

Board Policy

Subject: Fining Committee

1. The Paradise Moorings Homeowner's Association Compliance Committee (the "Committee") is appointed by the Paradise Moorings Homeowner's Association Board of Directors.
2. The Committee is generally responsible for determining if the fine is to be assessed to lot owners resulting from any uncorrected violation(s) after meeting with homeowner.
3. All properties on a given meeting's agenda will be visually inspected by the Committee prior to the meeting being called to order. The method determined for this inspection will be at the discretion of the Committee.
4. The Bylaws of Paradise Moorings Homeowner's Association specifies that the Board will appoint Committees.
5. Florida Statute 720.305 – allows the Board to appoint a committee of at least three members who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee.
6. The Board has chosen to appoint no less than three and no more than five Compliance Committee members.
7. The Committee will report to the Board and its members shall serve at the pleasure of the Board. Failure to attend three consecutive meetings will be reason for immediate removal by the Board. Notwithstanding, the Committee shall act as an independent body in the pursuance of its responsibilities.
8. The Committee shall provide the Board any information it requests relating to its activities. The Committee shall prepare minutes of all called meetings it conducts, and provide copies to the Board. The provisions of any and all decisions made by the Committee relating to its enforcement responsibilities shall be provided in writing to the offending lot owner.
9. The Committee will meet as needed. A majority of the Committee members shall constitute a quorum to conduct Committee business. Any vote before the Committee must attain a majority of those present for passage.
10. All Committee members must be in good standing with the Paradise Moorings Homeowners Association.

Remedies for Violations

In addition to all other remedies, and to the maximum extent allowed by law, a fine or fines may be imposed upon an owner for failure of an owner, his family, guests, lessees, invitees or employees, to comply with any covenant or restriction herein contained; or rule of the Association, provided the following procedures are adhered to:

- a) For the initial violation of any covenant, restriction or rule of the Association, the Association shall issue a friendly reminder to the owner of the alleged infraction in writing requesting the violation be corrected within seven (7) days or less of receipt of the Notice of Violation. The number of days is dependent upon the violation.
- b) Should an owner remain in non-compliance of the same violation during the following inspection, the Association shall send a second notice to the owner of the alleged infraction in writing requesting the violation be corrected within ten (7) days or less of receipt of the Notice of Violation. The number of days is dependent upon the violation.
- c) Should an owner remain in non-compliance of the same violation during the follow-on third inspection, the Association shall provide the owner with a certified mail notice of its Intent to Impose a Fine for such violation. Included in the notice shall be the date and time of a meeting of a committee appointed by the Board (the "Compliance Committee") at which time the owner shall present argument, if the owner chooses, as to why a fine should not be imposed. At least fourteen (14) days prior notice of such meeting shall be given. Regardless of the final disposition of the violation by the Compliance Committee, the owner will be responsible for the cost the postage and associated cost of letters/documents.
- d) At the meeting, the alleged infractions shall be presented to the Compliance Committee, after which the Committee shall receive evidence and hear arguments as to why a fine should not be imposed. At the meeting, the owner shall have the right to be represented by counsel and to cross-examine witnesses. A written decision of the Compliance Committee shall be submitted to the owner not later than fourteen (14) days after the Board meeting.
- e) The Compliance Committee, by majority vote, may continue with Board of Directors decision to impose a fine not to exceed the maximum amount allowed by law.
- f) Should an owner chronically violate a particular covenant, restriction or rule of the Association (e.g. the keeping of a boat in their driveway), the Compliance Committee, at their discretion, may direct the imposition of an immediate fine commensurate with the violation for each recurrence of the same violation over a period of sixty (60) days since the resolution of the initial violation.
- g) Fines shall be paid not later than the next Homeowners Association assessment after notice of the imposition or assessment thereof.
- h) All monies received from fines shall be allocated as directed by the Board to the general operating fund.
- i) The imposition of fines shall not be construed to be an exclusive remedy, and shall exist in addition to all other rights and remedies to which the Association and/or owner may be otherwise legally entitled; provided, however, any fine paid by an offending owner shall be deducted from or offset against any damages which may be otherwise recoverable from such owner.

Paradise Moorings Homeowner's Association

Rules and Regulations and Fining Procedures

Board Members' Signatures:

Signature: *Philip E. Conery*

Print Name: PHILIP E. CONERY

Signature: *Donald W. Hastings*

Print Name: Donald W. Hastings, Vice President

Signature: *Joseph W. Fowler*

Print Name: Joseph W. Fowler

Witness:

Signature: *Becki Brim*

Print Name: BEKKI BRIM

Date: August 28, 2017