

# **EMERALD POINTE RV RESORT**

## **RULES & REGULATIONS**

### **Rules & Governing Documents Committee**

#### **Mission Statement**

**The Rules & Governing Documents Committee will provide a concise and pertinent set of Rules and Regulations to all Emerald Pointe property owners, tenants and committees. These regulations should sustain the beauty, character and rule compliance that enhances property values, making Emerald Pointe Florida's premier RV and Retirement Community. (11.11)**

#### **Primary Article of our Rules and Regulations**

**Witnessed: page one and article V, ((b)). (02.12) Cottage homes are exempt from maintaining an RV on premises to reside in, per CC&R article 1.16.**

**The developer created Emerald Pointe RV Resort for recreational vehicles (RV's). To maintain this classification all occupied lots must have an RV on premises to reside in, unless said RV is out for maintenance and /or service for a maximum of thirty (30) days. Upon departure of your RV from the park for maintenance/service, notification of the effective date of departure will be given to any Board of Director. If further maintenance/service is required after thirty (30) days, the Board of Directors must be notified in writing. Any extension of this time will be at the sole discretion of the Board of Directors as long as that decision does not conflict with the intent of Emerald Pointe's CC&R's. Departure and extension forms must be used and will be available online or at the office. (03.12)(11.13)(02.14)**

# **Emerald Pointe Property Owners Association Rules and Regulations**

**As Amended January 24, 2015**

## **TABLE OF CONTENTS**

I. Lot Improvement - Construction/Landscaping	Reference CC&Rs Article V
II. Setbacks	Reference CC&Rs Article V
III. Resort Homes (Cottages)	Reference CC&Rs Article I
IV. Park Models	Reference CC&Rs Article I
V. RV/Motor Ports	Reference CC&Rs Article I
VI. Lanais	Reference CC&Rs Article I
VII. Portable Screen Rooms	Reference CC&Rs Article V
VIII. Sheds	Reference CC&Rs Article V
IX. Storage	Reference CC&Rs Article V
X. Recreational Vehicles	Reference CC&Rs Article V
XI. Pets	Reference CC&Rs Article V
XII. Lot/Lawn Maintenance	Reference CC&Rs Article V
XIII. Clotheslines	Reference CC&Rs Article V
XIV. Satellite, TV, Internet, and Radio Antennas	Reference CC&Rs Article V
XV. General Rules and Regulations	Reference CC&Rs Article V
XVI. Assessments	Reference CC&Rs Article V
XVII. Other Vehicles	
XVIII. Dispute Resolution	Reference By-Laws Article X
XIX. Rules & Regulations (Short Form) (2.12)	Reference By-Laws Article VII

**I. LOT IMPROVEMENT -CONSTRUCTION/LANDSCAPING** (See CC&Rs Article V, 5.01 (h)  
(All requests and denials are all at the sole discretion of the Board of Directors)

1. Any parcel owner requesting any construction, landscaping, etc. not described by current EPPOA Governing Documents (the CC&Rs and the Rules and Regulations) must petition said changes to the EPPOA Board of Directors (BOD) along with the signatures of 20 percent of the total voting interest (61 signatures), giving reasonable justification for requesting the change or an exception. This petition is required for the BOD to place the petition on the agenda at their next Board Meeting for discussion and consideration as to whether to make a change or exception to our current Governing Documents, as it applies to any structure, landscaping, concrete, and sheds.

2. Parcel owners requesting construction, installation, or modifications on any lot must submit the request on a Lot Improvement Form and a Layout Form only. (except for restoration repairs (03.10)). Any request not submitted on these forms will be returned to the applicant without action.

- a. All requests must comply with current required permits from the City of Zephyrhills, PASCO County, or State of Florida current building codes, as it applies to structures with roofs, walls, windows, doors, electrical wiring and plumbing. Upon completion of construction, a copy of the Zephyrhills final inspection report must be returned, by the property owner, to the Emerald Pointe Lot Improvement Committee for office filing. (11-11)
- b. All requests must have a detailed drawing/sketch, indicating: setbacks, width, length, and height of the structure.
- c. All requests must have full written description, including: color of siding, trim, shutters, doors and windows.(01-15)
- d. Approved siding colors for all structures are Kay Can Timberlake series: white, linen white, sandalwood, prestige beige, terra verde, ivory, slate gray, flagstone, rosette, azure blue, teal, yellow, or a comparable color from a different manufacturer.
- e. All requests for painting or repainting of driveways with design and color must be submitted for approval. (01-15)
- f. All requests for pavers with color and layout must be submitted for approval. (01-15)
- g. Any changes made on a previously approved project must be resubmitted before beginning the changes. (01-15)

3. All requests must be reviewed and recommended for approval or denial by the Lot Improvement Committee. Approval/denial is required by three (3) members of the EPPOA BOD, one of whom should be the Board liaison for the Lot Improvement Committee, if available<sup>(12.11)</sup>. These approvals must be completed prior to applying for and obtaining a building permit or variance from the City of Zephyrhills. The permit is valid for one (1) year from date of the BOD approval.

4. The permits from EPPOA and the City must be posted on the lot and visible from the street.

5. Once concrete containing PVC extensions is in place, the lot owner has twelve (12) months to complete construction. If construction is not completed within this period or in progress, the plumbing stub-ups must be cut off level with the concrete slab and pipes capped.

6 . The fine is one hundred dollars (\$100.00) plus \$100.00 per day for each day up to a maximum of \$1,000.00 for projects started without first obtaining an approved lot improvement Document and EPPOA Permit. Any project started without proper permits, or changes implemented without pre approval must be removed and replaced to original condition if requested by the EPPOA Board of Directors, in its sole discretion. (01.14) (01-15)

## **II. SETBACKS** (CC&R article II 2.05) (02.14)

1. Setbacks on all lots must be a minimum of five (5) feet on both sides of the lot and five (5) feet from the rear of the lot, except for lots bordering the preserves, which must have a ten (10) foot setback from the preserve or wetlands. Lots on the corner of two streets must have a ten (10) foot setback on the street sides of the lot.

2. All structure (RV Ports, Lanais, Park Models, and Cottages) setbacks are twenty (20) feet from the curb side of the Lot.

3. All lots must have access to two (2) water lines, city and well water. (The one for outside use, must be connected to well water, and used for irrigation, washing vehicles, parking pad, and structures). The in-ground utilities, such as electric, phone, satellite dish, water pipes, and sewer hook-ups, must be installed adjacent to the concrete pad.

4. A minimum space of five (5) feet must be maintained between plants, unless the five (5) feet contains stones, mulch, pavers, or stepping stones, to allow clearance for lawn mowing equipment.

5. If the setback area is covered with anything such as [stone, bricks, mulch, concrete etc.] and if there is any problem that requires removal, it is at the owner's expense.

6. The Set Back area cannot be covered with permanent covering such as cement/concrete, asphalt, or any other impervious material, except pavers, patio blocks, and footings.

## **III. RESORT HOMES (COTTAGES)** (See definition CC&Rs Article I, 1.16)

1. Prior to obtaining a building permit from the City of Zephyrhills, a written request must be submitted on a Lot Improvement Request Form and Layout Form indicating placement on lot, elevation views, and utility connections for review by the Lot Improvement Committee and approval of the Board.

2. "Resort Homes" shall be a site built single family home built on a lot designated as "Resort Home". There are only eight (8) lots so designated located on the east side of the park . The structures shall:

a. Not be less than 2000 square feet or more than 2600 square feet of floor space under one roof, which has an area on a concrete pad to house a class A motor home or private coach limited to forty five (45) feet in length which may be hooked up to utilities.

b. All "Resort Homes" must conform to the same exterior design, including windows, doors, and roof overhand as existing "Resort Homes." Air conditioning may be placed in the five (5)

feet setback on concrete or commercially manufactured base.

#### **IV. PARK MODELS** (See definition CC&Rs Article I, 1.13)

1. Prior to obtaining a building permit from the City of Zephyrhills, all requests must be submitted on a Lot Improvement Request Form and Layout Form, indicating placement on lot, setbacks, skirting material, and utility placement for review by the Lot Improvement Committee and approval of the Board.
2. Maximum square feet for a Park Model is 504 square feet.
3. All Park Models must meet HUD requirements and may not exceed ten (10) years of age when brought into the resort. All Park Models must be reviewed by the Lot Improvement Committee and approved by the Board before being purchased.
4. All Park Models and the additions must be skirted at the time of installation. All material for skirting must be reviewed by the Lot Improvement Committee and approved by the Board.
5. All existing sheds or lanais must be incorporated under the roof of the addition or carport or removed from the lot.
6. All incorporated sheds, lanais, or additions must be sided with the same color and style siding as the Park Model.

#### **V. RV/MOTORPORTS** (See Definition CC&Rs Article I., 1.17)

1. RV Ports are allowed on perimeter lots or lots bordering on the preserve/wetlands only.
2. Prior to obtaining a building permit from the City of Zephyrhills, all requests must be submitted on a Lot Improvement Form and Layout Form, with drawings showing details of the structure including: height, width, length and setbacks, for review by the Lot Improvement Committee and approval by the Board.
3. The maximum size for an RV Port is twelve (12) feet wide, thirty-two (32) feet long and may include a ten (10) foot long screen room for maximum length of forty-two (42) feet. The overall roof width is not to exceed twenty-six (26) feet plus a minimum one (1) foot and not more than two (2) feet overhang on sides and back. The front overhang to be determined by the City code and design. Exceptions for irregular shaped lots on the shape of the building can be made, provided the square footage remains within the guidelines. Maximum square feet for a Port shall not exceed 602 sq. ft. of enclosed ground floor space which includes the incorporated storage room behind the RV, or 504 sq. ft. if no storage room is attached.
4. The overall height of an RV Port shall not exceed seventeen (17) feet from the raised concrete slab.

#### **VI. LANAIS** (See Definition below) (CC&R article V 5.01 (F)) (02.14)

“Lanai” shall mean a particular enclosed structure, site built and anchored on a raised concrete slab, consisting of no more than 504 square feet (12’X42’) and all subject to applicable setback requirements and Board approval. (\*10)

1. Prior to obtaining a building permit from the City of Zephyrhills, written request must be submitted on the Lot Improvement Form and Layout Form with detailed drawings indicating height, width, and length of structure, including setbacks, for review by the Lot Improvement Committee and approval by the Board.

2. Lanais are permitted in all phases of the park. Lanais east of the center line of Aquamarine shall conform to roof lines of lanais in Phase V and VI (slanted roofline). Lanais west of the center line of Aquamarine to Malachite shall have a gabled roof, corresponding with Park Model and shed roofs, with height not to exceed twelve (12) feet at the peak and side walls not to exceed ten (10) feet, from the raised portion of the concrete slab.

3. All lanais must be constructed on a raised concrete slab. For lanais East of the center line of Aquamarine the maximum height is one hundred fourteen inches (9'6") on low side wall and one hundred twenty six inches (10'6") on the high side wall, from the concrete slab it sets on.

4. The maximum size for a lanai is twelve (12) feet in width, thirty-two (32) feet in length with an optional ten (10) foot Florida/Sun room addition, for a maximum length of forty-two (42) feet plus one (1) foot roof overhang on the width and length. (Exceptions made for irregular shaped lots.)

5. Maximum square footage for lanais (including the screen room) shall be 504 square feet. No structure shall be constructed behind the motor home or coach.

#### **VII. PORTABLE SCREEN ROOMS** (See CC&Rs Article V, 5.01(g))

Travel trailers, 5th wheels, motor homes, and mini motor homes may have portable, temporary, removable screen rooms provided such shall be removed and stored when the unit is left unoccupied for greater than twenty-four (24) hours. Such enclosures must be securely anchored to the concrete slab.

#### **VIII. SHEDS** (See CC&Rs Article V 5.01 (f))

1. Prior to obtaining a building permit from the City of Zephyrhills, a written request must be submitted on a Lot Improvement Form and Layout Form with detailed drawings, including: height, width, and length, as well as setbacks, for review by the Lot Improvement Committee and approval by the Board.

2. Sheds must be placed on the left side of the lot facing the lot from the street. Sheds must be skirted and anchored at the time of installation.

3. The maximum size of the shed is one hundred and forty four (144) square feet, measured from the outside dimension of the building. Sheds must meet construction guidelines, including pressure treated skids, approved roof line, and colors. Shed must not exceed ten feet (10 ft.) in height at the apex of roof, measured from the concrete slab. Per Accessory Building & Structures of the City of Zephyrhills Building Department, " Any ready made, manufactured, prefab or custom built on sites must have plans, tie-down instructions, signed and sealed by a Florida registered engineer, certifying compliance with Florida Board Code Section 1606 concerning 110 mph wind load." Strapping must be on interior of building over the top of the rafter to ground anchor on each corner.(01.13)

4. No free standing sheds are permitted with Park Models, RV Ports, Lanais, or Cottages (Resort  
Supersedes: January 24,2015

Homes).

5. \*Replacement/Relocation of sheds must be approved/permitted by the Lot Improvement Committee, EPPOA BOD and applicable permits from The City of Zephyrhills, prior to installation.

**IX. STORAGE** (See CC&Rs Article V., 5.01(c))

1. No utility trailers of any type, including car dollies, may be parked on any lot. All utility trailers must be parked at a location out of the park except for a maximum of forty-eight (48) hours for loading and unloading. Any member who is doing their own construction may park a construction trailer on the lot for thirty (30) days. All outside contractors must remove trailers at the end of each day unless the trailer is parked on the concrete pad.
2. Do not park or place anything on a lot not occupied or owned by you. No parking on grass anywhere within the park. All vehicles must be parked on the concrete slab inside the curb.
3. No items may be stored under or around any unit or structure which includes the RV, RV Port, Lanai, Cottage and Shed (Except water hose reels). Items may be stored under skirted fifth wheels, permanent skirted trailers, and Park Models.
4. There shall be no portable, inflatable garages for vehicles, motorcycles, scooters, mopeds, golf carts, and/or bicycles on any lot.
5. Portable storage cabinets are not allowed outside any Port, Shed, Lanai, Cottage or Park Model in Emerald Pointe. Those which are already installed will be grandfathered and cannot be replaced, provided they are maintained and attached to the concrete or stored inside when the lot is vacant. (There will be no more cabinets from this day forward). (02.11)

**X. RECREATIONAL VEHICLES** (See CC&Rs Article V, 5.01 (b))

1. Per recorded deeds lots in Phase V and VI are reserved for Motor Homes, classified as Class "A" as defined by the FMCA based in Cincinnati or a successor, only.
2. All RVs must be modern, commercially manufactured, and presentable in looks and repair. All RVs are subject to approval of the Lot Improvement Committee and Board of Directors (CC&Rs, Article V, 5.01, (b))
3. All RVs must be backed onto the lot.
4. No recreational vehicle, including travel trailers, 5th wheels, or motor homes shall be placed on a lot containing a Park Model, except for loading or unloading for a maximum of forty-eight (48) hours.
5. All RVs must be parked fifteen (15) feet inside the curb side of the lot.
6. Before installing permanent skirting on any RV, a Lot Improvement Form specifying materials and color of the skirting must be submitted. RV's with permanent skirting must be properly anchored to the concrete per Zephyrhills regulations. (01-15)

**XI. PETS** (See CC&Rs Article V, 5.01 (t))

1. Maximum of two (2) pets per lot permitted within the park. This includes members, visitors, and renters.
2. Dogs must not be of aggressive breeds, such as Akita ,American Bulldogs, Beaucerons, Caucasian Mountain Dogs, Chows, Doberman Pinschers, German Shepherds, Great Danes, Pit Bulls, Rottweilers, Staffordshire Terriers, Wolf hybrids. Any mixed breed made up of one or more of the breeds listed above is also considered a prohibited breed of dog or any dog with a history of biting or attacking. No snakes, monkeys, or ferrets are allowed.(12-11)(01-15)
3. All pets must be kept on the owner's lot, except when the owner has the pet on a leash.
4. Leashes are not to exceed sixteen (16) feet in length, five (5) feet when walking your pet to and from dog walk.
5. All pets must be walked to the designated "DOG WALK" area near the \*curb of the road, \*facing traffic. Do not allow pets to urinate on plants, lawns and shrubs of other Lot Owners, undeveloped lots or Common Grounds not designated as "DOG WALKS".
6. All pet owners must pick up after their pets and dispose of these excretions in the trash ONLY, NOT TO BE THROWN INTO THE PRESERVES OR DRAIN SYSTEMS. Action will be taken against residents who are witnessed throwing these deposits into any other areas than the trash containers, which includes preserves and drain systems.
7. Pets are not allowed in or around any Park building or any recreational area at any time with the exception of a service dog. Pets are NOT to be tied to the club house.

## **XII. LOT /LAWN MAINTENANCE** (See CC&Rs Article V, 5.01 j,m,n) & 5.02)

1. All placing of landscaping, plantings and pavers ( with requested colors), painting of concrete slabs (with requested colors), on any lot requires a Lot Improvement Form and Layout Form submitted to the Lot Improvement Committee for review and approved by the Board. (01-15)
2. Watering is limited to Pasco County well watering rules and regulations. The guidelines for Emerald Pointe Water Restrictions are covered in the Southwest Florida Water Management District (SWFWMD) pamphlet at website: [www.swfwmd.state.fl.us](http://www.swfwmd.state.fl.us). \*Well water, will be the \*only water that can be used for watering, washing vehicles and pressure washing. (Pasco County Guidelines are posted in the library and on the bulletin board and usually can be found on our website [www.emeraldpointervresort.com](http://www.emeraldpointervresort.com)).
3. A newly poured concrete pad may be watered down 2-3 times for two (2) days. Water is NOT to be left running on the concrete pad.
4. All Lot owners shall keep their structures and premises in good maintenance and repairs. Rain gutters shall be cleared and free of vegetation growth. Structures and concrete pads shall be cleaned.
5. All landscaping trees, shrubs, and flower gardens are to be maintained by each property owner. Arrangements for the care of the lot while the owner is away from the park must be made by the lot owner.
6. Loose items such as: grills, furniture, decorative items, ladders, building materials and bicycles,



etc. must be secured inside the shed, lanai, trailer, park model, etc. whenever the lot is not occupied for more than twenty-four (24) hours. No storage under the RV except skirted park models, skirted permanent travel trailers, and skirted 5th wheels.

7. After fourteen (14) days from the date of official notice of violations (e-mail or letter) to the lot owner if no acceptable response has been given by the lot owner the board will take action. The Board will hire someone to perform such maintenance and assess the lot owner for the cost thereof along with the Board assessing a \$100 fine. Such entry shall be deemed to be permitted and not be deemed a trespass. If the maintenance bill and the fine is not paid within 30 days, the lot owner will incur an additional fine of \$100 per week until the original maintenance bill and penalties are paid in full. All charges and assessments, if not paid, shall be secured by a lien on the lot. (01.13)(12.15)

### **XIII. CLOTHESLINES**

No permanent clotheslines shall be permitted on any lot. One umbrella type clothesline is allowed, which must be closed and covered when not in use, and removed and stored when the lot is vacated for more than twenty-four (24) hours.

### **XIV. SATELLITE, TV, INTERNET, AND RADIO ANTENNAS** (See CC&Rs Article V, 5.01 (I))

1. No outside satellite receptor dishes or devices, television/radio antennas, or any other type of electronic device, for the transmission/reception of electronic signals shall be allowed without prior approval of the Board of Directors, except those installed as part of an RV. Placement of such devices requires review by the Lot Improvement Committee.

2. Satellite dishes are to be placed on the building or close to the building so as to not interfere with mowing. No satellite dish may be placed on any common area or any lot other than the owner's lot.

### **XV. GENERAL RULES AND REGULATIONS** (See CC&Rs Article V, 5.01)

All residents are required to familiarize themselves with the Governing Documents (By-Laws, CC&Rs, and Rules and Regulations) of Emerald Pointe Property Owners Association. This is a Deed Restricted park/community and these rules and regulations are a part of the deeds covering every property owner in Emerald Pointe RV Resort. It is the purpose of these restrictions to enable Emerald Pointe RV Resort to establish a community in which the residents may enjoy the mutual advantages of a close community life.

1. The park entry gate will be open from 7:00 AM until 5:00 PM, year round.

2. No solicitation will be permitted in the park by anyone, including residents. All signs including "For Sale" and "For Rent" are prohibited, per CC&Rs, Article V, 5.01 (v).

3. The speed limit throughout the park is 10 MPH.

4. Vehicles must park on the driveway behind the curb, and all recreational vehicles including motor homes, 5th wheels, and travel trailers must be backed onto the lot. Do not drive or park on the grass. All Rvs must be commercially manufactured, presentable in appearance and repair, and positioned on the lots concrete pad.

5. No maintenance, on motorized vehicles, may be performed on any lot or common area, except

repairs such as changing a flat tire, changing or jumping a dead battery. No fluid exchanging, painting, or body work will be permitted on a lot. Any and all other repairs must be done in the designated area as approved by the Board of Directors at their sole discretion. Vehicles must be properly licensed and kept in operating condition.

**6.** Children are welcome in Emerald Pointe; however, the parents or guardian are responsible for the actions of their children while in the park. Children 15 years old and younger are not allowed in the Club House or recreational areas, including the swimming pool without an adult supervisor who is a resident, tenant or guest of Emerald Pointe. Children age 17 and younger are not allowed in the billiard room, shuffleboard courts or exercise room without an adult supervisor who is a resident, tenant or guest of Emerald Pointe. The lot owner, tenant or guest is responsible for any damage incurred. (01.12)

**7.** The Clubhouse parking lot is reserved for events and residents are not to park their vehicles there overnight unless pre-approved by a Director.

**8.** No commercial vehicles may be parked on any lot except vehicles used for construction and those making deliveries in the park. These vehicles may not be parked on any lot overnight.

**9.** Lot owners must notify the Board of Directors, on the Prospective Buyer Form, of any changes in lot ownership. Notice should specify the name, address, and whether the new owners are 55 years of age or older. Copies of EPPOA governing documents will be available in the office for a nominal fee or available on our web site [www.emeraldpointervresort.com](http://www.emeraldpointervresort.com).

**10 A.** All lot owners who rent their lot must notify the EPPOA office on the Notification of Rental Form. All information on the form, including pet information and whether the renters are 55 years of age or older, as required by HUD for 55 and older communities, must be completed. Forms are available on the website: [www.emeraldpointervresort.com](http://www.emeraldpointervresort.com), in the office and in the library. (01.14)

**10 B.** All lots that are rented must have a RV on the lot to reside in during the term of the lease. If on a rented lot, the RV must leave the park for any reason, the renter must have written Board approval to reside on the lot before the initial departure of the RV. (01-14)

**10 C.** Rented lots are for single families only. Owners cannot separately rent their lanais or ports while owners or renters are residing in the RV on the same lot. (01-14)

**11.** Only the EPPOA Yard Maintenance Contractor is allowed to trim in or around any preserve, wetland or drainage ditch, per the requirements established by the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT; Rules 40D-4.041(1)(a) and 40D-4.02(7) of the Florida Administrative Code and the EPPOA Board of Directors dated March 11, 2009.

**12.** There will be no dumping on the grounds of Emerald Pointe Property of any kind or by anyone without first receiving a permit signed and approved by The EPPOA Board of Directors, in its sole discretion.

**13.** No paths of any kind shall be allowed across any preserve, wetland or drainage ditch without written approval from The EPPOA Board of Directors, in its sole discretion.

**14.** Only the EPPOA Board of Directors are authorized to officially represent the Emerald Pointe RV Resort in any government or legal matters. Per Florida Statute 720.303(7).

**15.** All licensed vehicles, of Emerald Pointe residents must have an Emerald Pointe identification sticker affixed to the driver's side windshield or rear window, or at a location determined at the sole discretion of the EP Board of Directors. (01.12)

**16.** Any member of the Board of Directors may not spend over \$500.00 for non-budgeted items without Board approval. Any amount over \$500.00 must be pre-approved by a majority of the Board of Directors. The EPPOA Treasurer may not spend over \$1000.00 for non-budgeted items without Board approval. Any amount over \$1000.00 must be pre-approved by a majority of the Board of Directors. (02-12)

**17.** All residents (owners or renters) while residing on any lot with motor homes, mini motor homes, fifth wheels, travel trailers, park models and resort homes must have all utilities (water, sewer and electricity) turned on and fully functional. CC&R V 5.01 b (01.14)

**18.** Guests are welcome at Emerald Pointe RV Resort but are limited to stay not more than two weeks at any given time, unless an extension of time is approved by the Board of Directors. Guests are invitees of residents living on a single family lot at Emerald Pointe RV Resort. Residents must fill out a guest form and submit the form to the office prior to the guests arrival. All guests will be issued a guest badge to be worn at all functions of the resort. Forms will be found online, at the office or in the library.( Ref. cc&r article V 5.01 bb)(01.14)

#### **XVI. ASSESSMENTS** (See CC&Rs Article IV, 4.01)

**1.** Each lot owner shall be deemed to covenant and agree to pay Association Common Assessment and any special assessment.

**2.** Common Assessments are to be paid quarterly (January 1, April 1, July 1, and October 1); semiannually (January 1 and July 1) or annually (January 1).

**3.** All assessments not received fifteen (15) days after the due date shall be charged a reasonable late fee as provided in the CC&Rs, Article IV, 4.01 and in the Florida State Statutes 720.3085 (3)(a).

**4.** The late fee charge shall be \$25.00 IAW Florida Statutes 720.3085 (3)(a).

#### **XVII. OTHER VEHICLES** (CC&R article V 5.01 hh) (02.14)

**1.** Bicycles, scooters (100cc and smaller, electric or gas) have to abide by all vehicle state laws, (stop signs, speed limits, etc.), must not be parked or ridden on sidewalks around the clubhouse. Vehicles must be parked in designated areas only. Front and rear safety lights are required if ridden after sunset. Driver's license is required to operate scooters.

**2.** Medical Assist Vehicles, (electric or manual wheel chairs, single user electric scooter, (i.e. Rascal and Hover Round, etc.) are permitted, anywhere or anytime, on the premises IAW ADA Regulations.

**3.** Golf carts (electric or gas) must abide by all vehicle state laws, (stop signs, speed limits, etc.), must not be parked or driven on the sidewalks around the clubhouse, must be parked only in designated vehicle parking spaces, must have operational head lights and tail lights if driven after sunset and must be used on roadways only, must have a valid vehicle driver's license or permit to operate a golf cart, and must have an Emerald Pointe "E" sticker affixed to the lower left side of the windshield or approximate area.

4. Motorcycle drivers must abide by all vehicle state laws, (stop signs, speed limits, etc.) must come and go from the park as quietly as possible.

**XVIII. DISPUTE RESOLUTION:** (03.10) (EPPOA By-Laws, Article X and FL Statutes 720.311).

1. The EPPOA BOD and governing committees will follow the guidelines set forth in Article X, "Dispute Resolutions", of the EPPOA By-Laws, pertaining to resolving disputes and violations.
2. Before engaging an attorney, whereby legal fees/expenses could exceed Five Hundred Dollars (\$500.00), to settle any issue/dispute, it would require a majority vote of the EPPOA BOD to pursue or continue the services of an attorney to resolve an issue or dispute. (Reference EPPOA By-Laws VI, Section 4, "Action without a Meeting")
3. Authorizes EPPOA to fine any violation or breach as governed by this Association's governing documents of the community and the rules of the Association. Violators can be fined, not to exceed \$100.00 per violation, against any property owner, guest, or contracted service provider, after a 14 day notice. A fine may be levied on the basis of each day of a continued violation, with a single notice and opportunity for a hearing, except that no such fine shall exceed \$1,000.00 in the aggregate. Reference FL Statutes 720.305 (2)&(a).
4. Violators shall have the right to request a hearing before a committee appointed by the board. The Hearing Committee Panel will evaluate the evidence as it relates to the governing documents, and make a recommendation to the BOD to enforce any fine, adjust the fine, waive any levied fine, or temporarily suspend the fine, pending corrective action. Reference FL Statutes 720.311.

\*Annex A. (EPPOA Rules and Regulations, Article XVIII, Dispute Resolution)

## ENFORCEMENT OF EPPOA GOVERNING DOCUMENTS

### SECTION A: ENFORCEMENT PROCEDURE:

Enforcement Officers: EPPOA Board of Directors

Incident Report:

- a. Any Enforcement Officer or resident who witnesses a violation of a regulation by any resident or renter may complete an Incident Report.
- b. The Incident Report is turned into the EPPOA office where the complaint is documented, including witnesses' statements and other corroborating evidence. The Incident Report will be given to the appropriate BOD for action.
- c. In the situation where one resident files an Incident Report against another resident, there must be a corroborating statement by another witness to the incident.

Investigations:

- a. Citation Notices issued by the EPPOA will specify the regulation violated and shall

clearly state the offense.

b. Recipients of Citation Notices have fourteen (14) calendar days to correct the violation, pay the fine or file an appeal with the EPPOA Hearing Committee.

c. Copies of the Citation Notice and supporting documentation shall be filed in the business office.

**SECTION B: EXPLANATION OF PENALTIES:**

1. Penalties for violations of EPPOA Governing Documents are summarized and listed in "Section C" below. These penalties are arranged in tables by categories as follows:

- Section I: Lot Improvement - Construction/Landscaping
- Section II: Setbacks
- Section IV: Park Models
- Section V: RV/Motor Ports
- Section VI: Lanais
- Section VII: Portable Screens
- Section VIII: Sheds
- Section IX: Storage
- Section XI: Pets
- Section XII: Lot/Lawn Maintenance
- Section XIII: Clotheslines
- Section XIV: Satellite, TV, Internet, and Radio Antenna
- Section XV: General Rules and Regulations
- Section XVI: Assessments

2. The categories of penalties and associated fines are listed:

<u>CATEGORY</u>	<u>FINE</u>
1	Warning
2	\$10.00
3	\$25.00
4	\$50.00
5	\$100.00

Repeat offenses of the same regulation by a resident will result in double the previous fine. A maximum of \$100.00 per day not to exceed \$1,000.00 fine is established in accordance with Florida Statute F.S. 720.305(2).

3. In the Example below, Section XV.4 is the designation that will appear on the Citation. The middle section is the Violation. The number 4 is the "Fine" category, which carries a Fifty dollar (\$50.00) fine.

SEC.XV.4	No Exterior maintenance, on motorized vehicles, may be performed on any lot or common area.	4
----------	---	---

4. Penalties are not negotiable.

**SECTION C: PENALTY:**

**Section I: Lot Improvement - Construction/Landscaping Violations:**

Rules and Regulations. Section I (CC&Rs Article V, 501(h). (01-14)

#	Violation	Penalty
I.1	Failed to obtain a proper permit from EPPOA Lot Improvement Committee prior to starting project.	5
I.2	Deviation from the approved permit.	5
I.3	Failed to obtain proper City/County Permits.	5
I.4	Failed to complete the job in a one (1) year period and did not receive an extension.	4
I.5	Disapproved work shall be removed within 30 days and the dwelling and/or lot shall be returned to the Original condition at the Owner's expense. If not, fines may be imposed @ \$100.00 per day up to \$1,000.00.	5
I.6	Other violations of the Lot Improvement's Committee Guidelines.	3

**Section II: Setbacks:** Rules and Regulations. Section II

#	Violation	Penalty
II.1	Failed to follow Setback Rules as stipulated.	5
II.2	Failed to comply with 5' setback rule for planting plants.	3
II.3	Installed unauthorized items in 5' setback area.	3

**SECTION IV: Park Models:** Rules and Regulations. Section IV (CC&Rs Article 1, 1.13)

#	Violations	Penalty
IV.1	Failed to comply with structure guidelines set forth in governing documents.	5
IV.2	Used unapproved siding on park model addition.	5

**SECTION V: RV/Motor Ports:** Rules and Regulations. Section V (CC&Rs Article I, 1.17)

#	Violation	Penalty
V.1	Failed to comply with structure guidelines set forth in governing documents.	5
V.2	Used unapproved siding.	5
V.3	Window(s) were installed in the screen room area that did not meet structure guidelines.	5

**SECTION VI: Lanais:** Rules and Regulations. Section VI

#	Violation	Penalty
VI.1	Failed to comply with structure guidelines set forth in governing documents.	5
VI.2	Used unapproved siding.	5
VI.3	Exceeded the maximum square footage allowed or exceeded maximum roof height, IAW governing documents.	5

**SECTION VII: Portable Screens:** Rules and Regs. Section VII (CC&Rs Article V, 5.01 (f)(g))

#	Violation	Penalty
VII.1	Failed to anchor to concrete slab.	4
VII.2	Did not remove screen when property was vacated more than 24 hours.	3
VII.3	Erected a portable screen not authorized by the Lot Improvement Committee.	3

**SECTION VIII: Sheds:** Rules and Regs. Section VIII, (CC&Rs V, 5.01 (f))

#	Violation	Penalty
VIII.1	Exceeded maximum size allowed by governing documents.	5
VIII.2	Failed to obtain proper EPPOA, City/County Permits.	4
VIII.3	Failed to anchor and skirt shed properly.	4
VIII.4	Shed placed in setback area improperly.	5

**SECTION IX: Storage:** Rules and Regulations. Section IX, (CC&Rs V, 5.01 (c)).

#	Violation	Penalty
IX.1	Trailer parked on lot past allotted time period.	3
IX.2	Unauthorized portable storage cabinet (I.e. Rubbermaid box)	2
IX.3	No Storage of golf carts, motorcycles, bicycles, or scooters on a vacated lot.	2

**SECTION XI: Pets:** Rules and Regulations. Section XI, (CC&Rs, Article V, 5.01 (t)).

#	Violation	Penalty
XI.1	Have more than 2 pets.	2
XI.2	Pet of an aggressive breed, not authorized in the park.	2
XI.3	Pet witnessed not using "Designated DOG WALK".	1
XI.4	Pet owner witnessed not picking up after their pet.	1
XI.5	Pet witnessed not on a leash or improper leash while off owner's lot.	1

**SECTION XII: Lot/Lawn Maintenance:** Rules and Regs. Section XII (CC&Rs Article V, 5.01 (j)(m)(n) & 5.02 (01.13)

#	Violation	Penalty
XII.1	Failed to obtain an EPPOA Lot Improvement Permit from the Lot Improvement Committee, before Landscaping and planting plants.	5
XII.2	Witnessed using City water, to water grass, wash vehicle, or pressure wash, when well water was available.	5
XII.3	Witnessed not following Water Restriction Guidelines, set forth by PASCO County/City of Zephyrhills Water Restrictions.(1.13)	5
XII.4	Not keeping lot clean and free of clutter; shrubs and trees not trimmed; flower beds with weeds/grass.	5
XII.5	Failed to clean/pressure wash structures and concrete pads annually as needed or required.	5

**SECTION XIII & XIV: Clothes Lines and Satellite, TV, Internet, and Radio Antenna:** Rules and Regs. Section XIII, and Section XIX, (CC&Rs Article V. 5.01 (i).

#	Violation	Penalty
XIII.1	Failed to obtain an EPPOA Permit prior to installation.	4
XIII.2	Failed to close or remove umbrella when finished or gone from premises over 24 hours.	1
XIV.3	Satellite dish installed in setback area or did not allow the proper 5' all around the pole.	2

**SECTION XV: General Rules and Regulations:** Section XV (CC&Rs Article V, 5.01)

#	Violation	Penalty
XV.1	Resident/Renter failed to obtain and become familiar with CURRENT GOVERNING DOCUMENTS.	1
XV.2	Witnessed exceeding speed limit in the community of 10 mph.	1
XV.3	Vehicle illegally parked.	1
XV.4	Witnessed performing exterior maintenance, on motorized vehicle. Only maintenance authorized on the lot is to jump a battery or change a flat tire. No changing of fluids, painting, or body work allowed on a lot.	4



XV.5	Witnessed children under age 15 not being observed by adult.	1
XV.6	Lot owner failed to report to the office when renting or selling their property.	2
XV.7	Identified Owner/Renter Vehicle without proper EPPOA Green "E" Sticker displayed.	1
XV.8	Owner Lot exceeds 3-vehicle limit.	2
XV.9	Abusive, offensive or threatening language or action witnessed on community property.	3
XV.10	Witnessed smoking in community buildings. (Not permitted IAW FL Clean Air Act) Smoking only allowed in the designated area where cigarette butt cans are located.	1
XV.11	Witnessed "FOR SALE SIGNS" displayed. For Sale Signs not permitted except on "OPEN HOUSE DAY" and/or authorized by EPPOA BOD.	2
XV.12	Witnessed person causing damage to Community Property. Must be reimbursed by the property owner.	5
XV.13	Witnessed feeding of wildlife or stray cats occupying community property.	1
XV.14	Witnessed individual using swimming pool/spa after hours or pool/spa was closed.	1
XV.15	Witnessed Children (Under age 15) in the pool/spa without proper supervision.	1
XV.16	Witnessed individual with food/drinks (glass) inside the pool fence.	1
XV.17	Witnessed individual in the pool while pool cover was still in the water.	1
XV.18	Witnessed diving, horseplay, jumping and/or unsafe activity in the pool/spa.	1

The following penalties be levied against Lot Owners and Renters for non compliance with use of RV Ports and Lanais as stated in the Primary Article of the Rules and Regulations cover page, article XV, #10A,10B and 10C and XV#18 (01-14)

- |    |                          |   |
|----|--------------------------|---|
| #1 | initial offense          | warning letter  |
| #2 | after 14 days of offense | \$100.00 fine   |
| #3 | after 30 days of offense | \$100.00 fine plus \$100.00 per day for each day of non compliance up to \$1,000.00maximum. |

**SECTION XV1: Assessments:** Rules and Regulations, XVI, (CC&Rs IV, 4.01)

#	Violation	Penalty
XVI.1	Failed to pay the EPPOA Assessment in a timely manner. (15 days from due date)	3
XVI.2	Failed to pay the fine citation for a violation of EPPOA Governing Documents.	3

Enclosures: EP Members Suggestions/Concerns Form  
EP Lot Inspections Form  
EP Citations Form

(\*12-15 approved at December 5,2015 BOD Meeting)  
(\*01-15 Approved at January 24,2015 BOD Meeting)  
(\*01-13 Approved at February 15,2014 BOD Meeting)  
(\*01-13 Approved at January 19, 2013 BOD Meeting)  
(\*03-12 Approved at March 17, 2012 BOD Meeting)

History: (\*02-12 Approved at February 18, 2012 BOD Meeting)  
(\*01-12 Approved at January 21, 2012 BOD Meeting)  
(\*12-11 Approved at December 3, 2011 BOD Meeting)  
(\*11-11 Approved at November 19, 2011 BOD Meeting)  
(\*02-11 Approved at February 19, 2011 BOD Meeting)  
(\*12-10 Approved at December 30, 2010 BOD Meeting)  
(\*03-10 Approved at March 20, 2010 BOD Meeting)  
(\*02-10 Approved at February, 20, 2010 BOD Meeting)

Abbreviations and definitions used in the EPPOA Governing Documents:

ADA = American Disabilities Act.

BOD = EPPOA Board of Directors

CC&Rs = Declaration of Covenants, Conditions, and Restrictions For the Emerald Pointe Property Owner's Association

IAW = In Accordance With

POA = Property Owners Association

.....  
.....

Article XIX.

**EMERALD POINTE PROPERTY OWNERS' ASSOCIATION  
RULES AND REGULATIONS, SHORT VERSION.\*\* (02-12)**

- Activities** See monthly EP Calendar and Bulletin Board. Signup sheets are in the Library.
- Children** Children are welcome in Emerald Pointe; however, the parents or guardian are responsible for the actions of their children while in the park. Children 15 years old and younger are not allowed in the Club House or recreational areas, including the swimming pool without an adult supervisor who is a resident, tenant or guest of Emerald Pointe. Children age 17 and younger are not allowed in the billiard room, shuffleboard courts or exercise room without an adult supervisor who is a resident, tenant or guest of Emerald Pointe. The lot owner, tenant or guest is responsible for any damage incurred. (1-12)
- Internet** There are free internet connections and wireless (WI-FI) located in the library.
- Laundry** Open 24 hours daily. Please keep the Laundry Room neat and clean. Remove lint from dryers and when leaving TURN OFF LIGHTS.
- Lot Use** Vehicles must park on the driveway. No vehicle maintenance is permitted. Umbrella clothes lines only. They must be removed and stored or covered when not in use. NO item may be stored under a unit (including tow dollies). Tow dollies, boats and trailers must be stored outside of the park. Do not place items on grass, i.e., satellite dish, pet anchors, etc. When washing your vehicle you must comply with PASCO CO. water restrictions which are posted on the Bulletin Board. Please use only WELL WATER (Red Tape) for outside use. DO NOT USE CITY WATER (Blue Tape) for any outside use.
- Official Season** October 15<sup>th</sup> through April 15<sup>th</sup>. Office is normally open 10:00 a.m. to 2:00 p.m.
- Park Entry Gate** **Open normally between the hours of 7:00 a.m. to 5:00 p.m. all year.**
- Pets** Dogs must not be of aggressive breeds, such as Akita ,American Bulldogs, Beaucerons, Caucasian Mountain Dogs, Chows, Doberman Pinschers, German Shepherds, Great Danes, Pit Bulls, Rottweilers, Staffordshire Terriers, Wolf hybrids. Any mixed breed made up of one or more of the breeds listed above is also considered a prohibited breed of dog or any dog with a history of biting or attacking. NO snakes, monkeys, or ferrets are allowed. (12-11)(01-15)
- Pets must be on a leash at all times. Use Pet Walks only. Clean up after your pet and place in trash containers. Please control “barking” so as NOT to disturb your neighbor. Do not take pets into ANY building or tie your pet outside of a building. There is a limit of two (2) pets per unit/lot.
- Pool and Spa** Open 8:00am - 10:00pm. Please shower before entering the water and use only “Non-Oil Based Lotions“. Children under age 15 must be supervised at all times.
- Quiet Hours** 10:00 p.m. - 8:00 a.m. (Strictly Enforced)
- Speed & Parking** 10 MPH throughout the park. Do not Drive/Park on the grass.

\*\* Please refer to the EPPOA Governing Documents available in EPPOA office.

***WE HAVE WILD LIFE IN THE PARK. DO NOT FEED ANY SANDHILL CRANES OR ALLIGATORS!***

THE EMERALD POINTE PROPERTY OWNER'S ASSOCIATION, INC. BOARD OF DIRECTORS:

Changes to Rules and Regulations were adopted this day: December 5, 2015.

---

Jack B. Wilson - President

---

Rich Grega - Vice President

---

Jim Kelley – Director

---

Chuck Armstrong - Director

---

Guy Saumure - Director