

CERTIFICATE

OF

RECORDING THE RULES AND REGULATIONS FOR

ISLE OF CAPRI

The undersigned, the President and Secretary of Isle of Capri Neighborhood Association, Inc., do hereby certify that the attached Rules and Regulations for the Isle of Capri were duly adopted by the Board of Directors of the Isle of Capri Neighborhood Association, Inc., at the Board Meeting held on October 29, 2019. The adoption of the Rules and Regulations appears in the minutes of the meeting.

IN WITNESS WHEREOF, the undersigned has caused these presents to be signed in its name by its President, its Secretary and its corporate seal affixed this 6 day of

January, 2020

WITNESS AS TO PRESIDENT:

Holly Seide

Holly Seide

Printed Name

ISLE OF CAPRI NEIGHBORHOOD
ASSOCIATION, INC.

[Signature]

President

GARY DILLE

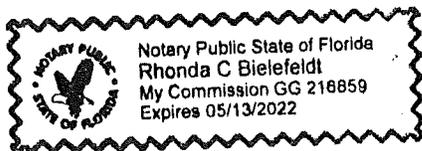
Printed Name

STATE OF FLORIDA

COUNTY OF St. Lucie

The foregoing instrument was acknowledged before me on January 6, 2020 by Gary Dille, as President of Isle of Capri Neighborhood Association, Inc. who is personally known to me, or () who has produced identification (Type of Identification: _____)

Notarial Seal



Rhonda C. Bielefeldt

Notary Republic

ISLE OF CAPRI RULES AND REGULATIONS

TO: All Isle of Capri Residents
FROM: Isle of Capri Board of Directors
SUBJECT: Revised Rules and Regulations
DATE: October 29, 2019

Enclosed are the revised *Isle of Capri Rules and Regulations*. This document supersedes all previous *Isle of Capri Rules and Regulations*.

There are some modifications and additions to our previous (*yellow*) **Rules and Regulations** document dated November 5, 2015. Some of the major modifications and additions were made to the following. Please review the below articles, as well as the entire **Rules and Regulations** document.

Article 6. Section D.

Article 9. Section B.

Article 10. Section C.

Article 13. Section A. (1)

Article 13. Section A. (8)

Article 16. Section D.

Article 16. Section F.

Article 17. Section A.

Article 17. Section G.

Article 18. Section B. (1)

Article 18. Section B. (5)

The Board adopted these **Rules and Regulations** at the Board Meeting on Tuesday, October 29, 2019. It is the responsibility of all residents to familiarize themselves with these **Rules and Regulations**, and in turn abide by them. It is the intention of the Isle of Capri Board to enforce all **Rules and Regulations** in this document.

ISLE OF CAPRI

A Community of

Kings Isle

Port St. Lucie, Florida

RULES AND REGULATIONS

Approved & Ratified

by the *Isle of Capri Board of Directors*

October 29, 2019

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ISLE OF CAPRI
RULES AND REGULATIONS
October 2019

This document supersedes all previous *Isle of Capri Rules and Regulations*.

1. PURCHASING and SELLING A HOME

- A. Homeowner **MUST** notify the Management Company that the home is for sale.
- B. Prior to closing on a home that is sold, the Seller must provide the buyer(s) a copy of the ***Document Book for Kings Isle***, a copy of the ***Rules and Regulations for Kings Isle***, the ***Document Book for the Isle of Capri*** and a copy of the ***current Rules and Regulations for the Isle of Capri***. The cost of replacement documents will be the responsibility of the Seller or Buyer.

Document Receipt Form. The buyer(s) must sign the *Isle of Capri Document Receipt Form*, acknowledging that all of the documents have been read, understood and that they will abide by the spirit and letter of the documentation, as written. This executed form must become a part of the sales contract. However, it is the responsibility of the Buyer(s) to execute this form, and ensure that it is returned to the Association. Buyers must also furnish proof that at least one person residing in the house is aged 55 years or older.

- C. Any occupants (other than homeowner) must submit proper application obtainable from the Property Manager.

2. RENTAL OF HOMES

- A. A lease must be for a minimum period of not less than ninety (90) days and no more than two (2) leases per home are permitted in any calendar year. At no time may more than a total of five percent (5%) of the units in the Community be the subject of a lease. (*Ref: Article 10.2 of the Declaration of Restrictive Covenants for Kings Isle as amended February 4, 2015*).
- B. All rentals must be approved by the Association.
- C. Homeowner is responsible to ensure that lessee has copies of all documents, and lessee adheres to these *Rules & Regulations*. The 55-year-old (or over) age rule also applies.

3. **INSURANCE CERTIFICATES**

Each homeowner is required to submit a homeowner's insurance certificate to the Isle of Capri Homeowner's Association annually to show adequate insurance coverage. *(Per Article 10, Section 4 of Kings Isle Documents).*

4. **CHILDREN AS RESIDENTS**

All residents must be over 18 years of age.

5. **PETS**

A. No animals of any kind shall be raised, bred or kept within the neighborhood, except that normal fish tanks and either two (2) domestic pets or animals (i.e., dogs or cats) not to exceed 25 lbs. each, or one (1) domestic pet (i.e., dog) not to exceed forty (40) pounds may be kept in each home. Any pet must be carried or kept on a leash when outside of a home. No pet shall be kept outside of a home unless someone is present in the home. Any pet must not be an unreasonable nuisance or annoyance to other residents of the Community. Resident shall pick up and remove any solid animal waste deposited by his/her pet in the Neighborhood. No commercial breeding of pets is permitted within the Community *(per Article XIV, Section 7 of Isle of Capri Documents)*. The Association may require any pet to be immediately and permanently removed from the Community due to a violation of this *Use Restriction*.

B. Exotic and/or wild creatures may NOT be kept as pets.

C. Wild animals are not to be fed at any time. No trapping or poisoning by homeowners is permissible. For any concerns, please notify Property Manager.

6. **APPLICATIONS and APPROVALS**

A. For most changes to outside appearance of a home and property, homeowners must first apply in writing to the **Architectural Review Committee (ARC)** or Paint Committee for approval. No exterior changes, modifications, additions or deletions of any kind may be made to the exterior of a home, including the roof, yard, and landscaping without prior written consent of the ARC. Application form must be filled out completely and contain detailed information, diagrams, and specific samples. All contractor work must be performed by licensed and insured companies and copies of license and insurance certificates must be attached. Forms can be obtained from the Customer Care Room in the Club House, the ARC Chairman, Paint Committee Chairman or the Property Manager. These committees are required to approve or disapprove the homeowner's request within thirty (30) days.

- B. All committees' decisions are based solely on the compliance to the **Rules and Regulations** and the overall appearance of the area in question.
- C. Regardless of anything to the contrary in these **Rules and Regulations**, there will be a \$50.00 fine for any homeowner making changes to the outside of his property without prior approval from ARC. This fine may add up to a maximum of \$1,000 violation. Any unapproved changes/modifications may be required to be restored to original status at owner's expense.
- D. Approval for the change to the outside appearance of a home is at the discretion of the ARC. The Capri Board has exclusive authority to rescind, modify, change, add, or delete any portions/changes or modifications.

7. **FLAGS and FLAG HOLDERS**

[Based on 2011 Florida Statutes 720.304 and Port St. Lucie City Code 155.04(5)]

- A. Any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag not larger than 4½ feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, Coast Guard, or a POW-MIA flag.
- B. Any homeowner may erect a freestanding flagpole (*with City of PSL permit and ARC approval*) no more than 20 feet high on any portion of the homeowner's real property if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement. The homeowner may further display, in a respectful manner from that flagpole, one official United States flag. The length of flag shall not exceed one-fourth (¼) of the length of the flagpole, i.e., 20-foot pole permits a flag three (3) feet wide by five (5) feet long. The homeowner may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marines, Coast Guard, or a POW-MIA Flag. Such additional flag must be equal in size to or smaller than the United States flag. The flagpole and display are subject to all building codes, zoning setbacks and other applicable City of Port St. Lucie codes.

Regulations

- Note: (1) A permit is required to install the flagpole foundation. The manufacturer's pole kit specifications and a copy of the plot plan are required with the application of the permit.
- (2) Flagpole cannot be located closer than 10 feet from property lines.
 - (3) In respect to the flag, it must be illuminated when displayed during the darkness.

8. DOOR DECORATIONS

Seasonal wreaths or similar decorations are allowed (*approval not required*).

9. LIGHTING and DECORATIONS

- A. Garden / path lights are allowed and must be contained within landscape beds so as not to impede on routine lawn care and mowing. The fixtures should be concealed whenever possible, and the lights must not shine into neighbors' windows.
- B. Ornaments, statues, and urns, no more than three (3) in number, and no taller or longer than 24" are allowed in flower beds (in planted area at the front of the house). Ornaments may be placed at the rear of the homes as long as they are not visible from the street, interfere with lawn care, and are removed before severe storm warnings.
- C. Holiday lights are allowed on the front of homes provided they are not excessive. Holiday decorations are permitted; however, any decorations placed on lawn areas may prevent routine maintenance and lawn care. The Association and/or their vendors are NOT responsible for any damage to lights or decorations. Decorations and lights must not be installed sooner than one month before the holiday, and must be removed no later than two weeks after the holiday.

10. GARAGE DOOR

- A. All replacement garage doors will be windowless. Any new doors installed must be white in color. (*ARC approval required.*)
- B. Garages may not be enclosed (*Article XIV, Use Restriction #2, Capri Document Book*) to obtain additional living space and must always be available for the storage of vehicles. This prohibition includes the permanent installation of screens in addition to, or in place of, the garage door. However, screening may be installed subject to the approval of the ARC Committee.
 - (1) The screening must not interfere with normal operation of the garage door and it must be retractable. The screen must be totally hidden from view when the screen door is raised or the garage door is closed.
 - (2) Actuating mechanisms, housings and any supporting tracks fastened to the top, left and right sides of garage door opening must be white in color and unobtrusive.

- (3) The screen material must be white in color and appear opaque from the street, hiding the garage contents from view.
 - (4) Screen material must be kept clean and in good condition.
- C. Garage doors and/or opaque white screen doors must be closed at all times, unless the garage is in use and also for safety purposes.

11. WATER SOFTENERS

Water softeners must be installed indoors.

12. CONCRETE WORK and TILE

- A. All concrete work must have prior ARC approval. City permits, as required, for concrete work must be obtained and displayed while work is in progress. Homeowners are responsible for proper pitch of surfaces so that water runs off without encumbering neighbors' property.
- B. Pre-manufactured plain concrete slabs or brick pavers may also be utilized, not to exceed an 8'x8' area (i.e., for gas grills), provided the committee is assured of proper maintenance and neatness of area involved.
- C. Tiles may be applied to front walkways, provided they conform to decor of the home. Tile samples must be submitted to ARC with application. Tiles may not be applied to driveways.
- D. Tiles or decorative concrete surfaces may be applied to lanai slab (*approval not required*).
- E. Poured in place concrete curbing may be used for edging. ARC approval is required.

13. EXTERIOR PAINTING and DECORATING

- A. Repainting of homes is subject to approval by the Paint Committee and request submitted on Paint/ ARC Committee forms with the following information:
 - (1) Per *KICA Rules and Regulations*, only licensed and insured contractors are allowed to perform these services in Kings Isle. The contractor's license and insurance certificates must be included with the form. The Committee can only approve your request if you select colors from the approved list. Once

you have made your color selection and filled out the architectural form, the form must be submitted to the Paint Committee for approval. This approval shall take no longer than thirty (30) days.

- (2) Color of the house – submit color sample from the *Capri Paint Manual* or exact match.
- (3) Color of trim – (doors and shutters must be the same color) submit sample from *Capri Paint Manual* or exact match.
- (4) None of the approved TRIM colors may be used to paint the BODY of the house.
- (5) All garage doors, soffits and fascia MUST remain WHITE. You may paint all bands, shutters and front doors white and/or your trim color. A third color, if used, must be white.
- (6) Overhead garage door, window frames, aluminum soffit grille, and screen enclosures are to be painted per manufacturers' instructions (*available from the Paint Committee Chairman*).
- (7) The homeowner may use any paint company, as long as the paint matches the colors in the *Capri Paint Manual*. However, a sample of that particular selection must accompany the form submitted to the Paint Committee and to the contractor/painter, along with a sample from the *Capri Paint Manual* in order that the similarities can be verified. If final painting is different from that submitted, repainting will be required at homeowner's expense.
- (8) Painting must not commence until Board's final approval. If painting begins prior to final approval and/or paint color differs from original Paint/ARC approval, repainting with approved color will be required.

B. Decorative Painting of Driveways and Walkways

- (1) Decorative designs are permitted on driveways with the Board's prior approval.
- (2) Approved stains may be applied to driveways/walkways, and must be an approved color per *Capri Paint Manual* or exact match.

C. Paver driveways and walkways consistent with those used in Capri Phase II may be installed. Color, shape and dimensions must be included in the ARC form.

14. ROOF COLORS

Roof colors must be approved by the ARC.

15. PARKING

- A. Parking on lawns is strictly prohibited at all times. Homeowner will be responsible for all damages and repairs.
- B. Overnight parking on a street is not permitted. Guests' cars should be parked in the driveway whenever possible. Additional guest parking is available in the club house parking areas.
- C. Owners'/Residents' automobiles shall be parked in the garage or driveway. There are prohibitions concerning commercial vehicles per *Article XIV Paragraph 6* of the *Isle of Capri Document Book*. Motorcycles and golf carts must be parked in the garage. No covered vehicles are permitted in the driveway.
- D. Motor Homes, Boats, Trailers, Campers, Conversion Vans, or any other Recreational Vehicle may only be left in the driveway overnight when preparing for a trip or when returning from a trip. At all other times, they must be kept in the garage or away from the community.
- E. Permission must be granted by the Property Management Company for PODS/dumpsters.

16. LANDSCAPING

- A. Homeowners may replace plants in existing beds with plants of like kind and quality (*approval not required*). Trees that are located in these beds are NOT considered to be part of the bed; therefore, ARC approval is required to remove/replace.
 - B. For all other landscaping, an application with an attached diagram must be submitted to the ARC and approved prior to beginning work. Diagram must specify location and type of plants/materials to be used. It is the contractor's responsibility to remove all debris/waste as a result of the work at the conclusion of each day's work.
- (1) **PLEASE NOTE:** No sod, topsoil, trees or shrubbery may be removed that would change the level of the land of such areas, or that would result in a permanent change in the flow and drainage of surface water. Owners may add additional plants, shrubs or trees on their home sites subject to the approval of

the ARC. Fruit trees are not allowed. For the complete list of trees not allowed, consult ARC.

- (2) Synthetic or artificial plant material in the form of flowers, plants, or other vegetation must NOT be used outside the home, and/or planted in the ground. Tasteful potted plants, urns, seating furniture and other decorative items are permitted within covered entrance areas and the front porches. Decorative stone and poured concrete edging are permitted in flower beds and around trees. *(ARC approval required.)*
- C. Landscaping must be maintained at a condition and height consistent with a groomed appearance. Overgrown, dead, dying, or otherwise unsightly landscape plants are not permitted.
- D. All tree removals /replacements must be approved by the ARC. Replacements, if required, must be with an approved tree. Consult ARC for approved list of trees.
- E. Sprinklers must NOT be operated by homeowners. Any damage to equipment caused by owner will be billed to the owner. Work orders must be submitted for repairs.
- F. Landscaping debris may not be placed outside for collection earlier than 5:00 PM Sunday for collection on Monday. If lawn debris and/or other waste (garbage) is placed at curb before stipulated times, a fine may be imposed.

17. HURRICANE PROTECTION

- A. All manners of hurricane protection may be installed or closed when imminent danger of hurricane is announced (hurricane watch) for our area and must be removed or opened within 72 hours after the National Weather service cancels danger. No manners of protection can remain closed while homeowner is away from the area after the storm. Arrangements must be made to have all manners of protection installed or closed or removed or opened in accordance with these guidelines. It is reasonable to treat all manners of hurricane protection equally. *(KICA Architectural and Landscaping Standards 1.1.6 Amendment dated April 26, 2019.)*
- B. Prior to the installation of hurricane protection, all information shall be submitted to the ARC for review and for final approval.
- C. Corrugated panel, accordion type, hurricane protection that pass the current *Florida Dade County Building Code* will be approved for installation. All components and hardware must be rust proof.

- D. The whole protection assembly must be white (except corrugated panels may be clear or natural color). The support angles and other hardware must be white.
- E. Accordion type components of the accordion shutter shall be aluminum with white finish.
- F. Hurricane panel components shall be of transparent or white polycarbonate plastic material, aluminum, or steel. The color of aluminum or steel panels must be natural or white.
- G. Hurricane protection may not be closed or panels installed prior to an official HURRICANE WATCH notice issued for our area, and must be removed within 72 hours from when the National Weather Service cancels the danger. Panels and other shutters MUST NOT remain installed /closed while homeowner is away from the area, with the exception that windows /sliders within the rear screened patio may be shuttered in the absence of the homeowner. This exception does not apply to a screened front porch. Arrangement must be made to have the rest of the home shuttered and opened in accordance with these instructions.
- H. Transparent wind resistant material may be installed only above the transom windows over the front door (s).

18. HURRICANE PREPAREDNESS

- A. The Neighborhood Association shall have no responsibility of any nature relating to any home in the event of severe storms or hurricanes.
- B. Generators
 - (1) Gasoline or propane generators may be operated ONLY during emergency situations, i.e., hurricanes.
 - (2) Generators may only be operated between 8:00 AM & 10:00 PM.
 - (3) Special situations, i.e., a medical machine, are to be handled on an individual basis by the Board of Directors.
 - (4) Generators may only be operated outside of the home. (See *Emergency Management Citizen Handbook*.)
 - (5) Gasoline and propane must be contained in a legal state approved container.

C. Patio Storm Preparation

- (1) In the event of severe storms or hurricanes, all exterior furniture, pots, and ornaments not secured must be taken indoors so as not to become wind-blown projectiles.
- (2) If homeowner is away for an extended period during hurricane season, they must prepare their patio for storms [*See (1) above*] or arrange for someone to do it for them.

19. MISCELLANEOUS DO's & DON'Ts

- A. Enclosure of patios by other than screening is NOT permitted. Enclosing the patio area to obtain additional living space is strictly prohibited.
- B. Kick plates to prevent cutting of screen by landscapers are permitted. Maximum height shall be 18 inches. Kick plates must be white aluminum or plastic.
(ARC approval required)
- C. A mechanical awning may be used on the inside of rear lanais. The awning must be secured in times of strong winds.
- D. Front entrance areas may be screened with proper ARC approval.
- E. Installation of gutters is permitted with ARC approval. Gutters must be white.
- F. NO signs are permitted (*except Security Systems Signs*).
- G. Homeowners are responsible for the cleanliness of the exterior of their home, including the removal of mildew from roofs, walls, mailboxes, walkway, driveways and patios.
- H. Fences or dividing walls are NOT permitted.
- I. Garbage and trash must be placed outside for collection no earlier than 5:00 PM on Tuesdays and/or Fridays. Garbage and trash MUST be placed in suitable covered containers. The containers must be stored inside when not at the curb for pickup.
- J. If the homeowner has an outside contractor do any work, the contractor must remove the debris at that time.

K. Wind chimes are NOT permitted.

L. Estate /Garage /Yard sales are NOT permitted.

20. LATE MAINTENANCE CHARGE COLLECTION PROCESS: After 30 days

- A. If assessments are not paid within thirty (30) days of the due date, the Association will send a late notice. The late notice will give the homeowner(s) fifteen (15) days to remit payment.
- B. If payment is not received within fifteen (15) days of sending the initial late notice, a late fee in the amount of \$25.00 will be imposed. The Association will then send a second late notice to the homeowner(s). The second late notice will notify the homeowner(s) that a late fee has been imposed and that all past due charges must be paid within ten (10) days.
- C. If payment is not received within ten (10) days of the second late notice, the Association may proceed with its legal remedies, including, but not limited to, a lien on the homeowner's property.

21. VIOLATION NOTICES, FINES and SUSPENSIONS

- A. If a homeowner or any other person is in violation of the governing documents, the Association will send an initial violation letter. This letter will require that the violation be corrected within thirty (30) days of the date of the letter and that the violator notify the Management Company once the violation has been corrected. The letter will also notify the violator that a fine and/or suspension will be imposed if the violation is not corrected. If a violator has previously received a violation letter and there is a repeat violation, the Association is not required to provide the violator with another violation letter. In addition, the time frame for compliance may vary for the type of violation. For example, if an owner parks on the grass, the owner will be required to correct the violation immediately.
- B. If the violation is not corrected within the time frame set forth in the initial violation letter or there is a repeat violation, the Board of Directors will determine whether a fine and/or suspension should be imposed. If the Board determines to impose a fine and/or a suspension, a letter will be sent to the violator notifying him/her of such fine and/or suspension and providing the violator with an opportunity for a hearing before the Hearing Committee (the "Committee"). Fines will be levied in

the amount of \$50.00 per day for each day of the violation. The maximum amount of fines for any one violation is \$1,000.00.

- C. If a violator requests a hearing, the violator will be notified of the date, time, and location of the hearing at least 14 days prior to the hearing.
- D. After conducting the hearing, the Committee will determine whether the fine and/or suspension should be confirmed or rejected. The Committee shall not increase, decrease, or otherwise negotiate a fine or suspension. If the fine or suspension is rejected by the Committee, the fine or suspension may not be imposed.
- E. Once a decision has been made by the Committee, the Committee will notify the Board of Directors of its decision. The Association will then send a letter to the violator notifying him or her of the decision. If fines and/or suspension have been imposed, the violator will be given 30 days to remit payment.
- F. If the fine is not paid within the allotted time frame or further action is required to remedy the violation, the matter will be turned over to legal counsel for enforcement. In the event of an emergency, the Association may proceed immediately with its legal remedies to correct any violation and compel compliance. The legal remedies set forth in these *Rules and Regulations*, as well as the *Declaration of Covenants, Restrictions and Easements* and *Bylaws* are cumulative, and none of the remedies shall be deemed exclusive.

22. USE RESTRICTIONS

The following is a summary of the **Use Restrictions** as imposed by *Article XIV of the Document Book for Isle of Capri*. This **Rules and Regulations** document forms a part of the *Use Restrictions* under paragraph 22.

(Ref. Article XIV)

- *No trade or business may be conducted.*
- *Garages and/or lanais may not be enclosed for additional living space.*
- *Outside storage of personal property is not allowed.*
- *Portable and/or temporary buildings are not allowed.*
- *Garbage and trash may only be put out after 5:00 pm.*
- *Parking restrictions.*
- *Pet restrictions.*
- *Satellite dishes permitted with ARC approval.*
- *Signs must not be placed in or upon any home or home site.*
- *No window or through the wall air conditioner installations.*
- *Any window decoration must be tasteful.*
- *Private wells or septic systems are not permitted.*
- *You cannot dig for oil or minerals on your property.*
- *No obstructions to visibility at intersections.*
- *Barbecues may only be located at the rear of the homesite.*
- *Approval must be obtained for landscaping.*
- *Rentals are to be handled as per #2.*
- *Home may be used as a residence for only one family.*

Receipt of Documents

I, the undersigned, hereby _____
(print name)

acknowledge **receipt** of the *current Association Documents* and
Rules and Regulations of the **Isle of Capri** in Kings Isle.

Homeowner Signature

Date

Printed Name

Property Address: _____