

RULES AND REGULATIONS

CAPE SABLE LAKES COMMUNITY ASSOCIATION, INC.

A Covenant Restricted, 55 and Older Community

March 2009

The following Rules and Regulations apply to all Cape Sable Lake's owners, tenants, residents, overnight guests and daytime visitors. Compliance is essential to avoid violation proceedings and to ensure Cape Sable Lake's remains a nice, friendly place to live and a community we can all be proud of.

PRIMARY GOVERNING DOCUMENTS: Federal Housing and Urban Development (HUD) "Fair Housing" Regulations, Florida Statutes for "Homeowners' Associations", "Housing for Older Persons" and "Public Swimming Pools and Bathing Places," Collier County Applicable Ordinances on Vehicles, Traffic, Parking, Animals, Water Use, Noise, Litter, Signs, Building and Land Development, CSL Community Association Inc. Articles of Incorporation, Cape Sable Lakes (CSL) Community Association Inc., Declaration of Protective Covenants, Conditions and Restrictions which includes the 55 years of age and over provision, and CSL Community Association Inc., By-Laws.

(1) MANAGEMENT:

(1a) The BOARD OF DIRECTORS shall maintain, operate and manage the mobile home residential community in accordance with the terms and provisions of the above Governing Documents and shall have the authority to exercise complete and exclusive control and management of the common areas and to regulate the ownership, use and occupancy of subdivision lots located in the community.

(1b) The Association absolves itself from all liability or responsibility pertaining to loss by fire, theft, accident or other cause.

(1c) Dates and times of Board of Directors Meetings and Member meetings are posted on the community channel; or by roadside sign posted in front of the clubhouse.

(2) OWNERSHIP AND OCCUPANCY:

(2a) Prior to the purchase of any property in the community, the prospective owner must obtain Board of Directors' approval by submitting the required application and information; along with the processing fee. The information is then evaluated and discussed during the interview process. Purchase of the property shall not be finalized until a formal Certificate of Approval and membership into the association has been granted. Although an Owner does not have to be 55 or older, no one may be a Resident unless there is at least one approved Resident 55 years of age or older living in the home. There can be no Residents under 18 years of age.

(2b) Prior to Non Owner Residents or Tenants moving in, they must obtain Board of Directors approval by submitting the required application and information; along with the processing fee. The information is then evaluated and discussed during the interview process. Occupancy shall not occur until notice of approval in writing has been received.

(2c) The above Applicants authorize the release of relevant criminal and financial background information which must comply with the Board of Directors approved Good Cause Disapproval criteria in order to be approved.

(2d) Guests are defined as occupants who stay 60 or fewer days per calendar year (they are not age restricted.) Guests do not need occupancy approval, but the owner shall be held responsible for their behavior and for compliance with the Association's Governing Documents. If the guests will be occupying the home in the absence of the owner, the owner must advise the Association Secretary of their names, addresses and dates of stay. Short term renters for 60 days or less are treated the same as Guests. Anyone planning to occupy a home for more than 60 days per calendar year must file an application and approval prior to moving in.

(2e) The 55 and Older restrictions require that there must be at least one Resident 55 years of age or older living in the home in order for anyone else under 55 years of age to be considered a resident. Residents under 18 years of age are not permitted. If those 55 and older move out, no one under 55 years of age may continue to reside and must vacate within 60 days. Hardship exemptions may be granted by the Board of Directors for surviving co-habitants and heirs provided they are 18 years of age or older and the action does not jeopardize the 55 and older status of the community.

(3) ASSOCIATION MAINTENANCE FEES:

(3a) Maintenance Fees are assessed monthly and are payable in advance on the first day of each month. There is a 15 day grace period but if the payment is not received and deposited within the 15 days of the due date, late fees and interest are retroactive to the due date. The Maintenance Fees cover:

- Professional Services such as Property Management, Accounting and Legal.

- Amenities such as the Clubhouse, Cabana, Two heated Swimming Pools and Two 4 Acre Lakes.
- Community Services such as local Sewer System and Irrigation Water.
- Household Services such as Basic and Standard Tier Cable TV, Community Channel and Lawn Mowing.

Typical Owner responsibility expenses are:

- Water, County Sewer, Electric, Telephone, Internet, Lawn and shrub care, Pest Control, Insurance and Property Taxes which include trash pickup.

(4) YARDS, LAWNS, LAKES AND WATER USE:

(4a) Both municipal and lake water use are regulated by South West Florida Water Management and the Collier County Water District and are enforced by Code Enforcement. Water Irrigation Regulations detail the times and days of the week for irrigation restrictions as well as other outdoor water use restrictions.

(4b) Owners and residents are responsible for irrigation, fertilization, weed control, pest control, raking, bed planting, weeding and mulching and are required to keep shrubs and trees trimmed at all times. Planting of trees, shrubs and flowers is encouraged. However, anything which hinders practical lawn mowing will require that the resident to cut their own grass.

(4c) Sprinkler heads should be constructed to recede into the ground; thus allowing lawn mowing to be conducted without contact to the sprinkler heads. The association,

nor, contracted lawn services will not be responsible for sprinkler heads damaged by the lawn mower due to the sprinkler head not receding into the ground as required.

(4d) Fences are permitted with the approval of the Board of Directors, only on the portions of the property to the rear of the mobile home. All fences must meet county ordinances. Fences must be chain link and not exceeding 48" in height to maintain lateral lake views. Fences must have gates sufficiently wide enough to allow lawn mower access or it will be the owner's responsibility for lawn care in these areas.

(4e) Passenger motor boats are not permitted on the lakes except for Board approved maintenance. People powered boats such as rowboats, canoes, paddle boats and toy boats are permitted provided they do not violate the privacy and quiet enjoyment provisions of Section 14. Fishing is permitted but feeding the fish or birds is prohibited.

(5) CLUBHOUSE, CABANA, AND POOL FACILITIES:

(5a) Swimming Pools are provided as a privilege for Owners, Tenants, Residents and their guests ONLY.

(5b) POOL RULES AND REGULATIONS ARE AS FOLLOWS:

(5b.1) Pool use is limited to daylight hours.

(5b.2) NO GLASS containers within 10 feet of the fenced pool area.

(5b.3) No pets or animals of any kind in the fenced pool areas.

(5b.4) No plug-in electrical equipment (i.e. audio or video) within 10 feet of the water's edge.

(5b.5) No food or drink in the pool or on the pool deck. The pool deck is defined as the portion of the concrete within 4 feet of the water's edge.

(5b.6) Proper swimwear is required - i.e. no cut offs.

(5b.7) Everyone must shower before entering the pool.

(5b.8) NO DIVING into the pool.

(5b.9) No running or horseplay in the fenced pool area.

(5b.10) No use of the safety equipment (i.e. life ring or life hook) except in an emergency.

(5b.11) Safety line/rope may be removed to swim laps but must be replaced when finished.

(5b.12) Any damage to the pool facilities by owners, residents, tenants or guests will be repaired with the full cost plus 10% assessed to the legally relevant owner.

(6) CLUBHOUSE FACILITIES:

(6a) The Clubhouse Facilities and Recreation Room are provided as a privilege for Owners, Tenants, Residents and their Guests.

(6b) The Clubhouse and Recreation Facilities may be used for specific occasions by Owners, Residents and approved Associations/Affiliations (i.e. Church Groups) upon payment in advance of a \$100.00 reservation fee. Reservations must be coordinated in

advance and approved by the President of the Board of Directors or his/her designee. If the clubhouse is left in clean and good order condition, one-half of the deposit will be refunded, only after an inspection of the premises by an authorized individual. The President of the Board of Directors will appoint the authorized inspection individual. If an approved owner, tenant, resident or association/affiliation wish to use the clubhouse facility on a reoccurring basis a reduced fee/amount may be approved by the Board of Directors. If an approved owner, tenant, or resident whose group/individuals number does not exceed 20 people, the reservation fee may be waived by the President of the Board of Directors or his/her designee. An approved owner, tenant, or resident may still be subject to the reservation fee should the clubhouse not be left in a clean and good orderly condition. Approved owners, tenants or residents should understand clubhouse and recreation facilities are provided as a privilege.

(6c) The clubhouse may not be used for any private activity where money is exchanged for admission, food or drinks. Events that are open to all owners and residents and run by an authorized group such as the Men's or Women's club can charge an admission fee provided their treasure keeps records that are open for review.

(6d) The Cabana and pool areas may be used any time by groups of residents but private activities require the permission of the Board President.

(6e) The last person leaving the clubhouse, cabana or pool is responsible for turning the clubhouse thermostat up to 85 degrees, turning off all lights, and for making sure all doors and gates are locked.

(7) HOMES:

(7a) Every resident is expected to keep his/her home and yard in a neat, clean and orderly condition. An approved utility area is required for items stored outside the home, and must be placed within the carport or directly behind the home.

(7b) Owners and residents are required to keep their home exterior in a neat condition and in good repair. Homes should be painted when necessary and free of stains and mildew. The color of paint must be approved by the Board of Directors prior to painting.

(7c) Each mobile home must be neatly skirted and have an enclosed patio/lanai, a paved driveway, and a carport (exception of those homes already grandfathered prior to this rule being established.)

(7d) A home which is in rundown condition, disrepair, and which does not conform to other reasonable standards, is subject to legal action by the Association.

(8) PROPERTY:

(8a) The Association (designated representatives) reserves the right (but shall have no obligation); after prior notification has failed, to enter upon all lots, to care for, remove rubbish from, and keep all lots from creating an unsightly appearance, and to charge the owner of the lot. The charge for any action will be the actual cost plus 10% for any services performed. Please let our Property Management services know the name and telephone number of your caretaker while you are away.

(8b) Prior to applying for or obtaining for a building permit for any new structure such as a home addition, carport, screen room, shed, fence, or other improvements to a

property or lot, a detailed plan showing the location of the home and the improvement(s) must be submitted to the Board of Directors for approval. Only with written approval from the Board of Directors can an owner proceed.

(9) VEHICLES AND PARKING:

(9a) Except for short term active construction, maintenance, loading or unloading, parking shall be limited to vehicles having a rated load capacity of one ton or less, and do not exceed 7.5 ft. in height, nor 7.0 ft. in width, nor 25 ft. in length.

(9b) No parking is permitted on the residential grass or the roadway.

(9c) Motor homes, RVs, ATVs, campers, boats, and trailers may only be parked or stored in a carport.

(9d) Any vehicle or such recreational equipment in disrepair or without a current license plate may not be parked or stored on any property.

(9e) No mechanical or repair work may be performed on any such equipment or vehicles on any property unless approved by the Board of Directors.

(9f) Visitors may park a recreational vehicle on a driveway for a maximum of one (1) week, provided they obtain a one (1) week temporary use permit from Code Enforcement.

(9g) No go carts, ATVs or other unlicensed vehicles may be driven in the Community.

(9h) The speed limit in the community is 25 miles per hour and is enforced by Collier County. Speeding is dangerous to bicycles and pedestrians.

(10) ANIMALS:

(10a) No more than two (2) domestic pets are permitted at any home.

(10b) All domestic pets must be kept indoors, except when such pet(s) need to be outside for exercise and “calls of nature”.

(10c) All domestic pets must be kept on a leash and under control of the owner when outside the home; this includes but is not limited to the owners property.

(10d) Owners (or owner designated responsible party) must clean up after their animals, which includes, but is not limited to, the owner’s own property.

(10e) Barking dogs, screeching cats and any other noisy pets that become a repetitive annoyance must be silenced. Owners will bear the responsibility and penalties if Animal Control is notified.

(10f) Violations that may involve the capture and removal of a said pet by the order of the Board of Directors or by Animal Control whereby two (2) or more separate residents initiate an investigation that may result in a citation.

(10g) Animals such as turkeys, chickens, ducks, geese, pigs, horses, cows, goats, snakes, and hogs are not permitted.

(10h) Do not feed wild animals such as feral domestic cats, ducks, raccoons, possums, fox, armadillos, turtles or alligators.

Collier County Laws state that...

- **All Dogs And Cats Must Be Licensed** with the County and vaccinated for rabies by the age of three months. This must be done annually.

- To license your pet, you may apply for a license and pay through your local veterinarian or visit DAS at 7610 Davis Blvd. in Naples, FL.
- All licenses must be **Attached To The Collar Of The Animal**.
- Dogs and cats are **Not Allowed To Run Loose!** Animals must always be confined to your property or walked on a leash!
- Beaches, parks, and especially **School Grounds Are Off Limits**.
- Dogs are **Not Allowed To Snap, Growl, Jump On,** or otherwise **Threaten** persons using the public right-of-ways.
- Dogs and cats are **Not Allowed To Create A Sanitary Nuisance**. Pick up after your pets.
- Animals are not allowed to disturb the peace and quiet of the neighborhood.
- OTHER State and Collier County Laws which may apply include Humane Treatment, Dangerous Dog Laws

(11) WASHERS, DRYERS and CLOTHES LINES:

(11a) Washing machines and dryers will not be allowed outside of the home unless inside of an approved utility shed. Wastewater must be discharged to the home sewer connection.

(11b) Only umbrella-type clothes lines will be allowed in the community and must be placed to the rear of the home.

(12) MAIL BOXES AND SIGNS:

Owners are responsible for erecting a mailbox that complies with Postal Service specifications and displays the street number. Only Real Estate “For Sale” signs and Construction signs during construction work are permitted. Temporary Yard/Garage Sale signs are allowed if a County permit is issued.

(13) BICYCLES AND PEDESTRAINS:

Persons riding on the streets have the same rights and duties as drivers of motor vehicles. This means riding on the right side of the street and using hand signals for turns. When riding a bicycle after dusk, light-colored clothing and lit bicycle lights are mandatory.

(14) QUIET ENJOYMENT:

Due to the close proximity of homes, privacy and quiet enjoyment are a major concern. Please be considerate of your neighbors, do not trespass on other's property and avoid excessive noise. Audio equipment such as televisions, radios and players should be directed and set at low sound levels to minimize their impact to neighbors. Noise is subject to Collier County Ordinance and Code Enforcement.

(15) QUESTIONS OR PROBLEMS:

If anyone has a question or a problem with these Rules and Regulations, they may bring it to the attention of the Board of Directors.

(16) UNLESS OTHERWISE ADDRESSED:

All county rules, regulations, and ordinance will be the governing guidance for our community.