

TAMARAC

By-THE-GULF, INC.

RULES & REGULATIONS

DATE OF ISSUE

September 2014

Revised:

July, 1994
September, 2003
March, 2004
January, 2005
April, 2008
April, 2009
December, 2009
May 2011
April 2012
March 2013
Sept. 2014

RULES & REGULATIONS

Tamarac By-The-Gulf Subdivision is a deed-restricted community. The deed restrictions are in compliance with Federal and State laws concerning communities intended to provide housing for residents fifty-five (55) years of age or older. Each lot in Tamarac By-The-Gulf is required to have at least one resident fifty-five (55) years of age or older. Tamarac By-The-Gulf, maintains records that are in compliance with the governmental age requirements. It is required that new residents meet with the Tamarac By-The-Gulf Registration Committee to provide proof of age prior to taking occupancy of any residence in the Tamarac By-The-Gulf subdivision. The deed restrictions state, the owner of each lot within the subdivision shall be a member of Tamarac By-The-Gulf, Inc., a Florida not for profit corporation, hereinafter referred to as "Association". This Association is managed by its board of directors. The Tamarac By-The-Gulf lot owners Association holds it's annual meeting in December, to elect the board of directors. For the purpose of maintaining the subdivision by the high standards, the Board of Directors issues rules and regulations. Each lot owner shall comply with the deed restrictions and rules and regulations, and are responsible that their residents, guests and renters, if any, also comply. All lot owners and renters are required to read and clearly understand all articles in the Rules and Regulations. A fifty dollar (\$50) fee is required at time of registration.

1. ARCHITECTURAL GUIDELINES

Article 2 of the deed restrictions states that an owner must contact the Architectural Committee before starting or contracting exterior alterations or additions to their property. A drawing, written description of the plan, survey if required, and written request for approval by the Committee must be made. This deed restriction has no effect on the requirement that any pertinent Pinellas County Building Code regulations or Permits may be necessary. The requirement to obtain Committee approval for alterations is strictly enforced by the Association.

2. BILL COLLECTION POLICY

Maintenance Fees are due on the 3rd of the month and are considered delinquent after the 10th of the month. When an account becomes delinquent the following actions are taken:

1. The Association's accountant mails a past due notice to the debtor.
2. If the account is still past due a second month, the accountant will notify the association's attorney, to begin the collection process.
3. The attorney is directed to take whatever legal action necessary to collect the amount due which may include bill collection costs, legal fees, placing liens on property and suits for foreclosure.

3. WATER RESTRICTIONS

Watering of lawns is regulated by Pinellas County Utilities and by Southwest Florida Water Management District. Tamarac By-The-Gulf Subdivision has an irrigation system that services all lots and common areas. The control system setting up the watering times uses the latest technology and is not to be tampered with by any unauthorized person or lot owner. Residents may be responsible for damage to the irrigation system on their property. Potable water in the home costs substantially more than the water used by the irrigation system. Water at the hose bib is potable water.

1. When hand watering flowers, shrubs, etc. a device with an automatic shut off is required by Pinellas County regulations.

2. Soaker hoses are not permitted for use in the Tamarac Subdivision.
3. The irrigation pipes on each lot are Tamarac By-The-Gulf, Inc.'s property. The system is engineered and operated so as to have sufficient water pressure in each zone. No modifications, changes or additions of sprinkler heads are permitted.

4. SWIMMING POOL REGULATIONS

1. Posted Florida Board of Health and Bureau of Sanitation rules must be complied with when using the pool.
2. Only Tamarac By-The-Gulf residents and guests are permitted in the pool area. Residents are responsible for their guests and must accompany them and/or sign their guest into the Pool area guest book before leaving.
3. Children under three (3) years of age are not permitted in the pool. Children ages three (3) to sixteen (16) must be accompanied by a responsible adult.
4. Everyone must shower before initially entering the pool.
- 5.. No food or drink is permitted in the pool and/or on the pool deck (pool deck consists of the five (5) ft. walkway around the pool). Food and drink are permitted only at the tables and under the veranda.
6. No glassware is permitted at any time, anywhere inside the fenced area of the pool.
7. Fins, snorkels and inflatable floats **are not permitted**. Noodle type floats are permitted.
8. Pool gates must be locked at all times.
9. No diving, jumping or running is allowed in the pool area.
10. No animals are permitted in the pool area.
11. Umbrellas are to be closed when not in use.
12. ***Never swim alone. Follow rules posted in the pool area. The pool is open until dusk daily. The pool is closed 7:00 AM until 1:00 PM every Monday except for Holidays for maintenance. The pool is also closed from 7:00 A.M. to 9:00 A.M. Tuesday through Friday each week for cleaning.***

5. CLUB HOUSE

1. The Activities Committee Chairperson schedules all events that use the Club House.
2. Association members may reserve the Club House for private events. The owner who makes the reservation is responsible for insuring that the Club House is left in the same condition at the close of their event as when they took possession. The resident renting the clubhouse must be present at all times while the clubhouse is being used. There is a fee charged for the use of the Club House for private events. The rental fee is \$50.00 dollars. There is also a \$100.00 refundable deposit, which may be used to cover any damage that may occur.
3. The Club House is for the use and entertainment of Association members and is not to be used for any commercial event or promotion.
4. Use of the pool table and shuffleboard courts is for Association members and their guests. Members must be present with their guests when using clubhouse amenities. Damage to the equipment by a member or their guest, shall be paid for by that member.
5. **Community events supercede all non-rental activities using the clubhouse.**
6. **Clubhouse and Pool Keys:** When an owner sells their house, the keys must be given to the new owner, otherwise, at closing the seller will be responsible for a \$25.00 fee per key. Owners that lose a key, will have to buy a new key at a cost of \$25.00 per key.

6. VEHICLES

A. PARKING – GENERAL

1. The parking or storage of automobiles is permitted only on paved areas
2. The overnight parking or storage of trucks or commercial vehicles in excess of 1/2 ton rated capacity is prohibited. The maximum size vehicle that a homeowner may park in Tamarac By-The-Gulf is:
Width 7.0' (seven feet, zero inches)
Height 8.0' (eight feet, zero inches)
Length 18.0' (eighteen feet, zero inches)
3. The overnight parking of vehicles of any kind on Tamarac By-The-Gulf streets is prohibited.
4. No vehicle that is not in operating condition or properly registered and licensed shall be parked anywhere in the subdivision.

B. CLUB HOUSE PARKING/POOL PARKING

1. No overnight parking is permitted unless prior approval has been received and a Parking Permit has been obtained from a Regional Director or other member of the Board. This Parking Permit must be displayed on the left side of the vehicle's dashboard so as to be visible through the windshield. Permission for parking in this area is permitted for limited time, of up to seven days and may be extended by the Board Member issuing the permit for unusual circumstances.
2. Use of this designated parking area is specifically for the homeowners participating in club house/pool activities as well as others doing business at Tamarac By-The-Gulf.

These spaces are not for regular personal use of homeowners.

3. Parking in this area is at the owner's risk.
5. Golf carts will park in regular parking spaces, not on Clubhouse lawn.

C. VEHICLE REPAIRS

Extensive repairs, servicing and/or painting of vehicles, boats, and campers is prohibited in private driveways, and on Tamarac By-The-Gulf streets, or in the Clubhouse parking area. Minor repairs being done in a residents driveway are not to exceed a 24 hour period.

7. MOVING AND STORAGE CONTAINERS/PODS

Temporary Storage Containers, including "PODS" and similar containers by other names, are allowed in a resident's driveway when in the process of moving in or out for period up to 10 days. A permit must first be obtained from a Regional Director.

8. GARBAGE COLLECTION

1. Garbage and other waste is collected on Tuesdays and Fridays
2. Recyclables are a separate collection on Fridays. Use the container provided.
3. Containers, bags or bundles should not exceed 50 pounds
4. Small limbs no more than three (3) inches in diameter and tied in bundles no more than four (4) feet in length are acceptable.
5. This service is for residential trash only; no construction or commercial refuse or items deemed hazardous waste are acceptable.
6. All trash and garbage for collection shall not be placed at the curb before 7 P.M. the evening before scheduled pick-up, 5 P.M. during the winter months.
7. Household trash must be in a can with a lid. Yard clean-up may be bagged or tied up at curb.

9. PAINTING

1. White must be maintained as the basic color of all surfaces of every house. Every house may have one (1) accent trim color. The front door & shutters are considered trim, and may be painted with a trim color. Front doors can be painted white or the Trim Color. Front doors with picture frame molding on them, may accent the molding in white or the trim color, and the homeowner shall be responsible for painting of the door if the molding is painted with an accent color. Tamarac's painter will paint front doors a solid color. In addition, front doors that are stained and varnished are allowed, but must be maintained by the homeowners.
2. All garage doors must be painted white. All side doors and back doors must be painted white. No doors of any kind may be painted checkerboard.
3. All planter boxes must be painted white, unless they were originally made of natural brick. All outdoor lighting fixtures must be kept in the original finish as when purchased. If the outdoor light fixtures need to be painted, they must be painted white or black. All hardware (hinges, door knobs, mail slots etc.) must be in the original finish as purchased. If hardware needs to be painted, it must be painted to match the surfaces it's attached to. House numbers may be in the original finish as purchased or if painted, must be black. All Wrought Iron must be painted White or Black, and must be maintained and painted by the homeowner. The association will scrape, apply primer and caulk minor cracks up to 1/8 inch, where necessary.
4. **All other repairs are the responsibility of the homeowner, and must be made before the painter starts painting. All plants, trees, or shrubs, must be kept trimmed so as not to touch any painted surfaces of the house and must be trimmed back 15" prior to painting, to allow the painter easy access.**
5. Failure to have your house ready for painting will result in a delay of having your house painted.
6. Homeowners who wish to paint their own house may do so at their own expense. Tamarac will not supply the paint. Homeowners must buy their own paint. **No Tamarac permit is required.** The color must be standard white. The following paints are required. Porter porter-sept PP3935 satin finish white is for roofs, and the main house structure. Porter Acri-shield semi-gloss in white or trim colors is for doors and shutters.
7. Tamarac will paint the original two (2) pairs of shutters on the front of the house as part of the painting of the houses. Any additional shutter painting will be billed to the homeowner at \$15 per pair of shutters with a maximum amount of \$100.00.
8. The sidelite window on front doors may be painted to match the same color as the front door. The front door frame and casing must remain white.

10. SIGNS

Article 7 of the Deed Restrictions states that no signs are permitted on any lots in Tamarac, unless prior approval is given by the Architectural Committee. The Board has the authority to authorize exceptions to this restriction. Some exceptions are

1. House for sale signs are permitted. They must be placed within three feet of the house. The sign must be promptly removed within twenty four (24) hours of the closing.
2. Contractor signs may be placed near the house only while work is in progress. They must be promptly removed within twenty four (24) hours upon completion of work.
3. Political signs may be placed within three feet of the house, 30 days prior to the election and must be promptly removed within twenty four (24) hours after the election.
4. Home security system signs and those considered as holiday decorations.

11. HIRED CONTRACTORS

1. Lot owners are responsible for the conduct of their contractors and sub-contractors.
2. Before digging maintenance must be contacted so as to avoid damage to Tamarac By-The-Gulf infrastructure.
3. No vehicles are permitted on lawn areas.
4. Dumpsters are not allowed overnight.
5. Contractor vehicles, equipment or trailers are not permitted to park on streets overnight.
6. All trash and debris must be removed by the contractor upon completion of the work.
7. Loud music, profanity and/or unnecessary noise are prohibited.
8. Contractors are not permitted to work on Sundays, except in the event of an emergency.

12. PETS

1. All pets must be on a leash in the Tamarac Subdivision.
2. Pet waste must be removed at once by person attending the pet.
3. Pet owners must keep their pets off all other homeowners property.
4. **There is a maximum of two (2) dogs allowed per residence.**

13. GARAGE – ESTATE – YARD SALES

Each resident is permitted no more than **two** *(2) personal property sales in a twelve (12) month period. A sale may last no longer than three (3) consecutive days. The homeowner having the sale shall contact the Yard Sale Chairperson to insure compliance with the following conditions:

1. Homeowners must have a permit, which must be posted in their front window during the sale. Only **four** *(4) permits will be issued for sales to be conducted on the same day in the community. All permits must be applied for at least two (2) weeks prior to the sale.
2. Homeowners must obtain traffic cones from Tamarac By-The-Gulf, which they will place in the street at the curb on the opposite side of the street from the residence that is having the sale. The traffic cones should be in place during the sale, to signal that parking is permitted on only one side of the street. There is a Fifty Dollar (\$50.00) deposit required. This deposit will be refunded when the cones are returned to Tamarac maintenance.
3. When a homeowner uses a professional company to conduct a sale, the outside company is required to post a refundable \$100.00 bond to cover any clean up and or repair that may be necessary after the sale. And at no time will the parties conducting the sale allow parking on lawns, or in front of other homeowner's driveways.
4. No OUTSIDE MERCHANDISE may be brought in for a sale.
5. **Tamarac By-The-Gulf reserves the right to stop a sale immediately and if necessary to close off the street to all but local residents, if the previous rules are not followed.**

14. LANDSCAPING

1. Homeowners must contact the Maintenance Department before planting to prevent damage to our infra-structure.

2. Homeowners are responsible for the care and trimming of flowers, plants, shrubs and trees on their lot. If the owner lives elsewhere, they are required to make arrangements to have the above services performed during their absence. Call the Maintenance Office if you need assistance, with finding a company to perform maintenance in your absence. Failure to maintain your property including weeding, may result in the Association hiring an outside lawn maintenance company, at the individual homeowners expense. All plants must be kept neat and trimmed at all times and must not be allowed to touch the house or any painted surface. Foliage near the house must be maintained below the roof line.
3. Tamarac by-the-Gulf contracts for lawn mowing, fertilizing and weed control. Plantings and landscaping by homeowners should take into consideration the lawn service so as not to impede lawn mowing. The following rules must be observed:
 4. Plantings in the yard must have a grass patch interval between other plantings, lighting, edgings and structures of five feet (60 inches).
 5. Plantings that are four (4) feet or closer to the house must be enclosed by a planter box or planter bed. There shall be no grass growing between the house and these types of plantings.
 6. Small trees that have branches, which are five feet or less from the ground, must have a ring on the ground the diameter of the branches. All large trees must have branches trimmed to a height of six (6) feet to allow passage of the mowers beneath them.
 7. Planting along the driveway is permitted with prior approval from the Lawn and Landscape Committee.
 8. Fruit that falls to the ground from trees must be disposed of by the homeowner in a timely manor. Fruit rotting on the ground draws fruit rats and other vermin.
 9. Homeowners are responsible to trim grass away from their air conditioner compressor.
 10. No plantings are allowed within five (5) feet of utility poles, irrigation valves, main irrigation lines, irrigation control boxes, irrigation rain gauges, potable water valves, main water lines, storm water pipes, storm water manholes, or any other infrastructure items. There are no plantings on property lines or in the utility easements. The homeowner will be responsible for the cost of damages to the infrastructure, caused by plantings.
 11. Any time gravel and/or rock are used in plant beds, the plant bed must be surrounded by some type of hard landscape edging.
 12. Exposed tree stumps must be removed or cut down to below ground level.
 13. Dog run cables are not allowed.
 14. Clothes lines must be removed when mowing is in progress, at night, and at all times when not in use. We strongly discourage the outdoor drying of clothes on Sunday.
 15. Homeowners are not to interact with employees of the lawn care contractor in a negative manor. Suggestions, criticisms or complaints should be referred to the Maintenance Department.
 16. Landscape/low voltage and/or solar lighting must be enclosed in a landscape bed.
 17. The use of rain barrels is not permitted in the community. They encourage the growth and spread of mosquitos.

15. LEASES

No property may be leased more than one (1) time in any six (6) month time period.

16. VOTING

Voting Clarification of Bylaws of Tamarac By-The-Gulf, Inc. Section 2 of Article VII:

1. The nominating committee is to provide to the association a slate of candidates at the November membership meeting;
2. The election of members to the Board of Directors is to be held at the December membership meeting;
3. Nominations of candidates from the floor may be made at either the November or December membership meeting;
4. A nominee for election to the Board of Directors must either be present at the December membership meeting to express his/her desire to serve or prior to said meeting provide the association with a written acknowledgement of said desire;
5. The ballot for election of members to the Board of Directors should not be prepared prior to the close of nominations on the night the elections are held.
6. There are no provisions for write in nominations or write in votes at the annual meeting.

17. ASSESSMENT OF PENALTIES

A lot owner may be assessed a penalty for violation of these Rules and Regulations. In most instances the following steps may be taken.

1. A written notice of the violation is given to the lot owner.
2. A reasonable time to correct the violation is given.
3. If the violation continues, a written notice is given the lot owner that the Board may levy an assessment at its next meeting-
4. Continued violation of the regulation may result in additional assessments of one hundred dollars (\$100) for each additional day of violation up to a maximum of \$1,000.00.
5. The lot owner has 14 days to meet with the Appeals Committee if he/she so desires.
This Committee will consists of three members appointed by the board who are not officers, directors, or employees of the association. A new committee will be appointed each time an appeal is requested, by a homeowner. The Appeals Committee will report it's recommendation to the board.
6. The Board reserves the right to go to court and/or red tag a homeowner's file to allow for a future payment when the property changes ownership.
7. **The Statutes, Section 720.305 also provides for the ability of the Association to suspend an owner's use of rights for the common property for violations of the Governing Documents.**

18. BOARD OF DIRECTORS MEETING PROCEDURES

The Board of Directors meet the Friday prior to the HOA Meeting at 9:00 A.M. The office will post agenda items to be covered 48 hours in advance of the meeting. Those wishing to address an agenda item need to sign up for the agenda item number on the sign-up sheet attached to the procedures. If a homeowner's comment is repetitive to that which another homeowner has presented, the homeowner may withdraw the opportunity to speak when called upon by the chair. Homeowners will be called to speak by the chair for up to three (3) minutes. Comments should be a **"declarative" statement only. There will be no question and answer period.** No comments will be made by the Board unless the Chair asks for further clarification. Speakers will be called at the beginning of each agenda item. Those wishing to address an agenda item must follow the procedures as posted.