

BOCA RIO TOWNHOME ASSOCIATION, INC.

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RULES AND REGULATIONS

Your Homeowners Association wishes to maintain a beautiful but economically well managed community and to effectively discharge its duties under the Declaration of Covenants, the Articles of Incorporation and By Laws for the Boca Rio Townhome Association, Inc. The Rules and Regulations were designed to promote comfortable, harmonious living within the community with respect and consideration amongst neighbors. The following Rules and Regulations have been adopted by the Board of Directors on _____.

NUISANCES/NOISE

No resident may violate another resident's right to enjoy their unit.

No noxious or offensive activity shall be carried on about the Properties or in or about any buildings or other improvements, dwelling units, lots or on the Common Properties, or on any portion of the Boca Rio Townhome complex, nor shall anything be done therein which may be or become an unreasonable annoyance or a nuisance to any owner.

No use or practice shall be allowed in or around the townhomes, which is a source of annoyance to owners or occupants of townhomes, or which interferes with the peaceful possession or proper use of the townhome units or the surrounding common areas.

No loud noises or noxious odors shall be permitted in any buildings or other improvements, dwelling units, lots or on the common properties.

The Board of Directors have the right to determine in accordance with the By-laws, if any noise, odor, or activity producing such noise, odor or interference constitutes a nuisance.

Without limiting the generality of any of the foregoing provisions, no exterior speakers, horns, whistles, bells or other sound devices (other than security devices used exclusively for security purposes), smoky vehicles, large power equipment or large power tools, unlicensed off-road motor vehicles or any items which may unreasonably interfere with television or radio reception of any owner shall be located, used or placed on any portion of the Properties or exposed to the view of other owners without the prior written approval of the Board of Directors.

Radio, hi-fi, stereo systems, television sets, noises such as bidding goodnight to departing guests, the slamming of car doors, beeping car horns and the like, between the hours of 11:00 PM and 8:00 AM should be kept at a minimum.

Carpentry, carpet laying, picture hanging, do-it-yourself work involving hammering, drilling, etc. must be done between the hours of 8:00 AM – 6:00 PM

No ball playing against walls or fences.

USE OF UNIT, BALCONY, OR COURTYARD

Each unit is restricted to residential use as a single-family residence. No more than five (5) person shall be permitted to permanently reside in any homeowner's association unit.

All units, balconies, and courtyards shall be kept in a clean and sanitary condition with no rubbish, refuse or garbage allowed to accumulate or any fire hazard allowed to exist. All must be kept in a neat and orderly manner to enhance the appearance of the community.

The balcony surface (deck) shall not be altered.

The balconies are not to be used as a storage area for non-patio items i.e., bikes, furniture, bookshelves, etc.

No draperies be hung from the balconies or patio areas that are visible from the Common Properties.

No vining plants shall be placed on the balcony railings or walls of the balconies.

Basketball hoops (free-standing or wall mount) are allowed inside or outside your courtyard

No satellite dishes can be placed on the balconies or anywhere on the building structure or roof. Before installation, approval from the Board of Directors must be obtained for direction of placement.

No outbuildings, storage sheds, additional fencing, or structures are permitted in the courtyards without written permission from the ACC Committee.

No shade hanging tarps are permitted. Only free-standing umbrellas are allowed on patios.

Cameras cannot be installed on any of the Common Properties. If you install video cameras on your property, please be respectful of your neighbors. Cameras should not be positioned to view areas in which residents may reasonably expect a level of privacy. This includes your neighbor's home and courtyard.

SIGNS

No sign, poster, display, billboard or other advertising devise of any kind shall be displayed to the public view on any portion of the buildings, or other improvements, dwelling units, lots, common properties or any portion of the Boca Rio Townhome complex without the prior written consent of the Board of Directors.

PARKING AND VEHICULAR RESTRICTIONS

Parking on the property shall be restricted to the parking areas therein designated for such purpose.

No owner shall keep any other vehicle on the Common Properties which is deemed to be a nuisance by the Board.

No boats, trailers or other recreational vehicles including campers or mobile homes may not be kept upon the Common Properties unless expressly authorized in writing by the Board.

No hitched trailers are allowed except for loading or unloading up to four (4) hours.

No owner shall conduct repairs (except in an emergency) or restorations of any motor vehicle, boat, trailer, or other vehicle upon any portion of the Common Properties including the lots.

No off-road vehicles or motorized scooters may be operated on any portion of the lake path.

All vehicles must display current license tags or decal.

Vehicles parked in grass areas will be towed without warning at owner's expense.

Vehicles must be able to operate on their own power and, at the discretion of the Board of Directors, owners may be asked to demonstrate that the vehicle is operational.

No resident may:

1. Park in another resident's space without permission.
2. Block streets by double parking behind another vehicle(s).

Car covers are permitted provided that the cover allows the license tag to be viewable. Covers cannot be secured from blowing off by means of rocks, pieces of wood, etc. being placed on top of the vehicle. Should a cover become worn, torn, or unsightly, it must be replaced immediately.

Storage Pods are only allowed for a maximum of 48 hours unless otherwise approved by the Board of Directors. Storage pods must be dropped off within the lines of the owner's assigned parking space and cannot be larger than 12 ft. long.

ANIMAL RESTRICTIONS

The term “pets” shall refer to those of a domestic nature and be limited to dogs, cats, and birds.

Residents may not keep more than two (2) pets without written consent from the Board of Directors.

No aggressive dog breeds are permitted including but not limited to Pit Bulls, Chows, Rottweilers and Dobermans.

No dogs, cats or other pets may run loose and unattended on the common properties. Any dog or cat running loose and unattended, without tags, will be considered stray and appropriate measures will be taken.

When walking dogs, all waste must be cleaned up and disposed of by “proper scooper” or in an appropriate manner.

Cats must be indoor cats and are not allowed to roam the Common Areas causing a nuisance to other residents.

Pets are not permitted at the swimming pool, or in the lakes.

No pet may be left tied or untied on any common property area.

No pet may be kept in a patio, balcony, or courtyard of a residence without the owner being home at all times.

No animals (including livestock, reptiles, or poultry) of any kind shall be raised, bred, or kept on the Common Properties.

TRASH AND OTHER MATERIALS

No rubbish, trash, garbage, or other waste material shall be kept or permitted on the lots and/or Common Properties and/or any other portion of the Boca Rio Townhome Complex except in sanitary, self-locking containers located in appropriate areas.

Storage of garbage canisters and recycling bins shall not be on the Common Properties. They must be kept within the confines of patios and fenced areas.

Trash canisters and recycling bins may not be put out earlier than Sunday at 6:00 PM and Wednesday at 6:00 PM and must be returned to storage not later than 12:00 PM (Midnight) of the pick-up day.

Resident’s address or unit numbers **MUST** be printed on each recycling bin and trash receptacle, or they will be removed and disposed.

Recycling is designated for pick up on Mondays.

Bulk trash is designated for pick up by the County on Thursdays.

Yard clippings & landscape debris is picked up on Thursdays.

Yard clippings and landscape debris must be disposed of according to Palm Beach County ordinance:

1. Yard waste is limited to 6 cubic yards (size of 3 standard refrigerators).

2. All yard waste, except for tree branches and palm fronds, must be containerized in standard 32 – 50-gallon cans or sealed in plastic bags.
3. Containers and contents cannot weigh more than 50 pounds.
4. Branches must be 6 feet or less in length and 50 pounds or less in weight.

No lumber, grass, shrub or tree clippings or plant waste, metals, bulk material, scrap, refuse or trash shall be kept, stored or allowed to accumulate on any portion of the Properties except within an enclosed structure appropriately screened from view, except when accumulated by the Association for imminent pickup and discard.

No odors shall be permitted to arise therefrom rendering the Properties or any portion of the Boca Rio Complex unsanitary, unsightly, offensive, or detrimental to owners or to any other property in the vicinity thereof or to its occupants.

No clothing or household fabrics shall be hung, dried, or aired in such a way as to be visible.

RECREATIONAL FACILITIES.

The recreational facilities and other portions of the Common Properties are for the exclusive use of the Association members and their immediate families, tenants, and residents' guests.

Rules and Regulations governing the use of amenities shall be posted upon or immediately adjacent to such facilities (pool, pool deck). Such rules and regulations are subject to change from time to time at the sole discretion of the Board of Directors. To ensure the safety, comfort and enjoyment of such facilities, adherence with such rules and regulations is mandatory for members and their guests.

No parties or events may be held at the swimming pool without prior board approval and completion of the appropriate form.

No BBQ grills, glass containers or alcoholic beverages are allowed within the pool fenced area.

Bicycles, skateboards and/or roller skates/blades are not permitted in the pool area or tennis courts

THE LAKE

No boats, swimming or pets are permitted in the lake.

Feeding the ducks is not allowed.

DESTRUCTION/OBSTRUCTION

Neither residents, their dependents, nor their guests, shall mark, mar, damage, destroy, deface or engrave any structure, building, equipment, etc. located on the Common Properties. Owners shall be financially responsible for any such damage caused by their tenants, guests, or dependents.

Sidewalks, entrances, driveways, corridors, and passageways upon the Common Properties must be kept open and shall not be obstructed in any manner.

ALTERATIONS

No owner/resident shall cause or allow improvements or changes to any exterior portion of his/her townhome unit including, but not limited to, painting or other decorating of any nature, installing of any electrical wiring, television antenna, machinery or air-conditioning units or in any manner changing the appearance of any portion of such townhome without first obtaining the written consent of the Architectural Control Committee.

No owner/residents, shall, without obtaining the written consent of the Architectural Control Committee, cause anything to be affixed to, attached to, displayed or placed on or hung from the exterior walls, doors, windows, patios, fencing or balconies of his/her townhouse including, but not limited to, awnings, signs, storm shutters, screens, furniture, fixtures and equipment.

1. SUNSETTER TYPE SHADES/AWNINGS

Anyone wanting to install a Sunsetter type electric or manual sunshade must first obtain ACC approval. The shade must be 10-12 ft in length and the colors must be solid neutral/ natural colors such as beige, cream, pale yellow, etc. Owners must maintain the appearance of the shade such as cleanliness, age, etc.

2. PATIO GAZEBO

Anyone wanting to install a gazebo on their patio must first obtain ACC approval. It must be permanently anchored to the patio deck, it must be a minimum of 18 inches from the fence, it must be a neutral color and only a canvas cover will be allowed

Approval forms can be obtained from the management company at the Clubhouse office.

LANDSCAPING

No owner/resident shall grow or plant any type of shrubbery, flower, tree, vine, grass, or other plant life upon portions of his lot or the Common Property outside his Villa or Townhome without the prior written consent of the Architectural Control Committee.

Hanging plants must be kept inside fences and pots must be below fence height. No potted plants (not set in the ground) can be outside of fences or patios.

No borders, including but not limited to i.e., brick, stone, hard plastic are allowed around common area trees, bushes, or plants without approval from the Architectural Control Committee.

Foliage inside of patios must be kept to a height that is below the bottom of the balconies.

Foliage inside and outside of patios must not adhere to any portion of the building, fence, mansard, block address numbers or impede exterior lighting in any way.

No fruit trees of any kind can be planted on the Common Properties.

All private landscaping, approved by the Architectural Control Committee, is the sole responsibility and expense of the homeowner. It is not the landscape company's responsibility to trim, cut or maintain any additional work done by the homeowner, nor shall the landscape company be liable for any damage. Judgment of appearance will be made by the Architectural Control Committee and the Board of Directors.

If judgment is made by the ACC and the Board of Directors that landscaping is not being maintained, owner will be subject to notice of violation. Owner will then have 14 days to correct the violation by trimming back/removing landscaping. If the owner fails to rectify the violation, they will be subject to a fine of \$100 per day for every day.

Homeowners are responsible to accommodate any and all contractors/maintenance personnel in regard to any work required to be done by the Association (i.e. roof repairs, painting, fence repairs, etc.) by trimming back landscaping, detaching screen enclosures, moving articles inside or outside fencing that may impede access to areas in need of repair.

If the homeowner fails to comply with the requests of the ACC, the Board of Directors, or Management Company, for access to common areas, the Board, at its discretion, may hire the appropriate person to do the work and invoice the costs to the homeowner.

LIGHTING

Exterior lighting fixtures may be installed only with the written consent of the Architectural Committee and are limited to white or clear lights only. COLORED LIGHTS ARE NOT PERMITTED except during Christmas or Hanukkah.

Icicle lights or any type of string lighting are not allowed across balconies or fences or any other area of a unit that is visible from the Common Property except during Christmas or Hanukkah.

HOLIDAY DECORATIONS

Holiday decorations are permitted for the standard holidays, New Year's, Memorial Day, Fourth of July, Labor Day, Thanksgiving, Christmas, and Hanukkah. Decorations may go up one (1) week prior to the holiday and must be removed three (3) days after the holiday except for Christmas and Hanukkah.

Decorations and lighting for Christmas and Hanukkah may be put up the weekend following Thanksgiving and must be taken down by the 7th day following the holidays.

Any resident wishing to celebrating other holidays such as Valentine's Day, St. Patrick's Day, Easter, or any other holiday, religious or otherwise, during the course of the year, may install, hang, or erect any exterior adornments, embellishments, or trimmings they would like. Residents may install these decorations one (1) week prior to the holiday and must remove them within 2 days after the holiday.

FENCES

No owner/resident shall modify their fence in any way without written approval from the Architectural Committee.

ROOFS

No owner/resident is permitted on the roofs of building for any purpose without prior permission of the Board of Directors or Management Company.

LEASES

No portion of a Townhome, other than the entire Townhome may be rented.

No Units can be rented until after two (2) years of ownership. NO EXCEPTIONS.

Leases shall be for a period of one (1) year

All leases shall be on forms approved by the Association and shall provide that the Association shall have the right to terminate the lease upon default of the Tenant in observing any of the provisions of this Declaration, the Articles of Incorporation, the By-laws of the Association, or any applicable rules and regulations or of any other agreement, document or instrument governing the community.

The leasing of the Townhomes shall also be subject to prior written approval of the Association.

The owner of a leased Townhome shall be jointly and severally liable with his tenant to the Association to pay any claim for injury or damage to property caused by the negligence of the tenant.

Every lease shall be subordinate to any lien filed by the Association whether before or after such a lease was entered into.

IMPROPER USES

No improper, offensive, hazardous, or unlawful use shall be made of any Townhome and/or Villa and all valid, laws, zoning ordinances and regulations of all governmental bodies having jurisdiction thereover shall be observed.

Violations of laws, orders, rules, regulations or requirements of any government agency having jurisdiction thereover relating to any Townhome and/or Villa shall be corrected by, and at the sole expense of the property obligated to maintain or repair such portion of the Townhome and/or Villa elsewhere herein set forth.

SATELLITE DISH/ANTENNA INSTALLATIONS.

Without obtaining written consent and location approval by the Architectural Committee, no owner/resident shall install, relocate, place, hang or affix a satellite dish or antenna upon the Common Properties. Common Properties include the building's flat roof, building's mansard roof, fence, balcony railings, exterior or brick walls.

RESPONSIBILITY FOR DELIVERIES AND RESIDENT HIRED WORKERS

Owners/residents shall be liable for all damages to the Improvements upon the Properties caused by receiving deliveries or moving or removing furniture or other articles/items to or from the buildings in which the Townhomes are located.

Owners/Residents shall be liable for all damages to the Common Properties caused by themselves, by workers they personally hire and vehicles these workers use i.e., screen installation where workers drive truck on grass and spreads materials on Common Grounds and the grass is damaged.

SOLICITATION

There shall be no solicitation by any person for any cause, charity, or any purpose whatsoever, unless specifically authorized by the Board of Directors

HURRICANE AND STORM PREPARATIONS

Each owner/resident, regardless of whether they stay during a storm or evacuate, must prepare his/her dwelling unit by:

1. Removing all furniture, potted plants and other personal items from his courtyard, balcony, or patio area so the items do not become flying "missiles" during the storm causing damage to other properties.

2. Designating a responsible firm or individual to care for his/her Townhome during their absence in the event the dwelling unit should suffer hurricane or storm damage. Each owner/resident shall furnish the Management company with the name of such firm or individual.

ENFORCEMENT OF REGULATIONS

These USE RESTRICTIONS and RULES AND REGULATIONS will be enforced following F.S. 720.305(2)(a-b)

1. For each violation, the owner/resident shall receive a Warning of Violation letter by the Management Company stating the nature of the violation and the time frame for compliance.
2. If the letter of violation is ignored or not corrected within the time frame allocated, the Board of Directors shall meet and assess a fine against the owner/resident.
3. Fines will be \$100.00 per violation and may be levied by the board for each day of a continuing violation, with a single notice and opportunity for hearing, except that the fine may not exceed \$1,000 in aggregate.
4. A 14-day Notice of Fine will be sent to the owner/resident apprising them of the fine, the amount and their right to be heard before the Fining Committee. The Notice will have the date, time, and place of the hearing.
5. Any owner/resident has the right to appeal the fine and disagreements concerning the fine can be presented to and judged by the Fining Committee, who will make the decision to confirm or reject the fine imposed by the Board of Directors.
6. If the Fining Committee votes to confirm the fine, then the fine payment is due 5 days after the date of the committee hearing at which the fine was approved.
7. If the fines for a continuing violation are at least \$1,000.00 and remain unpaid, then the Association may record a lien against the owner's property in accordance with the same procedure to collect assessments.

Owners are responsible for compliance by their guests and lessees with the Rules and Regulations.

The Rules and Regulations are intended to serve as a guideline for all owners and residents. As to any conflicts between the recorded Declaration of Covenants, restrictions and easements for the Boca Rio Townhome Association, and the Rules and Regulations set forth herein, the recorded Declaration shall prevail.