

EMERALD POINTE



Rules & Regulations

RESTATED 2023

Emerald Pointe

Restated Rules and Regulations

GENERAL RULES RESTATED 2023

All residents and guests must wear a shirt or cover-up when walking, jogging, entering the clubhouse, working in villa driveways, or working on community property except at the pool.

Outside light fixtures must be replaced by carriage style light, with clear glass inserts. Please submit a picture to the Architectural Committee for approval.

An outside light attached to your home must be left on each night. A dusk to dawn light sensor bulb is recommended.

A garage window fan is allowed as long as it is flush with the window, not protruding.
Subject to approval from the Architectural Committee.

Leaders and gutters on the rear villas are the homeowner's responsibility. They did not come with the unit when it was first built.

All external additions or changes to your unit must be approved by either the Architectural or Landscape Committee and the Board of Directors.

Bicycle riding is prohibited on the walking paths at all times.

Make a full stop at all stop signs. Obey all speed signs.

No overnight street parking. Cars parked on the streets overnight will be given a notice by the Property Manager.

Condo parking areas are strictly reserved for Condo residents.

Garage doors must remain closed unless Homeowner is working in the garage area.

JACUZZI RULES RESTATED 2023

Jacuzzi hours are dawn to dusk.

No food, glass or animals are allowed on the pool deck.

NO Children under 13 in the Jacuzzi.

Shower before entering.

Maximum water temperature is 104 degrees. Maximum use is 15 minutes.

Pregnant women, people with health problems, and people using alcohol, narcotics, or drugs that may make them drowsy should not use spa unless they consult their physician.

Persons with high blood pressure or heart conditions should check with their doctor before entering the Jacuzzi.

Do not drain the water.

Oils, body lotions, and minerals are prohibited.

POOL RULES AND REGULATIONS RESTATED 2023

Pool Hours: Dawn to Dusk

Authorized guests are permitted to use the pool facilities during posted hours.

All persons are required to shower before entering the pool or Jacuzzi.

Any child who is not fully potty trained or any adult who is incontinent must wear appropriate waterproof clothing when entering or being carried into the pool.

No running, jumping or horseplay permitted in the pool.

Food is permitted at the pool from 11:30 a.m. to dusk in the designated area. Anyone who brings food must clean up the area and take any leftover trash away.

One chair or lounge per person. No chairs within 4 feet of pool edge.

All persons using these facilities will conduct themselves in a courteous manner with regard to the rights of others.

Any instructions, directions or request received from a security officer or clubhouse staff member will be complied with by all persons using these facilities.

No suntan products containing iodine allowed.

The pool will be closed during thunderstorms.

Swimming attire is not permitted in lobby or main clubhouse (only bathing areas). Cover-ups required for guests and residents when leaving pool area.

No smoking allowed.

No sound from electronic equipment unless earphones are used.

Small flotation devices and diving equipment are permitted. Any larger devices are prohibited.

Close umbrellas after use.

Gates must be closed and locked at all times.

Cell phone may be used discreetly without bothering other members.

When a class is in session which requires the use of the swimming pool that has been approved by the BOD, and scheduled through the EP Property Manager anyone not participating in the class shall be prohibited from using any part of the swimming pool until such class has finished.

No animals allowed in fenced area, including pool.

A working AED is inside the building near the pool entrance.

There is no lifeguard, swim at your own risk. Pool capacity = 50

Pool hours, showering, gates locked at all times and animals are prohibited, pursuant to Florida state laws.

TENNIS COURT AND PICKLE BALL COURT RULES RESTATED 2023

Court Hours: Sunrise to 10:00 PM

No-one under 13 years of age is permitted on the courts, unless accompanied by an adult.

All players must wear regular tennis shoes, and shirts at all times.

A one hour time limit is imposed when others are waiting to play. Doubles play is requested when others are waiting.

Tennis etiquette is requested at all times

No food allowed in tennis/pickleball court area.

No pool furniture may be transported to the tennis/pickleball court area.

Residents and guests use the courts at their own risk.

When tennis or pickle ball clubs are occupying the courts, no non-member of the club can play unless invited.

SHUFFLEBOARD RULES AND REGULATIONS RESTATED 2023

Hours: 10:00 AM- 10:00 PM

No one under 13 years of age is permitted on the courts, unless accompanied by an adult.

Equipment may be obtained in the clubhouse billiards room.

All Equipment must be returned immediately after use.

All broken equipment should be reported to the office.

A one hour time limit is imposed when there are others waiting to play.

All persons using the courts will conduct themselves in a courteous manner with regards to the rights of others.

BILLIARD ROOM RULES AND REGULATIONS

Any person younger than 13 years of age using the Billiard Table must be accompanied by an adult.

HURRICANE RULES RESTATED 2023

Hurricane season is from June 1 until November 30.

Shutters may be closed if owners are absent from the community during hurricane season, or if there is an official hurricane warning. If owners are in residence, units with a high window may leave shutter closed until November 30.
(or extended by the Board of Directors.)

No warning shall be issued to a resident who fails to hurricane proof as per this section or make arrangements for such hurricane proofing while resident is absent during the hurricane season. The resident may be fined and shall be responsible for all costs incurred the Association to secure and hurricane proof the residents' property. Shutters may only be of a material approved by the Architectural Committee, but in no event may be plywood.

A Hurricane Preparedness Handbook is available in the clubhouse and on the CINC system to download.

BARBECUE GRILLS RULES RESTATED 2023

Barbecue Grills shall:

Be placed in such a way as to not interfere with landscape work and/or sprinkler operations and be a minimum of one foot from the building. The storage location shall be in the approximate position determined by the Board. The grill may be moved for usage but should subsequently be returned to the placed location.

Must have a fire extinguisher recommended for flammable gas nearby.

Be mobile and/or portable and placed on a prefabricated, natural-colored slab or flagstones of dimensions minimally large enough to accommodate placement of the grill, but not to exceed 4x4 feet.

Be maintained in safe operating condition and "first-rate" appearance. First-rate shall be construed to include, but not limited to
{1} the preservation of painted and stained surfaces and
{2} the repair or replacement of broken and/or defective parts of the barbecue grill.

Be covered with a black or brown commercially available covering, specifically designed for covering the barbecue grill and such covering shall be maintained in good condition;

The gas propane tank must be purged* prior to owner's departure for extended periods, and particularly during the hurricane season, June thru November or even when there are hurricane warnings, and at that time must be stored in a totally enclosed area such as the unit's garage/enclosed storage facility.

* Propane is a non poisonous, non toxic and will not contaminate soil or underground water.

To store a propane tank inside it has to be properly purged which means the gas has to be released and the liquid has to be drained. It has to be completely empty.

To purge a propane tank follow these steps.

1. Close the valve on the tank and disconnect any hose attachments.
2. Take the tank to an open space away from trees and humans to release the gas.
3. Turn the knob to open the valve to allow gas to escape.
4. Tilt the tank sideways, with the valve facing down, to drain the liquid propane from the tank.
5. Close the valve when you can't see propane come out anymore. It is now empty.

PET AND SERVICE/EMOTIONAL SUPPORT ANIMALS (ESA) RULES RESTATED 2023

Pets shall be limited to a single dog, the adult weight of which is fifteen {15} pounds or less, one {1} cat and/or bird. No other kind of animal shall be permitted for a reasonable accommodation unless extenuating circumstances can be documented by a treating medical care provider.

A reliable and local licensed medical care provider or mental health provider is required to provide a prescription or, for an ESA, a recommendation letter, that is verified by the Association. If the documentation is unreliable, the Association may deny the request.

Prior to placement of any pet or Service/ESA in the unit, requesting party must complete the Affidavit and Registration Form which shall include but not be limited to the following:

- Recent photograph of the pet
- Statement from veterinarian of current health certificate and evidence of all necessary vaccinations;
- All city and county licensing.

Proof of current valid license, if required by any governmental agencies, and inoculation by a duly qualified and licensed veterinarian must be provided to the Association. It is the owner's responsibility to provide such current information, from time to time, to the Association.

At all times in the Community, owner/renter or other walker shall have control of the animal.

All Service/ESA animals and pets, including cats, must be contained within the unit at all times, unless it is on a controlled leash no longer than eight {8} feet long.

Pet or Service/ESA animals may not be tethered or left outside unaccompanied by owner/renter.

Unless extenuating circumstances can be documented by a treating medical provider, Service/ESA animals or pet are prohibited from the following areas for reasons of safety and hygiene: Pool Deck, Club House, Tennis Court.

At all times on the property, owner/renter when accompanied by a pet or Service/ESA animal shall be in possession and be able to produce plastic bags and paper towels to address pet discharge.

Discharge must be immediately addressed and removed, through bagging, sealing the bag and disposing in owner's garbage can.

Animal fecal matter produced within the unit must be appropriately bagged, sealed and disposed in owner's garbage can.

Service/ESA animals and pets are to be walked or exercised when on the property only on the circle walkway designated by the Board of Directors, which is located on Emerald Pointe Boulevard away from the residences, and not near the residences, other than to access the circle walkway.

Service/ESA animals and pets that are a direct threat or nuisance to others (biting, constant barking, defecating or urinating on resident properties or Common Areas etc,) as determined in the sole discretion of the Board of Directors, or otherwise violate animal control laws should be reported to the proper authorities and to the HOA in writing for consideration by the Covenants Enforcement Committee at a duly called hearing. The unit owner will be notified of findings and penalties. Any resident who believes an animal's actions create a nuisance or threat shall immediately notify the Association, in writing, for consideration by the Board of Directors.

All owners shall be responsible for any and all damages caused by their animal(s) to any common area and to the person or property of other owners, residents, or renters and agrees to indemnify and hold harmless the Association, its Members, Directors, officers and/or agents from any loss, claim or liability of any kind or character arising by reason of, or related to maintaining the animal(s) within the Unit. Visitors and guests of Owners are not permitted to bring or to have any pets upon the properties.

CLUBHOUSE RULES RESTATED 2023

The Emerald Pointe Board of Directors has the sole authority to establish rules for the use of the clubhouse.

The Property Manager keeps a calendar for planned activities, and his/her activities take precedence. All clubhouse use must be cleared through the Property Manager as to date, time and purpose.

1) There is no food allowed unless it is served through a sanctioned club function, with the exception of personal hard candy.

A cleanup committee or hired person(s) must be provided by the club. Counter tops, tables, coffee pots and dishes should be cleaned. Dishes, trays, baskets etc. should be put away and garbage put into the dumpster.

Private parties (homeowners) may rent the rooms and must provide cleanup.

See the Property Manager for information about fees as established by the Board of Directors.

2) All residents should shut off the lights and fans before leaving when finished using the room. Anyone leaving the building late at night should shut off all lights before leaving.

If you open a window, be sure to close it when leaving the room.

3) The use of the clubhouse piano is restricted to professional entertainers.

4) The clubhouse cannot be used during or after a hurricane except by Board members and the community ERT (emergency response team). The clubhouse will be reopened when it is determined to be safe to do so.

5) Bathing suit cover-ups and shoes are required when in the clubhouse, and proper attire (ie. no shorts, tee shirts or tank tops) is expected during shows and evening events.

6) Bulletin Boards are coordinated through the Property Manager.

The Board, at its discretion, may require the removal of certain material.

7) Use of the office copy machine, auditorium sound equipment, stage lights, and the audio-visual projector etc. can only be used with Board approval. There are restrictions on the number of copies that can be made for any club activity or use.

The copy machine may not be used for personal use.

****PLEASE NOTE:** The clubhouse alarm system is on from 11:00 p.m. until 6:00 a.m. DO NOT ENTER clubhouse during those hours. Board members on duty, and the police, will be called by the alarm company in result of entering during that time.

GENERATORS RULES RESTATED 2023

Portable Generators

All Residents owning and storing a portable generator are required to file a Generator Registration Form with the office.

As part of the approval process, potential generator owners shall submit documentation confirming that they carry at least \$500,000 liability insurance to cover any potential damage to Emerald Pointe property.

The Architectural Committee shall establish the optimum locations of each generator as part of their review process.

Generator owners shall be required to purchase and install a carbon monoxide sensor in their residence and provide one for their immediate roof mate if they do not have one.

Generators shall be limited to a maximum of 6KW running power which is sufficient to support the operation of a refrigerator.

By limiting the generator size the noise factor is reduced, keeping the installation as quiet as possible, well within the county limits relating to noise.

Hours of operation shall be curtailed between the hours of 9:30 pm - 7 am.

Homes that are using a generator must be equipped with a compatible fire extinguisher located in an accessible location.

Generator Committee members may conduct annual inspections of all generators prior to hurricane season to make sure they are in proper working order. If it becomes necessary in an emergency to use the generator, and after commercial electrical service has been restored generators may be inspected to assure that fuel has been removed.

Within five (5) days of an impending hurricane, generator operators will be allowed to store up to ten (10) gallons of fuel in approved safety containers on site. Within five (5) days after power has been restored, fuel must be removed from storage containers by draining their contents into owner's vehicles. Fuel tanks cannot be stored inside the home but rather be placed in the bird cage area or on the side of the house close to the AC unit.

Portable generators must be purged and be stored away after it was used for hurricane or emergency purposes.

WHOLE HOUSE STANDS GENERATORS RESTATED 2023

Whole house generators must be installed by a licensed standby generator company.

A full site plan and complete proposed Generator Installation Contract with drawings be submitted with generator and propane gas tank locations clearly indicated by the contractor. Once the HOA has approved the installation contract you will be required to present a signed copy of the contract to the HOA for inclusion in your file.

Contractor will need to supply proof of insurance to the HOA Naming Emerald Pointe Community Association as an Additional Insured prior to Board of Directors approving any installation.

Homeowner will need to have the generator serviced and maintained at least on an annual basis by a licensed Generator Service Vendor Authorized to service the brand of generator which has been installed. Documentation of such annual service must be made available to the HOA if so requested. The underground tank must also be inspected at least every three years by your installation service vendor or your Propane Gas Delivery Provider (who must also be licensed and Insured) with Documentation available to the HOA upon request.

Homeowner is responsible for any damage to underground water, sprinkler system, Cable or Fiber Optic installations which may become damaged during either excavation or installation. Homeowner is also responsible for having any disturbed landscaping returned to same condition following installation. Additionally, Homeowner will be responsible for placing shrubbery (as approved/recommended by the landscape committee) around three sides of the Generator so as to reduce noise from the generator when either in operation or during its weekly cycle testing.

Patio Regulations revised April 2024

For New and Existing Patios

Each condominium or villa owner may install a new patio or expand an already constructed patio at his or her own expense, subject to the following minimum regulations and approval by the Emerald Pointe community board of directors.

No work may begin until the application process is complete and board approval is received in writing.

Application: The property owner must complete and submit an Architectural Committee Request Form along with a check in the amount of \$200. This fee will subsidize Emerald Pointe's cost to move, adjust and monitor the sprinkler system before, during and after construction. (Please note that only Emerald Pointe staff are authorized to work on the sprinkler system.)

Payment is due at the time of application. If work has not commenced within 6 months of the application, the application and check will be void.

The owner must call 811 or contact Sunshine811.com to have all utility lines marked prior to digging. If any landscaping is affected by the proposed patio design, the owner must also submit a Landscape Request Form with proposed changes or additions.

Required Information

- A drawing and description of the patio, showing the size, shape, location, and material.
- A list of any proposed movement of existing facilities such as sprinkler heads, buried cables, or underground pipes.
- The license and insurance information for any hired help or contractor.
- Proposed time frame for the patio construction.

Regulations

1. **Location.** The patio must be located behind the unit owner's building and extend out no further than 10 feet.
2. **Size.** The maximum patio size is 10 feet deep and limited to the length of the owner's back wall inclusive of any BBQ Grill area. If an owner has a side sliding door on their lanai, they may request an exception to include a maximum 3-foot-deep patio extension which would wrap around to the side door of the lanai.
3. **Shape.** The patio may be straight sided or any pleasing freeform shape as long as it fits within the 10-foot depth X back wall length limit.
4. **Material.** The material used must be non-slip pavers or patio stones.
5. **Construction.** The patio may be installed by the unit owner or person(s) hired by the owner. The person(s) hired to install the patio should be licensed and insured. The owner is liable for any damage resulting from or injuries to self or any person hired to install the patio. The patio stones must be installed on a bed, dug out and filled with at least 2 inches of tamped leveling sand. The patio stones must be set onto the sand with the top of the stones at ground level with a minimum pitch of ¼ inch per foot away from the building.
6. **Existing Facilities.** Sprinkler heads may only be adjusted by Emerald Pointe staff. Any damage done to sprinkler heads, buried cables, underground pipes, or other existing facilities must be restored promptly at the owner's expense.
7. **Landscaping.** Any proposed plant to be removed or relocated must be specified and approved by the Landscape Committee. If the owner eventually removes the patio, the area must be landscaped to its original state at the expense of the owner.
8. **Drainage problems.** The owner bears all liability for any drainage problem caused by the patio resulting in water entering the building as well as French drain installation, if required.

9. **Approval.** The board reserves the right to reject an application or require the design to be modified. After approval is granted, the owner must notify the board when construction is to start, and when it is completed.
10. **Inspection.** The patio will be inspected upon completion. If the patio does not meet the agreed-upon specifications, the owner must correct it or remove it at their own expense.
11. **Usage.** The patio may only be used for residential use.
12. **Maintenance.** The patio must be properly maintained, such as pressure cleaning, replacing broken stones, resetting sunken or lifted stones and weed or grass killing, so as to maintain a neat appearance and to avoid a hazard. Any liability resulting from the patio is the responsibility of the owner. The community is not responsible for any damage to the patio by the landscapers. This must be dealt with directly between the owner and the landscaper.
13. **Existing Patios.** No modification or expansion will be allowed until a new application is submitted and approved.

LANDSCAPING RULES AND REGULATIONS RESTATED 2023

1. Edging material that is secured firmly in place is permitted.
2. Treated mulch in bed areas is permitted at the homeowner's expense. The HOA is only responsible for mulching 10' from the street including tree rings, mail boxes and electrical boxes. Stones, either white, black or earth tones, are also allowed in bed areas as long as the stones are contained by edging material.
3. The following items are allowed as long as they do not represent a tripping danger, are removed before you leave for the season and are moved inside your unit during a hurricane event:
 - a. Up to a total of 5 decorative planters are permitted, up to 16" diameter and 16" high, outside your doorway, on the walkway, in planting beds or on patios.
 - b. Shepherd's hook plant holders (max. 2) and statues (max. 3) that do not exceed 3' tall may be placed in planting beds.
 - c. Solar lights are allowed in plant beds.
4. Annual flowers planted must be removed by the resident when they become unsightly. Seasonal residents must remove their annuals before departing for extended periods of time or arrange to have them removed. Failure to remove such plants may result in a charge levied by EPC Association for the removal.
5. A stand-alone trellis, not to exceed 5' in height and 4' in width, is permitted WHEN NOT attached to any community property (i.e. mailboxes, gutters, community trees, any part of the home structure.) The trellis must be securely mounted in a pot or in the ground. Prior to installing a large trellis a Landscape Request Form specifying size and location must be approved.
6. Low Voltage Plant Bed Lighting is permitted subject to the following regulations:
 - a. A signed Landscape Bed Lighting Regulation Form, which is available in the main office, must be attached to a Landscape Request Form. A diagram must also be attached which shall include the intended location and description of each component of the lighting. No lights can be installed before the landscape committee approves the request.
 - b. Any electrical wiring must follow the applicable electrical code.
 - c. The wiring and components must not interfere with any landscape maintenance activity. The wires must not be visible.
The homeowner is responsible for any repair or replacement of any component of the lighting system if it is damaged during routine landscape maintenance.
 - d. Lights must not be an annoyance to neighbors. Low voltage lights used in the rear must be turned off no later than 11:00 PM
 - e. All parts of the lighting system must be contained in the plant beds areas adjoining the building and not in areas away from the building.
7. If a resident chooses to maintain their own planting beds/landscaping that adjoins their unit, these areas must be clearly staked with a red reflector (available at Home Depot or Lowe's etc.)
8. Homeowners are required to submit a Landscape Work Order for any HOA maintenance, removal and/or replacement of dead existing plants. Dead plants will be replaced by the HOA, 1 for 1. Replacement plants will be much smaller. Homeowner's may choose to install larger plants at their own expense as long as they choose from the allowed plant list.
9. Homeowner's are required to submit a Landscape Request Form for approval to add or change existing landscaping. All additions or changes are to be paid by the homeowner. All new plants installed must be on the allowed plant list.
10. Homeowners may trim plants and clean up debris around their unit and must place the trimmings and debris in containers for pick up by the Solid Waste Authority (SWA.) Larger trimmings must be done only on weekends and together with larger debris must be put by the street to be picked up Mondays by the SWA. All yard waste for pickup must follow SWA rules.

FRONT PLANTING BED:

The existing footprint cannot be enlarged. You may choose to reduce the footprint, at a minimum of 6' from the foundation, by adding sod. All costs are incurred by the homeowner.

REAR PLANTING BED:

Shrubs, hedges or bushes are not permitted beyond 6' from the foundation or 3' from the edges of a patio foundation. As a courtesy, if you plan to install plants between your house and your neighbors, please be mindful not to obstruct their view. If small stones are to be used surrounding the patio, this also requires a Landscape Request Form to be completed.

SIDE PLANTING BED:

Planting beds are allowed; however, a shrub must be maintained 2' away from the side of the house. Planting of a new shrub must not interfere with maintenance such as painting, mowing, etc.

10. Plants that become excessively leggy may be severely trimmed/pruned and allowed to grow instead of being replaced.
11. NO artificial plants or flowers are to be displayed outdoors.
12. NO vines are allowed to grow on any part of a building NOR shall the vines be permitted to be attached to any community tree(s) or property.
13. No tree or palm can be removed unless it is dead, severely diseased or poses an unavoidable and major risk according to PBC law. If allowed to be removed it requires a permit and must be replaced.
14. New trees must not be planted within 12 feet of buildings, air conditioners, driveways, roads, walls or any other structural component nor within 20 feet of the edge of a lake.
15. Tree branches and palm fronds that touch a building shall be removed by the HOA.
16. Weeds in the driveway are to be treated with herbicide by the HOA.

EMERALD POINTE ALLOWED PLANT LIST RESTATED 2023:

Emerald Pointe Community homeowners are encouraged to actively participate in maintaining the beauty of our community. One way to do this is to beautify the landscaping around your home.

In order to maintain uniformity throughout our community and to avoid plants that could potentially be harmful to humans, pets and other vegetation, the EP Landscape Committee has prepared the following list of plants you may add to the area around your home. If you choose to install plants, shrubs etc. in your planting beds, the plants must be on the list of allowed plants.

Make sure you select plants based on their need for sun and shade. Please note that due to liability issues and to maintain compliance, it is required that you submit your plans to the Landscape Committee using a Landscape Request Form which can be obtained from the office.

TREES:

BOTTLE BRUSH
JATROPHA
PIGEON PLUM

PALMS:

CAT PALM
CHRISTMAS PALM
PYGMY DATE PALM (ROEBELNI)

GROUND COVER & NON-WOOD PLANTS:

ASPIDISTRA IRON PLANT
BLUE DAZE
DWARF RHOEO "OYSTER PLANT"
FOXTAIL FERN
HOLLY FERN
JUNIPERS
LANTANA
MINITURE MONDO
ORCHIDS
PEPEROMIA
PENTAS
PERSIAN SHIELD
PHLOX
PORTULACA
PURPLE PRINCE
SPATHIPHYLLUM-PEACE LILY

SHRUBS:

ASIAN SNOW BUSH
ARBORCOLA TRINETTE
BIRD OF PARADISE - ORANGE
BOUGAINVILLEA
BOXWOOD
CIGAR FLOWER
CLUSIA
COCO PLUM
COPPERLEAF PLANT
CROTONS
DWARF CLUSIA
DWARF IXORA
DWARF TIBOUCHINA
DWARF POWERPUFF
EUGENIA

FIRE-BUSH
FIRECRACKER PLANT
FIRE SPIKE PLANT
GARDENIA
GINGER
HAWAIIAN TI (MUST BE PRUNED NOT TO EXCEED 6')
HIBISCUS
MEXICAN HEATHER
NORA GRANT IXORA-LARGE LEAF
PHILODENRON XANADU
PINEAPPLE SAGE
PODOCARPUS
ROSE OF SHARON

ANNUALS:

ALL ANNUALS CAN BE PLANTED AS LONG AS HOMEOWNER REMOVES UNSIGHTLY PLANTS.

SEASONAL AND HOLIDAY DECORATIONS RESTATED 2023

All decorations must be temporary. Nothing can be put on the roof. No nails, screws or anything that will make a hole. Only command strips, tape, etc., can be used.

There can be no music or sound accompanying any of the decorations

All lighting needs to be designated for outdoor use and must meet all safety standards. Please be considerate of your neighbors and be sure your lightning doesn't interfere with the enjoyment of their homes. All lighting must be turned off by 11 PM.

Lighting may be placed on the bushes in between villa driveways only if both owners agree.

Christmas, Chanukah and Kwanzaa decorations can be installed between Thanksgiving and January 9th. They must be removed by January 10th.

Other holiday and seasonal decorations must adhere to the schedule of installation 2 weeks before and removal 1 week later.

Temporary religious "buildings" such as a Succah, can be installed only in the back of your home on the patio. It may be installed 2 weeks before the holiday starts and must come down within 1 week after the holiday ends.

Please be aware that Emerald Pointe/Landscapers/Tree Trimmers will not be responsible for any decorations that are broken or destroyed by the landscapers or any other personnel. Please keep this in mind if you decorate your bushes and trees.

FIRE PITS AND PORTABLE OPEN-FLAME DEVICES RULES STATED 2023:

Wood-burning fire pits and other portable fueled open-flame devices such as patio torches are prohibited.

- Only LED powered torches are permitted.

FIRE PITS:

All owners must apply to the Architectural Committee for approval before placing a fire pit on a patio.

- Must be propane or gel only.
- Must have a fire extinguisher recommended for flammable gas or a gel burner nearby.
- Must be UL (under writer's laboratory) certified.
- Must be battery push button start.
- Must include lava rocks/glass beads for interior heat diffusion.
- Must have a tempered glass wind guard of at least 6 inches in height.
- Must be mobile and/or portable and only placed on a finished patio.
- Must be covered with covering specifically designed for covering for fire pits. Covering shall be maintained in good condition.
- A unit owner must monitor the area when an open-flame device is in use. Homeowners are responsible for any damage to any structures and/or landscaping.
- Damage caused by an open-flame device that requires repair or replacement will be fined to the unit owner.
- Maximum tank size for propane is 20 lb.
- Gas pits must be purged* and moved inside prior to Unit Owner's departure for extended periods and for hurricane preparedness.

* See Steps as to how to purge a propane tank on page 4

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*** RULES REGARDING PARTICIPATION IN BOARD, MEMBERSHIP AND COMMITTEE MEETINGS RESTATED 2023**

Members in good standing can speak on any designated agenda item set for voting prior to the start of the BOD meeting.

Members speaking before or after a BOD may be limited to 3 minutes unless engaged in an exchange with the BOD, at the discretion of the BOD.

A Member must, at all times, conduct himself

or herself in a respectful and courteous manner. If the speaker, or any other Member,

at any time becomes abusive or disruptive, the speaker's or Member's right to participate further in the meeting may be suspended, and the person may be asked to, and shall, leave the meeting. If any Member attempts to speak on any item not included on the agenda, the chairman of the meeting (or any other representative of the Association) may immediately interrupt the Member to inform such Member that the item is not on the designated agenda and, therefore, may not be brought up for discussion. It shall be considered disruptive for any Member, after receiving such notification, to continue to speak or attempt to continue to speak on any item not included on the agenda for such meeting. If a Member who has been deemed to be abusive or disruptive and who has been asked to leave the meeting refuses to leave the meeting, the Association may then adjourn the meeting, or if the meeting is attended by a sergeant at arms, request the sergeant at arms to escort the Member out of the meeting room. Such Member may also be held in violation of the Association's rules and subject to a fine or any other remedy available to the Association.

The Property Manager will eblast the agenda along with instructions for zoom attendees on how to email questions prior to the BOD meeting. Emailed questions will be answered prior to the BOD meeting.

After the meeting any member in good standing can speak about any subject. Zoom attendees may text to a resident present at the meeting their questions or concerns to be addressed by the BOD. Or, they can email their questions or concerns to the BOD and they will be answered by email.

When the AV Squad is present, audio zoom questions will be monitored and administered prior to the BOD meeting, items set for voting only, and after the BOD meeting. Questions may be answered in real time.

Any Member may tape record or videotape a meeting, subject to the following and such further reasonable restrictions as may be adopted from time to time by the Board:

(a) The only audio and video equipment and devices which Unit Owners are authorized to utilize at any such meeting is equipment which does not produce distracting sound or light emissions;

(b) Audio and video equipment shall be assembled and placed in position in advance of the commencement of the meeting.

(c) Anyone videotaping or recording a meeting shall not be permitted to move about the meeting room in order to facilitate the recording and only the Member (or the Member's proxy holder or power of attorney) may operate the videotaping or recording equipment during the meeting;

(d) At least 24 hours prior written notice shall be given to the Secretary of the Association by any Unit Owner desiring to make an audio or video taping of the meeting.

BOARD COMMITTEE MEETINGS

Committee members who are not present at a committee meeting may participate by phone/face time or via a zoom broadcast when a AV Squad member is present to monitor and administer the zoom broadcast.

RULES REGARDING ACCESS TO OFFICIAL RECORDS RESTATED 2023

Association's official records shall be open to inspection by any Member, or the Member's authorized representative, pursuant to the following rules and regulations regarding the frequency, duration, time, location, notice and manner of record inspections and copying:

Any of Association's Members may submit a written request to inspect Association's official records, which request must be submitted by certified mail to the Association's Property Manager at the following address: Emerald Pointe Community Association, Inc.; 7648 Emerald Pointe Boulevard, Delray Beach, Florida 33446-3363 (or any other address designated by the Association from time to time). Any request that is not sent by certified mail (including without limitation any request sent by e-mail, fax, regular mail or personal delivery) will be disregarded. Only Association's Members or the Member's authorized representative may have access to Association's official records. Upon receipt of the Member's certified written request, Association shall respond to such written request within the time periods required by law, offering multiple dates and times for the requested inspection. It is then up to the subject Member, or the Member's authorized representative, to contact Association's Manager (or any other person or office as may be designated by the Association) to schedule an appointment to inspect Association's official records. A Member must give Association's Manager at least three (3) working days' notice of the requested appointment date and time.

Association shall have no obligation to mail or e-mail any Member copies of any requested records. Association's only responsibility and duty is to make its records available for inspection and copying or reproduction by the subject Member or the Member's authorized representative.

Any Member who plans on having an authorized representative inspect the records for the Member or attend the records inspection with the Member must provide Association's Manager with the name of the Member's authorized representative prior to the scheduled records inspection (or attend the records inspection with the authorized representative if the representative is the Member's attorney) failing which the alleged representative will not be given access. Only one person will be given access at any one time, unless the Member's authorized representative is the Member's attorney, in which case both the Member and his authorized representative may attend the records inspection.

All records inspections will be conducted in the presence of Association's Manager or another Association representative. No person inspecting Association's official records may remove the records at any time from the place where the records are located and the inspection conducted.

All records inspections will be limited in duration to no more than four (4) hours in any given day, during normal business hours (i.e. between 9:00 a.m. and 5:00 p.m.). No Member (or Member's representative(s)) may make more than two (2) records inspection request in any given month (even if a previous records inspection took less than the four (4) hours afforded by the Association). If any records inspection takes more than four (4) hours to complete, a second day will be scheduled, but it will count as a second records inspection, and if the Member has already conducted two records request such additional day will be scheduled during the following month, which additional day will be considered an additional request and will be counted towards the next month's limit of no more than two (2) requests in any given month. Any Member making more than two (2) records inspection requests in any given month will be denied access until the following month, and such request shall be considered to be a request submitting during the following month.

If any Member or representative wishes to make copies of any official record(s), the Member or representative may flag with a tab or post it any record(s) for which the Member requests copies, which copies will be made by Association's Manager or staff at a cost of \$.25 per page for copies made on the Association's photocopier, if any. The Association may also charge the Member an administrative fee not to exceed \$20/hour for the time spent by the Association's staff or management personnel in retrieving and/or copying the records, but only if the time spent by such staff or management personnel exceeds one-half hour and if the records request results in more than 25 pages being copied. The Member or representative must pay such costs in advance, failing which the copies will not be made until and unless Association first receives payment for such copies and any personnel charges. If the requested copies exceed 25 pages in length, or if Association does not have a photocopy machine available where the records are kept, the Association may arrange for the copies to be made by an outside vendor, at the Member's sole cost and expense, in which event the Member must pay the actual copy costs (along with any personnel charges, if any) prior to Association making the requested copies available to the Member, as supported by the vendor invoice. If the record consists of a videotape or audio recording, and the Member wishes to obtain a copy of same

Association shall arrange for the copy of the videotape and/or audio recording to be made by a qualified company, at the Member's sole cost and expense, which costs must be paid by the Member in advance of the Member's receipt of the copy of the videotape or audio recording. The Member may wait for the copies to be made on site, or may request that Association notify the Member when the copies are ready for pick up by the Member. The Association shall not be responsible for mailing or otherwise delivering any requested copies to the Member but shall make any requested copies available for pick up by the Member at a location designated by the Association.

The association shall allow a member or his or her authorized representative to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records in lieu of the association's providing the member or his or her authorized representative with a copy of such records. The association may not charge a fee to a member or his or her authorized representative for the use of a portable device.

If the Member or the Member's representative at any time during the records inspection becomes abusive towards Association's Manager or any Association representative overseeing or supervising the records inspection, and/or creates a nuisance or otherwise acts in a disruptive manner, Association's Manager and/or representative may immediately terminate the records inspection and demand that the Member and/or Member's representative immediately leave the location of the records inspection. Notwithstanding such termination of the records inspection, the inspection shall be considered as having taken place and shall be counted against the maximum number of records inspections permitted by such Member during such month

RULES REGARDING INTERACTION AND/OR CONTACT WITH ASSOCIATION EMPLOYEES AND/OR VENDORS: **RESTATED 2023**

The Association regularly retains a property manager and various employees and/or vendors to assist in carrying out the duties and functions of the Association. Section 720.303(1), Florida Statutes, provides, in part, that "a member does not have authority to act for the association by virtue of being a member."

The Association acts only through its Board of Directors. Accordingly, to avoid any confusion or interference in the performance and completion of the Association's duties and functions, no Member or resident shall issue any direction(s) or instruction(s) to the property manager (although the Member may communicate with the property manager) or any Association employee or vendor. Additionally, all Members and residents shall treat the Association's property manager and all Association employees and/or vendors with dignity and respect, and no Member or resident shall do or say anything to the property manager or any Association employee or vendor that in any way may be deemed to constitute a nuisance or annoyance or that in any way may be deemed to be abusive or that in any way interferes with their performance, or make gratuitous threats about future lawsuits or actions, all as determined by the Board in its reasonable discretion. Further, no Member or resident shall have any direct contact with any Association employee or vendor (except for the Association's property manager and/or office staff, to whom any Member or resident may direct any complaint or concern related to any Association employee or vendor). Any complaints or concerns involving any Association employee or vendor, as above stated, must be directed to the Association's property manager, or one of the Association's officers. The Association may seek to fine any Member or resident who violates this rule, and may also bring an action against any Member or resident who violates this rule, seeking to enjoin any further violation.

Additionally, in the event a Member or resident violates this rule, the Association may restrict a Member's or resident's further access to such employee and/or vendor, including without limitation the property manager, by requiring that any further communication between the Member/resident and such employee/vendor be limited to written communications only and/or by suspending the Member's or resident's access rights to the Association office.

BOARD LIAISONS AND BOARD COMMITTEES GUIDELINES STATED 2023

- The Board Liaison is the communicator between the committee and the Board of Directors. The Board Liaison reports the committee's activities and must bring the committee's recommendations, even if they are not in agreement, to the Board of Directors.
- The Board Liaison may appoint a chairperson or permit the committee to do so, except for the Budget & Finance Committee. The Chairperson for the Budget & Finance Committee is always the Treasurer.
- Board Liaison communicates to the committee what its responsibilities are and what the Board requests of them. The committee will fulfill what the Board requests and also may discuss other matters as they see fit.
- The Board Liaison has the duty to stress to the committee members that they only make recommendations to the Board of Directors. It is the Board of Directors that will approve or disapprove recommendations made by the committee. The Board of Directors make the final decision.
- The Board Liaison is not a member of the committee. The Liaison may give their opinion and offer any information needed to assist the committee in making a recommendation to the Board. The Board Liaison does not have the right to vote on a committee recommendation.
- The Board Liaison has the duty to communicate with any contractor to perform services, approve any invoices for services and approve requests according to the decisions of the board.
- The Board Liaison will send out an E Blast at least 48 hours prior of a committee meeting announcing the upcoming meeting with the agenda and post on appropriate bulletin boards. It is the Chairperson that facilitates the meeting and sends out notices to the committee members.
- When the Board Liaison is not able to attend a scheduled meeting the Chairperson reports to the Liaison.
- The Board Liaison may not decide to take any actions without committee knowledge pertinent to committee responsibilities.
- All Board Committees must maintain minutes.
- All community residents are permitted to attend committee meetings. Residents are not members of the committee and can only make comments if invited to do so by the committee chairperson.