

**Enchanting Shores Co-operative, Inc.
17 Turquoise Avenue
Naples FL 34114**

Rules & Regulations

Approved October 13th 2023

ENCHANTING SHORES CO-OP, INC.
RULES & REGULATIONS
Mission Statement

The primary purpose of having community rules and regulations is to protect your investment as a homeowner and provide a common framework for neighbors. The majority of rules are regulated by Florida statutes and some are unique to our community with a common premise of; preserving our aesthetics, enhancing our home values, enforcing Co-op covenants and conditions, maintaining our property and guiding our Shareholders while safeguarding our precious ESC culture.

Index

<p style="text-align: center;">A</p> <p>Antenna, Video Receiver Dish.....22</p> <p>Approval for Private Boat Dock.....9</p> <p>Approvals for Buyers and Renters.....4</p> <p>Association Responsibilities and Liabilities.....2</p>	<p>For Rent, For Sale Signs.....16</p> <p>Fruit trees.....13</p>
<p style="text-align: center;">B</p> <p>Background Check.....5</p> <p>Billiard Room Age Restriction.....7</p> <p>Bingo Age Restriction.....7</p> <p>Board of Directors Organization.....2</p> <p>Board of Directors' Authority.....22</p> <p>Boat and Trailer Storage Allotment.....8</p> <p>Boat and Trailer Storage Assignment.....7</p> <p>Boat and Trailer Storage Payment.....8</p> <p>Boat Dock Lockers.....9</p> <p>Boat Washing and Care.....9</p> <p>Boats and Storage.....8</p>	<p style="text-align: center;">G</p> <p>Garbage.....14</p> <p>Garbage In Recreational Hall.....7</p> <p>Guest Visitation.....5</p>
<p style="text-align: center;">C</p> <p>Chairs, Borrowing from Co-op.....7</p> <p>Children Using Recreational Facilities.....6</p> <p>Clotheslines.....14</p> <p>Co-op Approval/Purchasers & Non-Members....4</p> <p>Common Areas Definition.....1</p> <p>Compliance and Default.....23</p> <p>Concrete: Final Inspection.....19</p> <p>Concrete: Form Inspection.....19</p> <p>Construction: East Side.....17</p> <p>Construction: West Side.....17</p> <p>Contractor Advertising Signs.....16</p> <p>Contractor(s) Violation of Rules.....20</p> <p>Corporation Definition.....1</p>	<p style="text-align: center;">H</p> <p>Home Maintenance.....13</p> <p>Home Sites.....17</p> <p>Housekeeping.....12</p>
<p style="text-align: center;">D</p> <p>Docks, Private on Creek.....9</p> <p>Docks, Private Rental.....9</p> <p>Driveway Barriers.....18</p> <p>Driveway/Patio Use.....14</p>	<p style="text-align: center;">I</p> <p>Information Meetings.....2</p> <p>Irrigation.....14</p>
<p style="text-align: center;">E</p> <p>Enforcement for Noncompliance.....3</p> <p>Enforcement of Summer Storage Rules.....18</p> <p>ESC Barbecue Grill Policy.....20</p> <p>ESC Stickers.....12</p>	<p style="text-align: center;">K</p> <p>Keys for the Recreation Hall.....6</p> <p>Kitchen Equipment Sign-out.....7</p>
<p style="text-align: center;">F</p> <p>Fences.....14</p> <p>Fifty-Five Plus (55+) Proof.....5</p> <p>Fines.....4</p>	<p style="text-align: center;">L</p> <p>Landscaping.....13</p> <p>Launching Ramp.....7</p> <p>Laundry.....14</p> <p>Lighting.....12</p> <p>Lighting on Boat Docks.....9</p> <p>Lockers on Boat Docks.....9</p>
<p style="text-align: center;">G</p>	<p style="text-align: center;">M</p> <p>Maintenance Assessments.....2</p> <p>Maintenance Building Guidelines.....1</p> <p>Management/Manager Definition.....1</p> <p>Manager.....2</p> <p>Member Definition.....1</p>
<p style="text-align: center;">H</p>	<p style="text-align: center;">N</p> <p>No Smoking Policy.....7</p> <p>Non-Compliance with Rules and Regulations....3</p>
<p style="text-align: center;">I</p>	<p style="text-align: center;">O</p> <p>Owners of Record.....1</p>
<p style="text-align: center;">J</p>	<p style="text-align: center;">P</p> <p>Paper Product and Table Setting Use.....7</p> <p>Park Definition.....1</p> <p>Park Water Shutoff.....16</p> <p>Parking, Designated Areas.....10</p> <p>Parking, Residents.....10</p> <p>Parking, Residents Absence.....10</p> <p>Payment for Boat & Storage Spaces.....8</p> <p>Peddlers.....16</p>

1. General Information and Definitions:

- a. Corporation: Corporation means Enchanting Shores Co-op, Inc., and landlord to both Shareholders and tenants.
- b. **Community or Park: Community or Park shall mean Enchanting Shores Co-op, Inc. located at 17 Turquoise Ave., Naples, Florida 34114.**
- c. **Management/Manager:** Refers to the person(s), firm, or corporation designated by the Board of Directors of the Co-op to enforce the Rules & Regulations of the Community and to manage the day-to-day operations of the Community.
- d. **Member:** A Member shall be the person(s) as described by the Amended and Restated Bylaws of Enchanting Shores CO-OP, Inc. Other terms used for Members are: Shareholders; Stockholders; Unit Owners; Owners of Record.
- e. **Lessee:** A Lessee shall be the person(s) entitled to occupancy rights as evidenced in the Exclusive Right of Possession Agreement ("ERPOA") between ESC and the Member and as further described in the Bylaws and the EROPA.
- f. **Shareholders:** Owners of Record; Shareholders of Record in the Collier County Registry of Deeds; Unit Owners are described as Lessees or Shareholders in the ESC By-Laws. This document shall refer to all Unit Owners (Members, Lessees) as Shareholders.
- g. **Tenant:** Tenant shall mean an occupant of a mobile or manufactured home and/or recreational vehicle in the Community who is not a Member of the Co-op.
- h. **Resident:** Resident means a Shareholder or Tenant of the Park; one who resides in the Park.
- i. **Guest:** A "Guest is defined as a person whose stay at the request of a Resident does not exceed thirty (30) total days per year, unless such person has the permission of the BOD.
- j. **Unit:** Unit shall mean a lot, or a lot with a manufactured home, mobile home, recreational vehicle, or any similar vehicle and as further defined in the Bylaws. There are 365 units in Enchanting Shores Co-op.
- k. **Maintenance Building:** The maintenance building is intended for use by ESC residents with approval by the ESC Office. No personal items are to be stored in or outside of the building. Only maintenance building items approved by ESC insurance policy are available for general residents use.
- l. **Common Areas:** Consist of the ESC Park grounds for use by all Shareholders, guests, and renters, i.e. recreational areas, boat yard and boat ramp and all other properties with the exclusion of lots identified as those with or for exclusive right of possession, and as further defined in the Bylaws.

- m. **Provisions of Housing for Older Persons:** Enchanting Shores Co-op, Inc. is a private Retirement Park for persons 55 years and older in accordance with Federal, State and County Laws, and as stated in the Enchanting Shores Co-op, Inc. By-laws.
- n. **Information Meetings:** Any Enchanting Shores Co-op Shareholder, or group of Shareholders, may hold informational meetings for the benefit of other Shareholders.

2. Management Adherence to Rules – Organization:

- a. **The Board of Directors**, in accordance with the By-Laws of the Corporation, is responsible for the administration of the Association's affairs and has the powers invested in the BOD through the Bylaws and the Cooperative Act. The Officers of the BOD consist of the President, Vice-President(s), and Secretary/Treasurer(s).
- b. **The Manager**, under Contract to the Corporation, reports administratively to the President of the Board of Directors. The manager functionally reports to those Directors or individuals who have been assigned leadership of certain Co-op responsibilities. The President or a Vice President designate shall make final decisions on the Manager's workload priorities.
- c. **The Manager**, designated and employed by the CO-OP, is responsible to oversee and enforce these policies, and all Rules, Regulations, and Policies of the Corporation.

3. Responsibilities and Liabilities:

- a. **Maintenance Assessments** are payable, in advance, on a Quarterly basis, due on the first of the month in each quarter (January 1, April 1, July 1 and October 1). Shareholder's check will be the receipt unless a receipt is requested. Your ESC street address should be on the memo line of your check to ensure proper recording of the payment. Payment not received or postmarked by the TENTH of the month in each quarter will be considered delinquent; *a check not cleared thru is considered late. A late fee of \$25.00 will be assessed if payment is not received by the TENTH of the month.* Non-payment of fees will result in a Late Fee assessment and/or fines pursuant to Florida Statute Chapters 719 and 723. Accounts that are delinquent as of the 15th day of the month when due shall receive a courtesy notice of amount due. All accounts delinquent more than **30** days will be forwarded to Legal Counsel with authorization to proceed with filing a lien on the unit and foreclosure of the lien if not paid.
- b. **Special Assessments:** If and when required by the Board of Directors, will be payable by the date(s) set forth by the Board of Directors. This is subject to late fee assessment as stated in above Maintenance Assessments.

- c. **Utilities:** Each Shareholder is responsible for her/his own utility services and facilities up to the point of connection.
- d. **Association:** The Corporation shall not be responsible for fire, theft, or other damage to the mobile home, autos, or other personal property belonging to the Shareholders or their guests for any reason, whether by act of omission or failure of the Corporation to furnish any services for which it is obligated there under.
- e. **Personal:**
 - 1) The Board of Directors shall deem a Shareholder's conviction for a violation of Federal, State, or Local Laws detrimental to the health, safety or welfare of other Shareholders, to be sufficient cause for appropriate action, including removal from membership or occupancy by the Board of Directors and/or under direction of legal counsel.
 - 2) Proper attire is required at all times. Shirt and shoes are required in the clubhouse.
 - 3) Drunkenness and offensive conduct will not be tolerated in the Park, and may result in the suspension of access to the Common Areas.
- f. **Enforcement:** As the Co-operative documents so provide, the Co-op may levy fines or suspend use rights against a Shareholder, her/his guests, or tenants for failure to comply with any provision of the Co-op Documents or Rules and Regulations. The fining process shall be in compliance with Florida Statute # 719.303(3) (b). No Fine shall exceed \$100.00 per violation. However, a fine may be levied on the basis of each day of a continuing violation, after giving fifteen (15) days to take corrective action, with a single notice opportunity for hearing, provided that no such fine shall, in the aggregate, exceed \$1,000.00, nor shall any fine be levied except after giving reasonable notice and opportunity for a hearing to the Shareholder and, if applicable, her/his guest or tenant. Upon becoming aware that a violation exists, the Manager will contact the appropriate Shareholder either by phone, in person, or by written notice and inform the Shareholder that he/she is in violation of one of the ESC Governing Documents, citing the specific reference for the violation. If the Shareholder does not take action to correct the violation within fifteen (15) days, the Manager will inform the Shareholder that the violation will be referred to the Board of Directors for further action. At the next scheduled meeting of the Board of Directors, the Manager will present any pending violations. The Board of Directors will decide which violations, if any, will be sent to the Fines Committee and shall levy a fine for each violation. The Fines Committee will then schedule a hearing, giving the violator at least fourteen (14) days' notice to attend the hearing and present any argument or evidence in his/her defense. The Manager will be in attendance of all Fines Committee meetings to present the case against the violator. After hearing the evidence and/or arguments of both parties, the Fines Committee will decide whether or not to approve or deny the fine against the violator. If the violator elects not to attend the hearing, the Committee may approve the fine by

default. If the proposed fine is approved by the Fines Committee the fine is due 5 days after the date of the committee meeting at which the fine is approved. The Association shall deliver written notice of such fine or suspension by mail or hand delivery to the unit owner and, if applicable, to any tenant or guest of the Unit Owner. Fines not paid within thirty (30) days may be subject to further fines and/or legal action.

Fines Committee

Chairman:

Jack Greaney, 37 Aquamarine Avenue (239) 530-0085

Jay Hatcher, 39 Aquamarine Avenue (904) 708-8769

Matt Carunchia, 5 Garnet Road (260) 367-1441

Alternates:

Joan Roy, 9 Aquamarine Avenue (401) 266-4462

- g. **Shareholder's Address:** Shareholder's official address, phone number, etc., must be provided to the Association. It is the Shareholder's responsibility to provide the Association with any change of address in writing.
- h. **Registration:** All Shareholders, overnight visitors, and tenants are required to sign in at the office no later than the next working day after arrival in the Park. You may fill in a sign-in form located next to the office door and drop it in the mail slot in the door if the office is closed. You must also sign-out when you're leaving the Park overnight or for the season. This can be also be done by email to enchantingshores@gmail.com

4. Purchasers and Non-Shareholders:

- a. **Co-op Approval:** Before the sale or renting of any unit the Board of Directors must approve Prospective Purchasers or renters. Proof of age must be submitted with the Co-op's Renter or Prospective buyer application form and before obtaining the Board of Directors' approval. The Board of Directors may approve or reject applications for purchase of Membership in the Co-op. All applicants for Co-op membership shall be considered desirable and compatible with the community in order to be approved for admittance and must meet certain financial criteria as established by the BOD. The BOD may consider financial and criminal backgrounds in making its decisions to approve or disapprove. Determination by the Co-op that the Member misstated or misrepresented any information on any application or entry forms required by the Co-op prior to admittance as a Resident of the Community and a Member of the Co-op shall constitute a violation of these Rules and Regulations, and the Co-op shall have all rights and remedies permitted in the Declaration of Master Form Occupancy Agreement and under Chapter 719, Florida Statutes.
- 1) **Transfer of Shares:** Shareholders wishing to sell their Master Exclusive Right of Possession should contract the services of a Title Company or Real Estate Attorney. Any past due accounts must be reconciled before the Co-op

provides any information to prospective buyers or seller's Title Company, Real Estate agents or Attorneys.

- 2) A Co-op Fee for this process is itemized as follows:
 - (a) **Application:** \$100 (waived for park residents re-purchasing)
 - (b) **Exclusive Right of Possession:** \$100 (Every buyer must pay this, and it must be conducted in the Co-op Office.)
 - (c) **Estoppel letter:** \$100 (Only required if Title Co. /Attorney request it.)
 - (d) **Stock certificate:** \$50 (Every buyer must pay this amount.)
 - (e) **Background Check:** \$55 for each prospective buyer. If a buyer is currently a renter in good standing or owner of another ESC unit, the buyer may submit a request for waiver of the background check. Generally, a renter who paid for a background check within the past five (5) years will not be required to pay for another background check to purchase a unit. However, the Board of Directors is responsible for safeguarding the safety and interest of all Shareholders. Therefore, the Board of Directors reserves the right to require an updated background check prior to any transfer of ESC Shares if warranted by the circumstances of the sale.
- b. **Guests:** Enchanting Shores is a Private Retirement Park. Unless otherwise approved by the Board of Directors, guests may visit for an aggregate of 30 days per calendar year. After 30 days a background check will be required. The Board of Directors must approve any extension. All overnight guests are required to sign in on arrival and sign out on departure. Each Shareholder is responsible for her/his guests and their compliance with these rules. At no time shall the number of persons sleeping in a home exceed the maximum permitted by applicable Government regulation, ordinance, statutes, and the Co-op documents.
- c. **Rental Policy:** Shareholders must obtain a Rental Form from the Co-op Office and submit the Rental Form (along with a check for \$55.00 per occupant for a Background check) requesting Board approval **thirty (30) days** before leasing or renting their unit. The Background Check charge may be waived for repeat renters based on past experience with renters. Shareholder must request waiver in writing to the Board of Directors.
- d. **Minimum Time for Rentals:** Rentals of Units/Lots must be for a minimum of one month.
- e. **Proof of age:** Proof of being 55 years of age or older must be submitted and verified by Co-op via Driver's License or birth certificate before a Shareholder leases their unit or lot.

- f. **Sign In, Sign Out:** Renters must sign in within the next working day of their arrival and sign out upon departure.
 - 1) It is the owner's responsibility to furnish Rules & Regulations to the lessees and/or renters.
 - 2) Renters must obtain Parking Permit from Co-op office and properly display it. (See section 19 Security – A)

5. Recreational Facilities:

- a. **Availability:** Recreational Facilities of the Park are available to all residents. The recreation hall, swimming pool, and other facilities of the Co-operative intended for the common use shall be for the exclusive use of the Shareholders, their guests or tenants, and their families without charge. To assure the use of these facilities for the Shareholders, specific Rules and Regulations and limitations of guest privileges will be posted from time to time.
- b. **Children:** No child under 14 years old will be allowed in or around the recreation areas unless accompanied by a parent, guardian or Shareholder. Violations and vandalism may result in prosecution, and any and all damages caused by a Member, their Tenant or Guest shall be the responsibility of Resident and The Resident shall be liable for the cost to repair or replace any damage to the Common Areas.
- c. **Keys** to the Recreation Hall are available to all Shareholders. The first key is free. All additional keys will be \$5.00 each.

6. Recreation Hall - Reservation and Use:

- a. **Reservations:** Any requested date to use the Recreation Hall must be cleared by the ESC office. A calendar will be maintained and updated and available online.
- b. **Private Functions:** Residents may reserve the Recreation Hall, or rooms therein, for private functions by applying in writing to the ESC Office stating the nature of the function, number of guests, and date desired. Reservations will be on a first come first served basis. Private parties cannot exclude any shareholders from utilizing the premises. It shall be the responsibility of the applicant to leave the facilities in a clean and orderly condition. The applicant shall be liable for any damages to the property or costs incurred by the Association to clean the Recreation Hall after applicant is given the opportunity to do so.
- c. **Preemption:** Weekly scheduled activities may be preempted to accommodate Board approved activities. Reservations for private parties cannot be made further in advance than 60 days. The Co-op reserves the right to have priority over all private functions for Co-op related functions.

- d. **Garbage:** Co-op activity/function groups are responsible for putting garbage containers and recycle containers for the clubhouse out for the next pickup day after their activity and returned to storage area after pick up. Clubhouse garbage and recycle bins should be stored in the designated location in clubhouse as set by the ESC Office until the scheduled pick-up day. (Note: No parking spaces are to be blocked by the containers).
- e. **Bingo:** Children under the age of 18 are not permitted to play Bingo. This is a State Law.
- f. **Billiard Room:** Children under the age of 18 are not permitted in the Billiard Room unless accompanied by a Shareholder.
- g. **Loan of Tables.** Tables stored in the Recreation Hall may not be removed from the Hall. These tables are designated for Hall activities and are subject to restrictions by the Co-op as related to specific functions and/or scheduled activities held in the Recreation Hall. Tables located in the Maintenance Building may be loaned to residents only upon obtaining permission from the ESC office.
- h. **Loan of Chairs:** Padded chairs stored in the Recreation Hall may not be removed from the Hall. The unpadded chairs in the other storage areas may be loaned to residents only upon obtaining permission from the ESC office.
- i. **Co-op Equipment and Property:** All items that belong to the ESC Co-op must be signed out at the ESC Office or maintenance building. This includes but is not limited to all kitchen items, canopies, microphones, and shed items.
- j. **Paper products** such as plates, napkins, cups, and utensils will be provided for Park functions and block parties. Use of these products should be requested one week in advance to ensure there would be sufficient stock on hand. These items should not be used for private parties.

7. No Smoking Policy:

- a. Smoking & vaping is strictly prohibited in the Recreation Hall and all rooms therein. Smoking & vaping is not permitted in the confines of the fenced pool deck area. Smoking/vaping is allowed in the designated grill area only. Reference Clean Indoor Air Act, Chapter 386, Part II, October 1, 1985.

8. Boats and Storage:

- a. **Launching Ramp:** Community boat launching ramp and dock is for use by residents of Enchanting Shores **ONLY**. Please respect everyone's right to use the facility and do not tie it up for any unreasonable length of time (particularly if others are waiting). Under no circumstance can anyone leave her/his boat in the water at the launching ramp dock when not in use and at no time shall a boat be

left unattended. Please keep the boat launch area free of debris, and do not contribute to the pollution of public waters.

9. Parking of Boats and RVs:

- a. **Assignment:** Any Shareholder who is applying for a boat space must prove ownership of a boat/trailer or the boat space will not be assigned to them. Only the currently registered boat/trailer owned by the Shareholder may be parked in the Shareholder's space that paid for the space. Proof of Registration is required to apply for a boat space. A person cannot let another person use their boat space unless approved by the Board of Directors or the BOD Designee. Boat/Trailer spaces are assigned by the ESC office management. In the event all boat spaces are assigned, a numbered list will be maintained in the office for Shareholders wishing to reserve space. As a boat space becomes available, the Board of Directors, or Designee, will allocate a boat space according to the numbered list.
- b. **RV and Other Storage:** There will be no RV storage on any common ground areas without permission within the Park. Open storage, craft, motorcycle or other "U-Haul" type of trailers are not permitted in the Park unless they can be stored under a carport. Shareholders may apply for permission to store non-commercial enclosed trailers or car dollies in the ESC storage area north of Zircon. Proof of Registration is required to apply for a space. An annual fee will apply.
- c. **Payment.** Fees are due annually by January 1st (check made out to Enchanting Shores Co-op designating the numbered storage space). In the event that payment is not received in ten (10) days, the space may be assigned to another Shareholder owning a properly registered boat or trailer. Storage spaces are not transferable unless approved by the Board of Directors or Designee. Each trailer should affix the "ESC" sticker and space number to the tongue of trailer. A quarterly option can be made at the discretion of the ESC office for new boat owners only. All leased boat/trailer spaces are valid thru December 31st of the calendar year.
- d. **Allotment of Boat Spaces:** Only one rental space per unit. If spaces are available, consideration will be given to providing one additional space.

10. Securing Boats during Absence:

- a. The Shareholder is responsible to either secure the boat and/or trailer under their carport or on their assigned boat space during off-season. Off-season is considered to be 4/1/ - 9/30.
- b. Shareholders must remove tire blocks or any restraining material from their assigned boat rental lots (to facilitate grass mowing) when the space is vacated for more than 72 hours.

11. Boat Washing and Care:

- a. Washing of boat's hull, deck and trailer in driveways is permitted; however, maintenance to boat in driveway is limited to once per week.
- b. Running motors or flushing motors in streets or in residential areas is prohibited. This is permitted only at the Boat Yard pad and at the Bloodstone Drive pad. At these facilities, motors may be flushed for a maximum of three (3) minutes at idle speed only for the purpose of removing salt water from engine.
- c. No repairing of motors or engine fogging will be allowed outside of the designated motor flushing areas listed in, 11b.

12. Private Boat Docks on Creek:

- a. **Approval:** Private boat docks erected at waterfront lots must have prior approval from the Board of Directors and permits obtained from the proper Governmental Agencies.
- b. **Lighting:** It is recommended that overnight lighting be provided on private docks for security reasons.
- c. **Boat Dock Lockers** are permitted but must conform to Collier County Codes and be fastened securely to dock platform.

13. Private Boat Dock Rental:

- a. Private boat docks may not be rented to non-Shareholders.

14. Vehicles:

- a. **Permitted in Park:** Passenger Cars, Vans, SUVs, motorbikes, mini-bikes, and pick-up Trucks are the only vehicles permitted for residential use. All vehicles must be properly licensed and registered. Commercial vehicles or Trucks (used for Business) other than those mentioned may not be kept in the Park. No commercial advertisement will be allowed on residential vehicles.
- b. **Limited Permission in Park:** Motorcycles are allowed only as a means of transportation IN or OUT of the Co-op property. All drivers of these vehicles must have a valid driver's license and must obey County, local and ESC laws and rules. Handicap modes of transportation may be approved on an as needed basis.
- c. **RV Types:** The TTRV section in the East section of the CO-OP property consists of unit lots designated for Shareholders or renters using motor homes, travel

trailers, campers, or recreational vehicles. These must be parked with full hook-ups and be sized to conform to space limitations allowing for parking of any associated passenger carrying vehicles.

- d. **Upkeep:** Vehicles, boats, and boat trailers must not be allowed to deteriorate so as to negatively affect the appearance of ESC. (Should not show any sign of deterioration such as rust, flat tires etc. Boats in need of painting, paint flaking off hull, are a few examples).

15. Resident Vehicle Parking:

- a. **Resident parking:** Parking for visitors to your home should not block other residents' driveways. No vehicles shall be left on the streets overnight without permission from the ESC office. Vehicles should fit entirely in the driveway. RV travel trailers or motor homes may park for a period of six (6) hours, maximum, during a 7-day period while loading or unloading for a trip. RVs or motor homes cannot be put on leveling jacks while parked on the street or common ground parking areas.
- b. **Designated areas:** Acceptable vehicles must be parked in the designated areas which are: unit driveways, areas in front of the Recreation Hall, pool, shuffleboard courts, tennis courts, and laundry parking areas. You are not allowed to park any vehicles on the grass in any areas of the Park. The driveway is to be used for parking vehicles and not as a storage area. The only exception to this is you may park your vehicle with a boat trailer in tow while your boat is in the water on the grass in front of the maintenance building along Sapphire Blvd. Long-term parking or storage of vehicles in the designated parking areas adjacent to the common grounds will be limited to a maximum of seven days, except in extenuating circumstances and only upon approval by the BOD or Management. If a resident has a second car, it may be parked in the designated area ONLY if it does not fit in the resident's driveway. This can only be done after receiving approval from the BOD and registering the vehicle with the ESC Office. Residents owning two (2) motor vehicles and a boat will be allowed to park all three at the unit (3) if the resident's driveway is able to accommodate the parked boat trailer and all vehicles in the driveway. If not, the two (2) motor vehicles will be allowed to park in the driveway and the boat trailer must be parked in an ESC rental space, if available, or the boat/trailer must be stored outside the Co-op property. Residents owning three (3) or more vehicles will be allowed to park three (3) or more in the driveway if it will accommodate them. If unable to, the extra vehicle(s) shall be removed from the Park unless some other arrangement for parking the extra vehicle(s) has been made.
- c. **Resident's Absence:** If a resident leaves the Co-op overnight or longer, the vehicle must be parked in the shareholders driveway. RVs, Motor Homes, and/or Boats or other types of vehicles cannot be parked in a unit's driveway unless they are under the carport.

16. Visitor Vehicle Parking:

- a. No visitor's vehicle shall be left on the streets overnight. If unable to park in the resident's driveway, the vehicles must be parked in the Recreational Hall parking areas with property managers permission. Violator's will be towed at owner's expense.
- b. Visitors' RVs may be parked in the Recreational Area parking spaces for a maximum of seven (7) nights. These RVs cannot be occupied, leveling jacks cannot be deployed, nor can these RVs be parked so as to block the view when exiting the East Side traffic circle. You should notify the office in advance to be sure there is space available for your Visitor's RV.
- c. All overnight vehicles must display a dated ESC Visitor placard obtained from ESC office upon check-in and placed where visible from the street.

17. Vehicle Maintenance:

- a. Space has been made available for light maintenance of vehicle, boat, motors and trailers in the Boat Yard behind the Maintenance Building and the pad on the east end of the park. Other than in this area, no vehicle maintenance shall be done in the park.

Light maintenance includes: Washing of cars, boats or trailers

NOT ALLOWED

- Changing or adding of fluids;
- Oil changes
- Cooling system fluids
- Transmission fluids
- Brake fluids
- Painting
- Gas tank repairs

If you have questions regarding what you can do, ask the Manager for clarification.

18. Speed Limit:

- a. The speed limit in the Park is **10 mph** and applies to all motor vehicles, bicycles and motorized bikes. Observe stop signs and be extra cautious of cyclists and pedestrians. The speed limit is posted throughout the park.

19. Security:

- a. **VISITORS** staying in the park overnight must register at the office and receive a specifically dated ESC parking pass containing the shareholder's address and the date of departure. This pass should be taped to the inside of the rear window

of the vehicle. If the visitor's vehicle will not fit in the shareholders driveway, permission to park on the common grounds parking lots must be obtained from the park manager.

RENTERS upon check in at the ESC office will obtain a rear view mirror pass depicting the address and date of departure. This placard must be displayed at all times. If arriving over the weekend, all renters and visitors must register at the ESC office the next business day. There is no overnight parking anywhere on the street of the park. All visitors should be signed out upon departure. This can be done in the ESC office or through email.

- b. **ESC Stickers:** Two (2) "ESC" fluorescent stickers must be visible on front and rear of each Shareholder's vehicles at all times. Shareholders with trailers or car dollies parked in the Park must have the same sticker affixed to the front tongue of the trailer, making it visible.
- c. **Non-Compliance:** The Manager has the right to question the owner/driver of any vehicle not displaying the ESC/Renter sticker or Visitor placard.
- d. **Surveillance Cameras;**
 - 1. Only the Co-Op will be allowed to install surveillance cameras on the Association Property. Surveillance cameras will only be located in common areas and maintained by the ESC Co-op.
 - 2. Footage history will be kept for 30 days except in the case of system malfunction, power outage or natural peril.
 - 3. Footage can only be reviewed by the manager with at least one board member present. The footage can be reviewed at any time within the 30 day period.
 - 4. Law enforcement is the only entity that can review footage in private.
 - 5. Board members cannot store or review footage on their personal devices.
 - 6. Footage can be turned over to law enforcement of another party if warranted by a subpoena.
 - 7. Video footage is a tool of the association and the community manager and not a service provided to the association members and it is not a part of the regular business records maintained by the association to which all members are entitled to inspect and view.
 - 8. Shareholder's must first apply for an application for home improvement from the ESC office along with a diagram as to where cameras will be placed prior to installation, and any installation may only be completed upon approval by the BOD.
- e. **Lighting:** Adequate lighting is encouraged throughout the Community. The use of outside lighting around homes is recommended. Lighting shall be used in such a manner so that it does not shine into a neighboring unit creating a nuisance. It is suggested that overnight lighting be provided on all waterfront docks.

20. Housekeeping:

- a. **Planters, Lawns and Garden Beds:** Shareholders are responsible for the appearance of planters and lawns. Planters are to be kept free of weeds and trimmed. Lawns are to be watered, fertilized and treated for pests as needed, year-round. If a home site does not receive proper care, management will follow proper protocol notifying shareholder for corrective action.
- b. **Landscaping:** Shareholders may landscape their home sites with trees and shrubs in an attractive manner to suit their preferences. Because of the existence of underground utilities, and to facilitate lawn maintenance, such landscaping may be accomplished only after obtaining and having an approved, application for property improvement from the ESC Office.
- c. **Tree Trimming:** All trees will be trimmed to a minimum height of three (3) ft. from the ground and shrubs trimmed so that they will facilitate Lawn Maintenance. Shareholders are required to trim all dead branches and palm frond seeds and berries from trees and palms on their lot. All bushes should be trimmed so that they will facilitate Lawn Maintenance. As a suggestion, protect your trees by trim rings or other means. Trees being removed must also have the stump removed to deter termites. Trees and bushes need to be kept trimmed to keep them from obstructing the view of the street from the driveway.
- d. **Fruit trees** must be picked clean of all fruit before a seasonal Shareholder departs for home. Unpicked fruit rots on the tree and falls to the ground. This attracts animals, insects and also impedes lawn maintenance. Management will enforce this rule with a notice to the Shareholder. If Shareholder cannot be contacted or fails to arrange for compliance to this rule, Management will initiate corrective action at the Shareholder's expense.
- e. **Home Maintenance:** Each owner of a manufactured home, park model or a type of recreational vehicle is responsible for the maintenance and repair of said unit including the shed. This includes but is not limited to the following: mold, weeds, mildew removal, exterior painting, landscape maintenance, broken windows, doors, awnings, roofs dock repairs, driveways, pads and tree trimming. ESC management will notify the shareholder of maintenance infractions, giving 15 days to comply. The Association shall enforce all maintenance requirements in accordance with the terms of the Bylaws.

21. Sprinkler Systems:

- a. **Lawn sprinklers** may be operated according to existing Collier County ordinances and ESC policy or restrictions. ESC policy is odd addresses water on Monday, Wednesday and Saturday. Even number addresses can water on Tuesday, Thursday and Sunday. Hand watering can be done at any time. Lawn sprinklers can be operated for a maximum of 15 minutes per session.

- b. **Rain Shutoff Devices:** Irrigation Systems must conform to Collier County's Ordinance requiring "Rain Shutoff" devices in order to conserve water. The only approved ESC "Rain Shutoff" device is the "reservoir or rain-retention" type. These devices must be tested and be in working order before the start of the "dry" season (October through May). During the "wet" season (June through September) automatically controlled sprinkler systems must be shut off.
- c. **Non-Compliance:** Any Irrigation Systems malfunctioning or without Rain Shutoff devices will be turned off until the owner conforms to Collier County Ordinance and ESC Policy.
- d. **Manually controlled irrigation systems** need no rain shutoff device.

22. Fences:

- a. No fence or hedging enclosure shall be erected anywhere on a unit site. The Board of Directors may, in its own discretion approve any departure from this in advance.

23. Storage:

- a. **Unightly Equipment/Materials:** No storage of material or unsightly equipment is permitted to remain on the outside of a unit for an unreasonable length of time. The Manager will notify Shareholders if unsightly equipment and/or materials become a problem.
- b. **Clotheslines**, clothes trees, etc. are not permitted on the exterior of any unit or in carports.
- c. **Laundry:** No laundry except beach towels should be hung where it is visible from the street. It is recommended to use Park laundry lines (North side of Recreation Hall).

24. Driveway/Patio Use:

- a. Driveways and patios must be kept neat and orderly. Any hobby or vocational related projects, other than renovations, not confined to the inside of shed area (performed outside the unit) must be stored away each night including all related materials.

25. Garbage:

- a. Garbage and other refuse will be collected in accordance with Rules & Regulations issued by Collier County Waste Management and the Board of Directors. (Park activities are responsible for putting garbage containers for

- clubhouse out for the next pickup after the activity and return same to the storage area.)
- b. All household garbage and refuse placed outside prior to collection day must be securely tied in plastic trash bags and stored in clean, tightly covered, garbage containers to prevent animals from getting into the garbage.
 - c. Remodeling or construction material waste should be removed either by the contractor performing the work or by the homeowner. Maintenance staff will reject large pieces of furniture, rugs, or appliances, etc. set out for removal. Residents must then make other arrangements to remove these materials from the community.
 - d. No burning of trash, leaves, or any material is allowed.
 - e. We cannot take any electronic devices, propane tanks, tires, or paint and chemicals. These must be taken to the Collier County Hazardous Collection Site.

26. Pets, Service and Support Animals

- a. **NO PETS** are permitted either in units or on ESC Co-op premises.
- b. Service and Support Animal
 - 1) You **MUST** complete the Reasonable Accommodation Forms (\$150 application fee) in the ESC office and receive an approval letter from the ESC attorney **BEFORE** bringing such animal into the park. The request will be reviewed in accordance with federal, state and local laws.
 - 2) Control of Animals: All animals shall be restrained and/or kept on a leash under the control of the responsible person at all times when such animal is outside of a home and within the Park.
 - 3) Licensed: Must be licensed and have all its immunizations. Paperwork from the veterinarian showing that the animal has all their immunizations must be available to ESC management.
 - 4) Nuisance: Barking and any loud noises and/or damage to shareholder or community property will not be allowed. Animals must be under control and well behaved at all times and must not threaten or cause injury to residents or their guests. Animals must not be left unattended on screened-in areas or carports.
 - 5) Cleaning of Feces: While located in the park, the owner will be responsible at all times for cleaning up and removing all feces for proper disposal immediately after his/her animal relieves itself.
 - 6) At no time may your animals be kept at the home of another resident.
- a) **NOTE: Violating the above policy could lead to removal of any offending animal(s). All animals will have to abide by additional appropriate policies approved by the Board of Directors in the future. ESC IS STILL**

A NO-PET PARK. For further information contact the office for required paperwork for any animal.

27. Signs: The only Signs permitted on ESC Grounds are:

- a. **"FOR SALE or FOR RENT"**: Only **one** sign may be placed at the home site, the size of which shall be no larger than 24"X 24". Additionally, one notice may be posted on the Recreation Hall Bulletin Board available for that purpose. This "Sale" or "Rent" information to be posted should be on a sheet or card **no larger than 5" x 7"**, and should include the address of the unit. Any signs that are used for the good of the park such as selling tickets or advertising a park event that Shareholders will attend are acceptable. These signs must be removed once the event is completed. **NOTE: Political signs will not be allowed.**
- b. **"CONTRACTOR ADVERTISING SIGNS"** may only be posted until work is completed.

28. Quiet Time:

- a. In consideration of your neighbors it is required that radios, TV's, voices, etc., be kept at a reasonable level at all times.
- b. Quiet Time in the Park is from **10:00 p.m. to 8:00 a.m.**

29. Street Numbers:

- a. The street number for each home must be affixed to the front of the home and must be at least Four (4) inches high and easily visible and legible for emergency vehicles. It is suggested that smaller numbers be affixed to the back of Unit.

30. Park Water Shutoff:

- a. Park water shut-off is under the control of the ESC Board and the Manager, i.e., construction crews, are not permitted to turn off water. This is to assure proper notification and control.

31. Soliciting:

- a. No selling, soliciting, peddling, or commercial activities of any kind are permitted within the Community unless approval is obtained in writing from the BOD. Notwithstanding, nothing herein prevents or infringes upon the Resident from canvassing manufactured home owners for the purpose described in Chapters 719 and 723, Florida Statutes.
- b. **If peddlers come to your door**, ask them to leave and notify the manager or Contact the sheriff immediately.

32. Home Sites – General:

- a. New Manufactured Homes added to the Co-op need to be consistent with the established park setting. Continued uniformity and attractive placement of new homes will ensure the value of existing residences. Some Lots are larger than others; home sizes need to be commensurate with the space provided by the lot. All Unit owners in the Park should install some type of protection around their unit to prevent damage by the Lawn Maintenance crew. (I.E. Patio block etc.).

33. Construction:

- a. **East End:**(Park Models, Recreational Vehicles to include Motor Homes, Travel Trailers, and like vehicles)
 - 1) A Request for an application for home improvement form must be obtained from the Co-op office and approved prior to exterior modification work being done. This form will adhere to the ESC Architectural Guidelines and must be accompanied by a Collier County permit if warranted.
 - 2) Park Models scheduled to be installed on empty lots and/or existing units scheduled for replacement must be installed or replaced with a NEW PARK MODEL UNIT
 - 3) No used Screen Rooms, Building Attachments or Lanais will be permitted to be installed or attached to an existing Park Model.
 - 4) NOTE: The Board of Directors will have the sole authority to permit a waiver to this Rule.
- b. **West End** (Double Wide Manufactured Homes): The following guidelines are the minimum requirements for Manufactured Homes to conform to lot sizes and established placements. Lot sizes are nominally 46' wide by 100' deep. Placements for the most part are square to the road.
 - 1) A Request for an Application for home improvements form must be obtained from the Co-op office and approved prior to any exterior modification being made to the unit. This form will adhere to the ESC Architectural Guidelines and a Collier County permit is required if warranted.
 - 2) Site plans detailing the location (according to Guidelines) of new home must be submitted to the Co-op office with the Request for Improvement Application form for final approval of Building and Grounds prior to placing the home on the lot.
 - 3) No used **screen rooms, building attachments or lanais** are to be attached to a new or existing Manufactured Home.

34. Summer Storage:

- a. **Items under 100 lbs.:** Planters, lawn decorations, ornaments, bicycles and other items under 100 lbs. which may become projectiles in a severe windstorm must be removed or stored indoors prior to the shareholder's departure.
- b. **RVs/Boats** parked on lots for the summer season must be anchored with a minimum of 3 anchors, tie down straps and straps prior to shareholder's departure.
- c. **Driveways:** No concrete blocks or similar device are to be used to prohibit driveway use or on roofs to secure hoods over skylights. Shareholders will be permitted to install anchored posts with a rope or chain barrier to accomplish a restriction to their driveway.
- d. **Weed Control** in planters and flowerbeds and around trees surrounding the unit must be maintained during the Shareholder's absence. Arrangements for this operation are the Shareholder's responsibility.
- e. **Enforcement:** The Manager will enforce the above with a notice to the Shareholder. If a Shareholder cannot be contacted or fails to arrange for the maintenance of flowerbeds, planters, etc., the Manager will initiate corrective action at the Shareholder's expense.

35. Renovations/Improvements to Existing Homestead:

- a. **Improvements:** Prior to making any modifications to the outside of your unit, you must obtain the Request for Improvement Application for home improvement form from the ESC office, complete the form and submit it to the park manager for review and approval. Allow approximately one week for review and approval. This must be done before you can begin any work that requires an ESC permit.
- b. **Permits:** Shareholder or Contractor will obtain all required Permits from County or State and furnish the ESC office with a copy. Applications for home improvement forms are valid for 90 days. Upon the expiration of 90 days, a new application must be submitted unless written agreement from BOD is to extend time period for consideration.
- c. **Drawing of Work to be done:** Your contractor or you (if you do the work yourself) are required to submit a detailed drawing for approval. Contractors who do not comply with the rules may be excluded from performing any work within the Co-op property.
- d. **Skirting:** Vinyl, Concrete Block, Brick, Aluminum or similar material, (vertical or horizontal design), must be installed around the perimeter of unit to screen the lower base of unit.

- e. **Pipe Concealment:** All water and sewer pipes must be installed underground with connections to surface from underneath the unit interior of skirting. No pipes may be visible from any vantage point surrounding the unit. Irrigation and water pipes must be concealed, unless County Code or ordinance dictates otherwise...for example, back flow devices and shutoff valves require surface accessibility.
- f. **Concrete:** For all concrete work, refer to the ESC Architectural Guidelines
- g. **Violations:** Infractions of the Concrete Policy will result in correcting said violation at Shareholder's expense including any Co-op expense to resolve the matter.

36. Co-op Inspection:

- a. **Inspection:** The manager will conduct an inspection of any planned exterior renovations, improvements or repairs listed on the request for application for home Improvement form.
- b. **Concrete:** If concrete is to be poured, it is the Shareholder and/or Contractor responsibility to contact the Co-op office for concrete form inspection. Note: This inspection will be conducted **before** pouring of concrete and again **after** concrete is poured.
- c. **Final Inspection:** Shareholder or Contractor must contact Co-op office for Final Inspection of completed renovation, improvement and/or repair.

37. Shareholders Performing Renovations:

- a. Use the **CALL BEFORE YOU DIG** concept. (811)
- b. **Clean-up:** Shareholders performing their own unit renovations or improvements are prohibited from leaving material, equipment, tools, and/or debris on the unit grounds after the completion of the project and after the authorized date noted on the Application for home improvement form.
- c. **Debris** must be disposed of daily to insure the safety of other Shareholders.
- d. **Hazard:** Any material deemed as a nuisance or safety hazard by the Manager will be subject to immediate removal by the owner.
- e. **Revised Schedule:** If a Shareholder does not meet an approved permit date, the Shareholder must submit a revised schedule detailing a new completion date to the Co-op office. The manager may approve any extensions or altered schedules.
- f. **Shareholders' Project Operating Hours:**

- 1) Monday through Saturday 8:00 a.m. until 6:00 p.m.
 - 2) **No work** on Sundays or Holidays (**Exception** would be during an emergency when immediate attention is needed to correct a problem (water, electric, etc.).
- g. **Shareholder's Accountability.** Shareholders should verify that all contractors are licensed and carry proper insurance including Workers' Compensation.

38. Contractor's Responsibility:

- a. Use the "CALL BEFORE YOU DIG" concept. Construction Contractors or other companies working in the Co-op are required to furnish "Port-0 -Johns" for their employees and Construction Contractors are not permitted to utilize Community Property. Aforementioned Contractors/Companies are also required to furnish proper trash receptacles for their employees. Any necessary clean up by the Co-op will be billed at a \$ 100.00 minimum directly to the company involved. Contractors are prohibited from storing, parking, or using the Common Grounds for equipment, trailers, vehicles, etc. Shareholders employing contractors are held accountable for any violation(s) incurred by their contractor.
- b. Any material, trailers, vehicles etc. parked or stored on common grounds without obtaining manager approval will be subject to immediate removal or towing at the expense of the Shareholders for whom the contractor is employed. For example, a contractor may park a vehicle in the street or designated parking area, but the contractor is prohibited from storing or parking on the common ground areas, leaving material trailers or vehicles overnight unless approved by management.
- c. Contractor(s) may not begin work operations before 8 a.m. and must terminate said operations no later than 6 p.m. Monday through Saturday. Exception to the Rule would be an emergency repair to the Shareholder's unit.
- d. Exception to the Rule: Contractors employed by the Co-op to perform work operations in the common ground areas are exempt from b) and c) above.
- e. Contractor(s) violating these Rules may be subject to immediate exclusion from performing any work within the Co-op property by the authority and discretion of the ESC Board of Directors.

39. ESC Barbecue Grill Policy:

1. Use

- a. The grill and grill patio area is available to all shareholders.
- b. The grill and patio area must be reserved at least 48 hours in advance at the ESC office. A reservation form will be issued by the ESC office staff.

- c. Group functions, such as organized park events and block parties will have precedence over individual shareholder requests.

2. Procedures

a. Upon completing a grill and patio area reservation, that shareholder becomes responsible for the following:

1. The grill and patio area must be left in the same condition as when it was reserved. This includes a clean grill exterior, grill grates free of debris, drip pan emptied and cleaned and grill shelves cleaned and sanitized.
2. The patio must be swept and free from debris. Any tables and chairs borrowed from the maintenance building must be clean and returned.
3. All trash must be disposed of in appropriate trash cans.
4. LP Gas must be shut off at the tank and on the grill when finished.
5. Failure to comply with grill area rules could result in loss of privileges.

40. Swimming Pool Rules:

- a. **Babies:** No disposable or cloth diapers are permitted, unless protective rubber pants are worn over diaper. Swimming diapers may be worn.
- b. **Use of a towel is required** when using lounge chairs to prevent chair deterioration.
- c. **No diving or jumping.**
- d. **No running, skateboarding, roller-blading or roller-skating** on pool deck.
- e. **No glass containers** or food on pool deck.
- f. **Food and non-alcoholic beverages** are allowed only in the designated picnic area. No alcoholic beverages are allowed in any area of the pool except on special occasions with Board approval.
- g. **Sun tan lotion** must be removed by showering before going into pool.
- h. **Shower area** is to be used for removal of lotion products and pool chlorine, not personal bathing.
- i. **Children under 14 years** old must be accompanied by a parent, guardian, or Shareholder.

- j. **No Large Flotation device** exceeding eighteen (18") inches in width and six (6) feet in length is permitted in the pool. Flotation Devices commonly referred to as "Noodles" are permitted (should not be left in pool area when you leave).
- k. **Swimming Pool Hours** for **everyone** are from Dawn to Dusk.
- l. **No person(s) with communicable diseases or open sores** are permitted in the pool.
- m. **Pool Capacity** will be posted and is subject to Collier County Health Department's Ordinances.

41. Video Dishes, Receivers & Antennas:

- a. **No Permit Required:** In compliance with the FCC (Federal Communications Commission) Telecommunication Act of 1996, there is NO Permit required for the installation of any Direct Broadcast Satellite, Multi-Channel, Multi-point Distribution Service, and Television Broadcast Antennas.
- b. **Dish Size:** A "dish" antenna must be no more than a meter (39.37") or less in diameter and is designed to receive direct broadcast service, including direct-to-home satellite service, or receive or transmit fixed wireless signals via satellite.
- c. **Mast Size:** Antenna/ Video Receiver Dish masts may not exceed five (5) feet in height above the highest point of the unit.
- d. **Primary location** for the installation of Receiver Dish or Antenna will be in the rear of the unit. If signal is impaired by the location, the unit owner must notify the Co-op
- e. **1) Exception to the Rule:** Video Receiver Dishes or Antennas may be temporarily attached to RV's when parked in East End of Co-op.

42. Shareholder's Responsibility:

- a. It is the Shareholder's responsibility to maintain their home and home site. Failure to comply with the Rules and Regulations will cause the following to happen: Management will notify the Shareholder in writing, giving 14 days to comply. If corrective action has not been made, Management has the right to provide such maintenance or repair at the expense of the Shareholder.

43. Board of Directors' Authority:

The Board of Directors or their designated representative(s) has the sole authority to interpret, modify, and enforce these Rules and Regulations. Shareholder's petitions or complaints must be submitted to the Board of Directors in writing, dated, and signed by the Shareholder.

44. Compliance and Default

The Corporation reserves the right to pursue all remedies permitted under Chapter 719, Florida Statutes, and the Bylaws, against any Member, or terminate the tenancy of any Tenant in accordance with Chapter 723, Florida Statutes, upon determination by the Corporation that the Member or Tenant misstated any information on any application or entry forms required by the Corporation prior to admittance as a Tenant of the Community or a Member of the Corporation.

45. Shareholder Inquiries:

Under provisions of FL 719.106(1)(a)(3), Mandatory Provisions, the Board of Directors, or its officers, are required to provide a substantive response to a shareholder inquiry submitted by certified letter, in the time period determined in the statute. The Board, or its officers, are obligated to respond to no more than one inquiry from a shareholder in any 30 day period.