

Magnolia

Lakes



RULES and REGULATIONS of MAGNOLIA LAKES RESIDENTS ASSOCIATION, INC.

REV. 08/25/2022

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Rules and Regulations of Magnolia Lakes Residents' Association, Inc.

After review and approval by legal counsel, these Rules and Regulations have been adopted by the Board of Directors. There are additional restrictions contained in the governing documents of the Association which are:

- Declaration of Restrictions and Protective Covenants
- Articles of Incorporation
- Bylaws

All homeowners are encouraged to read and abide by these Rules and Regulations in addition to all other governing documents as listed above.

Enforcement (Bylaws Article V, Section 15(d)): The Association may elect to enforce these Rules and Regulations by self-help (specifically including, but not limited to, the towing of vehicles that are in violation of parking rules and regulations); by a suit at law or in equity to enjoin any violation or to recover monetary damages or both; and any other legal means available to it. Violation of these Rules and Regulations may also result in fines, suspension of common area use rights, suspension of bar codes and Internet.

PROPERTY

1. Altering, adding to, improving or changing the exterior of a home or lot is not permitted without approval by the Architectural Control Board ("ACB"). See ACB application packet for guidelines and documents. Application available on the Magnolia Lakes website or in office.
2. Homeowners shall maintain the exterior of the premises in accordance with community standards. ACB approval is required, and fines may be incurred if not obtained PRIOR to changes (see #1 above). Failure to maintain the exterior premises is a violation and can result in fines. Specifically, this includes but is not limited to, roofs, dwellings, fences, mailboxes, sidewalks, driveways, and faux windows. E.g. roofs and exterior walls must be kept free of mold, driveways kept clean and free of stains, faux windows kept painted black or covered with ACB approved white shutter, mailboxes should be painted Rust oleum Hunter Green and dwellings must be re-painted when faded. Exterior walls should typically be re-painted every 5 years.
3. Except as provided herein, all items must be stored within the dwelling or garage. Examples include, but are not limited to bikes, toys and golf carts. Portable basketball hoops must be maintained in good repair and used on the driveway, not on the roadway or lawn. When not in use for extended periods of time, hoops must be stored against the garage door. Permanently mounted or installed basketball hoops are not permitted. Trampolines and pools of all kinds require ACB approval and must be located out of sight from the street.
4. Only outdoor furniture is allowed on the front porch.
5. Gates on front porch must match existing railings at the front exterior of home.

6. Security cameras are allowed but must be positioned to your property and driveway only.
7. Playground equipment such as a skate ramp is NOT allowed on the street or sidewalk. All playground equipment must be in the rear yard.

DAMAGE TO PROPERTY

8. Homeowners are responsible for any damage, destruction or vandalism of common area property caused by themselves, their tenants, guests, vendors, licensees and/or invitees. Homeowners may be charged for damages up to the 3 times the replacement/repair costs.

SIGNS

9. As per our Declaration of C & R's, Article VIII, Section 7 and ACB Guidelines, Section "Signs", the following restrictions apply:

- a. Commercial business signs are not permitted on resident vehicles or must be out of sight when parked overnight.
- b. One sign of not more than one (1) square foot may be used to indicate the name of the resident and/or house number.
- c. "Open House" sign for the purpose of marketing a home for sale may be displayed between the hours of 12:00 p.m. and 4:00 p.m. on weekend days only. The owner or their real estate agent must be on site the entire time "Open House" signs are in use. The property manager is to be notified four (4) days in advance of a scheduled open house. No signs with gate codes.
- d. Political & campaign signs are not permitted except for small bumper stickers on vehicles.
- e. A sign provided by a contractor for security services may be displayed within ten (10) feet of any entrance to the home as provided by Florida Statute 720.304(6) (2013) as amended from time to time.
- f. No other signage in public view of any lot will be permitted unless documented herein.

YARD SALES

10. No individual homeowner yard sales permitted in community. Community yard sales may be permitted if sufficient volunteers, traffic flow pattern plan, etc. are in place and approved by board of directors.

FLAGS & BANNERS

11. As per our Declaration of C & R's, Article VIII, Section 7 and ACB Guidelines, Section "Flags & Banners", the following restrictions apply:
 - a. Any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag, in a respectful manner, not larger than 4 1/2 feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association. (FL Statute 720)
 - b. Sport Team Game Banners/Flags – only are allowed day of game and can't be any larger than 36 inches x 27 inches.
 - c. Traditional seasonal themed banners up to 36 inches x 27 inches are permitted.
 - d. Ground staked or displayed celebration banners/signs are allowed for birthdays, graduations, anniversaries, and welcome home only, in the respective themes. These banners/signs are only allowed to be up no more than 48 hours. They must be reasonable in size and must not span more than one property.

GATE ENTRY

12. Non-authorized entry, entering or exiting through the wrong side of the gates to the community and/or tailgating while entering any gate of the community is prohibited. Homeowners are responsible for their tenants, guests, vendors, licensees and invitees' compliance with this rule.
13. Homeowners are responsible for any damage to or tampering with any part of the gate systems and will be fined accordingly and have privileges suspended.

VEHICLES AND PARKING

14. Parking Restrictions (Declaration of C & Rs, Article VIII, Section 11)
 - a. Commercial vehicles are prohibited from being parked or stored in all residential areas and common areas except while working at a job site or if stored in the garage.
 - b. Resident vehicles with signs or printing in reference to a commercial undertaking or enterprise must be stored within the garage.
 - c. No repair work to any type of motor vehicle, boat or trailer shall be conducted on any lot other than minor repairs, cleaning or waxing which is completed in less than 24 hours. (Declaration of C & R's, Article VIII, Section 11). Once completed, boats and trailers must be stored in the garage or removed from Magnolia Lakes. Any of the above-mentioned work or maintenance, taking longer than 6 hours requires

obtaining a permit from the management office. In no case shall any such vehicle, boat, trailer, etc. be stored overnight on any lot or property without a permit. Violators are subject to a fine and/or towing from the property.

- d. Vehicles must not block any sidewalks or access to the sidewalks. (Declaration of C & R's, Article VII, Section 1). There must be a 36-inch access for wheelchair, personal mobility scooter or baby carriage. The driveway apron must not be completely blocked.
 - e. No parking within 15 feet of a fire hydrant or stop sign.
 - f. All Port Saint Lucie ordinances must be complied with; this includes parking with the passenger side of vehicles next to the curb.
 - g. No parking on the street from 1:00 a.m. to 6:00 a.m. with the exception of New Year's Eve.
 - h. No parking on the grass.
 - i. No parking, standing or stopping within 50 feet of the entrance gates.
 - j. No parking on the wrong side of the street. Parking is permitted on the even house number side of the street on even dates and the odd house number side of the street on odd dates.
 - k. Vehicle(s) which are unregistered or inoperable must be kept fully enclosed inside a garage. (Declaration of C & Rs, Article VIII, Section 11)
15. Homeowner and guest vehicle parking is available overnight at the clubhouse. Extended parking of more than 48 hours in the clubhouse lot requires management approval. Parking permits must be displayed on dashboard. After 48 hours, unauthorized vehicles are subject to a daily fine and towing at the vehicle owner's expense.
16. Any motorized vehicles including, but not limited to, automobiles, trucks, motorcycles, etc. may only be operated by those with a valid driver's license and in a safe and courteous manner. Vehicles must meet FDOT standards, Notwithstanding the foregoing, golf carts and scooters may also be driven by anyone age 16 or older with valid driver's license. For purposes of this provision, a "scooter" shall be defined as any vehicle having a seat for use of the rider, an open (step through) frame, flat floorboard for the rider's feet and designed to travel on not more than three (3) wheels.
- a. Any person operating a golf cart in the community may register his/her golf cart with the HOA and obtain a barcode for gate access if they are leaving the community in the golf cart.
 - b. Golf carts are to be driven on roadways ONLY. Golf carts are not allowed on the sidewalks or grass areas.

- c. Reckless driving and/or operating of any motorized vehicle in an unsafe manner will result in a fine. Operators are responsible for their passengers.
 - d. Violation of this rule and regulation, or a violation of FDOT standard, will result in a fine.
17. The speed limit within Magnolia Lakes is 20 MPH. All owners, tenants, guests and other persons operating a motorized vehicle are to observe Port Saint Lucie, St. Lucie County and Florida DOT ordinances. Violations will result in fines being assessed and ticketing by law enforcement officers.

YARDS & LAWNS

18. Front Yard

- a. All lots must have a landscaping bed in the front of the home. The height of the foliage, excluding approved trees, must not exceed the top of the front porch railing.
- b. No artificial plants and/or vegetation are permitted.
- c. No vegetable or fruit plants/ trees in front or side yards. (Existing fruit plants/trees are grandfathered prior to August 25, 2022.)
- d. Four (4) planters pots, no larger than 18 inches in diameter shall be permitted on either side of the garage or along the driveway.
- e. A minimum of 3 palm trees are required in the front yard. (Acceptable trees are, Cabbage/Sabal Palm, Foxtail Palm, and Christmas Palm.)

19. Dead trees and vegetation must be replaced within 60 days after ACB approval.

- a. When replacing trees and shrubs of any kind, ACB approval is required to be sure only “allowed” vegetation is planted.

20. Lawn Features

- a. No in-ground or above ground water features (including bird baths), statues or monuments are permitted without ACB approval. There is a limit of 4 statues or lawn features/ornaments not to exceed 3ft high by 2 ft wide- no lights that can be seen from the street.
- b. No bird feeders are permitted.

21. Landscape Maintenance – Any resident refusing or preventing universal lawn care provided by the HOA lawn care company must maintain their own lawn, landscaping, walk and driveway to the same standard as the community. If a resident wishes to “opt out” of the universal lawn care, they must submit a written request annually to the office of the Property Manager.

- a. Lawns must be cut within 24 hours before/after the universal cutting.
 - b. Pruning trash should be placed curbside according to current city guidelines.
22. Irrigation – System maintenance is the responsibility of each individual homeowner. This includes but is not limited to broken clocks, valves and pipes, and keeping spray heads aimed properly. (Declaration of C & R's, Article IV, Section 3). Non-operating irrigation systems and broken sprinkler heads result in stressed lawns and landscaping, impacting the appearance of the community.

GARBAGE, RECYCLABLES AND YARD WASTE

23. Garbage cans, trash, recyclables and/or yard waste must be placed at the end of the driveway, on the driveway apron, and not in any part of the street.
24. Garbage can, trash, recyclables and/or yard waste must be placed out for collection no earlier than 6:00 p.m. on the evening before collection day according to city's current guidelines.
25. Garbage, trash, recyclables, and yard waste container(s) must be removed from street view by 9:00 p.m. on the day of collection.
26. All garbage or trash containers must be placed in areas so they shall not be visible from adjoining lots or from the street. (Declaration of C & Rs, Article VIII, Section 5). Decorative fencing to obscure containers must be approved by the ACB. Storage sheds or any detached structures of any kind are not permitted in any outside area.

HURRICANE SHUTTERS AND PREPARATIONS

27. Hurricane shutters cannot be in place earlier than a storm warning announcement and left up no later than 7 days after the storm passes, all items not permanently affixed must be removed from porches, patios and yards once a storm warning has been announced.
28. Hurricane shutters can be in the closed position on an unoccupied home from June 1 until November 30 (backside of the home only) in accordance with Port St. Lucie City Ordinance 41.10.
29. Panels or shutters may not be used for security purposes.

PETS

30. Maximum of 2 common household pets to include dogs and cats regardless of type (no reptiles, poultry, livestock). (Declaration of C & Rs, Article VIII, Section 9).
31. Pet owners must pick up and remove all solid waste generated by their pet and properly dispose of it immediately. This includes soiling in common areas, resident yards, streets and sidewalks.

32. Resident owners shall repair all animal damage to lawns, structures and landscaping.
33. Pets must be on a leash when not in the home or fenced yard. An invisible fence may be used to create a “fenced yard”.
34. Pets may not be left tethered outdoors if unattended.
35. Pets shall not be a nuisance. Pet nuisances include, but are not limited to, screeching, squawking, barking, yelping and aggressive behavior. Pets that continue to be a nuisance will be required to be removed from the community.
36. The owner of a pet is fully liable for any injury, damages or legal action taken in response to bites. The HOA bears and assumes no liability for any pet related issues. (Please see dog bite policy below)

Effective June 22, 2017, pursuant to Article VIII, section 9 of the Declaration of Restrictions and Protective Covenants, the following policy regarding biting incidents by dogs or other pets of Magnolia Lakes Residents.

- a. The owner of any pet that bites a person or other animal will be fined \$100.00 as a first offense regardless of fault or cause.
- b. A first biting offense combined with a finding from the board, police, animal control or other investigating agency that a pet is vicious or at imminent risk of biting again, may at the Board’s discretion, be removed from the community, pursuant to the Declaration of Restrictions and Protective Covenants Article VIII, section 9.
- c. The owner of any pet that bites a person or other animal as a second offense will be fined \$250.00, have their conditional license to keep the pet revoked and be given 2 weeks to remove the animal from Magnolia Lakes.

EXTERIOR DECORATIONS & BLOWUPS

37. December holiday decorations may not be displayed earlier than the weekend before Thanksgiving and must be removed no later than January 10th.
38. All other holiday decorations may be displayed not more than 30 days before the holiday and must be removed within 7 days after the holiday.
39. No holiday decorations of any kind allowed on parcel between sidewalk and road except for seasonal battery or solar powered string lights, which may be placed on street Magnolia Trees. There are to be no electric cords running over or overhead sidewalks.
40. Only traditional seasonal blowups with holiday theme messaging permitted.

LEASES / RENTALS

41. No leases may be made for less than three (3) month period. No more than two (2) leases may be executed per year for the rental of a home. (Declaration of C & Rs, Article VIII, Section 20).

42. Homeowners are responsible for providing a copy of the lease to the HOA for any new or renewal tenant 30 days prior to the tenant moving into Magnolia Lakes.
43. Tenants must submit a completed rental/lease application to the HOA office prior to occupancy.
44. The home must be in good standing within the community (i.e., no open violations or fines and current on HOA dues) prior to the tenant taking possession of the home.
45. The homeowner and/or tenant must post a refundable bond (fee listing is posted in the office) with the HOA management prior to the tenant taking possession of a Magnolia Lakes dwelling. The bond will be utilized as a security deposit for the protection of the Common Areas and may be utilized for the payment of fines levied against the homeowner and/or tenant. The bond or any remaining portion thereof will be refunded to the homeowner and/or tenant within fifteen (15) days of the date the tenant vacates a Magnolia Lakes dwelling. Homeowners will be responsible to ensure that the bond is posted.
46. Lease renewals must be submitted to the HOA 30 days prior to expiration of current lease. Background checks will be performed annually for all residents the age of 18 and over.
47. Homeowners renting their dwellings will be allowed to keep one active gate directory code phone number for property maintenance access. Pre-existing bar codes will be deactivated. Clubhouse access cards are to be re-assigned to tenant or deactivated. All common area privileges transfer from the owner to the tenant during the term of the lease. Homeowners that are non-residents maintain authority to attend board meetings and meet with the Property Manager but will forfeit use of pool, fitness rooms, etc. to their tenants.

MOVING AND REMODELING

48. Moving vans, moving trucks and trailers may be kept in the resident's driveway during the day, but must be moved to the clubhouse at night. Extended overnight parking for 48 hours requires prior management approval.
49. PODS and dumpsters may be kept in the resident driveway no more than 48 hours. Exceptions must be requested through the Property Manager and will be considered on an exception basis.

GATE AND COMMON AREA ACCESS

50. Barcode stickers for vehicular access through the front and rear gates, swipe cards and IDs for common area access will be issued to homeowners, their authorized family members and their tenants residing on property.
 - a. Upon purchasing a property in Magnolia Lakes new homeowners will be issued two (2) barcodes and two swipe cards at no cost.

- b. Tenants will be issued barcodes and swipe card for a fee (see fee listing posted in the office).
- c. Additional barcodes will be issued at the going rate per barcode (see fee listing posted in the office). A maximum of six (6) barcodes per street address will be allowed.
- d. Current vehicle registration and driver's license are required obtain barcodes.
- e. Resident must be in good standing with the association in order to possess an active barcode.
- f. Tenants must have up to date lease, application and all deposits in order to possess an active barcode.
- g. Replacement barcodes for change of vehicle will be issued at the current fee as listed in the office. Replacement due to age or weathering will be at no charge.
- h. Barcodes must be attached to vehicles by Management staff. Tampering with or altering will void the barcode. A new barcode will not be issued for 1 year and may result in a fine.
- i. Additional swipe cards will be issued at the current fee as listed in the office up to a maximum of 3 additional (total of 5 per household).
- j. Lost swipe cards may be replaced at the current fee as listed in the office.
- k. Residents are NOT to loan or give out their swipe cards to family, friends or relatives. Violation will result in suspension of owner privileges for 30 days for each occurrence.
- l. Barcodes and swipe cards will be deleted from the system upon selling of home or termination of lease.

NUISANCES

51. No noxious or illegal activity shall be carried on upon any Lot, nor shall anything be done which may be or become an annoyance or nuisance to the neighborhood or any other homeowner. (Declaration of C&Rs, Article VIII, Section 5).
- a. Nuisance examples include, but are not limited to, fireworks, loud/late parties, constant pet noise, unsightly objects, etc.
52. Personal fireworks are not permitted within the community.
53. Pets shall not be a nuisance. Pet nuisances include, but are not limited to, screeching, squawking, barking, yelping and aggressive behavior. Pets that continue to be a nuisance will be required to be removed from the community.

PERMANENT & NON-PERMANENT LIGHTING

54. No strobe effect activation at any time.
55. Display traditional holiday colors per each traditional holiday.
56. Holiday lights can be turned on from dusk to dawn.
57. Holiday lights are not permitted to be activated during non-holiday periods, with the exception of the pool/patio area.
58. Permanent outdoor lighting requires ACB approval before installation.

COMMITTEES

59. The Board of Directors may appoint committees as deemed necessary. (ByLaws, Article VIII, Section 1.) Committees are appointed at the discretion of the Board and may exist only for a specific time period and purpose. The ACB is a standing committee of 3 members; unlike other committees this one must always exist. (Declaration of C&Rs, Article VI, Section 2).
60. All committees should have a statement of purpose, responsibilities, and standards.
61. Committees shall comply with the open meeting requirements set forth in Chapter 720, Florida Statutes to include:
 - a. Regular meetings with posted schedules
 - b. Minutes will be taken and provided to the Property Manager.
 - c. Will establish a committee chairperson
62. Board members may attend any committee meeting.
63. Within 30 days subsequent to the Annual Member's Meeting of Magnolia Lakes, all incumbent members serving on a committee and/or any other persons wishing to be considered for appointment will be required to submit a "Committee Appointment Application" (see attached).
 - a. All appointments will be for 1 year unless otherwise decided by the Board of Directors.
64. The Board may make changes to committees as they feel warranted and necessary.

These Rules and Regulations are approved by the Magnolia Lakes Board of Directors on August 25 2022, and supersede all previous versions. They are effective October 1, 2022.

COMMITTEE APPOINTMENT APPLICATION

NAME _____

ADDRESS _____

How many years have you lived in Magnolia Lakes? _____

Which committee are you volunteering for? _____

Have you volunteered or served previously on Magnolia Lakes committees? Yes ___ NO ___

Which committee(s)? _____ How long? _____

How do you feel you can contribute to the committee for which applying (previous experience, education, business background)?

Are you actively employed / retired? _____

How many hours are you willing to serve? _____

Any other information you wish to add for the Board of Directors to consider:

Signature _____ Date _____

On behalf of the Magnolia Lakes Board of Directors we thank you for your willingness to serve your community.

Approved by _____ Date _____ For year of _____