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Fairfield Ponte Vedra Association, Inc.

Operating Rules



**Fairfield Ponte Vedra Association, Inc.
1500 A1A South, Ponte Vedra Beach, FL 32082
(PO Box 1939, Ponte Vedra Beach, FL 32004)**

January 2012

Fairfield Ponte Vedra Association, Inc.
Operating Rules

To Our Residents

The Operating Rules, also referred to as rules and regulations, have been established in accordance with *Florida State Statute 720.305*, and the Fairfield Ponte Vedra Association, Inc. ByLaws, Article VII, Section 7.3.9, “To make, amend, and rescind from time to time operating rules of the Common Property and the Association and to assess fines for violation of the Covenants and the operating rules”.

Fairfield’s incorporated subassociations and unincorporated subdivisions are guided by their own Covenants and the Master Association Articles of Incorporation, ByLaws and Declaration of Covenants. The subassociations, which are each governed by a Board of Directors, may at their discretion refer matters to the Master Association Board of Directors for resolution. In such an event, the Operating Rules contained herein may be used to render a decision.

Directors
Fairfield Ponte Vedra Association, Inc.

Fairfield Ponte Vedra Association, Inc.
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DEFINITIONS

This document refers to residents (occupants of a parcel) and owners, and if they are not the same party, then non-resident owners who lease or rent their dwelling forfeit their right to use of the Fairfield amenities, including but not limited to tennis courts, RV Lot, pools, exercise room, Clubhouse. The following terms are considered synonymous:

Guard House/Access Control House/Access Control Office
Access Control Committee/Security Committee
Access Control Officer/Security Guard/Guard

Residents, owners, guests and vendors are expected to comply with all St Johns County and Florida State regulations.

1. RECREATION FACILITIES

The recreation areas and facilities are for the exclusive use of residents, and their guests as further defined below, who reside on a parcel that is current with all monies owed to Fairfield, as determined by the Property Manager, including but not limited to quarterly assessments (dues), special assessments or any other costs, fees or charges owed to Fairfield; the facilities will not be used for commercial purposes. Any exceptions will be permitted only with the prior written consent of the Master Association Board of Directors or the Property Manager and will be granted based on the event's impact on the entire community.

1.1.a Clubhouse

The Clubhouse facility consists of the small and large meeting rooms (combined capacity of 77) and the outside patio deck immediately adjacent to the large meeting room. Adult residents may reserve the Clubhouse, subject to the rules in effect for scheduling and use, which may be used for private, personal social events reserved and hosted by a resident. The resident who is reserving the facility must supervise the event. The key to the Clubhouse will be issued only to this resident. *Refer to "Reservation Request & Agreement", Attachment 1, for complete terms and conditions.*

1.1.b Adult Supervision. Organizations, such as the Scouts, whose activities are solely for children, must have a minimum of two adults in attendance, one of whom is the resident reserving the Clubhouse.

1.1.c Groups that may reserve the Clubhouse on a regular basis are Homeowners Associations, the Master Association Board of Directors and the Association's designated Committees.

1.1.d The Clubhouse is not to be used for commercial or business activities. Use of the Clubhouse does not entitle guests to use the pools except in accordance with Article 1.6 of the Operating Rules (*maximum of 6 non-residents per household accompanied by resident at any one time*).

1.2 Reservation and Fees. A deposit and use fee must accompany Reservation Request & Agreement (*Attachment 1*). The deposit will be refunded subject to compliance with the conditions and terms of the Agreement. Only the Clubhouse and adjoining patio may be reserved.

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1.3 Exercise Room. PERSONS UNDER THE AGE OF 15 ARE NOT ALLOWED IN THE EXERCISE ROOM. The Access Control Officer will issue the key to residents only; the exercise room will remain locked when not in use. Any exceptions would have to involve a hardship whereby the resident was not physically able to obtain the key. Any exceptions would require approval of the Property Manager or Chairperson of the Access Control Committee and documented in writing with a copy placed in the resident's file in the guard house. Guests of residents may use the exercise facility while staying overnight in the home of a resident or if not an overnight guest, then only infrequently, not to exceed once a month. A resident may not receive compensation in any manner from a guest to use the facility because to do so would make the transaction a commercial activity which is a prohibited use of the facility.

1.4 Tennis Courts. The Tennis Courts may be used between the hours of 6:00 AM and 11:00 PM. Proper footwear must be worn when using the tennis courts, including non-marking tennis or athletic shoes. Maximum play time is one hour if people are waiting to use the courts. The Access Control Officer will issue the key to residents only; the tennis courts are to remain locked when not in use.

1.5 Skateboards, Skates, Bicycles, or Roller Blades are prohibited within the Clubhouse facility, the pool complex which includes the pool deck areas and inside the fenced area of the pool complex, including the entrance ramp and covered carport, the Exercise Room, and Tennis Courts. Bicycles are to be parked in the rack located in the Clubhouse parking area.

1.6 Pools

There is no Lifeguard on duty. Use pools at your own risk. **Pool hours are Dawn to Dusk.** The pools will be closed Monday at 3:00 PM until Tuesday at 8:00 AM for chemical application.

Guests using the pools must be accompanied by a resident. Residents may bring a maximum of six (6) non-resident guests, per household, at any one time to the pools and the adjacent pool deck areas.

Animals are not permitted inside the fenced area of the pool/Clubhouse complex, with the exception of Guide and Assistance Animals for the disabled.

Glass containers are prohibited in pools, patio and pool deck areas. The open patio and two gazebos are the areas to be used for food.

Swim Diaper Policy - All children age 3 and under must wear an approved swim diaper or the combination of a diaper and elastic leg rubber pants regardless of whether or not potty trained.

NO diving or running.

Family Pool. Bathing capacity is 77 people. An adult must accompany children under age 13.

Adult Pool. Bathing capacity is 20 people. Adult pool and adjacent area is for the exclusive use of people aged 18 or older.

Spa (Hot Tub). Bathing capacity is 11 people. Children under age 18 not permitted. The Spa pool will be closed December 1-March 15.

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1.7 **Keys** for the recreation facilities, including Clubhouse, restrooms, saunas, Fitness Room*, RV Lot, Tennis Courts* will be issued only to a resident who resides on a parcel that has not been determined to be delinquent on its assessments by the Property Manager. An exception may be made with the RV Lot for vendors picking up an RV to be taken for repair if the resident submits the request in writing authorizing the key to be issued and stating the resident will be responsible for any damages caused by the vendor, including failure to lock the gate. Vendor will be required to provide his Florida Drivers License to the Access Control Officer for photocopying for Fairfield's records. Regardless of joint ownership of a recreational vehicle in the RV Lot, only the resident can obtain the key. The key to the Clubhouse will be issued only to the resident who has reserved it.

*There may be extenuating circumstances (e.g., incapacitated resident) when the key may be issued to a guest. Exceptions will be reviewed by the Access Control Chairperson with the concurrence of either the President or the Property Manager, and if appropriate, approved in writing and noted on the resident's computer file at the gatehouse.

1.8 **Loitering** in and around the recreational facilities and common areas is prohibited.

2. GENERAL

2.1 **Pets.** Pets must be leashed and restrained while on any common grounds. Residents and their guests bringing pets onto the common grounds are responsible for and bear the expense of any damage to person or property. Animals will not be permitted upon the recreational facilities except Guide and Assistance Animals for the disabled.

Residents and guests are responsible for removing all waste left by their pets. It shall be a violation for any resident, owner, guest or handler of a dog to allow such dog to defecate on any common property of Fairfield, other than the resident/owner's private property, without immediately removing such defecation with a suitable material, utensil, or container, and depositing the defecation in a trash container. Any person violating this section may be subject to a fine, in accordance with Florida State Statute 720.305. Reference: Jacksonville Beach, FL Ordinance No. 2005-7903, § 2, 4-18-05, Sections 5-35-5-39.

2.2 **Satellite Dishes.** Requests for installation of satellite dishes must be submitted to the Master Association Architectural Review Board or Incorporated Sub-Associations' ARB for approval prior to installation to ensure that size and placement is not offensive to neighbors. The FCC Rule 47 C.F.R. Section 1.4000, in effect since October 14, 1996, allows for placement of a direct-to-home satellite dish that is less than one meter in diameter (39.37") within Association guidelines, so long as said guidelines do not (1) unreasonably delay or prevent installation, maintenance or use; (2) unreasonably increase the cost of installation, maintenance or use; or (3) preclude reception of an acceptable quality signal.
Reference St Johns County Code, Article II Section 2.02.04.B.7,C.

2.3 **Antenna.** When an antenna is required along with the Satellite Dish, the antenna must be in accordance with FCC Regulations. Placement should follow the rules for locating the Satellite Dish on the property, making every effort to minimize impact on the area. The Property Manager can provide information about appropriate placement of the antenna.

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2.4 **Trash, Garbage, Recyclable Material.** Trash, garbage and recyclable material shall be kept in containers or garbage bags and shall be placed or screened in a manner not visible from any road or adjacent property except during refuse collection. Trash, garbage and recyclable material should be placed for pickup after 7:00 PM of the day prior to collection. Dumping of refuse anywhere within the community including lakes and any other common areas is prohibited. Outside burning of wood, leaves, trash, garbage or household refuse is not permitted.

2.5 **Clotheslines,** clothing or cleaning articles shall be placed where not visible from any adjacent road or property lot.

2.6 **Fences.** Requests for fences and other similar structures must be submitted to the Architectural Review Board (either the Master ARB or a sub-association ARB). The ARB may require that the appearance, composition and color of any fence be consistent with fences of surrounding homes, or if no precedent, recommend and approve maximum four (4) ft. height black iron/aluminum see-through that does not obstruct sightlines. Fences or any other structures are not permitted within common property lake maintenance easements. Construction must not interfere with common area underground irrigation lines. Chain link fences will not be allowed in residential areas of the community.

2.7 **Garage/Tag Sales, Estate Sales** of any kind are prohibited.

2.8 **Commercial Activity.** Commercial activity shall not be conducted on any Lot that includes deliveries, client visits or other activities that may disrupt a residential area or have a negative impact on residents, sub-association, subdivision, or common properties. A negative impact is described as, but not limited to, vehicles parked on streets that are only wide enough for one vehicle thus preventing egress of Fire Trucks and Emergency Vehicles; vehicles parked on landscaped turf and irrigation systems. Commercial activity, of any type whether or not money is transacted, will not be conducted in any of the recreational facilities, including RV Lot, Clubhouse, Clubhouse Parking Lot, Tennis Courts, Exercise Room, Patios and Pools without the approval required in Section 1. Business and commercial activities may be defined as, but not limited to company gatherings of business associates, team meetings, financial planning seminars, or any event that may be related to a private or public business.

2.9 **Soliciting** of any kind is prohibited.

2.10 **Signs, Billboards, and Advertising Structures** of any kind are prohibited, except building and subcontractor signs during construction periods, and one sign on the parcel to be sold to advertise the property for sale during any sales period. No signs may be nailed or attached to trees. The ARB and Property Manager can provide more information. *Refer to Article 6.13 for sign specifications.*

2.11 **Leasing.** Homes may be leased or rented for periods of not less than four months. A copy of the lease, signed by both parties and acknowledging the Fairfield Declaration of Covenants, must be delivered to the Sub-Association and Master Association Property Managers at the time or before the tenant takes possession of the home.

2.12 **Mailboxes.** Mail and other delivery boxes require ARB approval.

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2.13 **Outbuildings**, which may be defined but not limited to sheds, playhouses, tree houses, doghouses, decks, platforms, tennis courts, swimming pools, docks or other structures separate from the residence, may be permitted only with prior approval of a Sub-Association ARB and/or the Master Association ARB.

2.14 **Recreational Equipment** will not be placed on roadways or any other common property or overhanging the roadways (basketball goals). Equipment must be kept in garages or out of sight of the street and adjoining lots when not in use, except basketball goals which are not considered very portable. Permanently installed basketball goals require ARB approval. All equipment must be in working condition (for example a basketball goal must have a complete backboard and rim) and properly maintained or must be removed.

2.15 **Garages.** Garage doors are to be kept closed when not in use.

2.16 **Curfew.** There is an 11:00 P.M. curfew on common property for anyone under the age of 18 unaccompanied by an adult.

2.17 **Wildlife.** Local laws and the Association support removal of wildlife if improperly confined or if causing damage or nuisance complaints. Feeding of ducks and alligators is prohibited. *Reference Florida Statute 372.667, Feeding or enticement of alligators or crocodiles unlawful.*

2.18 **Contractor Hours.** Contractors are limited to the hours they are allowed on the property, which shall be:

Monday through Friday – 7:00 AM to Dusk

Saturday, Sunday & Holidays – 8:00 AM to Dusk

In the event of an emergency, homeowner should call the Guard House to request that a designated contractor be allowed entrance to make repairs at their home.

2.19 **Traffic Control.** All residents, owners, guests and vendors are required to comply with the posted speed limits on traffic control signs, including speed, stop, and other signs. Enforcement is performed by the St. Johns County Sheriff's Office through the court system, including issuance of applicable fines. The Master Association may also enforce traffic violations by assessing fines.

3. LAKES AND WATERWAYS

3.1 **Lakes, Fishing.** The lakes in Fairfield are wet detention storm water systems designed to capture storm water and pollutants from lawns and roadways, and drain to the Intracoastal Waterway. Residents and their guests may use the waterways for boating and fishing. Fishing is 'catch and release only' and is permitted on the lakes and from the banks of the common areas. The lakes are stocked with Carp for the purpose of removing vegetation and algae and, therefore, any Carp caught must be released into the lakes. Fish should not be consumed. Swimming is prohibited.

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3.2 **Boat Restrictions.** Boats not exceeding fourteen (14) feet in length and canoes not exceeding 16 feet in length are allowed on lakes and waterways. Boats and canoes must be propelled either by hand or by electric motors. Other types of boats may be employed for repair and maintenance activities upon authorization of the Master Association.

3.2.1. A person may not operate a personal watercraft unless each person riding on or being towed behind a boat or canoe is wearing a flotation device approved by the United States Coast Guard.

3.2.2. A person may not operate a personal watercraft between the hours from one-half hour after sunset to one-half hour before sunrise. However, an agent or employee of a fire or emergency rescue service or licensed alligator trapper responding to a complaint is exempt from this restriction while performing his or her official duties.

No person under the age of 14 shall operate a watercraft.

3.3 **Mooring, Storage of Boats** Boats may be moored on a lake or waterway only if securely attached to a dock. Boats may be stored upside down (to prevent mosquito breeding) on authorized docks as long as they are kept in a serviceable condition (not an eyesore) and securely fastened to the dock (in case of windstorm). Boats may not be stored on the banks of any lake or waterway, on driveways or on any Lots or common areas except in specifically designated areas. *Refer to RV Lot Procedure, Attachment 2.*

3.4 **Docks.** Allowable only by written approval of the Sub-Association Architectural Review Board and the Master Association Architectural Review Board. *Refer to Paragraph 6.12 for more detail.*

4. VEHICLES, PARKING

St Johns County Land Development Codes apply, including but not limited to Sec. 2.04.03 Parking, Repairing and Storage of Certain Vehicles Without Current License Plates and Recreational Vehicles Extract of code: Vehicles without current plates shall not be parked or stored on any residential property other than in a completely enclosed building.

4.1 **Mechanical Repairs** to any type of recreational vehicle, automobile, truck, golf cart or similar vehicle are prohibited on any common areas.

4.2 **Golf Carts** may be driven on roadways only and operated by persons 16 years of age or older who have a valid driver's license. Night driving is permitted if the cart is equipped with proper lights. Cty Ord 2010-48; FS 316.1995.

4.3 **Motorized Vehicles.** Two, three or four-wheeled motorized vehicles not licensed to travel on public roadways are prohibited, with the exception of golf carts that are in compliance with Article 4.2. This prohibition includes motorized trail bikes, off-road vehicles, go-carts, skateboards and scooters.

4.4 **Parking** Vehicles are to be parked in the garage, driveway or common areas designated for the parking of motorized vehicles, defined as four-wheeled cars, family passenger vans, and small pickup trucks (1/2 ton payload or less) with noncommercial registry and bearing no advertising, logos, design or other commercial identification. (Refer to Rule 5.1 for parking of commercial vehicles.) Vehicles may

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not be parked on lawns, grassy areas, hardscape, or common property not designated as a parking area other than in garages or driveways. On-street parking by homeowners, visitors or vendors is permitted between 6AM and 2AM provided vehicles do not prevent access of vehicles including fire rescue ladder truck, emergency medical and/or utility company vehicles, or by residents entering or leaving their driveways. Such restrictions of access may result in the vehicle being towed at the owner's expense.

Parking is prohibited at all times on one-lane streets. Overnight parking, (2:00AM - 6:00 AM), on any street in Fairfield is prohibited. Parking on a street opposite another vehicle at any time is prohibited*. Extenuating circumstances, on a non-recurring basis, may require overnight street parking, without blocking access noted herein, and must be called into the guard house by the homeowner to avoid receiving a ticket. The Master Association, on June 15, 2011, approved fines for overnight parking violations, as observed and recorded by the Security company. A first-time warning notice will be issued; further violations will incur fines as set forth in Fairfield's procedures and in accordance with State Statute 720.305. ****Reference St Johns County Ordinance 2006-58.***

4.4.1. Vehicles blocking street access by emergency vehicles, including fire rescue, emergency medical and/or utility company vehicles will be cause for the Sheriffs Office to be called to handle the violation. If the safety issue cannot be resolved by the Sheriffs Office, the vehicle(s) will be removed, *at owners expense.*

4.5 **All Other Vehicles** Other motorized vehicles that do not meet the specifications of Rule 4.4, such as but not limited to Ford F-250 and F-350s or comparably sized trucks, as well as boats, trailers, campers, motor homes, travel trailers, trucks, golf carts, scooters, motorcycles, commercial vans/panel trucks with solid panels seating more than 9 people, and commercial vehicles may be parked in the resident's garage or in designated parking areas within Fairfield, with prior permission from the Master Association. These requests will be dealt with on an 'as available' basis and will be for short-term usage only. These same restrictions apply to said vehicles in sub-associations/sub-divisions unless specifically permitted by a sub-association's/subdivision's covenants. Parking of RVs (including motor homes (Class A & C), travel trailers, fifth-wheel travel trailers, pickup truck campers, tent trailers, boats and boat trailers, ATVs and trailers, and utility trailers used for recreational purposes (ref. RV1.3) is permitted in sub-association/subdivisions only for brief periods for the purpose of loading/unloading/cleaning – a maximum of five hours, before and after trips.

4.6 **Automobiles.** Automobiles without advertising or logos shall be permitted to be parked in driveways and garages. Automobiles with logos or advertising are prohibited from being parked in sub-association/divisions unless parked in garages or in areas specifically set aside and designed for that purpose.

4.7 **Passenger Vans.** Passenger vans not outfitted for recreational purposes may be parked in driveways and garages. A passenger van is defined as weighing less than 5,000 pounds, has seating for more than two (2) persons and has non-commercial license plates. 'Outfitted for recreational purposes' shall mean a van that has running water, LP gas and/or sanitary waste facilities.

4.8 **Trucks and Non-Passenger Vans.** All other trucks, not described in Article 4.4, or non-passenger vans used as the resident's usual form of transportation, are required to be parked in the garage or in specially designated areas, regardless of whether they bear commercial tags and/or have advertising

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or logos. Specially designated areas are available in the Clubhouse parking lot but may not be left unused or stored; guest use of the Clubhouse parking lot is for short periods of time, through the Property Manager.

4.9 **Utility Trailers, Mobile Homes** or any other vehicle not specifically permitted by this Section 4, shall not be parked in the sub-associations/divisions or on common areas at any time.

5. CLUBHOUSE PARKING LOT

5.1 Residents may park their automobiles, trucks, vans, or vehicles used for commercial purposes in the Clubhouse Parking Lot, space permitting. Vehicles must be road-worthy, and display a current Florida State License Plate and a current Fairfield sticker or 30-Day Pass (displaying expiration date, resident name and telephone number) for new residents (to obtain their sticker and plate). Parking will be limited to those spaces located on the westerly side of the parking lot adjacent to the RV Lot.

5.2 Resident Recreational Vehicles temporarily parked in the Clubhouse Parking Lot (waiting for plate and sticker and site in RV Lot) will be permitted for up to thirty (30) days and **MUST DISPLAY** a Pass issued by the Access Control Officer. Pass will display expiration date, resident's name and telephone number. If there is no availability in the RV Lot, Recreational Vehicles parked beyond the 30-day limit are subject to the Towing procedure noted herein.

5.2.1. **This Article 5.2 is specifically written to prohibit the Clubhouse Parking Lot from being used for vehicle storage.** Exceptions (e.g., hardship, military service) will be determined by the Access Control Chairperson with the concurrence of either the President or the Property Manager. Exceptions will be recorded and maintained by Access Control. *NOTE: This article 5.2 will not be applicable when a resident uses said vehicle on a weekly basis.*

5.3 Resident's Commercial Vehicle, if owned by a resident and used as the resident's usual form of transportation, can be parked in the Clubhouse Parking Lot if parked on pavement along the fence on the westerly side of the parking lot. Vehicles must be road-worthy, licensed and Fairfield registration must be current and affixed to windshield. Neither the Clubhouse parking lot nor the RV Lot will accommodate flatbed or box trailers associated with 16- or 18-wheel trailers and shall not be parked in either the Clubhouse Parking Lot or the RV Lot. Vehicles must not exceed six (6) wheels or appear aesthetically unpleasing. **Reference SJC Ordinance 97-15, Section 7-6, Parking of Heavy Vehicles in Residential Districts.**

5.4 **PARKING OF VEHICLES AND RVS MUST BE PERPENDICULAR TO THE PARKING SPACE** (i.e., parallel with the lines, not crosswise), with tires to remain on paved areas. Owner/residents' RV, who have an assigned site in the RV Lot, may be parked in the Clubhouse parking lot for periods of up to forty-eight (48) hours, generally for the purpose of loading or unloading prior to or after a trip; ref. RV Lot Procedure RV9.6.

5.5 Guest Vehicles and Guest RVs Parked in Clubhouse Parking Lot. GUEST VEHICLES AND GUEST RV's MUST BE REGISTERED WITH THE ACCESS CONTROL OFFICE. For the purposes of this section, a "guest" is someone who is staying overnight in the sponsoring Fairfield resident's house for each night the guest vehicle is allowed to park in the Clubhouse parking lot. The sponsoring resident

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must provide a written statement the guest is staying overnight in their house each night the vehicle is parked at the Clubhouse parking lot. A “visitor” is considered someone who is visiting for less than 24 hours and may be issued a visitor pass for one day, to be displayed in a vehicle that is parked in the Clubhouse parking lot. Guest and visitor vehicles, RV’s (including motor homes), RV trailers, cars, trucks vans, boats or other types of vehicles (excluding commercial trucks over 10 wheels) may park in the Clubhouse parking lot (not the RV lot), space permitting. Vehicle must display the dated visitor pass issued by the Access Control Officer in a visible location on the unit. Visitor passes will be issued for seven (7) days renewable for a maximum of 30 days and received upon entry from the access control officer on duty (passes may only be issued by the officer on duty from 7:00 A.M. to 11: 00 P.M.). Visitor pass will include the expiration date, name of the owner, name of the resident, resident’s telephone number and the initials of the officer issuing the pass. Passes may be renewed for extenuating circumstances, as approved by the Access Control (Security) Chairperson or his/her designated alternate in his/her absence.

5.6 Guest RVs may be parked in the Clubhouse Parking Lot, following the procedures in Article 5.5, space permitting, along the westerly fence adjacent to the RV Lot, perpendicular to the fence, parallel to the lines and on paved surface, and will not block egress to the RV Lot.

5.7 Occupancy or sleeping in vehicles and RVs is prohibited. *St Johns County Codes apply, specifically Sec. 2.04.04 Parking, Storage or Use of Major Recreational Equipment . “No recreational equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored in a residentially zoned Lot or in any other location not approved for such Use”.*

6. ARCHITECTURAL CONTROLS

Scope and Application

6.1 The architectural controls will serve as guidelines for the Master Association. Certain incorporated sub-associations have their own Architectural Review Boards (ARB) as defined by their Covenants which may not require further approvals beyond the Sub-Association’s ARB. The Master Association ARB may adopt additional standards and criteria to effect the purpose of this Section.

Mission

6.2 The Master Association Architectural Review Board (ARB) is a Committee appointed by the Master Association Board of Directors. The Committee meets weekly as needed to review, approve, modify or reject drawings and applications for alterations, additions and other improvements to lots and homes. It is the intent to maintain aesthetic quality in accordance with the surrounding architecture, landscape design, structures and environment. Approval or disapproval of any change, addition, modification or alteration may be solely on the grounds of aesthetics.

6.3 Certain incorporated Sub-Associations have their own ARB’s. In such instances, the application must be submitted to the Sub-Association ARB – not to the Master Association ARB (with the exception of Docks, described in Article 6.12). Approval or disapproval of any change, addition, modification or alteration by the Sub-Association ARB is final.

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6.4 St. Johns County requires the ARB ‘approval stamp’ on drawings submitted to the County for a building permit.

6.5 The ARB is composed of at least three members, one of whom is a Master Board member. The ARB is empowered to engage, after approval of any expenditure by the Board, outside paid professionals (architect, landscape architect, engineers) to assist the Board with its reviews.

6.6 Fairfield Ponte Vedra Association, Inc. By-Laws empower the Master Board to assess fines for violation of the Covenants and the Operating Rules. *Refer to By-Laws, Article VII, Section 7.3.9.*

Procedure for Submissions

6.7 The ARB shall approve or disapprove the plans for an improvement or modification within thirty (30) days after the same is submitted to the ARB in proper form. Failure to approve submissions within thirty (30) days will be considered a denial. The requestor will be notified. Refer to Architectural Review Request Form, Attachment 4, for details.

6.8 **Plans and Specifications.** Documents submitted shall include all drawings necessary for construction and shall meet the following standards:

- a. Minimum size of not less than 1/8 inch = 1 foot scale.
- b. Show elevation of the ground on all sides of the proposed structure as it will exist after the modification.
- c. Include a list of proposed materials and samples of exterior materials and finishes that cannot be described to the ARB’s satisfaction.
- d. Include a survey map of the property.

Guidelines

6.9 **Codes and Specifications.** The Association shall not be responsible for defects in plans or specifications or for defects in the improvements. The ARB’s review of plans is limited solely to appearance of the improvements and does not include any review to determine compliance with applicable building codes. Building Permit applications can be obtained from St. Johns County Annex located on Rt. 210 in Ponte Vedra Beach.

6.10 **Landscaping Plans.** Any landscaping plan changes or alterations submitted to the ARB shall provide for and include the following items:

- a. landscape scheme
- b. list of all plant stock included in the scheme
- c. size of such stock at the time of planting and estimated growth height

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6.11 Landscape Materials, Trees. The entire lot is to be landscaped and maintained, using sod or Florida-friendly landscape materials, as defined in Florida Statute 373.185(1). Maintenance is defined as regular trimming, pruning, and edging, dependent upon growth patterns.

6.11.a. Reference: Senate Bill 2080 July 2009, "HOAs may not prohibit a property owner from implementing Florida-friendly landscaping on his or her land."

6.11.b. Reference: 2008 FL Statute 720.3075(4) "Homeowners' association documents, including declarations of covenants, articles of incorporation, or bylaws, entered after October 1, 2001, may not prohibit any property owner from implementing Florida-friendly landscape, as defined in 2009 FL Statute. 373.185 f.s.(1), on his or her land."

6.11.c. No artificial vegetation shall be placed or maintained on any lot. Underbrush or other unsightly vegetation is not permitted on any occupied lot. Shrubbery and hedges must be maintained at a height and depth that is aesthetically consistent with the custom of the community. The maximum height is eight (8) feet. The depth of any shrubbery and/or hedges should not encroach upon an adjacent lot. Trees measuring six (6) inches in diameter at a height of four and one-half (4.5) feet above the grade may not be moved or removed without prior approval of the Architectural Review Board. In the event that a tree is storm or accident damaged, or becomes diseased, the ARB needs to be notified and it should be removed safely and expeditiously. The ARB will ask that the homeowner replace the tree with a similar one to help preserve the ecology of the community.

6.12 Docks. Docks are allowed only with the written approval of both the sub-association ARB and the Master Association ARB. Maximum size will be 4' x 6'.

Approval by the Master Association ARB is required to ensure that a dock is not placed in such a manner as to interfere with common area underground irrigation lines. Because certain Lots extend into the waterways, and others end a number of feet from waterways, it is important that site plans be submitted with a request.

6.13 'For Sale' and 'For Rent' Signs. 'For Sale' sign shall not exceed 8" x 10" in size, is to be hunter green and cream in color, suspended at a height not exceeding 36" from a 2" x 4" crossbar and a 4" x 4" pole, both painted hunter green. Less obtrusive metal poles and crossbars, painted hunter green or black may be substituted for the wooden crossbar and pole.

6.14 Compliance with ARB Controls. Owners who undertake, without ARB approval, any change, alteration, addition or modification to anything impacting drainage or which could be visible from the street or adjoining Lots may be required to return the property to its original state or to a mutually agreeable state, at the owner's expense.

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6.15 Additions and Alterations Requiring ARB Approval

The requirements for submission for approval of the ARB relate to anything visible from the street or adjoining lots. A partial listing follows:

| | |
|---|---|
| Additions to house | Patios |
| Air Conditioners, window-type, prohibited | Planting – trees, shrubs, hedgerows |
| Air Conditioning Condensers, replacements of a different size, color or location | Play Equipment - structural not portable |
| Antenna – prohibited; see Article 2.2 | Pools and Spas |
| Awnings | Pool Enclosures |
| Barriers | Porch Enclosures |
| Basketball Backboards | Roof Shingle Replacement - needs approval even if type or color is not changed |
| Bulkheads | Satellite Dish - refer to Article 2.2 |
| Decks | Screen Enclosures |
| Docks (limited to 4' x 6') | Sheds, outbuildings, storage - prohibited |
| Doghouse | Shutters - storm or decorative - replacement, alteration, addition, type or color change |
| Driveway replacement, alteration, addition | Siding of house |
| Fence | Signs |
| Garage Doors | Solar Collectors |
| Gazebos | Trellis |
| Grass – changes | Tree House |
| Hockey Nets | Tree Removal |
| Lattices | Trampoline |
| Landscape - change or addition | Umbrellas |
| Mailboxes | Walkways |
| Ornaments - yard | Walls |
| Outdoor lighting | Windows |
| Paint - exterior, even if color is not changed | |

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7. ACCESS CONTROL, DECALS, ACCESS CARDS

ALL NEW OWNERS MUST PROVIDE EVIDENCE OF OWNERSHIP (DEED) AND ALL NEW RENTERS MUST PROVIDE EVIDENCE OF RESIDENCY (LEASE OR RENTAL AGREEMENT) TO THE PROPERTY MANAGER, WHO WILL THEN ADVISE THEM TO SHOW THE SAME DOCUMENTATION TO THE ACCESS CONTROL POST COMMANDER SO THEY CAN BE ENTERED INTO THE ACCESS CONTROL DATA BASE.

7.1 Purpose and Application. The purpose of this policy is to ensure that Fairfield residents are afforded privacy and the assurance that our gated community is controlled in a manner which restricts unauthorized access into the community and provides prompt and courteous response to visitors.

7.1.1 This policy applies to the administration, issuance, verification and control of resident and family member decals, annual Fairfield stickers, access cards and guest lists.

7.2 Resident Decal. Resident decals are for the use of Fairfield residents. Guests living with a resident may obtain a resident decal by providing their vehicle registration and drivers license to validate their Fairfield residence.

7.2.1 **New Residents** of Fairfield must submit a Fairfield Vehicle Registration Form to the Access Control Post Commander along with copies of all required documents. They will be issued a temporary pass from the Access Control Officer on duty, valid for thirty (30) days. They must show proof of home ownership or rental (deed, closing or leasing document). The thirty days will allow time to obtain a Florida driver's license and vehicle registration. *By Florida Law, a person has up to ten (10) days to obtain a vehicle registration and thirty (30) days for a drivers license.* Military personnel, including spouses, are exempt from Florida statute. In those cases the resident need only show their active duty military ID and proof of purchase of a residence or rental agreement for the house in Fairfield. Resident must submit a Fairfield Vehicle Registration Form to the Access Control Post Commander. *Refer to Attachment 6.*

7.2.2 Residents are entitled to receive a free decal for each of their vehicles registered to their residence in Fairfield, except motorcycles or motor scooters. (Motorcycles or motor scooters may receive a decal but not an access card because of liability issues with the access gates other than the visitor gate controlled by the Access Control Officer.) Replacement decals will be issued free providing the old decal is returned to the Access Control Post Commander; otherwise, there will be a charge per decal.

7.2.3 **Annual Re-registration.** Residents must re-register their vehicles annually and obtain the current year sticker. Re-registration shall be completed by February 28, and if not, access cards will be deleted. All registration forms received after February 28 will be subject to a late processing fee.

7.3 Family Decal. Family decals are for family members (mothers, fathers, sons, daughters, grandparents, sisters, brothers, nieces, nephews, aunts, uncle and grandchildren) who do not reside in Fairfield. This decal allows a family member to enter Fairfield through the North gate without questioning from the access control officer. The resident must provide notice to the Access Control Post Commander that an individual is a family member by completing the Fairfield Vehicle Registration Form. The Family decal shall be different from the Resident decal.

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7.3.1 Family decals can be purchased for a fee per decal. There is no annual cost for re-registering.

7.3.2 Family members must re-register their vehicles annually to obtain the current year sticker. Re-registration must be completed by February 28.

7.4 **Authorized Guest List.** The Authorized Guest List is a privilege and a convenience granted by the Board of Directors to all residents of Fairfield. This allows residents to authorize visitors to have permanent access to Fairfield. The resident must complete the "AUTHORIZED GUEST LIST FOR VEHICLE ACCESS FORM", available from the Property Manager or the Access Control Officer, and return it to the Access Control Officer. The Access Control Post Commander reviews the list to be certain that no one who is currently restricted from entering the community is on the list. The Access Control Post Commander will enter the information into the computer and all individuals on the list are allowed entry at the North Gate by identifying themselves and the Fairfield resident at all times upon entry. The Access Control Officer will verify this information in the computer. Changes to the Authorized Guest List may be made by completing the "RESIDENT INFORMATION CHANGE FORM" and returning it to the Access Control Officer.

7.4.1 Guests who violate Fairfield's Covenants and Restrictions may be subject to restricted access (see Article 7.5). Examples of abuse may be but are not limited to any vehicular moving violation, damage to common property, threatening personal injury, entering under false pretenses, tailgating at gate entries. If this situation arises, the Property Manager will notify the owner following the established procedure, describing the occurrence and asking for the resident's intervention with the errant guest. If the resident does not respond to the Property Manager within five (5) days of receipt of the letter, the guest will be removed from the resident's guest list, and from any other guest list on which he/she appears. The Property Manager may advise those other residents of the revocation of guest privileges for that particular guest.

7.5 **Restricted Access.** Owners are responsible for the conduct of their guests. Owner will be fined, following Fairfield's established procedures, for violations to Fairfield's Covenants and Restrictions by either the owner or owner's guest(s). Guest(s) will immediately be removed from all guest lists. If violation(s) continue, Fairfield may exercise its right to sue the owner for an injunction to prevent said guest(s) from entering the community.

7.6 **Access Cards.** Residents who reside on a parcel in Fairfield that is current on its assessments are entitled to receive a free magnetic access card for each vehicle (except motorcycles or motor scooters) registered to their residence in Fairfield. Resident shall submit Fairfield Vehicle Registration Form along with copies of all required documents at the initial registration and each annual re-registration. Residents only are issued access cards.

Lost or stolen cards must be reported immediately to the Access Control Post Commander so they can be deleted and replacements issued. There is a fee for replacement of lost, stolen or damaged cards.

Access cards for parcels that become delinquent on their assessments, fines, interest, late charges, penalties or other monetary obligations due to the association for a period of 90 days or more may be deleted from the card scanners fourteen (14) days after notice has been mailed to the resident stating that if the parcel does not become current with assessments or other amounts due to the Association, the access cards will be deleted from the scanners; said residents will need to use the guest access at the North gate.

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A fee will be charged to reactivate cards previously deleted for delinquent non-payment of assessments or other amounts owed to the Association. *The Association procedures conform to Florida State Statute 720.305, attached herewith as Attachment 5.*

7.6.1 If an access card is used for the purpose of letting a nonresident enter the community, the Access Control Committee will determine an appropriate action, such as a fine or card deactivation, in accordance with Section 8, Article 8.7, "Enforcement Procedures", and will inform the Property Manager who will then inform the resident in writing, delivered in person or by mail, of action to be taken. The resident then has five (5) days from the date of receipt to respond to the Property Manager and to rectify the situation; otherwise, the action recommended by the Access Control Committee will be taken.

7.6.2 Additional access cards for access to the Clubhouse complex only may be obtained for a fee from the Access Control Post Commander.

7.6.3 Residents who reside in Fairfield for a portion of the year shall be entitled to Resident Decals and Access Cards.

7.7 **Temporary Access Pass for New Residents.** New residents moving into Fairfield will be issued a temporary pass that is valid for thirty (30) days. Refer to Article 7.2.1 for details.

7.8 **Non-Resident Owners.** Owners who lease or rent their dwelling are entitled to enter Fairfield at any time through the North gate. The Access Control Officer will ask to see the owner's drivers license to verify name and address. Upon verification in the computer database, the owner will be admitted. If verification is not possible, entry will be denied. The intent is to allow the owner to view their dwelling and property from the outside. Provisions for viewing the interior of their dwelling are to be covered in the lease or rental agreement. Non-resident owners who lease or rent their dwelling forfeit their right to use of the Fairfield amenities, including but not limited to tennis courts, RV Lot, pools, exercise room, Clubhouse.

7.9 **Company-Leased or -Owned Vehicle.** Residents may obtain an access card for vehicles leased or loaned through their company or government agency. Residents must submit a letter of request to the Access Control Post Commander. Government employees must show the Access Control Post Commander their government identification card, and for businesses, the vehicle registration form and/or the contract, in the case of a rental vehicle.

7.9.1 An access card for a company leased/owned vehicle will be issued to the resident for a fee to cover the cost of the card and programming if this access card is in addition to the free access card issued to the resident's personal vehicle. A decal and annual sticker will be issued for company leased or owned vehicles.

7.9.2 Annual re-registration is required as with the policy for resident personal vehicles.

7.10 **Real Estate Agent Entry.** Realtors may gain entrance by showing their Realtor's license card. The Access Control Officer is required to record the vehicle license plate number on the Access Control Gate Entry Log.

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7.11 **Function Guest List.** Residents must notify the Access Control Officer at least verbally for groups of five (5) or less. **Functions at the clubhouse involving guests from outside of Fairfield require the submission of a list of the nonresident guests (in alphabetical order by last name if more than ten (10), to the Access Control Officer prior to the clubhouse key being issued.** If the resident does not provide a Guest List for large groups, the guard will follow the procedure of calling the resident's telephone number on record; if there is no response, entry will be denied.

7.12 **Visitor Pass.** A Temporary Pass will be issued by the Access Control Officer to visitors for periods up to seven (7) days upon authorization by the host resident. If a visitor's stay is longer than seven days, the resident is required to notify the Access Control office and have the Pass revalidated on or after the expiration date.

7.13 **Denying Access.** If a resident wishes to deny access to a family member, friend, or vendor, the resident must submit a "Resident Information Change Request" to the Access Control office. This information will be placed in the computer database in the resident's authorized guest list file and the form kept on file at the Access Control office.

7.14 **Service Vehicles.** The following community service vehicles are allowed to enter the community without prior notice. Additions to this list will require written approval by the Access Control Chairperson.

Access Control service company contracted by Association
AirBorne Express
Aquatic Systems
Alligator Trapper (State Certified)
AT&T
Beaches Energy (electric)
Comcast
DHL
Emergency Fire and Medical Vehicles
Federal Express
Florida Fish and Game Authority
Florists, in marked vehicles only (see note)
St. Johns County Utilities
Landscape contractors approved by the Master Association & Sub-Associations
Law Enforcement- Local, County, State and Federal
Maintenance company for Clubhouse - as authorized by Property Manager
Pest control company - as authorized by Property Manager
Pump house sales and repair – as authorized by Property Manager
Pool maintenance company for Association pools - as authorized by Property Manager
Precision Turf Landscaping
Property Management companies approved by the Master Association & Sub-Associations
Seaboard Waste System
Soda vendor to machine at pool deck
St. Johns County Public Service Officers
St. Johns County School Buses

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St. Johns River Water Management District
U.S. Postal Service
United Parcel Service
Western Natural Gas
YRC (Roadway Express / Yellow Express)

7.14.1 If any service listed, including florists, does not have a marked vehicle, the Access Control Officer is required to call the resident to validate entry unless the vendor has been previously identified by the Access Control Officer as a valid vendor. If no answer by the resident, the officer can confirm access by inspecting a delivery sheet from the vendor with the resident's name and address, or inform the deliverer that there was no answer at the residence and therefore there may be no one at home to accept the delivery and the vendor may want to return later. The officer will record the vehicle license plate number on the Access Control Entry Log.

7.15 **Exceptions.** The Access Control Committee is charged with the responsibility for evaluating and approving exceptions to the procedures outlined in Operating Rules Section 7.

7.15.1 The Access Control Committee shall meet as needed to address requests submitted by residents. The Committee's decision shall be directed in writing to the Property Manager for dissemination. Decisions issued by the Committee are specific for an individual case and cannot be construed as a blanket policy.

7.16 **Tailgating.** Tailgating at entry points is a violation. Residents and non-residents will be liable for damages to Fairfield property, including but not limited to gate arm and gate mechanisms. Fairfield will not be held liable for damage to the tailgating vehicle.

8. COMPLIANCE

8.1 **Compliance.** Each owner and/or resident is personally obligated to comply with the Covenants and operating rules, and is responsible for advising their guests and renters of the obligations imposed by these documents.

8.2 **Complaints.** Review of complaints is the duty of each Committee who will receive complaints either from the Property Manager or residents on any matter involving Association functions, duties and activities in its field of responsibility. The Committee will dispose of such complaints as it deems appropriate or refer them to the Board of Directors. *Refer to By-Laws, Article X, Section 10.2.*

8.3 **Enforcement.** Effective enforcement of the documents preserves the planned residential concept and standards of the community. The Master Association Board of Directors may assess fines for violation of the Covenants (Declarations) and the Operating Rules of the common property and of the Association. *Refer to By-Laws, Article VII, Section 7.3.9., "To make, amend, and rescind from time to time operating rules of the Common Property and the Association and to assess fines for violation of the Covenants and the Operating Rules".*

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8.4 Fines and Suspensions.

Florida State Statute 720.305 (refer to Attachment 5) states the Association may levy fines and suspension of use rights against any member or any member's tenant, guest, or invitee for failure to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association. ***The Association procedures conform to Florida State Statute 720.305, attached herewith as Attachment 5.*** NOTE: Florida Statute 720.305 supersedes the sixty (60) day period stated in Fairfield Declaration of Covenants, Article IV, Section 4.2.3.

8.5 Dues and Assessments. Owner is responsible for payment of dues and assessments. Fines will be levied for failure to comply, in accordance with the Declaration of Covenants, Article III, Section 3.8.

8.6 Enforcement Procedure

Violation of the Declaration of Covenants, By-Laws, and Operating Rules shall be reported to a member of the Board of Directors and/or the Property Manager. The Association will follow Florida Statute ***720.305(former 617.305), "Obligations of Members; remedies at law or in equity; levy of fine and suspension of use rights; ---"; copy of which is provided herein, and Grievance Procedure; refer to Attachment 5.***

8.7 Procedure for Notification of Infractions, Fines, Suspensions, Grievance Committee

8.7.1. Purpose of Grievance Committee. To determine if there are mitigating and/or extenuating circumstances as to why a fine should not be imposed. *Committee is established per State Statute 720.305(2)(b).* ***The Association procedures conform to Florida State Statute 720.305, attached herewith as Attachment 5.***

8.7.2. It is the duty of the Fairfield Board of Directors ("the Board") to determine that a fine, and subsequent suspension after 90 days of unpaid monetary obligation(s), should be levied against a resident of Fairfield for infraction(s) of the declaration documents including the operating rules of the association. A first warning letter will be provided in person or mailed via U.S. postal mail, providing thirty (30) days for compliance, except for parking violations which require immediate compliance. If violation(s) continue, a second notice will be mailed explaining intent to fine/suspend and that the matter will be brought to the Board at the next meeting of the Board. If the Board votes to impose a fine, with subsequent suspension, the Property Manager will notify the resident of intent to fine, in writing, in person or via U.S. postal mail, which will serve to provide at least fourteen (14) days notice, and suspension of rights for unpaid monetary obligations after 90 days; letter will notify the resident of their right to a hearing before the Grievance Committee, except no hearing before the Grievance Committee is applicable for suspension of rights or use of facilities for failure to pay obligations to the Association that are more than 90 days past due.

8.7.3 Notice of fine and suspension of rights shall include a statement of the nature of the violation and shall be in writing, presented in person or via U.S. postal service. Notice shall include a copy of this Procedure.

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8.7.4 It is the responsibility of the resident/aggrieved to request, in writing, a meeting with the Grievance Committee via the Property Manager. If resident does not submit a written request within fourteen (14) days of posted letter, the fine will be levied and after 90 days impose suspension of rights for monetary obligations.

8.7.5 Board meetings occur on the third Wednesday of the month, except for July and December. Hearings of the Grievance Committee take place on the fourth (4th) Monday of the month, but not within the fourteen (14) days of a posted intent to fine. The Property Manager, on behalf of the Grievance Committee, shall notify the resident/owner of the time and place of the meeting within fourteen (14) days of the receipt of the request. The meeting will occur at the next monthly meeting of the Grievance Committee but not within less than 14 days of the resident's request for a meeting. It is the responsibility of the resident to attend the meeting and present his/her mitigation and/or extenuating circumstance as to why the fine should not be imposed.

8.7.6 If the resident/owner does not attend or otherwise notify the Property Manager, the Property Manager will notify the resident, in writing, of the fine and of the impending suspension of rights for unpaid monetary obligations after 90 days.

8.7.7 The maximum fine is \$100 per day not to exceed an aggregate of \$1,000 for each specific violation.

8.7.8 A majority of the Committee shall decide whether or not to impose a fine based on evidence of mitigating and/or extenuating circumstance. The Chairperson shall cast the tie breaking vote if necessary. If an even number of Committee members are present, the Chairperson shall not cast a vote. The Committee's vote is final.

8.7.9 The Fairfield Grievance Committee shall consist of at least three members (an odd number for voting purposes) who are appointed by the Board. The Committee members may not be members of the Board, employees of the Association, or the spouse, parent, child, brother or sister of a Board member or Association employee.

8.7.10 It is not the job of the Committee to rescind, create or interpret the Declaration of Covenants, By-Laws and Operating Rules of the Association.

9. WEAPONS AND FIREARMS

The possession, display or discharge of a firearm, BBgun, air gun, bow and arrow or crossbow outside a residence within the Fairfield Ponte Vedra Community is prohibited with the following exceptions: (a) by certified law enforcement officers, (b) individuals licensed by the State with a concealed weapons license, (c) unloaded weapons being transported, out of sight, in vehicles directly from or to a residence, (d) used in self-defense. Hunting is prohibited within the Community.

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HISTORICAL RECORD – Fairfield Information Manual and Operating Rules

June 17, 1998, Access Control Standards, Board Approved (original issue date).

August 19, 1998, Access Control Standards, amended to add new section, “Exceptions”.

September 24, 1998, amended to add new section, “Access Cards for Leased or Loaned Vehicles”.

January 20, 1999, Board Approved ‘Information Manual and Operating Rules’, incorporating Security Standards.

November 17, 1999; amended to add new Section 8, “Weapons and Firearms”.

October 18, 2000, amended Section 7.7, “Enforcement Procedure”; added Contractor Hours, Section 2.16. Added Grievance Procedure.

February 21, 2001, amended Section 6.4, “Authorized Guest List”.

January 16, 2002, amended Section 2.2, “Satellite Dishes” to include reference to FCC Rule 37 C.F.R.

Section 1.4000 regarding placement; amended Section 4.3, “Motorized Vehicles” to include the prohibition of unlicensed two-wheeled motorized vehicles; amended Section 5.10 regarding landscape description and materials; amended Section 6.4, “Guests & Authorized Guest List”; added new Section 6.5, “Restricted Access”; amended Section 6.6, “Access Cards”.

November 17, 2004, amended to add additional paragraphs to Article 3.2 Boat Restrictions, compatible with 2004 Florida State Statutes, Chapter 327, Vessel Safety.

November 16, 2005: added Swim Diaper Policy Article 1.6; new Article 1.7 Keys to recreation facilities; new Article 5.2 Thirty-Day Pass for resident parking in Clubhouse Parking Lot; new Articles 5.3 and 5.7 re RV parking; new Article 9.7 resident parking of new RV in Clubhouse Parking Lot (30-day limit); modified wording of Articles RV9.9 and RV9.11

January 17, 2007, Clubhouse Reservation Deposit increased to \$150 (User Fee of \$50 remains the same).

June 28, 2008, amended Clubhouse Reservation Form to state that if the function involves non-resident guests, an Access List of non-residents names must accompany the Clubhouse Rental Agreement, both to be provided to the Property Manager.

June 2009, amended and clarified wording, including: 1.3 Exercise room usage; 2.6 Fences to provide definitive guideline; 2.8 Commercial activity; 2.14 Recreational Equipment; 4.4 and 4.5 amended to reflect Florida Court Decision, Case 20000-7647-80/truck parking; 5.5 guest vehicles; 6.11 Landscape material; 7.5 Restricted Access; 7.6, 7.11 amended wording; 7.16 tailgating; RV Lot/one site only to resident/owner; Clubhouse Rental Agreement, modified alcohol use clause and function guest list; updated Vehicle Registration Form.

January 2010, amended as follows (in abstract):

Rule #1 adds requirement that a parcel be current on assessments to use recreation facilities.

#1.7 keys to recreational facilities can only be issued to residents current on assessments. Also adds allowing a vendor to obtain a key to remove a vehicle from RV lot if owner authorizes in writing and provides drivers license.

#2.1 imposes a fine of \$50 for each instance in which a resident does not pick up after their pet.

#3.3 allows storing boats upside down on approved docks.

#5.4 refers to Rule RV9.6 regarding owners with RV spaces may only park in the recreation center parking lot up to 48 hours before a trip and up to 48 hours after a trip.

#6.11 removes the term “Xeriscape”.

#7.6 adds requirement that parcel be current on assessments to receive access cards; provides for deletion of access cards for said parcels; implements a \$25 fee to reactivate.

#8.4 adds an abstract of 2009 Florida Statute 720.305

Att. I adds provision to Clubhouse Use Agreement that requestor must be an adult and reside on a parcel current on assessments.

Att. I changes the term “Renter” to “User” on Clubhouse Use Agreement.

RV1.2 adds that owner/residents are limited to one spot in the RV lot for each parcel owned in Fairfield; vehicle must be registered to the Fairfield address or other evidence of the residency be provided.

RV2.5 improvements to RV Lot requires Board approval for compliance with State/County regulations. User must be current on assessments and if vehicle is not timely removed, provides for towing.

RV6.1 clarifies documentation to be submitted.

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RV7.1 and 7.2 clarifies correction of violation within 30 days of notification followed by a Fourteen-day Notice of Towing. Vehicles not registered to an individual owner or grantor trust are not allowed and considered commercial. RV9.3 allows vendor to obtain the RV lot key to remove a vehicle if the owner provides written authorization; vendor will also provide his drivers license for copying by guard.

Att.3 provides that owners of RVs less than 14' are required to annually submit an RV Lot Registration Form. Vehicle Registration Form adds optional emergency contact section.

March 2011 amended to include County and/or State Codes. Removed redundancy in 8.7 and Grievance process. Pool use hours modified per State Code lighting requirements. Increased Clubhouse non-refundable deposit to \$75 (from \$50).

May 2011 amended rule 1.3, Exercise Room usage for 15 years of age and up.

September 2011 added 2.19, Traffic Control; amended 4.4 Parking; amended 5.1, 5.2, 5.5, 5.6 for clarity; added first paragraph to Section 7 requiring evidence of ownership/residency. 7.2 amended for clarity. 7.2.2 includes motorcycles/motor scooters which may receive a decal but no access card due to liability issues with card-activated access gates. 7.11 requires hard copy of nonresident guests in alphabetical order if more than ten names. 8.4 amended to reflect State Statute 720.305. 8.7 in its entirety amended to reflect State Statute 7.20.305. Clubhouse reservation form includes maximum of six (6) guests. Changes reflect attorney's review July 26, 2011, January 2012 removed dollar fining amounts; wording clarification in 4.4.

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ATTACHMENT 1

RESERVATION REQUEST & AGREEMENT - CLUBHOUSE FACILITY

Pg 1 of 3

The Clubhouse facility may be reserved by *adult residents who reside on a parcel in Fairfield that is current on its assessments pertaining to that parcel. If a member is delinquent for more than 90 days in paying a monetary obligation due the association, the association may suspend, until such monetary obligation is paid, the rights of a member or a member's tenants, guests, or invitees, or both, to use common areas and facilities; per Florida Statute 720.305.* The facility is available for private, personal social events, subject to the terms and conditions described below. The area that may be reserved consists of the Clubhouse large and small meeting rooms (total capacity is 77), and the outside patio deck immediately adjacent to the large meeting room. All other areas may not be reserved. **The event must be supervised by the resident who is reserving the facility.** The key to the Clubhouse will be issued only to this resident. Groups that may reserve the Clubhouse on a regular basis are Homeowner Associations, the Master Association Board of Directors and the Association's designated Committees, all of which are exempt from facility deposit and two-week notification. *Reservations will not be taken on a regular basis except for activities sanctioned by the Association.*

Event Host: _____ Number of Event Attendees: _____
Reserved Date: _____ Reserved Time: _____
Event Description: _____

Deposit (\$150 refundable) and User Fee (\$75 non-refundable):

\$225.00 must accompany this request, in the form of two checks. The \$150 Deposit is refundable subject to compliance with the conditions contained in this Agreement and from which the costs of extra cleaning/repairs will be deducted for costs incurred and cleaning at the contracted hourly rate. The \$75 User Fee is not refundable (\$50 for booking and \$25 for inspection after events paid to cleaning company).

Reservation Agreement Deposit and User Fee must be submitted to Property Manager *at least two weeks prior to the event.* Exceptions to the two-week time period will be at the discretion of the Property Manager. Property Manager will provide a copy of the documents to the resident.

Food, beverages and trash must be removed from the facility and recreation complex immediately after close of the event and placed into the dumpster.

Costs and labor incurred by the Association for additional cleaning and/or repairs to the facility including the floor, furniture, fixtures, walls or appliances will be deducted from the \$150 Deposit, and any additional costs not covered by the Deposit will be assessed to the resident making the reservation and who agrees to reimburse the Association for any damages in excess of the deposit within 30 days of the event. The Association retains the right to deny future use of the facilities including the Clubhouse. *Attachments of banners, decorations, etc. in the facility will be by masking tape or painter's tape only.* The resident who has made the reservation will be responsible for any expenses incurred by the Master Association to repair or replace property that has been damaged either by himself, his family, his guests or invitees. The expense shall be made a part of the assessment to which the owner is subject and shall be due and payable in the same manner as annual assessments. *Refer to Declaration of Covenants, Article III, Section 3.10.*

Non-Profit Organizations & Community-Sanctioned Activities may be exempt from the deposit, as determined by the Master Board. Waiver of the deposit does not release the resident reserving the event from liability. The resident reserving the event is required to sign this Agreement, and will be responsible for reimbursing the Master

Fairfield Ponte Vedra Association, Inc.
Operating Rules

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Association for any costs incurred as a result of damages to the facility, and may be subject to suspension of the right to use the facility.

Adult Supervision. Certain non-profit organizations, such as the Scouts, must have a minimum of two adults in attendance, one of whom is the resident reserving the event.

Business, Commercial. The clubhouse facility shall not be used or reserved for business or commercial activities of any type, whether or not money is transacted. Business and commercial activities may be defined as, but not limited to, company gatherings of business associates, team meetings, financial planning seminars, or any event that may be related to a private or public business.

Deposits will not be refunded if it is determined that the facility has been reserved for a business or commercial function, and the privilege of using the Association's common facilities will be suspended.

Alcoholic Beverages are strictly forbidden from all areas of the recreation complex including the pools, pool decks, spa, the Exercise Room, and the Tennis Courts, with the exception of within the Clubhouse itself and adjacent patio area and when consumed in conjunction with reserved events, and in accordance with STATE OF FLORIDA STATUTE 562.11.1, regarding alcoholic beverages, and noise ordinances. **Anyone in the business of manufacturing, distributing, selling and/or serving or furnishing alcoholic beverages must provide proof of liquor liability insurance coverage at the time this contract is executed.**

Music is permitted within the Clubhouse but must not be amplified. Acoustic guitars, sound amplification systems, and microphones are prohibited in the Clubhouse and any other area of the recreational complex.

Furniture Configuration and Clean-up. Furniture must be replaced to its original configuration, which is described on the 'Clubhouse Rental Checklist'. Hosts may use a broom and dust pan for clean-up purposes, and glass cleaner for table tops. Food and beverages spilled on floor must be removed with cold water and paper towels. *Use of detergents and mopping of floor is not permitted.* Appliances, if used, must be cleaned.

Function Guest List. Functions at the clubhouse involving guests from outside Fairfield require the submission of a list of nonresident guests to the security guard prior to the clubhouse key being issued. If the resident does not provide a Guest List for large groups, the guard will follow the procedure of calling the resident's telephone number on record; if there is no response, entry will be denied.

Pools. Reservation of the Clubhouse does not entitle guests to use the pools, which shall be used in accordance with Article 1.6 of the Operating Rules (maximum of six (6) non-resident guests per household, accompanied by resident at any one time at/in pools). No glass in pools and pool decks. Functions are to conclude by 12:00 P.M except for New Years Eve.

NO SMOKING IN THE INTERIOR OF THE CLUBHOUSE

I hereby agree to the terms of this agreement and accept all responsibility for the conduct of my guests:

Resident Signature: _____ Date: _____
Resident Address: _____ Telephone: _____

Property Manager Signature: _____ Date: _____
Confirmation of Deposit Received: _____ Deposit Refunded: _____

Fairfield Ponte Vedra Association, Inc.
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CLUBHOUSE USER CHECKLIST
3 of 3

ALL ROOMS:

Floors clean (no mopping) _____
Tables clean _____
Bathrooms _____
Trash Cans empty _____
Walls (no Tacks, no Fingerprints) _____

KITCHEN:

Refrigerator clean/empty _____
Stove & Oven clean _____
Counters clean _____
Microwave _____
Sink _____

FURNITURE – *Large Room:* Sofa against Kitchen wall, and Sofa on North wall near patio, End Tables each side of Sofas, Round Dining Tables and Chairs in center of room

Round Dining Tables (3) _____
Table Chairs (12) _____
End Tables (4) _____
Sofas (2) _____
Coffee Table (2) _____
Upholstered Chairs (4) _____

- ***Small Room:*** Sofa against large wall, chairs next to and/or opposite

Sofas (1) _____
Upholstered Chairs (2) _____
Side Tables (2) _____
Coffee Table (1) _____

BATHROOMS:

Clean _____
Trash Cans Empty _____

PATIO:

Round Tables (3), Chairs (12). Tables and chairs placed under patio roof. Tables clean.
Patio deck/floor swept and clean. _____

TRASH bagged and placed into Dumpster _____

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Operating Rules

ATTACHMENT 2

RV LOT PROCEDURE

RV1. Scope

RV1.1 This procedure has been established to provide a methodical approach for assigning parking space in the RV Lot to Fairfield residents for their recreational vehicles only. This procedure also addresses the use of the Clubhouse parking lot. The intent is to preserve the facilities in a neat and orderly condition.

RV1.2 This document refers to residents (all occupants of a parcel) and owners and if they are not the same party, then only one party (either the resident or the Fairfield owner) can use the RV facility. Owner/resident is entitled to apply for one site in the RV lot for each house leased/owned in Fairfield providing the RV is registered to the owner/resident's name and to the Fairfield address. If it is not registered to the Fairfield address, then proof of residency in Fairfield may be required. Non-resident owners who lease or rent their dwelling forfeit their right to use of the Fairfield amenities, including but not limited to tennis courts, RV Lot, pools, exercise room, Clubhouse.

RV1.3 Vehicles classified as recreational vehicles (RVs) shall include motor homes (Class A & C), travel trailers, fifth-wheel travel trailers, pickup truck campers, tent trailers, boats and boat trailers, ATVs and trailers, and utility trailers used for recreational purposes. Vehicles not described herein cannot be parked in the RV Lot.

RV1.4 Special circumstances (e.g., hardship, military service) will be addressed on an individual basis.

RV1.5 Purpose of the RV Lot is to provide residents with storage space for their **road-worthy**, active recreational vehicles (defined in Article 1.3). It is NOT for storage of inactive or inoperative vehicles, as defined in Paragraph 1.3, and NOT for any other vehicles not herein defined. RV Lot site not used within a nine (9) month period will be reassigned. Any vehicle not removed from the Lot at least once in twelve (12) months will be considered in violation of the rules and the Property Manager will initiate the Reassignment Procedure (RV7.1 and 7.2 herein).

RV2. Responsibility

RV2.1 The Fairfield Board of Directors are responsible for maintaining and repairing the RV Lot, in accordance with the Declaration of Covenants Article III, and with the Articles of Incorporation Article IV, Sections 4.2.1, 4.2.2, 4.2.4, 4.2.5, 4.3.3, 4.3.4.

RV2.2 The RV Lot Administrator will assist the Board of Directors in complying with Article IV Section 4.3.3 of the Articles of Incorporation through the Master Association Facilities Committee.

RV2.3 The RV Lot user is responsible for obtaining a copy of and abiding by these Procedures.

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RV2.4 RVs, including tow trailers, must display a current Florida License Plate. The Property Manager will provide a Fairfield sticker if the vehicle is a motor home.

RV2.5 RV Lot users are responsible for keeping their assigned space clean, with the exception of grass cutting. Grass will only be cut within 2 ft. of a vehicle, so users must clear under and around their vehicles. Amendments, including but not limited to boards, gravel, rock, ground shingles, etc. are not allowed except with the written approval of the Fairfield Board, who will follow St Johns River Water Management's guidelines.

RV3. Qualifications

RV3.1.a Applicant must be a Fairfield resident or property owner (refer to Article RV1.2) of a parcel in Fairfield that is current on its quarterly assessments. Failure to remain current with assessments will result in revocation of the space in the RV Lot if assessments are more than 30 days delinquent; the item in the assigned space must be removed upon notice or it will be towed at the owner's expense. Applicant must provide copy of current: Vehicle Title, License Plate, and Florida Vehicle Registration Certificate for RV or utility trailer; a State of Florida Vessel Registration for boat; driver's license showing Fairfield address. Name on Registration must be the Fairfield resident and/or property owner. **Proof of residency may be required.**

3.1.b Owner of a parcel in Fairfield who does not reside full time in Fairfield must provide proof of residency for more than half the year in Fairfield

3.1.c Vehicles not registered to an individual owner or grantor trust are not allowed a space. Vehicles registered to a corporation are considered commercial vehicles and are not considered the vehicle of an individual resident.

RV4. Registration of RV

RV4.1 Applicant must submit the RV Lot Site Application Form (Attachment 3) to the Property Manager, including a copy of each of the documents listed in Article 3.1.

RV4.2 Property Manager will maintain the documents in the official RV Lot binder, and will provide a copy of the documents and the RV Lot Site Application Form to the RV Lot Administrator (if used). The Administrator, or property manager, will assign a space which will be determined by the size of the unit and criteria shown on the layout of the RV Lot.

RV4.3 Property Manager will inform the resident of the assigned site number, or if an appropriate site is not available, their position on the RV Lot waiting list.

RV4.4 Residents wanting to know space availability should contact the RV Lot Administrator or the Property Manager.

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RV5. Site Assignment

RV5.1 Site assignment will be determined by size and length of vehicle. The RV Lot Administrator may reassign sites based on site availability, size of RVs and impact on egress to and from the Lot. One site only will be assigned to resident/owner. RV unit must be parked in the owner's assigned site.

RV5.3 Small boats (less than 14 ft. long, up to 3 HP) not requiring Florida State registration must be registered with the Property Manager by annually submitting an RV Lot Application Form.

RV6. Annual Validation/Re-registration

RV6.1 Residents must provide a copy of their registrations to the Property Manager within one (1) month of the expiration of their RV registrations. Residents owning units described in Paragraph 5.3 (vessels less than 14') must resubmit an RV Lot Application form during the Fairfield vehicle registration period (Jan-Feb). Failure to do so will result in initiation of the Reassignment Procedure.

RV7. Enforcement and Reassignment Procedure

RV7.1 The Property Manager will send a letter to the resident advising that they are not following this Procedure, and will provide thirty (30) days to correct the violation; letter will provide for an opportunity to appear before the Grievance Committee and will comply with Operating rules 8.4 and 8.7. The reason for noncompliance will be stated in the letter, which may be an expired Fairfield sticker, expired State Registration, expired license plates, space not used (empty) for nine (9) months, or vehicle not moved for twelve (12 months).

RV7.2 If after 30 days the noncompliance continues, it will be the RV Lot Committee's determination to either (1) post a fourteen (14)-day Notice to Tow on both bulletin boards, after which the unit(s) will be removed from the RV Lot, in accordance with section 8.1 Towing, and deposited outside of Fairfield at the owner's expense (e.g., if unit is abandoned and/or deemed to be not road-worthy; refer to RV1.5); or (2) impose a fine(s) in accordance with Operating Rule 8.7.

RV8. Towing

- a) Property Manager will contact Beach Body Towing Co., 922 Seventh Avenue South, Jacksonville Beach FL 32250, Tel. 249-9974, or company currently used by Fairfield.
- b) Towing service driver will require the Property Manager representative to sign a document that allows the towing service to remove the vehicle from the property.
- c) Vehicle will be towed to towing company's private property storage lot.
- d) Towing service will notify St. Johns County Sheriff's Office.
- e) Vehicle owner will be responsible for towing and storage charges.

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RV9. General

RV9.1 There is no charge to residents for use of the RV Lot.

RV9.2 Reports - Property Manager and RV Lot Administrator will update the RV Lot Inventory Sheet on a quarterly basis. This report will include what action has been taken to correct deficiencies. A copy of this report will be provided to the head of Access Control and to the Board member with oversight responsibility for the RV Lot.

RV9.3 **Access to RV Lot. Residents of Fairfield with an assigned space are the only individuals authorized to obtain the key to the gate and enter the RV Lot**, except for vendors picking up an RV to be taken for repair if the resident submits the request in writing authorizing the key to be issued and stating the resident will be responsible for any damages caused by the vendor, including failure to lock the gate. *Vendor will be required to provide his Florida Drivers License to the guard for photocopying for Fairfield's records.*

RV9.4 **Key to RV Lot.** The key to the RV Lot is available from the Access Control Officer, who will verify site assignment and note all entries on a specific log sheet for the RV Lot.

RV9.5 Vehicles, including RVs, cars, trucks, vans, etc., parked improperly outside the RV Lot and not in accordance with this procedure, may be subject to the Reassignment and Towing procedure noted herein.

RV9.6 Resident's RV may be parked in the Clubhouse parking lot for periods of up to forty-eight (48) hours, generally for the purpose of loading or unloading prior to or after a trip.

RV9.7 **New Resident's RVs or New RVs** may be parked in the Clubhouse parking lot for a single period of up to thirty (30) days to allow resident to apply for a parking space in the RV Parking Lot. Beyond this 30 day allowance, regardless of whether or not a space is available in the RV Parking Lot, resident must remove the unit from the Clubhouse parking lot.

RV9.8 **Site alterations** and/or additions are strictly prohibited without approval of the RV Lot Administrator.

RV9.9 **Mechanical repairs** usually performed by an RV dealer, boat dealer, or a car dealer/repair shop are prohibited on common areas. Routine maintenance by the RV owner such as inside/outside cleaning is permitted.

RV9.10 **"For Sale" signs** are prohibited from being displayed in the Clubhouse parking area on RVs, cars, trucks, vans, etc.

RV9.11 Occupancy or sleeping in vehicles and RVs is prohibited when parked in the RV Lot. *St Johns County Codes apply, specifically Sec. 2.04.04*

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RV9.12 Use of auxiliary power units such as generators is prohibited when vehicles are parked in the Clubhouse Parking Lot unless vehicle/RV is parked on the westerly side of the lot (next to the RV Lot).

RV9.13 Guest RVs are prohibited from being parked within the RV Lot. Parking of guest RVs is permitted only in the Clubhouse Parking Lot. Refer to Section 5.5 and 5.6 for more details.

Original RV Lot Procedures approved by the Fairfield Master Association Board of Directors on November 15, 1995. Modifications approved: November 20, 1996, November 19, 1997, January 2002, November 16, 2005; May 2009; January 2010; September 2011.

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Operating Rules

ATTACHMENT 3

RV LOT SITE APPLICATION – For Recreational Vehicles Only

SPACE # _____

Site assignment will be made by the RV Lot Administrator and will be based upon space availability and size of unit. RV Lot Procedures are included in the Fairfield Operating Rules and can be obtained from the Property Manager or from the Fairfield website, www.fairfield-pv.com.

Date of Application: _____

Name of Unit's Owner (must be Fairfield resident): _____

Name of Second Owner, if applicable: _____

Fairfield address: _____

Renter: _____ Owner: _____

Telephone Nos: Home _____ Work: _____ Cell: _____

Email: _____

Fairfield Sticker # _____ (required for Motorhome; or tow vehicle Sticker #)

Type of RV: _____

(Boat, Travel Trailer, Car Trailer, Utility Trailer, Motorhome)

Length of Unit: _____ Brand Name: _____

Documentation Required: Registrations for all units, and Drivers License reflecting Fairfield address

TAGS - St Johns County Land Development Codes apply, including but not limited to Sec. 2.04.03 Parking, Repairing and Storage of Certain Vehicles Without Current License Plates and Recreational Vehicles Extract of code: Vehicles without current plates shall not be parked or stored on any residential property other than in a completely enclosed building.

Name on Registrations must be the same as above and owner must be a resident of Fairfield. Proof of residency is required by providing RV owner's registrations and drivers license to validate their Fairfield residence. If renter, lease agreement may be required. Attach copies of all documents to this application. Submit application and documents to the Property Manager, either via email or by leaving them at the Gate House.

Access to RV Lot is by resident/owner of unit only with an assigned space. RV Lot key is available from the Access Control Officer, who will note name, site #, date on a specific log sheet for the RV Lot.

Annually - Provide copies of new registrations to the Property Manager (by email or leave at Gate House) within one (1) month of the expiration of Registration. *Residents with boats of less than 14 ft not requiring registration and described in Paragraph RV5.3 of the RV Lot Procedure, must contact the*

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Operating Rules

Property Manager and revalidate their RV Lot Application Form in January of each year. Failure to maintain current registrations will result in initiation of the Reassignment Procedure including towing.

Signature of Applicant attests that they understand the complete RV Lot regulations:

The complete RV Lot Procedures are included in the Fairfield Operating Rules and can be obtained from the Property Manager or from the Fairfield website, www.fairfield-pv.com. The following are excerpted from the Procedures.

RV1.1 This procedure has been established to provide a methodical approach for assigning parking space in the RV Lot to Fairfield residents for their recreational vehicles only. This procedure also addresses the use of the Clubhouse parking lot. The intent is to preserve the facilities in a neat and orderly condition.

RV1.2 This document refers to residents (all occupants of a parcel) and owners and if they are not the same party, then only one party (either the resident or the Fairfield owner) can use the RV facility. Owner/resident is entitled to apply for one site in the RV lot for each house leased/owned in Fairfield providing the RV is registered to the owner/resident's name and to the Fairfield address. If it is not registered to the Fairfield address, then proof of residency in Fairfield may be required. Non-resident owners who lease or rent their dwelling forfeit their right to use of the Fairfield amenities, including but not limited to tennis courts, RV Lot, pools, exercise room, Clubhouse.

RV1.3 Vehicles classified as recreational vehicles (RVs) shall include motor homes (Class A & C), travel trailers, fifth-wheel travel trailers, pickup truck campers, tent trailers, boats and boat trailers, ATVs and trailers, and utility trailers used for recreational purposes. Vehicles not described herein cannot be parked in the RV Lot.

RV3.1.a Applicant must be a Fairfield resident or property owner (refer to Article RV1.2) of a parcel in Fairfield that is current on its quarterly assessments. Failure to remain current with assessments will result in revocation of the space in the RV Lot if assessments are more than 30 days delinquent; the item in the assigned space must be removed upon notice or it will be towed at the owner's expense. Applicant must provide copy of current: Vehicle Title, License Plate, and Florida Vehicle Registration Certificate for RV or utility trailer; a State of Florida Vessel Registration for boat; driver's license showing Fairfield address. Name on Registration must be the Fairfield resident and/or property owner. **Proof of residency may be required.**

RV5.3 Small boats (less than 14 ft. long, up to 3 HP) not requiring Florida State registration must be registered with the Property Manager by submitting an RV Lot Registration Form, and may be assigned to Space 20, which is a corner site suitable for small units. Residents owning small units described in Paragraph RV5.3 of the RV Lot Procedure must contact the Property Manager and revalidate their RV Lot Registration Form in January of each year.

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RV9.6 Resident's RV may be parked in the Clubhouse parking lot for periods of up to forty-eight (48) hours, generally for the purpose of loading or unloading prior to or after a trip.

RV9.7 New Resident's RVs or New RVs may be parked in the Clubhouse parking lot for a single period of up to thirty (30) days to allow resident to apply for a parking space in the RV Parking Lot. Beyond this 30 day allowance, regardless of whether or not a space is available in the RV Parking Lot, resident must remove the unit from the Clubhouse parking lot.

RV Lot Application.doc, Rev. 6-30-11

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Operating Rules

ATTACHMENT 4

ARCHITECTURAL REVIEW REQUEST FORM

Name of Homeowner(s): _____ Phone # _____

Address of Property: _____

Legal Description (Unit, Lot #): _____

Description of improvement or modification: _____

All requests need to include the following (as necessary):

- (1) Plans, drawings, pictures, etc., and color samples if appropriate
- (2) Site Survey of the property showing the location of the improvement or request
- (3) Landscaping requests should include types of plants, size and plan showing locations
- (4) Incorporated Sub-association's ARB approval (e.g., dock requests)

NOTE: Site Survey must show any and all easements including conservation wetlands, lake easements, etc. Approvals will NOT be granted for construction and/or improvements to easement property. The Association shall NOT be responsible for defects in site surveys, plans or specifications or defects in improvements. The ARB's review of plans is limited solely to appearance of the improvements and does not include any review to determine compliance with applicable County and State Codes.

I, as the Owner of the applicable property, assume all liability for any damages and costs incurred as a result of this modification as well as any additional maintenance costs that may be incurred. Owner also agrees to obtain any permits that may be required by any and all governmental agencies for this modification.

Owner(s) Signature(s) and Date: _____

Owner assumes all liability, damages, additional cost, etc., in reference to this request. Please mail or drop off at Guard House for Property Manager; mailing address is Fairfield Ponte Vedra Association, Inc., ARB Committee, P.O. Drawer 1939, Ponte Vedra Beach, Florida 32004

The above request to Unit/Lot # _____ has been:

- () APPROVED
- () DISAPPROVED
- () APPROVED WITH THE FOLLOWING CHANGES:

Date _____ ARB Chairperson _____

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ATTACHMENT 5
Florida Statute 720.305

“720.305 Obligations of members; remedies at law or in equity; levy of fines and suspension of use rights.—

”(1) Each member and the member’s tenants, guests, and invitees, and each association, are governed by, and must comply with, this chapter, the governing documents of the community, and the rules of the association. Actions at law or in equity, or both, to redress alleged failure or refusal to comply with these provisions may be brought by the association or by any member against:

(a) The association;

(b) A member;

(c) Any director or officer of an association who willfully and knowingly fails to comply with these provisions; and

(d) Any tenants, guests, or invitees occupying a parcel or using the common areas.

“The prevailing party in any such litigation is entitled to recover reasonable attorney’s fees and costs. A member prevailing in an action between the association and the member under this section, in addition to recovering his or her reasonable attorney’s fees, may recover additional amounts as determined by the court to be necessary to reimburse the member for his or her share of assessments levied by the association to fund its expenses of the litigation. This relief does not exclude other remedies provided by law. This section does not deprive any person of any other available right or remedy.

(2) The association may levy reasonable fines of up to \$100 per violation, against any member or any member's tenant, guest, or invitee for the failure of the owner of the parcel or its occupant, licensee, or invitee to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association. A fine may be levied for each day of a continuing violation, with a single notice and opportunity for hearing, except that the fine may not exceed \$1,000 in the aggregate unless otherwise provided in the governing documents. A fine of less than \$1,000 may not become a lien against a parcel. In any action to recover a fine, the prevailing party is entitled to reasonable attorney's fees and costs from the nonprevailing party as determined by the court.

“(a) An association may suspend, for a reasonable period of time, the right of a member, or a member's tenant, guest, or invitee, to use common areas and facilities for the failure of the owner of the parcel or its occupant, licensee, or invitee to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association.

“(b) A fine or suspension may not be imposed without at least 14 days' notice to the person sought to be fined or suspended and an opportunity for a hearing before a committee of at least three members appointed by the board who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. If the committee, by majority vote, does not approve a proposed fine or suspension, it may not be imposed. If the association imposes a fine or suspension, the association must provide written notice of such fine or suspension by mail or hand delivery to the parcel owner and, if applicable, to any tenant, licensee, or invitee of the parcel owner.

“(3) If a member is more than 90 days delinquent in paying a monetary obligation due to the association, the association may suspend the rights of the member, or the member's tenant, guest, or invitee, to use common areas and facilities until the monetary obligation is paid in full. This subsection does not apply to that portion of common areas used to provide access or utility services to the parcel. Suspension does not impair the right of an owner or tenant of a parcel to have vehicular and pedestrian ingress to and egress from the parcel, including, but not limited to, the right to park. The notice and hearing requirements under subsection (2) do not apply to a suspension imposed under this subsection.

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“(4) An association may suspend the voting rights of a parcel or member for the nonpayment of any monetary obligation due to the association that is more than 90 days delinquent. A voting interest or consent right allocated to a parcel or member which has been suspended by the association may not be counted towards the total number of voting interests for any purpose, including, but not limited to, the number of voting interests necessary to constitute a quorum, the number of voting interests required to conduct an election, or the number of voting interests required to approve an action under this chapter or pursuant to the governing documents. The notice and hearing requirements under subsection (2) do not apply to a suspension imposed under this subsection. The suspension ends upon full payment of all obligations currently due or overdue to the association.

“(5) All suspensions imposed pursuant to subsection (3) or subsection (4) must be approved at a properly noticed board meeting. Upon approval, the association must notify the parcel owner and, if applicable, the parcel's occupant, licensee, or invitee by mail or hand delivery.”

Fairfield Ponte Vedra Association, Inc.
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Fairfield Ponte Vedra - Vehicle Registration - Att. 6
DECAL YEAR _____
NEW RESIDENT / NEW VEHICLE / RE-REGISTRATION

Last Name: _____ **First Name:** _____
Address: _____
Phone #s **Home** _____ **Emergency Contact (Optional)**
 Work _____ **Name** _____
 Cell _____ **Telephone #** _____

Vehicle Registration Instructions:

Complete this form and attach photocopies of Current Vehicle Registration(s) or each vehicle. **Drop off the completed form with all registrations for valid vehicles at the Guard House between January 1 and no later than February 28.** All registration forms received after February 28 will be subject to the late processing fee of \$10.00. Each vehicle properly registered to a home within Fairfield will be issued a current year sticker within 10 business days of receipt of the form and registration photocopy. Vehicles not updated by February 28 will have their access cards deactivated. You will no longer be able to access the property with your existing cards after this date. A vehicle being registered for the first time will be issued a Fairfield Decal, a current year sticker and a new access card. All vehicles must display both the Fairfield decal and the current year sticker to be considered a properly registered vehicle to this property. All others will be in violation of the Rules and Regulations. 'Family' decal registration information is on the reverse side.

Vehicle #1 – Tag # _____ Make _____ Access card # _____

Vehicle #2 – Tag # _____ Make _____ Access card # _____

Vehicle #3 – Tag # _____ Make _____ Access card # _____

Vehicle #4 – Tag # _____ Make _____ Access card # _____

Vehicle #5 – Tag # _____ Make _____ Access card # _____

Vehicle #6 – Tag # _____ Make _____ Access card # _____

- **Vehicle registration must show the property address listed above to obtain a current year sticker, Fairfield Decal and/or a new access card.**
- **The access card number is located on the lower left hand corner of the access card**
- **\$5.00 for lost or replacement cards**
- **\$10.00 for replacement decals**

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POOL CARDS (\$5.00 each) # _____ # _____ # _____ # _____

Will be issued to Fairfield resident only.

FAMILY DECALS (\$10.00 each) **Include copy of current vehicle registration.**

Name: _____ **Relationship:** _____

Address: _____

Vehicle Information: Tag # _____ **Make** _____ **Decal #** _____

Name: _____ **Relationship:** _____

Address: _____

Vehicle Information: Tag # _____ **Make** _____ **Decal #** _____

Computer Entry date: _____

By _____
(Name)