

RULES AND REGULATIONS

Updated April 2021

HYPOLUXO HARBOR CLUB HOMEOWNERS ASSOCIATION INC. A RESIDENTIAL COOPERATIVE

The Rules and Regulations contained herein have been established for your protection and to ensure a pleasant environment for you and your neighbors. We must all work together to maintain and enhance the value of our property.

The purpose of the Rules and Regulations is to promote the comfort, welfare and safety of the shareholders and guests and to maintain the appearance of the park, and uphold the reputation as a most pleasant place in which to live.

GENERAL INFORMATION

1. "SHAREHOLDER" refers to a person or persons owning a share issued by the corporation pursuant to the Articles of Incorporation and the Bylaws.
2. "COOPERATIVE" refers to Hypoluxo Harbor Club Homeowners Association, Inc.

I. USE OF THE PREMISES

1. Hypoluxo Harbor Club is a park intended strictly for residential purposes. There shall be no peddling or soliciting or commercial enterprises of any kind allowed on the premises, except those services offered to all residents. Canvassing for a non commercial purpose is not prohibited. Outside contractors are not permitted in the park on Sundays except in an emergency.
2. The discharge of weapons such as air rifles, bows and arrows and firearms is strictly forbidden.
3. ~~Outside fires are not permitted, except for controlled cooking and properly supervised barbecuing in barbecue grills.~~

CHANGE :

Outside fires are not permitted except for the permitted HHC Fire Pit that is located by the beach. Usage of Fire Pit requires notification to the board as well as safety protocols be followed such as a hose in close proximity to the HHC Fire Pit.

Charcoal grills are allowed on the beach for one day use, with proper supervision and clean up. The grill and other material must be removed after use that day.

4. Hypoluxo Harbor Club is intended to be an age 55 and over community. The number of residents in a home must not exceed three.

5. Loud noises and voices are not permitted between the hours of 10:00 p.m. and ~~8:00 a.m.~~ Please be considerate of your neighbors.

Change:

Loud noises and voices are not permitted between the hours of 10:00pm and 7:00am. Please be considerate of your neighbors

II. Homes

1. ~~Subleasing of a home is not permitted.~~

Change:

Subleasing of a home is not permitted.

No unit may be rented or listed as a bed & breakfast or transitory housing. A unit must be rented for no less than 60 days.

2. All homes must be skirted and tied down with approved materials complying with state and local laws, ordinances and regulations. Before installing or replacing under-skirting, the Board of Directors approval must be obtained as to: style and quality, and it must allow suitable access to utility connections and to the underside of the home for maintenance, repairs and replacement.
3. Boxes of cans, bottles equipment and other items not normally a part of the exterior décor of the home and its appurtenances must not be stored outside the home to detract from the appearance of the park.
4. ~~Umbrella or pole type clotheslines are not permitted. No laundry shall be displayed outside the home.~~

Change: Delete #4

5. ~~All material alterations to units are subject to the approval of the Board of Directors.~~

Change:

All material alterations to units, planting of plants, bushes, trees etc. are subject to the approval of the Board of Directors. Permits obtained per rules & regulations of the Town of Hypoluxo. As part of approval process, all plans must specify dimensions with an up to date survey showing location of alteration(s). The Board needs this information to consider request; to prevent encroaching on common area or another shareholders' lot. The survey must be conducted by a licensed surveyor

6. ~~Screened additions, decks or replacement of existing items require written board approval and proper permits from Town Hall to comply with county codes.~~

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Screened additions, decks or replacement of existing items require written board approval and proper permits from Town Hall to comply with county codes. As part of approval process, all plans must specify dimensions with an up to date survey showing location of alteration(s). The Board needs this information to consider request; to prevent encroaching on common area or another shareholders' lot. The survey must be conducted by a licensed surveyor

- ~~7. Utility or storage sheds may be installed; however the location must be approved by the Board of Directors with proper permits from the town Building Inspector. Shed must be tied down in accordance with all governmental laws and local ordinances.~~

Change:

Utility or storage sheds require written board approval and proper permits from Town Hall to comply with county codes. Permits obtained per rules & regulations of the Town of Hypoluxo. As part of approval process, all plans must specify dimensions with an up to date survey showing location of alteration(s). The Board needs this information to consider request; to prevent encroaching on common area or another shareholders' lot. The survey must be conducted by a licensed surveyor. Shed must be tied down according to regulations.

8. All exterior work must be completed within ninety (90) days from the date job begins.

III. APPLICATION FOR RESIDENCY

1. Persons who wish to purchase a home in the park will be required to pay an application fee of one-hundred dollars (\$100) which will be used to cover administrative expenses and costs of investigation of the applicant. The fee is not refundable, even if the applicant is rejected for tenancy.
3. Persons may be rejected for prior conviction of a violation of a federal or state law or local ordinance, which violation may be deemed detrimental to the health, safety, or welfare of the other residents of the park.

IV. SALE OF HOMES

1. Homeowner shall notify the Board of Directors or Management Company when selling a home.
2. Homeowner shall notify prospective purchaser that they must be interviewed and approved by the Board of Directors before being allowed to become a resident of the park.
3. Shareholders shall sell both unit and share together.

4. ~~To be considered as an Applicant Resident/Shareholder in the Association, a prospective Applicant must complete and submit the Association's application forms and a non-refundable \$100 application fee to the Management. Applicant will be interviewed by two (2) Board of Director members. The meeting shall not be considered to be an "open meeting" with the intent to preserve the private status of such prospective Resident/Shareholder.~~

Change:

To be considered as an Applicant Resident/Shareholder in the Association, a prospective Applicant must complete and submit the Association's application forms and a non-refundable \$100 application fee to the management company. Applicant will be interviewed by two (2) Board of Director members. The meeting shall not be considered to be an "open meeting" with the intent to preserve the private status of such prospective Resident/Shareholder.

Fee is subject to change depending the on management company.

5. All assessments against the home and/or the share shall be satisfied before sale will be approved.

V. VEHICLES

1. All vehicles must be parked in carports or driveways. Parking on the street is limited to loading and unloading
2. Parking on the common grass is prohibited (This includes cars, trucks, boats.)
3. No more than two (2) vehicles are allowed per unit. All vehicles must be properly registered for highway driving.
4. Mini vans and sports trucks are acceptable if they fit in carports. Residents may not bring or park commercial vehicles in the park
5. Repairing vehicles within the park is not permitted. Car washing (using well water) and waxing is permitted, but must be done on resident's own driveway.
6. The park speed limit is 10 M.P.H.

VI. BOATS

1. The construction of a Boat dock or fishing dock is allowed when the Intra-coastal Waterway Department, the Corp of Engineers, and all appropriate Federal and State agencies approve of the construction. A two-thirds (2/3rds) vote of approval from the shareholders in the park shall also be needed to allow the aforementioned construction and use of the same.

2. ~~Owners of boats shall be required to furnish proof of registration to management. The cooperative will not be responsible for any injuries or deaths at the dock or on boats using the docks.~~

Change:

Owners of boats shall be required to furnish proof of registration to management each year in January. The cooperative will not be responsible for any thefts, injuries or deaths at the dock or on boats using the docks.

3. Boats, airboats and other marine vessels or trailers for hauling the aforementioned will be permitted only in designated storage areas of the marina. This storage area is only for boats, boat trailers and utility trailers.
4. If boat owners do not use their boats between January and April, they should be removed and put in storage so others will have the opportunity to use the dock spaces.
5. ~~Owners will have preference over renters to any dock space.~~

Change:

Shareholders will have preference over renters to any dock space. Dock space is granted with permission from the board. Anyone interested in dock space or a space in the boat/trailer area needs to notify the board in writing/email. Permission is granted based on availability. The area is limited to boats and trailers. No RV's or RV trailers are to be parked in this area.

VII. GUESTS AND HEIRS

1. Guests who remain more than 48 hours must be registered with the management and are required to comply with these rules and regulations. The host shall be responsible for the supervision and safety of his/her guest while visiting in their home.
2. "Guests" are persons without children who stay at the request of the homeowner who is not present and does not exceed thirty (30) total days per calendar year.
3. Immediate family members (i.e. parents) of a homeowner in this park shall be permitted to remain in the home with no resident present for a period not to exceed (60) days per calendar year, provided the homeowner registers their names with Management.
4. Heirs under the age of fifty five (55) years must continue to pay the monthly maintenance fee. The heirs will be permitted to reside in the park for a limited period of sixty (60) days per year. Upon the attainment of age fifty five (55), said heirs may become residents of the park. All heirs must be recorded (in owners file) with management.

VIII. PETS

~~Two (2) pets are allowed per unit and are not to exceed twenty-five (25) pounds. Residents of the park are advised NOT TO FEED STRAY ANIMALS~~

Change:

Two (2) pets are allowed per unit. The following breeds are not allowed: Dobermann, Pit Bull Terrier, Rottweiler, & Chow Chow. Residents of the park are advised NOT TO FEED STRAY ANIMALS

IX. UTILITIES

1. The water service is the responsibility of the homeowner from the shut-off valve to the home. All leaks will be repaired within twenty four (24) hours. Failure to comply will result in the Corporation having the work done at the owner's expense.
2. The electric service from the meter to the home is the responsibility of the homeowner.
3. Repairs and upgrades to existing utility boxes, poles and pedestals are the responsibility of the corporation and will be handled accordingly.

X. TREES, SHRUBS, AND GRASS

1. Landscaping must be maintained in an attractive manner. Shrubs must not encroach on the neighbor's driveway, and must not obstruct water views
2. If a sprinkling device is used, the homeowner must be in attendance. No overnight sprinkling will be allowed.
3. ~~Shrub or trees of the ficus or rubber tree family will not be permitted on park property.~~

Change:

Shrub or trees of the ficus, bamboo or rubber tree family are not be permitted on park property.

4. Trees or shrubs should not be planted on common ground nor at the seawall. Any damage done to any utility or the Sea Wall will be the responsibility of the Homeowner.

XI. FENCES, BARRIERS, SIGNS

1. Fences, barriers and signs are not permitted in the park.
2. FOR SALE/RENT signs may be posted in units only. Signs shall be neatly displayed and be no larger than 18" x 18". Signs may not be posted on lawns or in flower beds. No signs may be allowed on the walls to the park entrance, except those designated by the Board of Directors.

XII. GARBAGE AND TRASH

Garbage pick up is Monday and Thursday of each week. Recycling is on Thursday. Garbage can must be kept out of sight.

Change: Garbage pick up is currently twice a week.

XIII. LIABILITY

1. The Corporation is not liable for accident injury, to life or property, to homeowners or their guest, while using the recreational facilities.

XIV. COMPLAINTS

1. Legitimate complaints should be made to the management company. All complaints must be in writing, signed and dated. All written complaints will be acknowledged by the Board of Directors in writing within thirty (30) days. The Board of Directors will not tolerate habitual complainers or agitators.

XV. MAINTENANCE FEES and ASSESSMENTS

1. Shareholders must pay a monthly maintenance fee as Established by the Board of Directors. Changes in monthly maintenance fees shall be announced at least thirty (30) days in advance.
2. Maintenance fees may not be paid for more than one fiscal year in advance. Payments are due the first (1st) day of the month. A late fee of \$10 after the 5th plus \$1 per day after the 10th day will be charged.
3. Assessments are extra ordinary charges which result from Unanticipated expenses which the cooperative must pay. Assessments are made not more often than quarterly and shall be announced at least twenty (20) days before they are due. Assessments are also due on the (1st) day of each month or as established by the Board of Directors.
4. In the event that the homeowner is delinquent on any payment due for thirty days after receiving a certified notice from the Board of Directors, the association shall have the right to attach a lien to the homeowners unit and to receive said delinquent payments from the homeowners share. The Board of Directors may institute foreclosure procedures thirty (30) days following date of said notice. Such an action may result in loss of your home as well as additional attorney fees and costs.

5. If a payment is made by check and the check is dishonored for

any reason, there will be a fifteen dollar (\$15) administrative fee charge, plus any charges assessed against the corporation by the bank for handling the returned check. If as a result of the dishonored check the payment when paid is late, the late fee will also be charged.

6. No home shall be abandoned. Monthly charges will apply even though the home is unoccupied. The owner is responsible for all assessments on the home and property.

XVI. VIOLATION OF RULES AND REGULATIONS

1. A resident in violation of the Rules and Regulations will be given notice by the Board of Directors. Notice shall require the violation to be corrected within Ten (10) days from the date of the notice. It does not matter whether the violation is by the resident or by anyone who, with permission or acquiescence, resided or was a guest of the resident's home.

2. After Ten (10) days, if the violation is not corrected a penalty of one-hundred dollars per day, for a period of ten (10) days may be assessed, after which legal steps will be taken. After hearing all of the facts, a Hearing Committee makes a decision for or against the violator. If the violation has not be resolved within ten days (10), the Hearing Committee may impose a fine of \$100 per day but no more than \$1000 as provided in the Master Form Occupancy Agreement. At that time the complaint will be turned over to our Attorney and defendants will be responsible for all legal costs and penalties.