

# **Amberlea Owners Association**

## **Rules and Regulations**

(Revised and Approved As Of 9-13-2017)

### **Introduction**

Recognizing the individual and collective property investments represented by the membership of the Amberlea Owners Association, to ensure the peaceable enjoyment of our common areas, and to further the safety of individuals living and visiting our community, the Board of Directors has adopted these Rules and Regulations and has authorized their distribution.

The overriding philosophy is to ensure the current lifestyle of the residents. The Board considers it essential that each member of the Association familiarize themselves with these rules and those contained in the Declaration of Restrictions.

These Rules and Regulations are binding upon all residents and their invited guests. Your cooperation in supporting not only the letter, but also the spirit, of these Rules and Regulations will contribute significantly to the protection of the rights and privileges of all.

These Rules and Regulations have been adopted pursuant to the authority given the Board by the Association's Bylaws, Article VI, subsection 1(d), and have the same binding effect as if they were contained in the body of recorded restrictions.

### **Use of lakes**

Amberlea's lakes were not designed for recreational use. No attention to slope and depth to assure safe ingress and egress were given when the lakes were planned. Therefore, the use of the lakes for general recreational purposes is prohibited. Due to health, safety, and liability concerns, wading, swimming or boating is strictly prohibited in the lakes. Furthermore, any resident or guest who may choose to use a lake to fish, must do so only on a catch-and-release basis, and they do so at their own risk. Non-Residents who are not the guest of a resident are strictly prohibited from fishing in our lakes.

### **Pets**

As provided by Sarasota County ordinance number 97-044, dogs and cats shall not be permitted to run at large. Anytime you walk your pet off of your lot, the pet must be on a leash for the safety of your pet and others. Also, you must carry a bag to pick up and take away any excrement left by your pet; this restriction includes the lake areas, streets, sidewalks, all other common areas, and any property or lot other than the one you personally own. Do not dispose of the excrement in the lakes or drains. In the interest of good neighborly relations, owners are encouraged to pick up after their pets even on their own personal lot.

## **Vehicles and Traffic Controls**

Vehicles using Amberlea's private streets shall not exceed 20 MPH.

Vehicles shall come to a full stop at each stop sign and, when pedestrians are crossing at an intersection, shall give right-of-way to the pedestrians.

No vehicle may be parked on any portion of a Lot outside of the garage except on the paved driveway. When temporarily parked on the street, vehicles may not park across from vehicles on the other side of the street so as to impede traffic flow, especially for emergency vehicles. Vehicles may never be parked on a lawn, in front of a mailbox or in a manner that blocks the sidewalk.

Vehicles may not be parked upon the streets of the community, day or night, on a regular basis without prior approval of the Board. Regular basis is defined as a demonstrated pattern of parking on the streets, day and/or night when there is room in your garage or driveway.

Each Owner shall be responsible for their vehicles, the vehicles of their guests, and workers.

Drivers should exercise extra caution when traversing marked crosswalks, when passing through areas marked as "Children Playing" areas, or whenever children or pedestrians are present.

To prevent damage to sprinkler heads and landscaping of others, owners and their guests shall not park off the roadway.

No one may place in any of Amberlea's streets any obstruction to the orderly flow of traffic. Therefore, safety cones or other devices to slow down traffic may not be placed in the street, but can be placed at the end of your driveway while your children are at play.

If temporary on-street parking is absolutely necessary, be courteous and park in front of your own property, not your neighbors. Additionally, don't park across from someone else's driveway, making it more difficult for them to enter and exit their property.

## **Noise**

Households engaging in noisy activities must exercise courtesy toward their neighbors by limiting the volume and duration of the noise to levels that are not offensive or irritating.

All motorized vehicles shall be equipped with a stock muffler or equally effective noise-abatement equipment.

So as to limit the amount of noise and disturbance to neighbors, loitering or congregating is not permitted in or on the common areas between the hours of 11:00 pm and 7:00 am.

## **Littering**

Littering on the common areas as well as on another member's property is not permitted. It is the homeowner's responsibility to make certain that guests understand and comply with this restriction.

## **Fireworks**

For safety and liability issues, residents are asked to follow existing laws when it comes to the use of fireworks. The use of legal Fireworks shall be done in a courteous fashion, and shut down at a reasonable time so as not to be a nuisance to their neighbors.

## **Posting of Bills/Signs**

No one shall post within Amberlea any notice, bill, or sign except as expressly permitted by the Declaration of Restrictions. This permits, for example, the proper display of real estate signs. For special events (Open Houses, Garage Sale, Estate Sales, etc), appropriate and tasteful directional signs may be posted on Amberlea's common areas. These signs shall not be placed any sooner than 3 hours prior to the event, and shall be removed immediately after the ending time of the event. Non-conforming signs shall be removed. Special exceptions must be specifically approved in advance by the Board of Directors.

## **Garage Sales**

Garage sales are permitted in the neighborhood, but you are encouraged to follow Florida state statute 12A-1.001 for guidance. This statute indicates that as a general rule a person is allowed to have two garage or yard sales a year without having to collect and pay state sales tax.

Garage sales that are coordinated through the Board of Directors may arrange to have the entry gate open during the period of your sale. Under no circumstances are you allowed to release the gate code in connection with your sale.

## **Violations & Procedures for Fining**

Violation of any of these rules or the Deed Restrictions will be subject to the imposition of fines as authorized by the Association's By Laws.

Years of experience have proven that the Association needs to prioritize violations of our Deed Restrictions and Rules and Regulations. Some violations are more time- or security-related and need to be handled in a more expeditious manner. The purpose of this document is to establish categories and protocols for each category of violation.

All violations of our restrictions and rules fall into one of three categories:

Appearance, Safety or Common Areas.

- 1) Appearance includes the look of all aspects of an individual property. This includes roof condition, exterior painting, driveways, lawns, landscaping and all other issues relating to the proper maintenance of the property.
- 2) Safety includes any violation that poses a threat to the safety of anyone living in or visiting the community. These include street parking, speeding, blocking sidewalks and entering any pond.
- 3) Common Area violations are those where a homeowners, resident, contractor or guest has altered or used a common area without permission from the Association. Only the Board of Amberlea (BOD) can authorize any change or use of a common area. A homeowner is in violation and responsible for any resident, guest or contractor of his/her property that alters or damages a common area.

There are two levels of violations: *Routine and Expeditious*. All Safety violations are classified as *Expeditious*. Any other violations, not determined *Expeditious* by the BOD, are handled as *Routine*.

A homeowner committing an *Expeditious* violation may be given up to eight (8) hours to cease or correct the violation or be immediately subject to a \$100 per day fine, continuing until the violation is corrected.

The Association has a well-established procedure for addressing *Routine* violations. This starts with a courtesy letter to the offending homeowner explaining the violation and a request to cease or correct. If within 30 days the violation has not been corrected, the homeowner received a second, sterner warning outlining the consequences of failing to correct and is given another 30 days to comply. If, after these two notices, the violation remains uncorrected, the homeowner is given final notice that the violation must be corrected within 14 days of receiving this final notice, or a \$100 per day fine will commence, continuing until the violation is corrected or until the total amount of fines has reached \$5,000.

Fines will be levied as follows:

First Violation - Warning Letter sent by mail and by email, if an email address is available.

Second and Subsequent Violations - Letter with a 14-day grace period to cease or correct the violation. Thereafter a \$100.00 per day fine for each day the violation continues up to maximum of \$5,000.

Residents being fined may appeal the fine and ask for a hearing before the Amberlea Fine Review Committee