

ARBOR TRACE AT PALM COAST CONDOMINIUM ASSOCIATION INC.

Organization Governance Rules and Regulations

(Revised November 13, 2023)

Organization:

Arbor Trace is a condominium association (not a homeowners' association). A condominium is a form of joint ownership of real estate. The special features of a condominium that set it aside from other joint ownership associations are:

1. An owner (usually called a "member") has exclusive ownership of a single unit (basically, this is the inside of his unit).
2. A member has joint ownership, with other members, of "common areas". These common areas include such features as the walls and roofs of buildings, land, streets, clubhouse, and pool, etc.
3. An agreement among owners for the management of the entire condominium property.

There are many advantages of the condominium, such as the sharing of maintenance responsibilities for the common area, including building exteriors, pool maintenance, and landscaping, etc.

Governance:

The management and governance of the condominium is carried out by an elected Board of Directors. The authority and duties of the Board are enumerated in the main governing documents listed below:

1. The Florida Condominium Act (Chapter 718 of the Florida Statutes)
2. The Arbor Trace Declaration of Condominium
3. The Arbor Trace By-Laws
4. The Rules and Regulations adopted by the Board.

The authority of the Board includes the right to impose fines for non-compliance.

The Arbor Trace Board of Directors consists of five (5) members, elected by the members (owners) of the Association. Board members serve without pay. The term of office is one (1) year. A Board member may be re-elected for subsequent terms of office. Any member (owner) is eligible to serve on the Board. Early each year a letter is sent to members with an application form to be completed and returned if a member wishes to run for a position on the Board. In March, ballots are sent to the members, with the names of all qualified applicants. The ballots may be returned by mail or brought to the Annual Meeting. This is a secret ballot. The ballots are counted, and the members elected are announced at the Annual Meeting, which is held on the first Tuesday in April each year. The elected members of the Board subsequently choose the members who will serve as President, Vice President, Secretary, and Treasurer.

Besides the Annual Meeting, the other required Board meeting is the Budget Meeting, held in November each year. At this meeting, the budget for the next calendar year is presented to members and the Board votes on a motion to accept the budget.

Other Board meetings may be held from time to time as needed to take care of the business of the Association. Board meetings must be announced at least 48 hours before the meeting. Board meetings are open to members who wish to attend, but only Board members vote. The only occasions when members vote are to elect the Board members and whenever there is a proposed amendment to the Declaration of Condominium or the By-Laws. All meetings are conducted in accordance with Robert's Rules of Order.

While the Board has oversight of the operations of the Association, the day-to-day management of the community is provided by a property management company (Property Advisors Management), with which we have a contract. This management includes the financial accounting for the Association.

Arbor Trace has four (4) committees that work with and report to the Board of Directors. These committees are staffed by volunteer members, and all members are encouraged to join a committee to help maintain the beauty and integrity of the community. These committees are as follows:

1. Architectural Review Committee (ARC): This committee is responsible for maintaining the continuity and integrity of the structural and non-structural common elements. An important function of the ARC is to review and act on applications by members who wish to make alterations to the external appearance of their unit (see rule #1). Such an application must be made on an official form and include all the specifications for the project. A check for \$25 must be attached to your application made payable to Arbor Trace at Palm Coast Condominium Association Inc. to cover the processing fee. If your request is denied, the check will be returned to you.
2. Landscape Committee: This committee oversees the maintenance of all landscaping elements, working with our contracted landscaper.
3. Pool/Clubhouse Committee: This committee supervises the care and maintenance of the pool, clubhouse, and associated area. The clubhouse is available to members to hold group activities, but these must be scheduled in advance. A completed application form must be submitted to the Chair of the Committee.
4. Social Committee: Functions to plan and carry out social events for the community, with all planned activities requiring Board approval prior to implementation. The Committee chairperson will present a report of all activities at Board meetings, as do the other committees. The Board authorizes an annual budget for the committee.

Rules and Regulations:

The following is a list of Rules and Regulations and is intended to be a useful resource to owners in Arbor Trace. Note that **ANY CHANGE TO THE EXTERNAL APPEARANCE OF A UNIT MAY ONLY BE DONE UPON PRIOR APPROVAL OF THE ARCHITECTURAL REVIEW COMMITTEE (ARC).**

To request approval, you must submit a form. Forms for ARC approval are available in the document slot box in the clubhouse, or on-line from Property Advisors Management. **NOTE: Owners who proceed to make any changes to the exterior of their unit without the prior approval of the ARC may be required to remove same at their own expense. Failure to comply may result in fines levied against the unit owner(s).**

The following rules and regulations require **PRIOR APPROVAL BY THE ARC:**

1. **Rain Gutters:** Front of building gutters were installed by the original Builder and are maintained by the Association. Owners may install gutters on the sides and/or rear of their units. Such installation is at the unit owner's expense. Maintenance and cleaning of these gutters is the owner's responsibility. Installation must be done according to the following specifications:
 - a. Gutters must be seamless and white in color.
 - b. Gutters must match the front gutter in size, shape, and installation technique.
 - c. They must extend to the end of each roof section, and/or from property line to property line.
 - d. They must be connected to the existing gutters if there are any.
 - e. Downspouts must be attached at each end of the gutter and must be painted to match the exterior building wall color to which they are attached.

2. **Plantings:** A unit owner may add plants within the landscape beds **ONLY** at the front of their unit. These plants automatically become "common elements", which allows the Board or landscape contractors the right to cut or remove them. Under no circumstances may unit owners plant any shrub, flower, bush, or tree on any other Association property, including the "buffer zone". Unit owners may not dig in or bury anything in the "buffer zone." Unit owners may not cut down or trim any trees or tree limbs or bushes, shrubs, or plants. **LANDSCAPE COMMITTEE PRIOR APPROVAL IS REQUIRED BEFORE ANY OF THE ABOVE CHANGES CAN BE MADE AND BEFORE SUBMITTING AN ARC REQUEST.**

3. **Driveways:** Unit owners may paint their driveways, entrance walkways and rear steps. Once painted, the future maintenance of the painted surface is the responsibility of the unit owner. The following steps are to be followed:
 - a. The surface must first be pressure washed. This will help to ensure a good bond to the paint. If the surface has been previously painted, a rough brushing will be required to remove any loose or flaking paint.
 - b. The manufacturer's recommendations are to be followed.
 - c. Two coats of Sherwin Williams "Tuf-Top, SW 7066 - Gray Matters" will be applied.
 - d. No designs, tiling, pavers, or any similar products are allowed.
 - e. This process will require a minimum of three (3) days during which time no one may walk or drive on the surface.
 - f. The Board recommends that handyman David O'Connor be employed for these jobs.

4. **Storm/Screen Door:** You may install a storm/screen door which must be white in color. You may also install a white garage door screen, which must be a roll-up and which must also have a white frame. Maintenance of the storm/screen door and garage screen door is the unit owner's responsibility.

5. **Rock Border:** May be installed by a unit owner according to the following specifications:
 - a. All costs are borne by the unit owner.
 - b. All work to be done by landscapers currently employed by the Association or by a vendor approved by the ARC.
 - c. Only River Rock (beige and white), one (1") to one and one-half (1½") in diameter may be used.
 - d. Sod is to be removed and weed block fabric put in place.
 - e. Black plastic edging is to be placed at the perimeter away from the building wall.
 - f. Sprinkler heads are to be moved outside of the stone border area by the approved landscape contractor doing the work.
 - g. Borders at the front and sides of a unit are to extend no more than 18" from the foundation.
 - h. Borders at the rear of a unit are to extend no more than 38" from the foundation.
 - i. Borders at the front of a unit may be placed along the front walkway as far as shrubbery permits, but not more than 18" from the walkway.
 - j. River Rock may be installed in the space between the front entrance and the driveway.
 - k. River Rock may be installed in the space between the driveway medians, as far as shrubbery permits.

6. **Air Conditioning Fencing:** May be installed at unit owner's expense around the AC or heat pump compressor units. The following specifications must be met:
 - a. The fencing must be white, UVA/UVB resistant vinyl, shadow box style with flat federation corner top caps.
 - b. Fence to have no more than three (3) sides. At least one (1) side is to be removable for access to the AC or heat pump unit, and no more than five (5) feet high.
 - c. The fence pickets are to be 6" x 7/8" and are to overlap by ½".
 - d. There must be 12" between the fence and the building wall.
 - e. Posts are to be anchored into at least two (2) feet of concrete.
 - f. Sprinkler heads are to be relocated outside of the fenced enclosure. The sprinkler heads are to be moved by the landscape contractor, prior to installation of the fence.
 - g. Fence installation to be done by a contractor licensed by the City of Palm Coast and carry Arbor Trace's required limits of insurance as verified by a Certificate of Insurance. (Contact the Board for insurance requirements).
 - h. Maintenance and repair or replacement of the fence are the unit owner's responsibility.

7. **Hurricane shutters:** Unit owners may install at their own expense over the doors and windows of their unit, subject to the following conditions:
 - a. Arbor Trace recommends the brand of shutters called "Bertha" panels, manufactured by Eastern Metal Supply. They are sold at Lowe's. They are available in aluminum, steel, or clear polycarbonate and meet Flagler County codes.
 - b. The mounting hardware for the shutters must be professionally installed.
 - c. Panels can be installed horizontally or vertically.
 - d. Plywood, or any kind of wooden shutter, is not permitted. (Exception: Those units already using wood shutters prior to January 2020 are "Grandfathered" until they sell their unit to a new owner).
 - e. Shutters may be put up no sooner than 72 hours prior to a storm's arrival and must be taken down within 72 hours of a storm's passing. If you are out of town when a storm arrives, you will need to arrange with a neighbor or contractor to have your shutters put up and taken down.
 - f. **IMPORTANT NOTE:** Be aware that once a door or window in your unit is covered by shutters, that exit becomes un-useable in the event of an emergency as a means of egress.

8. **Exterior Wall Decorations.** Up to two (2) decorations are permitted to be mounted on the exterior walls. One (1) may be mounted on the wall of the master bedroom in the entryway. This item may not exceed 36" x 42". One (1) item may be mounted on the small wall section between the entryway and the garage door, not to exceed 10" x 12". These decorations are in addition to the decorations permitted per rule 24, which do not require ARC approval.

The following rules and regulations do not involve prior approval by the ARC. These are general rules applicable to everyone in the community. They will be strictly enforced by either the ARC or Landscape Committee:

1. Condominium units shall be used for single family residences only. No part of a condominium unit may be used for business/commercial purposes. Exception: Home offices are permitted provided there are no clients entertained on premises and no public exposure.
2. Sandbags are permitted in the event of a windstorm or hurricane. Like hurricane shutters, they may be placed outside the unit no sooner than 72 hours prior to a storm's arrival and must be placed out of sight no later than 72 hours after a storm passes.
3. Seasonal decorations, including but not limited to Christmas, Easter, Halloween, etc., must be taken down within 15 days following the holiday.
4. No items are to be placed on the grass or any place that would interfere with the work of the landscape crew. This includes the shrub beds, tree beds, and driveway median strip.

5. Hanging items are not permitted in the entry way, nor on the garage door or frame, nor on any trees. Nailing and/or drilling holes into any tree is strictly forbidden. Piercing the bark can threaten the health of the tree by allowing bacteria and/or insects to invade.
6. Grilling may only be done in the driveway. Only gas or electric grills are permitted. Grills must be stored in the garage when not in use.
7. Trash is to be placed in a solid trash container at the end of the driveway for collection. The trash container is to be kept in the garage between collection times.
8. Do not make noise that would be disturbing to your neighbors. This includes noise from such sources as TVs, stereos, musical instruments, or loud motor vehicles, etc. No sound produced inside your unit should be heard in your neighbor's unit.
9. Any electronic or mechanical device that interferes with TV or radio reception in another unit is prohibited.
10. Signs, ads, or notices, etc., are not permitted. A bulletin board is provided in the clubhouse where notices may be displayed. Any such notices must be dated and removed after one (1) month. If you are selling or renting your unit, you may display a sign in your window, but not on any structure or tree in Arbor Trace, nor on trees along Harbor Center Drive.
11. Temporary or moveable structures such as tents, trailers, mobile homes, boats, or RVs are not permitted on Association property.
12. Children are the responsibility of their parents or legal guardians. They must always be under adult supervision while on Association property and are to be fully compliant with all Association rules. All children under the age of 12 must be accompanied by a responsible adult while using the pool area. (Refer to posted rules at swimming pool).
13. Pets:
 - a. Dogs and cats are to be walked on a leash no longer than 6 feet.
 - b. Owner must pick up all solid pet waste and properly dispose of same. This is a City of Palm Coast ordinance as well as an Arbor Trace rule.
 - c. Each unit may have no more than two (2) pets (dogs or cats) with a total combined weight of no more than forty (40) pounds at maturity.
 - d. Pets may not be bred or maintained for commercial use. (Refer to rule #1 regarding no commercial or business use of units).
 - e. Pets may not become a nuisance or annoyance to neighbors.
 - f. Fish or caged birds are permitted, but reptiles or other wildlife are not permitted.

14. If you install shades or blinds on the inside of your windows, the surface that faces out must be white or beige.
15. Garage and estate sales are permitted but are limited to no more than one (1) per year. You must submit a request form (available from our property manager) and receive Board of Directors permission before the sale is held. You must also obtain a permit from the City of Palm Coast.
16. Parking:
 - a) Vehicles may not be parked on the street overnight.
 - b) No parking is permitted on the grass. This damages lawn sprinklers as well as the grass.
 - c) Be sure that your guests follow the parking rules.
 - d) The parking lot at the clubhouse may not be used as a permanent parking space. Guests may use it for a short term only. Unit owners' vehicles must be parked either in the driveway or in the garage.
17. Maintenance and cleaning of mailboxes is the owner's responsibility. Use a product such as "Sno-Cap" to remove rust stains.
18. Pest control inside the unit is the owner's responsibility. External pest control and termite control are the responsibility of the Association.
19. Residents may use the clubhouse for group or family events without charge, but you must submit a form to the Pool/Clubhouse Committee. A damage deposit check for \$100 is required. This will be refunded to you if the clubhouse is clean, undamaged, and returned to its original condition following your event. A representative of the Pool/Clubhouse Committee will inspect the clubhouse following your event. You must remove all trash from the building and place it into your own trash receptacle. The name and phone number of members of the Pool/Clubhouse Committee is posted in the clubhouse.
20. Do not feed any wild animals, including but not limited to feral cats, raccoons, squirrels, alligators, etc.
21. If you are selling or renting your unit, you must obtain a form from Property Advisors Management for Board approval. The Board must approve of your rental or sale before occupancy by a new resident. Failure to submit the application to the Board prior to closing on a unit or installing a new tenant may, at the sole discretion of the Board of Directors, result in a fine of up to \$1,000.
22. A new unit owner must own and occupy his/her unit for at least twenty-four (24) months before being allowed to rent it (Refer to Declaration of Condominium for details).

23. Generators: Unit owners may use portable generators during power outages. Generators may be operated in the driveway or behind the unit, a safe distance from walls, windows, and doors. Due to the loud noise created by generators, we ask that operation be confined to the hours of 8 am to 10 pm, except to operate medically necessary life-saving equipment. Whole house generators may not be installed.
24. Personal property of residents is to be stored inside a resident's unit. Exceptions to this rule are as follows:
- a) Residents may have either one (1) bench and one (1) small table, or two (2) chairs and one (1) small table in the entry way. Seat pillows and cushions are permitted.
 - b) Up to five (5) flowerpots (not exceeding 18" in diameter and 24" in height) are permitted at the front of the unit. No more than two (2) of these can be placed on the driveway.
 - c) An additional three (3) decorative items (NOT flowerpots), such as figurines, statues, or an ashtray, etc., are permissible. These items may be placed within the area that is outlined in the picture on page 10. None of these items may be placed on the driveway.
 - d) Hose reels or racks are permitted. They must not interfere with the lawn maintenance crew. Hoses may not be left on the ground. Also permitted are hose storage boxes, hose storage flowerpots, or may be stored inside of your garage when not in use.
 - e) Up to three (3) flowerpots (up to 24" in height) can be placed onto the rock border at the rear of the unit (not on the grass or on the concrete step).
 - f) One (1) wreath may be placed on the front door.
 - g) An American flag measuring 2½ feet x 4 feet with white pole and bracket may be placed in the middle of the front pillar of the unit, 5½ feet above the ground.
 - h) A bird feeder is permitted. It may be mounted on a pole outside your unit within the rock border at the rear of your unit. Bird feeders may not be hung from trees or mounted on poles located within the grass area, shrub beds or tree beds. This interferes with the lawn maintenance service provider.
 - i) NO items may be placed in the median strip between the two driveways.
 - j) NO items may be placed on the grass nor on any shrub bed or tree bed.
 - k) NO flood lights are permitted anywhere, except in the area between the entryway and the driveway.
 - l) Security alarm signs or pennants hanging from wrought iron frames may only be placed in the area located between the front entry walkway and the driveway. These items are included in the three (3) total decorative items that are allowed per paragraph 24c.
 - m) NO one may interfere with the operation of the irrigation system. You may not turn off sprinkler heads or in any way adjust the settings. If you have an issue with the irrigation system, please call the Landscape Committee chairperson and he/she will have our landscape contractor address the issue.
 - n) Solar powered driveway/walkway lights are allowed at ground level since these constitute a safety issue.

- 25 Moving trucks, trailers, PODs, and similar equipment may be hired to move in/out of a unit or for off premises storage reasons. The following rules must be followed:
- a. Prior written consent must be obtained from the Board along with a photograph of the unit owner's/renter's driveway before any equipment may be parked there. We want to be sure there is no existing damage to the driveway.
 - b. The owner of the equipment (moving company, U-Haul, PODs, etc.) must provide a certificate of automobile and general liability insurance to the Board prior to conducting any operations. If the unit owner or renter is renting the equipment, then we need a certificate of insurance from your personal auto and homeowner's policy, as any damage to the property, lawn, irrigation system, or driveway will be your responsibility.
 - c. Moving vans and trucks under 10,000 lbs. gross vehicle weight (GVW) may be parked on the driveway. Those heavier must be restricted to the street. PODs and similar equipment may be placed in the driveway.
 - d. Moving equipment is permitted to be on the property for not more than ten (10) days. An extension to this time limit may be granted only by the Board of Directors.
26. A copy of the Rules/Regulations must be provided to all new residents, owners, and tenants alike. It is the responsibility of the landlord or owner to provide these.

See below photo of where it is permissible to display pots and other decorative items at the front of a unit. (Exception: two flowerpots may be placed on the driveway surface).

