

Loma Del Sol Promulgated Rules and Regulations

On June 21, 2011, the Board of Directors promulgated the following rules, pursuant to Article 10, Section 4 of the Declaration of Covenants, Conditions and Restrictions for Loma Del Sol.

1. These rules apply to and must be complied with by, among others, all owners, tenants and occupants. In the event of any conflict between these rules and the Declaration, Bylaws and/or Articles of Incorporation, the Declaration, Bylaws and/or Articles of Incorporation shall control. In the event of any conflict between these rules and the Planning Criteria, the rules shall control. All prior rules are revoked and replaced by these rules.
2. Homeowners are required to mow their lawns at least once a week between the months of April through October and at least every other week between the months of November and March. Lawns, landscaping and all beds (mulched, flower, etc.) must be weed free. Lawns and landscaping must at all times be kept in a neat and well maintained condition. Grass cannot be taller than six inches.
3. Walkways, driveways and curbs/gutters along the street must be edged each time the lawn is mowed.
4. Trees must be properly maintained and kept free of dead branches, palm fronds and seed pods.
5. Shrubbery must be pruned and not allowed to become overgrown.
6. The exterior (including sides and walls) of all residences, structures, pool screens and cages, eaves and fences must be kept clean and free of mildew, mold and algae.
7. Vehicles that are inoperative, have flat tires or expired tags or those which are not utilized at least once a week are prohibited from being parked on the streets or in driveways.
8. No vehicle, motor home, R.V., motorcycle, trailer or any type of boat or watercraft may be stored in the back yard. This rule in no way limits the prohibitions contained in the Declaration.
9. Magnetic signs which display advertising (other than standard/non-prominent dealership decals or logos affixed prior to sale) must be covered or removed from all vehicles when in the neighborhood and not on official business unless the vehicles are parked inside a garage.

10. No signs, advertisements, billboards or solicitation structures may be displayed or placed upon a residential unit. For sales signs are permitted. Election signs may be put up two weeks prior to an election and must be removed with 48 hours after the election. Signs advertising exterior work must be removed within 48 hours after the work is completed.
11. Holiday decorations must be taken down in a timely manner.
12. Plywood and/or tape on windows used for hurricane protection must be removed promptly after the storm has passed.
13. Clotheslines are permitted but only when completely hidden from view from the street or common areas.
14. All yard accessories, play structures, basketball hoops and backboards and other fixed games must be located at the rear of the property. Portable basketball hoops and backboards must be stored out of sight when not in use.
15. All trash, recycling and vegetation must be placed at the curb not earlier than the day before the scheduled pickup. All trash, sanitary and recycling containers must be promptly returned after pickup and kept in appropriate locations (see Article X § 7 of the Declaration). An ARB form must be submitted and approved prior to the creation or alteration of any screening area for storage receptacles and sanitary and recycling containers.
16. Dogs, cats, fish and birds only are permitted and must be kept and sheltered within the owner's property. No animal shelter is permitted outside, unless within the confines of a backyard fence. All cats and dogs must be leashed when outside and shall not be permitted to run loose. Owners and tenants are responsible for cleaning up after their pets (including on common areas and retention areas). All pet owners should be respectful of others' properties and not allow their animals on other homeowners' lawns. No animal shall be allowed to remain in the community if it disturbs the tranquility of the owners or tenants or if its behavior is destructive, dangerous or creates a nuisance.
17. ARB application forms must be submitted to a member of the ARB via U.S. mail. An original form and one copy, along with a self addressed and stamped envelope are required. Also required are, among other things and if applicable, samples of the proposed change/upgrade, paint colors, roofing materials, brochures for fences, sheds and pools and diagrams of improvements and plantings. All ARB requests must comply with the governing documents, these rules and the planning criteria guidelines. All approved work must be promptly begun and diligently pursued to completion. All work must be completed within one year from the date of approval. The ARB shall respond to ARB application forms within 30 days of receiving them.

18. ARB meetings will be held twice a month at a location and time determined by the ARB. All meetings dates and times will be posted.
19. No building, structure or other improvements, including major landscaping, may be erected, changed, placed or altered on any property unless approved by the ARB in advance.
20. Any work, improvement or change commenced without ARB approval is a violation of the governing documents and will be referred to the Association's Attorney if not immediately resolved in a manner to be determined by the Association.
21. No shed may be higher than 8 feet or wider than 10 feet. Only one shed per lot is permitted. All sheds must have an integral floor which permits the use of mobile home tie downs. A minimum of four ties downs is required. The floor may also be bolted to a concrete slab to sustain high winds. All sheds must be placed directly behind and adjacent to the home and may not be visible from the street. The shed color must match the color of the home and the shed's roof color must match the color of the roof on the home.
22. No exterior telecommunication, radio, microwave, TV mast tower pole, wire aerial, satellite receiving stations, satellite TV dishes, appurtenances or other exterior electronic equipment, structures or devices are allowed without the prior approval from the ARB.

23. Fences

- a. No fence may be installed closer than 11' 9" from the front of the home.
- b. No fence may be constructed in the area between the street along the front lawn and a straight line being the extension of the surface of the farthest set back portion of the front side of the lot.
- c. No fence may be installed in the area between the street facing the side of the home and a straight line being the extension of the surface of the furthest setback portion of the side of the home to the rear lot line.
- d. No fence may be located in an easement.
- e. Vinyl, PVC or wood fences are the only types allowed.
- f. All wood fences must be painted coastal grey, white or stained brown.
- g. All Vinyl or PVC fences must be white in color.
- h. All assemblies for wood fences must be with hot dipped, galvanized or stainless steel screws or galvanized ring shank nails.

- i. All end grain wood, including post tops, post caps and cap rails must be treated with a sealer and wood preservative.
- j. For wooden fences, post supports must be 4X4 and ground contact graded pressure treated PT wood (40 pounds per cubic feet). Gateposts must be cored with pressure treated PT wood (40 pounds per cubic feet).
- k. Post supports which include gates must be a minimum of 18" deep and in 12" diameter holes.
- l. All fences must be installed with the posts and supports on the inside.
- m. Vinyl and PVC fencing post supports for gates must be a minimum of 18" deep and in 10" diameter holes filled with a minimum of 16" of concrete.
- n. All vinyl and PVC fences must be factory treated with an impact modifier to make it less likely to shatter or crack.
- o. All vinyl and PVC fences must be UV protected with a stabilizing treatment to prevent it from degrading from sunlight.
- p. No stapled assemblies are permitted.
- q. No metal fences on any kind are permitted, including chain link, aluminum, barbed wire or stranded wire.
- r. The minimum height of any fence is four feet. No fence may exceed six feet in height.
- s. All posts and supports for vinyl and PVC fences must be installed per the manufacturer's guidelines.
- t. All fences must be maintained to insure a high standard of appearance, condition and sturdiness. Homeowners shall consult with their fence installer and manufacturer for the proper cleaning and maintenance.

24. For the exterior of residences, all paint must be a single body color, with a trim and door color approved by the ARB. Paint can be obtained from any manufacturer. The homeowner or a contractor can paint the home. Homeowners shall adhere to the paint palette developed by the board of directors.

25. The preferred roofing material is architectural shingles with a fungus resistant 220 pounds or better. Tile and concrete tile are permitted as long as the configuration is strengthened to accept the added roof weight of the tile. All modifications must meet the applicable building codes. Colors must be pre-approved by the ARB. All roof modifications must be approved by the ARB.
26. Configuration and design of all construction, improvements and alterations must blend and harmonize with the existing community as to, among other things, color selection, materials, methods and the type and color of brick, mortar, roof shingles and outside doors.
27. Driveways may be stained and must be kept neat and clean. All modifications or alterations to driveways, including staining, must be approved in advance by the ARB.
28. A trailer, boat, camper or motor home may be parked temporarily in the driveway of a Lot for the purpose of cleaning, loading or unloading but never for more than a total of 24 hours in any fourteen (14) day period. The President may, upon prior written request and in her or his discretion, for good cause, grant an Owner a written variance from this rule but said variance shall not be continuing in nature, shall only apply to a single instance and shall not allow a trailer, boat or camper to be parked overnight or for more than ten (10) consecutive hours. At each meeting of the Board, the President shall report each variance requested since the prior Board meeting and his or her decision as to each. The original variance request and a copy of the President's decision thereon shall be maintained by the Secretary with the official records of Loma Del Sol. Any Owner desiring to report to the Board a violation of this rule or Article X § 8 of the Declaration, or any other violation, shall adhere to the Complaint Resolution Procedure adopted by the Board and submit a completed Violation Complaint Form

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
LOMA DEL SOL HOMEOWNERS' ASSOCIATION, INC.**

WHEREAS, the Board of Directors (hereinafter "Board") of Loma Del Sol Homeowners' Association, Inc. (hereinafter "Loma Del Sol") is empowered by Chapter 720, Florida Statutes, its Declaration of Covenants, Conditions and Restrictions (hereinafter "Declaration"), its Bylaws and its Articles of Incorporation to adopt rules and regulations pertaining to the operation of Loma Del Sol, the use of common areas and property within the neighborhood and the conduct of owners, guests and tenants;

WHEREAS, Article XVIII § 4 of the Declaration states:

Section 4. Lessees, etc. to Comply. All tenants, guests and occupants of each Residential Unit shall be subject to the terms and conditions of this Declaration, the Bylaws, the Certificate of Incorporation, and the rules and regulations promulgated by the Board to the same extent as each Owner. In the event that a tenant, guest or occupant violates a provision of this Declaration, the Bylaws, the Certificate of Incorporation or the rules and regulations, the Board shall have the power to bring an action or suit against the said tenant, guest or occupant to recover sums due for damages or injunctive relief, or for any other remedy available at law or equity.

WHEREAS, the Board deems it necessary to establish a rule pertaining to tenants and the leasing of Residential Units within The Properties;

NOW, THEREFORE, be it resolved by the Board at its duly called and noticed meeting at which a quorum was present held on September 14, 2017, that the following rule was adopted:

29. Tenants/Leases

A. The rental or lease of any Residential Unit within the Properties for a term of less than six (6) months is prohibited.

B. All agreements to lease or rent a Residential Unit within the Properties must be in writing.

C. Each Owner of a rented or leased Residential Unit shall deliver to the Loma Del Sol:

i. a true and correct copy of the fully executed lease or rental agreement within ten (10) days after its execution; and

ii. a true and correct copy of the fully executed amendment, modification or renewal of any lease or rental agreement within ten (10) days after its execution.

The rental amount in any lease, or modification, amendment or renewal thereof, may be redacted by the Owner from the copy provided to Loma Del Sol.

D. For any lease or rental agreement entered into prior to the adoption of this rule, the Owner of the subject Residential Unit shall deliver to the Loma Del Sol a true and correct copy of the fully executed lease or rental agreement, and all amendments, modifications or renewals thereof, within thirty (30) days after the date upon which this rule is adopted.

DATED this 14 day of September, 2017.


Marylu Mariniello, Secretary
Loma Del Sol Homeowners
Association, Inc.

CERTIFICATE OF NOTICE

I, Marylu Mariniello, as Secretary of Loma Del Sol Homeowners Association, Inc., hereby certify that (1) notice of the board meeting at which the foregoing resolution was adopted, which specified its date, time and location and stated that rules regarding parcel use would be considered, was delivered to all Owners and posted conspicuously in the neighborhood at least 14 days before said meeting; (2) a copy of the foregoing rule was made available to each Owner prior to the above-referenced meeting; and (3) a true and correct copy of this resolution has been sent by U.S. regular mail to each Owner at his or her last address as reflected in the records of the association.


Marylu Mariniello, Secretary
Loma Del Sol Homeowners
Association, Inc.

9-14-17
Date

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
LOMA DEL SOL HOMEOWNERS' ASSOCIATION, INC.**

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WHEREAS, the governing documents and rules of Loma Del Sol set forth the neighborhood's rules and restrictions regarding the parking and storage of vehicles, campers, trailers, recreational vehicles, motorcycles and watercraft (hereinafter collectively "Vehicles") within the community; and

WHEREAS, the Board deems it necessary to establish an official towing policy for Vehicles parked or stored on Common Properties (a/k/a common areas);

NOW, THEREFORE, be it resolved by the Board at its duly called and noticed meeting at which a quorum was present held on 9-14, 2017, that the following rule was adopted:

30. Towing Policy

A. Any Vehicle parked or stored on Common Properties (a/k/a common areas) in violation of the governing documents and rules of Loma Del Sol shall subject to towing at its owner's expense.

B. For the first violation relating to a particular Vehicle, a Notice of Intent to Tow will be affixed to the Vehicle. If the violation is not cured within twenty-four (24) hours, the Vehicle will be towed at its owner's expense.

C. If a violation persists or recurs pertaining to the same Vehicle, it may be towed without further notice.

DATED this 14 day of September, 2017.



Marylu Mariniello, Secretary
Loma Del Sol Homeowners
Association, Inc.

CERTIFICATE OF NOTICE

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Marylu Mariniello, Secretary
Loma Del Sol Homeowners
Association, Inc.



Date