

**OAK RUN AT PELICAN SOUND, A CONDOMINIUM
AMENDED AND RESTATED RULES AND REGULATIONS**



A. GENERAL RULES

1. Passenger automobiles, sport/utility vehicles, mini-trucks, vans and street-legal motorcycles (used for personal transportation and not commercially) that do not exceed the size of a garage are authorized. Commercial vehicles, trucks, campers, motor homes, trailers, boats and boat trailers are prohibited unless parked in garages with the door closed. For uniform appearance, garage doors shall be kept closed when not in use for ingress and egress. Vehicle maintenance outside garages, except car washing in designated areas, if any, is not permitted on the Condominium property. All vehicles must be currently licensed and no inoperable or unsightly vehicles may be kept on condominium property. Please see Section 10.5 of the Declaration for additional specific motor vehicle restrictions and Section B. herein for complete parking rules.
2. No exterior radio, television or data reception antenna or any exterior wiring for any purpose may be installed without the written consent of the Directors. Consent shall be given in accordance with Federal Communications Commission Guidelines applicable to condominiums.
3. To maintain harmony of exterior appearance no one shall make any changes to, place anything upon, affix anything to or exhibit anything from any part of the Condominium or Association property visible from the exterior of the buildings or from common elements without the prior written consent of the Directors. All curtains, shades, drapes and blinds shall be white or off-white in color or lined with material in these colors.
4. All common elements inside and outside the buildings will be used for their designated purposes only, and nothing belonging to owners, their family, tenants or guests shall be kept therein or thereon without the approval of the Directors, and such areas shall at all times be kept free of obstruction. Owners are financially responsible to the Association for damage to the common elements caused by themselves, their tenants, guests and family members.
5. No more than two commonly accepted household pets such as a dog or cat and no more than 2 caged birds, and a reasonable number of tropical fish; not being kept or raised for commercial purposes shall be

permitted. No animals may be kept, harbored or otherwise brought onto condominium property for any commercial purpose, including dog watching, grooming or breeding. All pet owners will adhere to the following rules;

- a. On the common elements and Pelican Sound common property, pets shall be under hand-held leash or carried at all times.
- b. Messes made by pets must be removed by owners or handlers immediately.

The Directors may designate the portions of the property which shall be used to accommodate the reasonable requirements of owners who keep pets.

- c. Pets that are vicious, noisy or otherwise unpleasant will not be permitted in the Condominium. In the event that a pet has become a nuisance or unreasonably disturbing in the opinion of the Board of Directors, written notice shall be given to the owner or other person responsible for the pet, if more than one notice is given than the pet must be removed.
- d. Guests and tenants are not permitted to have pets.
- e. No pet or animal shall be "tied out" on the exterior of the unit or in the common elements, or left unattended on a balcony or lanai.
- f. The Board of Directors has the authority and discretion to make exceptions to the limitations in this regulation in individual cases and to impose conditions concerning the exceptions. Please see Section 10.2 of the Declaration for complete pet rules and restrictions.

6. Disposition of garbage, trash and recyclables shall be only by use of receptacles approved by the Association or by use of garbage disposal units. Specifically, trash must be securely bagged and newspapers are required to be bundled. Food and vegetable scraps are to be disposed of in the individual residence garbage disposal. Curbside recyclables and trash containers shall not be placed outside before sundown and must be retrieved as soon as possible after collection.

7. All persons occupying residences other than the owners shall be registered with the Property Manager or other designate of the Association at or before the time of their occupancy of the residence. This includes renters and house guests. Residences may not be rented for periods of less than thirty (30) consecutive days nor for longer than one (1) year. A copy of these Rules and Regulations must be given to the tenants and guests by the owner, or the owner's agent. No residence may be permanently occupied by more persons than the number of bedrooms times two, nor may more persons, including guests, occupy a residence overnight than the number of bedrooms times two, plus two. Please see Section 11 of the Declaration for complete leasing restrictions.

8. The Association shall retain a pass key to the residences, and the owner shall provide the Association with

a new or extra key whenever locks are changed or added for the use of the Association pursuant to its statutory right of access to the residences.

9. Children under the age of 12 shall be under the direct control of a responsible adult. Children shall not be permitted to act boisterously on the condominium or Pelican Sound common property. Skateboarding, and loud or obnoxious toys are prohibited. Children may be removed from the common elements for misbehavior by or on the instructions of the Directors.

10. Loud and disturbing noises are prohibited. All radios, televisions, or other electronic devices shall be regulated to sound levels that will not disturb others and if used at or in the vicinity of a swimming pool shall be used only with earphones. No vocal or instrumental practice is permitted after 10:00 p.m. or before 9:00 a.m. No activities which produce excessive or noxious odors are permitted, including smoking of cigars on common elements or limited common elements.

11. Use of gas and barbecue grills shall only be allowed in areas designated as safe and appropriate by the Directors. Grills shall not be used on lanais. Grills will be used at least ten (10) feet from buildings. No gas cylinder larger than 2.7 lbs (1.2 Kg) each or 5.4lbs (2.4Kg) aggregate for multiple cylinders shall be stored in a garage or lanai per Estero Fire Codes.

12. Illegal and immoral practices are prohibited.

13. Lawns, shrubbery or other exterior plantings shall not be altered, moved or added without permission of the Association.

14. Laundry, bathing apparel, beach and porch accessories shall not be maintained outside of the residences or limited common elements (lanais) and such apparel and accessories shall not be exposed to view.

15. No nuisance of any type or kind shall be maintained upon the condominium property.

16. Nothing shall be done or kept in any residence or in the common elements or limited common elements which will increase the rate of insurance on the building or contents thereof, without the prior written consent of the Directors. No owner shall permit anything to be done or kept in his residence or in the common elements which will result in the cancellation of insurance on the buildings, or contents thereof, or which would be in violation of any law or building code.

17. Persons moving furniture and other property into and out of residences must do so only between the hours of 8:00 a.m. and 6:00 p.m. Moving vans and trucks used for this purpose shall only remain on condominium property when actually in use.

18. Repair, construction, decorating or re-modeling work shall only be carried on between the hours of 8:00 a.m. and 5:00 p.m. Monday through Saturday and the rules for decorators and subcontractors set forth herein must be complied with.

19. The Rules and Regulations shall apply equally to owners, their families, guests, staff, invitees and lessees.

20. The Board of Directors of the Association may impose up to a \$100.00 per day fine for each violation of these Rules and Regulations or any of the condominium documents. The Board of Directors may refer owners who fail to comply with the provisions of the condominium documents to the investigative committee of the club, which may impose further sanctions.

21. The Club ARC has adopted hurricane shutter and protection specifications for the Condominium which are available from the manager and which must be adhered to.

22. These Rules and Regulations do not purport to constitute all of the restrictions affecting the condominium and Pelican Sound common property. Reference should be made to the Condominium and Club Documents.

23. Each unit owner is responsible for turning their main water valve to the "off" position anytime the unit is unoccupied for any period of twenty-four hours or more.

B. PARKING RULES & REGULATIONS:

DEFINITIONS

1. **POD:** The common area shared outside the driveway and parking areas between two adjacent buildings whose member garages face each other.

2. **END UNITS**: The two units in a building that have garages that do not face other building unit garages. There are four (4) of these in Oak Run.
3. **OWNER**: A person(s) who owns any of the four residences in a four unit condominium building in Oak Run.
4. **VISITOR PARKING SPACE**: Either of two outside parking spaces of a POD, or the one outside parking space at the End Units. **These parking spaces are part of the Oak Run Condominium Association and are NOT owned by any Owner.**
5. **VEHICLE**: A gasoline or diesel powered conveyance that is capable of fitting inside an Oak Run garage.
6. **GOLF CART**: A Pelican Sound Golf & River Club approved golf cart with the required insurance.
7. **IN RESIDENCE**: An Owner occupying his unit overnight is considered In Residence.
8. **STORED VEHICLE**: A Vehicle not used on a regular basis, or one belonging to an Owner or a non-owner not In Residence.
9. **NEIGHBORHOOD POOL PARKING SPACE**: A parking space at either of two neighborhood pools located on Sound Way.

RULES GOVERNING PARKING

1. If an Owner is In Residence and has one Vehicle at Pelican Sound, it must be parked in their garage, or at a Neighborhood Pool Parking Space, or at a River Club parking space (with proper PSG&RC Property Management approval).
2. If an Owner is In Residence and has more than one Vehicle at Pelican Sound, at least one must be parked in their garage. Any other Vehicle at Pelican Sound must be parked in their garage, at a Neighborhood Pool Parking Space, or at a River Club parking space (with proper PSG&RC Property Management approval), with the following exception: One other Owner Vehicle may be parked in a Visitor Parking Space if the three other members of his POD, or the other Owner of the End Units, have/has agreed on the use of a Visitor Parking Space for this purpose.
3. A Vehicle maybe parked at a Neighborhood Pool Parking Space if the following requirements are met:
 - a. The Vehicle parked there must have a valid Owner Vehicle window sticker issued by Property Management.
 - b. The Vehicle may be parked there overnight for no more than 5 consecutive days.
 - c. Any lessee Vehicle must have a properly issued Parking Pass from Property Management clearly displayed on its dash board.
 - d. A Vehicle wanting parking for more than five consecutive days at a Neighborhood Pool Parking Space is instead required to relocate the Vehicle to a River Club Pool Parking Space with a validated pass issued by Property Management.
4. An Owner Golf Cart must be parked in a garage. A visitor's Golf Cart may be temporarily parked in front of the Owner garage if they are visiting, but not for overnight,
5. Any POD or End Units member must move their Vehicle from a Visitor Parking Space they occupy,

- without question**, when notified by another POD or End Units member that they are expecting visitors. The requesting Owner should specify how long the visitor will be using the Visitor Parking Space.
6. Stored Vehicles may not be parked in a Visitor Parking Space.
 7. An Owner may not leave a Vehicle in a Visitor parking Space if they are not In Residence.
 8. When a unit is leased, the Owner of the unit may not park his Vehicle in a Visitor Parking Space for the duration of the lease or his absence from the property. The lessee must park his Vehicle(s) under the same rules as the Owner.
 9. A Vehicle must have a clearly displayed valid Pelican Sound Golf & River Club registration sticker or parking permit.
 10. A Vehicle may not be parked in front of a garage door.

Interpretation of these rules is the sole responsibility of the Oak Run Board of Directors
Basic consideration neighbor to neighbor will result in the need for less regulation
Violation of any of the above rules is subject to disciplinary action

C. COMMON AREA REGULATIONS:

Artificial Vegetation, Decorative Objects and Sculptures

Two Flower Pots per unit will be allowed only under the following conditions:

Flower Pots shall not be composed of wood or basket material and must blend with the color of the building. They may only be placed in the entryway of buildings that is within the roofline of the building. No flower pots may be attached to the building. If flowers are dead or pots are empty, the Flower Pots will be Removed.

Shrubs and Flowers

Members may not plant shrubs. Approved flowers may be planted in the areas enclosed between the buildings and walkways leading to entrance doors, in the area within the roofline around lower lanais and in the small area between the two garage doors. Approved flowers include the following: salvia, begonia, geranium, pansy, snap dragon, dahlia, inpatients, crown of thorn, kalanchoe, periwinkle, lantana and any other plant approved by the BOD or the Property Manager. A lack of care by the homeowner will result in their removal. Tree bark or "No Float" cypress chips that are dark brown in color like the pine straw may be purchased and applied by lower unit owners between the lanai and shrubbery for the purpose of preventing sand splashing on lanai screens. No other material will be allowed for that purpose.

Pine straw is applied annually in late November.

Garden hoses must not be left in shrubbery near the outside water spigots but must instead be removed and stored in the garage when not in use.

Security Bars and Residential Security Signs

Homeowner Identification Plaques may not be attached to the building. Identification Plaques may be placed within a distance of not more than six (6) feet away from the front door entryway. Identification Plaques may not exceed a maximum of thirty-six (36) inches in height from the ground. Must not exceed 144 square inches in size and may be of any shape. Identification Plaques must blend with the color of the building.

Team Logos and Flags

Team logos and flags may be displayed on game days only for football and for the championship finals of other sports.

Seasonal Decorations

Neighborhood common areas may display outdoor seasonal decorations between Thanks giving and January 7th. Decorations for Easter, Halloween, Thanksgiving, Valentine's Day, Memorial Day, Independence Day and other recognized holidays may be displayed no more than two weeks. Outdoor seasonal decorations shall not be excessive or create a nuisance as determined by the ARC or Neighborhood Association.

D. RULES FOR DECORATORS. CONTRACTORS AND SUB-CONTRACTORS

1. The unit owner must pre-register with the Manager giving him the name, address, telephone number and fax number of the unit owner's representative who will be overseeing the work being done in the unit whether it be the interior decorator, the general contractor or the unit owner.
2. Prior to commencing work, the unit owner's representative must submit to the Manager, a list of names, addresses and telephone numbers of all sub-contractors who will be working in the unit, together with a schedule for their work.

3. Work hours are 8:00 a.m. to 5:00 p.m., Monday through Saturday.
4. The contractor and all sub-contractors must have Type "B" licenses in Lee County, and submit proof of same for the Manager's file.
5. Prior to obtaining the Property Managers authorization for access, the contractors and all sub-contractors must produce from their insurance carrier a Certificate of Insurance of general liability of no less than \$250,000 per occurrence and no less than \$500,000 aggregate, and provide proof of Worker's Compensation coverage for the Manager's file.
6. All trash and debris shall be hauled off by the workers on a daily basis.
7. Grout, paint, wall mud or any other material may not be poured down building drains, sinks, toilets, bathtubs or poured out on the ground on Club or Association property.
8. Breaks and lunches, if taken inside the building, should be confined to the owner's unit.
9. No radios will be allowed in the building unless used with headphones.
10. Unit smoke alarms are to be left in place. They are to be properly protected during the interior finish work which generates heavy airborne particles, i.e. sanding and painting.
11. Workers are not to wander around in areas other than the specific area or unit they are assigned to.
12. **FLOORING** - Each unit owner in other than ground floor units who elects to install in any portion of his unit hard surface flooring materials (i.e., tile, marble, wood) shall first be required to submit for approval to the Board of Directors, or its representative, the proposed hard surface floor. Written approval for the proposed materials is required prior to installation of hard surface flooring.

13. The unit owner is responsible for his decorator's contractor's and sub-contractor's actions and inactions while on the premises. Decorators, contractors, and sub-contractors are on the premises at their own risk and agree to indemnify and hold harmless the Condominium Association for any liability or damages which might arise in connection with their activities on the premises.

14. Should a decorator, contractor or sub-contractor discover a defect in a unit, they must notify the Property Manager immediately so the defect may be verified and corrected prior to doing any work which might be impacted by the defect.

15. Smoking, while discouraged, will only be allowed in the individual units with the owner's permission.

16. All buildings must be kept clean at all times during working hours. Activities will be monitored during the day. Non-compliance may result in your decorator, contractor or sub-contractor being barred from the building. All questions shall be directed to the Property Manager.

17. Contractors shall not lean ladders against the roofing tiles or access the building roofs without prior approval of the Association's Property Manager. Ladders should have the appropriate stand-off protection when leaning them against the building walls.

**E. RULES FOR OWNER PARTICIPATION IN BOARD OF DIRECTORS MEETINGS,
BUDGET COMMITTEE MEETINGS AND A MEETING OF ANY COMMITTEE
AUTHORIZED TO TAKE ACTION ON BEHALF OF THE BOARD; AND THE LOCATION
FOR POSTING NOTICES OF MEETINGS**

I. THE RIGHT TO SPEAK:

1. Roberts Rules of Order (latest edition) shall govern the conduct of the Association meeting when not in conflict with the Declaration of Condominium, the Articles of Incorporation or the By-laws.

2. After each motion is made and seconded by the Board members the meeting Chairperson will permit owner participation regarding the motion on the floor, which time may be limited depending on the complexity and effect on the Association.
3. Owner participation will not be permitted after reports of officers or committees unless a motion is made to act upon the report, or the Chair determines that it is appropriate or is in the best interest of the Association.
4. An owner wishing to speak must first raise his or her hand and wait to be recognized by the Chair.
5. While an owner is speaking he or she must address only the Chair, no one else is permitted to speak at the same time.
6. An owner may speak only once for not more than three (3) minutes and only on the subject or motion of the floor.
7. The Chair may, by asking if there be any objection and hearing none, permit an owner to speak for longer than three (3) minutes, or to speak more than once on the same subject. The objection, if any, may be that of a Board member only and if there is an objection then the question will be decided by a vote of the Board.
8. The Chair will have the sole authority and responsibility to see to it that all owner participation is relevant to the subject or motion on the floor.

II. THE RIGHT TO VIDEO OR AUDIOTAPE:

1. The audio and video equipment and devices which owners are authorized to utilize at any such meeting must not produce distracting sound or light emissions.
2. Audio and video equipment shall be assembled and placed in position in advance of the commencement of the meeting in a location that is acceptable to the Board or the Committee.

3. Anyone videotaping or recording a meeting shall not be permitted to move about the meeting room in order to facilitate the recording.

4. At least 24 hours advance written notice shall be given to the Board by any owner desiring to utilize any audio and/or video equipment to record a meeting.

III. LIMITATION ON THE ASSOCIATION'S OBLIGATION TO RESPOND TO WRITTEN INQUIRIES :

1. The Association shall not be required to respond to more than one written inquiry from a Unit Owner filed by certified mail in any given 30 day period. Any additional inquiry or inquiries must be responded to in the subsequent 30 day period or periods.

IV. NOTICES OF MEMBERSHIP, DIRECTORS AND COMMITTEE MEETINGS:

1. All notices will be posted in a locked, clear fronted bulletin board at a location designated by the Board of Directors.