

JENSEN BEACH COUNTRY CLUB ASSOCIATION USE RESTRICTIONS SUMMARY

The following Rules & Regulations are those of the Jensen Beach Country Club Association and are enforced by the same. All owners are asked to comply to maintain the property and the aesthetics of the community. All the following Rules & Regulations can be found under Article XII Use Restrictions in the Declaration of Covenants, Conditions, and Restrictions for the Jensen Beach Country Club. Find the document on the Website in the Homeowners Governing Documents section.

AIR CONDITIONING UNITS: Air Conditioning Units, except as may be permitted by the AMC, no window air conditioning units or window fans may be installed in any Unit. (Section 18).

ANIMALS & PETS: No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any portion of the Properties, except that dogs (no more than two dogs), cats, or other usual and common household pets not to exceed a total of four may be permitted in a Unit. Snakes, reptiles, monkeys, rodents and exotic animals are prohibited, However, those pets which, at the sole discretion of the Association, endanger the health and safety, make objectionable noise, or constitute a nuisance or inconvenience to the Owners of other Units or the owner of any portion of the Properties shall be removed upon request of the Board. If the owner fails to honor such request, the pet may be removed by the Board. No pets shall be kept, bred, or maintained for any commercial purpose, Household pets shall always whenever they are outside a dwelling be confined on a leash held by a responsible person, Owners must refrain from letting their dogs use other homeowner's property to relieve themselves. All fecal or waste matter must be picked up and disposed of properly in the pet owner's garbage. (Section 4).

ANNOYANCES: No portion of the Properties shall be used, in whole or in part, for the storage of any property or thing that will cause it to appear to be in an unclean or untidy condition, or that will be obnoxious to the eye; nor shall any substance, thing, or material be kept upon any portion of the Properties that will emit foul or obnoxious odors or that will cause any noise or other condition that will or might disturb the peace, quiet, safety, comfort, or serenity of the occupants of surrounding property. No noxious, illegal or offensive activity shall be carried on upon any portion of the Properties, nor shall anything be done thereon tending to cause embarrassment, discomfort, annoyance, or nuisance to any person using any portion of the Properties. There shall not be maintained any plants or animals or devices or thing of any sort whose activities or existence in any way is noxious, dangerous, or destroys the enjoyment of the Properties. No outside burning of wood, leaves, trash, garbage or household refuse shall be permitted within the Properties. (Section 5)

ANTENNAS: Except where restrictions are preempted by the regulations of the Federal Communications Commission, no exterior antennas, aerials, satellite dishes, or other apparatus for the reception and/or transmission of television, radio, or other signals of any kind shall be placed, allowed, or maintained upon any portion of the Properties; including any Unit, without the prior written consent of the AMC. The Association shall have the right, without obligation, to erect an aerial, satellite dish, or other apparatus for a master antenna or cable system for the benefit of all, or a portion of the Properties, should any such master system or systems be utilized by the Association and require any such exterior apparatus. (Section 7).

ARTIFICIAL VEGETATION, EXTERIOR SCULPTURE, AND SIMILAR ITEMS: Artificial Vegetation. Exterior Sculpture, and Similar Items, Except for door decorations, no artificial vegetation shall be permitted on the exterior of any portion of the Properties, Exterior sculpture, fountains, flags, and related items must be approved in accordance with Article XI of this Declaration. Notwithstanding the foregoing, residents may display flags and erect a flagpole as authorized by Florida Statute 720.304(2) (2018) as amended from time to time. (Section 20).

BUSINESS USE: No trade or business may be conducted in or from any Unit, except that an Owner or occupant residing in a Unit may conduct business activities within the Unit so long as: (a) the existence or operation of the business activity is not apparent or detectable by sight, sound or smell from outside the Unit; (b) the business activity conforms to all zoning requirements for the Properties; (c) the business activity does not involve numerous persons coming onto the Properties who do not reside in the Properties or door-to-door solicitation of residents of the Properties; and (d) the business activity is consistent with the residential character of the Properties and does not constitute a nuisance or a hazardous or offensive use, or threaten the security or safety of other residents of the Properties, as may be determined in the sole discretion of the Board. The terms "business" and "trade", as used in this provision, shall be construed to have their ordinary, generally accepted meanings, and shall include, without limitation, any occupation work or activity undertaken on an ongoing basis which involves the provision of goods or services to persons, other than the provider's family and for which the provider receives a fee, compensation, or other form of consideration, regardless of whether: (i) such activity is engaged in full or part-time; (ii) such activity is intended to or does generate a profit; or (iii) a license is required therefor. Notwithstanding the above, the leasing of a Unit shall not be considered a trade or business within the meaning of this Section. Placing flyers, door hangers, advertising or other commercial or promotional material within and on mailboxes is prohibited. Door-to-door and electronic solicitation for commercial purposes is prohibited. (Section 25).

CLOTHESLINES, GARBAGE CANS, TANKS, ETC.: Clotheslines, garbage cans, storage facilities, tanks, mechanical equipment, air conditioning equipment, water filtration systems, home generators and other similar items shall be located or screened with plant material to be concealed from view of neighboring Units, streets, and property located adjacent to the Unit. All rubbish, trash, and garbage shall be stored in appropriate containers with lids and regularly removed from the Properties and shall not be allowed to accumulate thereon. No garbage, trash, or debris shall be left at curbs awaiting pick up until the night before pickup at 6:00 p.m. (Section 8).

DRAINAGE: Catch basins and drainage areas are for the purpose of natural flow of water only. No obstructions or debris shall be placed in these areas. No Person other than the Association may obstruct or re-channel the drainage flows after location and installation of drainage swales, storm sewers, or storm drains. The Association has reserved a perpetual easement across the Properties for the purpose of altering drainage and water flow. (Section 14).

DRONES: Personal use of drones on the Properties is prohibited. (Section 32)

ENERGY CONSERVATION EQUIPMENT: No solar energy collector panels or attendant hardware or other energy conservation equipment shall be constructed or installed on any Unit unless it is an integral and harmonious part of the architectural design of a structure, as determined in the sole discretion of the AMC pursuant to Article XI hereof, as long as the determined location does not impair the effective operation of the solar collectors in compliance with Florida Statute 163.04(2023) as amended from time to time. (Section 21).

FENCES: No dog runs, animal pens or fences of any kind shall be permitted on any Unit except fences required by governmental agencies {e.g. – child fences} and fences around the deck of the pool area as approved in accordance with Article XI of this Declaration. Perimeter fences are prohibited. (Section 24)

FIREARMS: The discharge of firearms within the Properties is prohibited. The term "firearms" includes "BB" guns, pellet guns, and other firearms of all types, regardless of size. (Section 10)

GARAGES: The use of garages on a residential dwelling as a living area is prohibited, Conversion of any garage to finished space for use as an apartment, living space, or other integral part of the living area on any Unit is prohibited. Garage doors shall remain closed at all times except during 'Ingress and egress and except while necessary for performing an activity requiring the garage door to be open. (Section 33)

GOLF CARTS: Individuals under 18 years must now be at least 15 years old with a learner's permit of 16 years old with a driver's license. Additionally, anyone aged 18 or older must possess a valid government-issued photo ID to drive a golf cart. No gasoline-powered golf carts shall be operated within the Properties except as may be owned and operated by the Association. All other golf carts should be powered by electricity or by similar non-combustion means. Golf carts shall be stored only in garages serving the Owner's Unit or other areas specifically designated by the Board, as golf cart parking areas. No golf cart shall be placed, parked or stored on the lawn of any Unit. A golf cart may be operated only during the hours between sunrise and sunset, unless the golf cart is equipped with headlights, brake lights, turn signals, and a windshield. A golf cart must be equipped with brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear. Golf carts must be operated in a safe manner and in compliance with the rules and regulations of the Association. (Section 27)

IRRIGATION: No sprinkler or irrigation systems of any type which draw upon water from creeks, streams, rivers, lakes, ponds. Wetlands, canals or other ground or surface waters within the Properties shall be installed, constructed, or operated within the Properties by any Person, other than the Association, unless prior written approval has been received from the Board of Directors. All sprinkler and irrigation systems and storm water drainage shall be subject to approval in accordance with Article XI of this Declaration. (Section 12)

LEASING: (a) Definition. "Leasing", for purposes of this Declaration, is defined as regular exclusive occupancy of a Unit by any person or persons other than the Owner, for which the Owner receives any consideration or benefit, including, but not limited to a fee, service, gratuity, or emolument. Airbnb, Vacation Rentals by Owner, home swapping arrangements and similar arrangements are deemed to be leases.

(b) Leasing Provisions. (i) General. Units may be rented only in their entirety; no fraction or portion may be rented. There shall be no subleasing of Units or assignment of leases unless prior written approval is obtained from the Board of Directors. No transient tenants may be accommodated in a Unit. All leases shall be in writing except with the prior written consent of the Board of Directors. No Unit may be subject to more than one (1) lease in any twelve (12) month period, regardless of the lease term. The Owner must make available to the lessee copies of the Declaration, By-laws, and the rules and regulations. Owners acquiring title to a Unit after the effective date of this amendment are prohibited from leasing the Unit during the first twenty-four (24) months of ownership, measured from the date of recordation of the most recent instrument conveying any interest in title to the Unit. In the event of conveyance of title with an approved occupant in possession under the lease, said moratorium against leasing during the first twenty-

four (24) months of ownership shall commence upon expiration of lease. The Board may require additional information such as names of the proposed occupants of the Unit and other information relating to the proposed lease and may require a face-to-face conference with the proposed occupants of the Unit prior to approving any lease. The Board shall approve or disapprove each lease within thirty (30) days of submission of all information required herein or the lease shall be deemed approved. Disapproval may be based only upon failure of the Owner or the proposed lessee to comply with the requirements and restrictions contained herein and nothing herein shall be construed to give the Board any right to disapprove the proposed tenant, or to create a right of first refusal in any Person. In the event of disapproval, the lease shall not take effect until such deficiencies are corrected, and a revised lease is submitted and approved by the Board. (iii) Compliance with Declaration, By-Laws and Rules and Regulations. Every Owner shall cause all occupants of his or her Unit to comply with the Declaration, By-laws and the rules and regulations adopted pursuant hereto, and shall be responsible for all violations and losses to the Common Areas caused by such occupants: notwithstanding the fact that such occupants of a Unit are fully liable and may be sanctioned for any violation of the Declaration, By- laws, and rules and regulations adopted pursuant thereto. (Section 28)

LIGHTING: Except for seasonal holiday decorative lights, which may be displayed between November 15 and January 10 only, all exterior lights must be approved in accordance with Article XI of this Declaration. (Section 19)

OCCUPANTS BOUND: All provisions of the Declaration, By-Laws and of any rules and regulations or use restrictions promulgated pursuant thereto which govern the conduct of Owners, and which provide for sanctions against Owners shall also apply to all occupants, guests and invitees of any Unit. Every Owner shall cause all occupants of his or her Unit to comply with the Declaration, By-Laws, and the rules and regulations adopted pursuant thereto, and shall be responsible for all violations and losses to the Common Areas caused by such occupants, notwithstanding the fact that such occupants of a Unit are fully liable and may be sanctioned for any violation of the Declaration, By-Laws and rules and regulations adopted pursuant thereto. (Section 3)

ON-SITE FUEL STORAGE: No on-site storage of gasoline or other fuels shall be permitted on any part of the Properties except that up to five (5) gallons of fuel may be stored on each Unit for emergency purposes and operation of lawn mowers, generators and similar tools or equipment, and the Association shall be permitted to store fuel for operation of maintenance vehicles, generators, and similar equipment. Notwithstanding this provision, additional onsite storage of fuel is permitted, temporarily, during and immediately before and after named storms, underground fuel tanks for storage of heating fuel for dwellings, pools, gas grills and similar equipment may be permitted if approved in accordance with Article XI. (Section 26).

PARKING: (See Vehicles)

PLAY EQUIPMENT, STROLLERS, ETC.: Swing sets, basketball hoops, backboards and permanent playground equipment are prohibited. All bicycles, tricycles, scooters, skateboards, and other play equipment, wading pools, baby strollers and similar items shall be stored so as not to be visible from streets or property adjacent to the Unit. No such items shall be allowed to remain on the Common Area or on Units so as to be visible from adjacent property when not in use. (Section 30)

RECREATION FACILITIES: Any recreational areas or equipment furnished by the Association or erected within the Properties shall be used at the risk of the user, and the Association shall not be held liable to any Person for any claim, damage or injury occurring thereon or related to use thereof. (Section 23)

SIGNS: No sign, billboard, or advertisement of any kind, including, without limitation, those of realtors, contractors, and subcontractors, shall be erected within the Properties without the written consent of the AMC, except for home security signs and as may be required by legal proceedings. The AMC shall not grant permission to erect signs on any Unit after such Unit is improved and sold by the builder unless their erection is reasonably necessary to advert serious hardship to the Owner. If permission is granted to any Owner to erect a sign within the Properties, the AMC reserves the right to restrict the size, color, lettering and location of such sign. The Board of Directors have the right to erect signs as it, in its discretion, deems appropriate. No signs, flags, banners, or similar items advertising or providing directional information with respect to activities being conducted outside the Properties shall be permitted within the Properties without prior written approval of the Board of Directors. No sign shall be nailed or otherwise attached to trees. Properties shall be permitted within the Properties without prior written approval of the Board of Directors. No sign shall be nailed or otherwise attached to trees (Section 1).

SIGHT DISTANCE AT INTERSECTIONS: All property located at street intersections shall be landscaped to permit safe sight across the street corners. No fence, wall, hedge, or shrub planting shall be placed or permitted to remain where it would create a traffic or sight problem. (Section 16)

STORM PRECAUTIONS: No hurricane or storm shutters shall be permanently installed or closed on any structure on a Unit unless first approved in accordance with Article XI hereof. Hurricane or storm shutters may be installed or closed temporarily, and other storm precautions may be taken to protect structures on a Unit, while the threat of a hurricane or similar storm is imminent, Provided, all such shutters and other exterior alterations or additions made as a storm precaution shall be promptly removed once the storm or Imminent threat of the storm has passed. Notwithstanding the above, shutters installed on sides and rear of home may remain closed anytime from June 1 through November 30, but only while no one is in residence. (Section 3D).

TENTS, TRAILERS & TEMPORARY STRUCTURES: Tents Trailers and Temporary Structures. Except as may be permitted by the NCC during the initial construction within the Properties, no tent, utility shed, shack, trailer or other structure of a temporary nature shall be placed upon any Unit. (Section 13)

TREE REMOVAL: No trees shall be removed except for diseased or dead trees and trees needing to be removed to promote the growth of other trees or for safety reasons, unless approved in accordance with Article XI of this Declaration, Martin County regulation, West Jensen DRIIPUD, and any other relevant agreement. Removal of any native hardwood tree must be remediated by replacement of another native hardwood tree of regulation height on the Owner's property as designated by the AMC. (Section 15)

UNSIGHTLY OR UNKEPT CONDITIONS: It shall be the responsibility of each Owner to prevent the development of any unclean, unhealthy, unsightly, or unkept condition on his or her Unit. Roofs, exterior walls and driveways must be kept clean of mold and vegetation. The pursuit of hobbies or other activities, including the assembly and disassembly of motor vehicles and other mechanical devices, which might tend to cause disorderly, unsightly, or unkempt conditions, shall not be pursued or undertaken on any part of the Properties. (Section 6)

UTILITY LINES: No overhead utility lines, including lines for cable television, shall be permitted within the Properties, except for temporary lines as required during construction and high voltage lines if required by law or for safety purposes. (Section 17)

VEHICLES:

(a) **Parking.** Subject to the provisions of Article XV, Section 3 hereof, vehicles shall be parked only in the garages or in the driveways, if any, serving the Units or in appropriate spaces or designated areas in which parking may or may not be assigned and then subject to such reasonable rules and regulations as the Board of Directors may adopt. Parking on the street overnight or in the Common area is not allowed. Parking on the grass anywhere on the Property, at any time, by residents or their guests is not permitted. The Board may permit grass parking for commercial vehicles as the Board may deem necessary. Notwithstanding the above, except as provided below, no more than three (3) vehicles shall be parked in the driveway for a period of up to thirty (30) days with prior written approval of the Board of Directors. No vehicle shall be parked in a driveway in such a manner to block a sidewalk or encroach into the street.

(b) **Prohibited Vehicles:** Commercial Vehicles, vehicles with commercial writing on their exteriors, vehicles primarily used or designed for commercial purposes, pickup trucks with commercial advertising, tractors, mobile homes, motor homes, recreational vehicles, motorcycles, trailers, (either with or without wheels), campers, camper trailers, boats and other watercraft, and boat trailers shall be parked only in enclosed garages or other areas, if any, designated by the Board. Mobile homes, motor homes, recreational vehicles and campers may be parked in the driveway for the purpose of loading, unloading, and cleaning for a period up to three days in any seven-day period with prior written approval of the Board of Directors. Boats, boat trailers and camper trailers may be parked in the driveway for the purpose of loading, unloading, and cleaning for a period up to one day in any seven-day period with prior written approval of the Board of Directors. Stored vehicles and vehicles which are either obviously inoperable or do not have current operating licenses shall not be permitted on any Unit except within enclosed garages. For purposes of this Section, a vehicle shall be considered "stored" if it is put up on blocks or covered with a tarpaulin.

(c) **Delivery and Service Vehicles:** Service and delivery vehicles may be parked in the driveway of a Unit during daylight hours for such a period as is reasonably necessary to provide service or make a delivery to the Unit. Any vehicle which is parked in violation of this Section 2 or parking rules promulgated by the Board may be towed. Except in the case of an emergency, no exterior construction work may be done by Owner or contractors between the hours of 6:00 pm and 6:00 am or on Sundays or legal holidays.

WETLAND, LAKES & WATER BODIES: All wetlands within the Properties shall be left in their natural state and no alteration thereof or construction thereon shall be permitted. All lakes, ponds, and streams within the Properties, if any, shall be aesthetic amenities only, and no other use be permitted.

Notwithstanding the above, the Board of Directors may permit fishing by the Owner occupants of Units and their accompanied guests subject to rules and regulations established by the Board. The Association shall not be responsible for any loss, damage, or injury to any person or property arising out of the authorized or unauthorized use of lakes, ponds, or streams within the Properties. (Section 22)

WINDOW COVERINGS: All windows of any structure which are visible from the street or dwellings of other Units shall have window coverings which have a white or off-white backing or blend with the exterior color of the dwelling, as determined in the sole discretion of the Architecture and Modification Committee after application pursuant to Article XI hereof. Reflective window coverings are prohibited. Notwithstanding the above, window coverings rated for energy conservation are permitted. The Golf Course shall be exempt from the provisions of this Article XII. (Section 31)

ARTICLE XI

No construction, exterior alteration or modifications of existing improvements, and no planting or removal of plants, trees, or shrubs shall take place, until the approval of the appropriate committee has been obtained. The Modifications Committee {a.k.a. Architectural & Modifications) shall have exclusive jurisdiction over modifications, additions, or alterations made on or to existing Units and the open space. (Section 2)

Modifications or alterations to the interior of screened porches, patio, and simile: portions of a Unit visible from outside Unit shall be subject to approval.

POLICIES AND COMMUNITY STANDARDS ADOPTED 9.6.18 (Revised 1124119)

These additional policies were adopted by the Board of Directors and can be found in the Modifications Guide located in the HOA office. They have the same enforcement as Use Restrictions under Article XII. All violations carry a fine of \$100/day up to \$1000.

DRIVEWAYS: Driveways may NOT be painted. If a sealer is applied, it must be reapplied if it turns "milky." Driveways are to be kept clear of vegetation, mold, mildew. Widening of driveways must be approved by the Architectural and Modifications Committee and may be no wider than 18'.

HOUSE PAINTING: All painting of exterior of houses, including doors, must be approved by the Architectural and Modifications Committee, even if the same colors are to be applied. House colors may be chosen from a palette of Standard Colors or homeowner's option with approval. If homeowner option, proposed paint colors may be displayed on the house prior to approval. (General guidelines and color palette are available in the HOA office.) This policy does not pertain to minor touchups as in the case of repairs.

INVASIVE PLANTS: Invasive plant species as defined by Martin County Ordinance #930 may not be planted and must be removed by the homeowner if present. (A complete list of invasive plants and trees is available in the HOA office.)

LANDSCAPING: Stones and lava rock may be used in place of much in landscaping beds in compliance with a Florida Friendly Landscape when approved by the Architecture and Modifications Committee. (revised 1124119). All mulch must be recycled, bark or other natural material, and homeowners are to maintain 2" of mulch during dry season. There is to be no planting of trees or shrubs that obstruct sight distance on roads and street corners. · Generally, no shrub taller than 23' or trees with less than 6' of clear trunk are permitted at a corner. All homeowners planted landscaping must be kept neatly trimmed and away from lot lines. Tree limbs and foliage may NOT obstruct streetlights or fire hydrants.

MAILBOXES: Mailboxes, posts and finials shall be uniform and similar in looks, size and shape according to the specifications adopted by the Architectural and Modifications Committee. Posts and boxes are to be kept in good repair at all times, with doors in working order. No inscription, painting, ornaments, hanging baskets, plants or artistry shall be allowed, except for American Flags displayed during regular posting of American Flags by the HOA for military holidays or December holiday decorations, which shall be removed promptly after the holiday. Numbers are not permitted on mailboxes; however standard number signs hung from posts, adopted by the committee, are permitted. All mailboxes and posts are to be black after a date adopted by the Board of Director.