



QUEEN'S HARBOUR

YACHT AND COUNTRY CLUB

Owners Association, Inc.

Rules, Regulations and Enforcement Procedures

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Queen's Harbour Yacht and Country Club

Owners Association, Inc.

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When you decided to live in Queen's Harbour you were likely attracted by the community's natural beauty, the unique nautical influence, the high standards of architectural design and landscaping, the environmental protection, the sports facilities, the quiet streets, the limited access and quality of life.

The Rules and Regulations provided for by the Queen's Harbour Yacht & Country Club Declaration of Covenants, Conditions, Restrictions & Easements ("Declaration"), and by the decisions of the Board of Directors of the Queen's Harbour Yacht & Country Club Owners Association, Inc. ("Association or POA") are part of the means for ensuring that the community meets your expectations (the others being the Architectural Review Board (ARB) Guidelines and the Harbour Rules and Regulations). All property owners agreed to abide by these Rules and Regulations when they purchased their lot or home. It is the responsibility of the property owner to be aware of all of the current Association's rules and regulations.

Most of the Rules and Regulations are published here. However, other specifics are included in the Harbour Rules and Regulations, in the ARB Guidelines, in the Declaration and in postings at the Community Center and elsewhere. There are also Federal, State, County and City laws and ordinances that apply to activities in the community. Some of the permits granted to the Queen's Harbour developers and conveyed to the Association by regulatory agencies contain restrictions on land use and activities in the community.

The Declaration permits the Board of Directors to change the Rules and Regulations at any time. If there are disputes over the interpretation and enforcement of the rules, the Board has the final decision authority.

Enforcement procedures described below conform to all current laws, statutes and regulations and are similar to the practices of other "deed restricted communities in the Jacksonville area. All property owners or their tenants, and their guests are expected to comply with these Rules and Regulations. For violators, the enforcement procedures apply.

Most Jacksonville City Code provisions apply in Queen's Harbour. Some are referenced herein. Others of interest include bicycle, skateboard, motorized skateboards, ATV's, scooters, roller blade, roller skate and pedestrian traffic, firearms, fireworks, drugs/narcotics, environment, public intoxication, loitering, solicitations, making threats, fighting, destruction of property, obstruction of sidewalks and streets, occupational licenses, odors, traffic, boating, signs, golf carts, "Florida Friendly" landscaping, etc. These are available www.coj.net under ~~in~~ the City Ordinances.

We all know that no matter how comprehensive the Declaration and rules are, the real underpinning of a great community is the good will and cooperative spirit of its residents to abide by the covenant restrictions and rules. We hope that such a cooperative spirit will be the hallmark of Queen's Harbour. Certainly situations may arise that will require further modifications to these rules. Always feel free to recommend changes to the Property Manager and/or the Board of Directors.

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Architectural Review Board Guidelines

Nearly all deed restricted communities, including Queen's Harbour, have an Architectural Review Board ("ARB") and ARB Guidelines to assure that all residences are consistent with a pre-determined appearance of homes and their properties. The Guidelines specifications apply to homes being built, changes to lots and the landscaping and exteriors of completed homes. They also govern certain activities of contractors. The Queen's Harbour ARB Guidelines contain the most current version of these guidelines which are available at the Association's office or online at the QHYCC.com website. Listed below are examples of the types of items that require ARB approval **before** residents may proceed with additions or changes to their properties:

Air Conditioning Service Courts	Outstructures (Gazebos, Trellises, etc.)
Antenna	Play & Recreational Structures
Awnings	Property Improvements
Basketball Goals	Retaining Walls
Bulkheads	Roofs, Chimneys, Vents
Decks	Satellite Dishes
Docks	Screen Enclosures
Drainage, Grading & Erosion Control	Service Courts
Driveways	Shutters
Exterior Colors and Finishes	Sidewalks
Fences & Gates	Sight Distance at Intersections
Flagpoles	Signs
Fountains	Solar Collectors & Panels
Fuel Tanks	Swimming Pools
Garages, Doors & Auto Storage	Tennis Courts
Garbage/Trash Container Storage	Tree Removal
Hardscape (new additions or changes)	Utility Connections
House Plans	Walls
Landscaping	Windows – Changes to & Certain Window Coverings
Lighting	
Mailboxes	Yard Ornamentation

The foregoing list is not exhaustive or all-inclusive. If the change can be viewed from the outside of your home, you need ARB approval prior to proceeding with the project. If you are thinking of making additions or changes to your lot, residence, or landscaping, and the item you are interested in is not on this list, please call the Owners Association Office at 221-8859 for guidance.

General Rules and Regulations

I. ACCESS TO QUEEN'S HARBOUR: Access is limited to property owners or their tenants, guests, Owners Association employees, golf course and country club employees and patrons, certain government officials, certain contractors and others who have received permission from authorized Association officials.

A. BAR CODE: Residents are issued two bar codes when they purchase a home and are encouraged to purchase bar codes for additional cars and or new vehicles. Bar code decals must be displayed on the driver side, rear window to enable usage of the automatic entry lane. Bar code decals are available at the POA administrative offices for use by all property owners or their tenants. To assure trouble free use, POA employees will affix the bar codes in the correct position at the time of purchase. Vehicles that may not be able to display the bar code in the correct position are not eligible for bar code privileges. Much like the State Vehicle License Tag, the bar code belongs to the vehicle to which it is assigned and may not be moved or transferred to other vehicles.

A valid permanent license plate with associated registration must be presented for each vehicle in order to purchase a bar code decal. If the vehicle displays a temporary tag, the property owner or their tenant will be required to pay the normal applicable bar code fee, plus a deposit. When the resident returns to the POA Administrative Office with the permanent license plate number, the deposit will be refunded.

Handheld bar codes are limited to only residents or tenants that are in the business of buying and/or selling cars where their drive home vehicle changes frequently and must be registered as a hand held with the POA. In addition to a valid driver's license, proof of employment will be required to register for a handheld bar code. Note: (loaner cars, rentals do not qualify for hand held bar code.

Attempts to use the automatic entry lane without a properly positioned bar code are subject to a fine or suspension of bar code access privileges. Upon selling the vehicle, the Queen's Harbour identification decal and/or bar code must be removed by the property owner or their tenant and the POA notified.

B. GUESTS: To expedite the flow of vehicles through the front gate, the host property owner or their tenant shall register all non-resident vehicle drivers using the GateAccess.net website. Instructions on Gate Access for Guests and Vendors can be found on the Queens Harbour Yacht and Country Club website. Once logged on select Homeowners, select My POA, select Gate Access at: www.qhycc.com/homeowners/my-poa/gate-visitors.

Please note the driver of each vehicle must present a valid driver's license and be a listed guest in order to obtain entry into our community. Guest vehicles must be registered with Controlled Access and must display an approved pass in the windshield at all times.

- C. ESTATE SALES: Estate sale or estate liquidation is a sale or auction to dispose of a substantial portion of the materials owned by a person who is recently deceased or who must dispose of his or her personal property to facilitate a move.

Those authorized to apply for an Estate Sale are: any person or persons out of a group consisting of the resident, the resident's executor, administrator, trustee, guardian, personal representative, agent or heirs, referred to as the "Seller".

Notice of an Estate Sale: The Seller who desires to hold an Estate Sale must complete and submit a completed Request for Estate Sale (RFE) form to the POA Property Manager at least 21 days prior to the dates on which the planned Estate Sale would commence. An RFE form is available at the POA office Monday through Friday from 9 AM to 5 PM. A fee of \$50 is payable to the POA at the time of submission of the completed RFE form. This fee covers the processing of the RFE and the handling of the directional passes handed out by the Controlled Access Gate Officer (see below).

Additionally, a deposit of \$1000 via cashier's check or money order is payable to the POA with the completed RFE. The Applicant holding an Estate Sale is held fully and legally responsible for any damage that occurs within the community on private property or common areas, by any individual attending or holding the Estate Sale. This deposit will be used to repair damage to common or private property. Costs greater than the deposit will be billed to the individual(s) holding the Estate Sale. The deposit will be returned after the Estate Sale minus any cost of repairs.

Estate Sales are permitted only on Thursdays, Fridays and Saturdays and must be fully contained within the home. Yard Sales and or garage sales are not permitted. Queens Harbour General Rules and Regulations require vendors and contractors to be out of the community by 6 PM on Monday through Friday and on Saturday by 5 PM. Accordingly, Estate Sales may be permitted from 8 AM to 5 PM Thursday through Friday and from 8 AM to 4 PM on Saturdays.

The following procedures must be followed prior to and during the Estate Sale:

1. An Estate Sale RFE approved form must be displayed in an outside window and all applicable fees and deposits must be paid
2. All Estate Sales must be held entirely within the interior of the home and garage
3. Garage doors must remain closed during the sale except as may be necessary to facilitate the loading of any property that is sold at the sale
4. All items must be kept out of public view; in the home or garage. No items may be placed in or on the yard, back, sides or front.
5. All items must be from the household. No one, resident or Estate Sale Co-coordinator or anyone else may bring in other items for sale.

6. Applicant must provide printed passes with directions to the Estate Sale which will be handed out by the Controlled Access Gate Officer. Passes must be displayed on the vehicle dashboard. These passes must be left with the Property Manager at least five (5) days in advance of the sale. If not enough passes are provided, additional buyers will not be given access.
7. Traffic Control must be provided during the entire event. Two (2) Jacksonville Sheriffs officers equipped with 2 way communication are required to direct traffic. The Seller or his /her agent is responsible for the cost of this additional traffic control.
8. If a list of invitees is available, the Seller or contractor must provide it to Controlled Access prior to commencing the Estate Sale so the gate officer will have knowledge of the authorized guests.
9. If the general public is invited to the event, the property owner must provide Controlled Access with a telephone number so that the owner or agent may be contacted. If Controlled Access is unable to reach the listed contact, no further guests will be admitted.
10. Signage - No balloons are allowed to be attached to any part of the exterior of the house or mailbox.

The Property manager will notify the Controlled Access Chair and the Account Manager of the Controlled Access contractor of the details of the sale

Any member of the Board of Directors (BOD) or the Property Manager or his/her designee shall have the privilege to monitor the sale, inside and outside, to assure that all requirements are met.

Failure to comply with these outlined procedures will negate any approval of the Estate Sale and further access will be denied.

- D. SERVICE CONTRACTORS, DELIVERIES, TAXI'S, ETC: Property owners or their tenants shall register all non-resident vehicle drivers using using the GateAccess.net website. Instructions on Gate Access for Guests and Vendors can be found on the Queens Harbour Yacht and Country Club website.

Once logged on select Homeowners, select My POA, select Gate Access at: www.qhycc.com/homeowners/my-poa/gate-visitors. Please note the driver of each vehicle must present a valid driver's license and be a listed guest in order to obtain entry into our community. Guest vehicles must be registered with Controlled Access and must display an approved pass in the windshield at all times. Property owners or their Tenants must make certain that deliveries made at other than normal daytime business hours do not violate noise and nuisance ordinances, or other rules herein.

E. ACCESS TO PRIVATE LOTS AND RESIDENCES BY ASSOCIATION

OFFICIALS: Directors, Association officers, management agents, employees and appropriate contractors, including Controlled Access Officers, are permitted to enter upon private lots (improved and unimproved) for the purpose of investigating, evaluating, or rectifying certain violations that have not been corrected by property owners within a reasonable period of time, or when safety or other factors require expedited action. Prior notice will be given at least one day before entry, however if there is no response, entry will proceed as planned. No entry into residences, garages or gated and locked areas will be undertaken except in compliance with applicable laws.

F. OPEN HOUSE EVENT RULES FOR HOMEOWNERS AND REALTORS:

1. Homeowners are responsible for notifying their Realtor of the Open House Event Rules.
2. On the day of and prior to the start of the open house, the Realtor must provide their name, a contact phone number, the address of the open house, and the scheduled ending time for the event, to the Gate Officer.
3. The homeowner or their Realtor must be physically at the home at all times during the event.
4. With appropriate notice on the day of the open house, the Gate Officer will ask the driver of the vehicle seeking to attend the open house for a valid driver's license and the street address of the open house. If the visitor does not know the address of the open house, the visitor will be denied entry. If the driver does not have a valid driver's license they will be denied entry.
5. Signs of all kind are not permitted along Atlantic Blvd. Left and right turn directional signs are permitted. Realtors may provide copies of directions to the open house at the gate house for distribution. One sign is permitted in the yard of the open house, when a Realtor is at the property. The Realtor must remove the yard sign when the event concludes. Balloons are not permitted.
6. Parking is allowed on the street, with all vehicles facing the direction of normal traffic. The Patrol Officer is authorized to immediately terminate the open house, if parking causes an unsafe condition or if some other nuisance occurs.
7. Brokers Opens/Luncheons as subject to the same Open House Event Rules.
8. The homeowner is fully responsible for damages to any property, including POA property, as a result of the their open house.
9. Violations of this policy are subject to a fine.

"For Sale" and "For Rent" signs must conform to ARB Guidelines Appendix F.

- II. DENIAL OF ACCESS: Property owners have a right to access the community via the gate attendant lane, however, property owners or their tenants and guests, Queen's Harbour County Club ("Club") employees and guests may be denied the use of the bar

code-controlled electronic gate and/or the lock for certain violations. Access to the community by other persons, contractors, vehicles, trailers and watercraft may be denied at any time provided this action does not conflict with the Declaration or with current laws and statutes.

- III. **ANIMALS AND PETS:** Only common domestic household pets are allowed in residences. A property owner or their tenants may domicile no more than four animals.
- A. **NUISANCE PETS:** Pets that bark, meow, or engage in other disturbing activity for an extended period of time may be considered a nuisance. Additionally, excessive barking (defined as two reported incidents within a one month period) is considered to be a nuisance violation per City of Jacksonville Code, Section 462.304. Excessive barking incidents should be reported directly to the City Animal Control Division at 630-2489.
- B. **PET DOMICILE:** All pets shall be kept within an enclosed area, which must be clean, sanitary and reasonably free of refuse and waste. Pets must be contained within the respective lot, unless the pet is being walked. When walking your pet, it must be on a leash (electronic, ropeless leashes are allowed). Pet waste must be removed immediately from any street, sidewalk, lawn, empty lot or Common Property and properly disposed. Do not place pet waste in any storm drain opening or retention pond.
- C. **BOARDING:** No pet may be maintained, kept, cared for or boarded for hire or remuneration (breeding) on the property, and no kennels for boarding or commercial operation shall be allowed. Caring for more than four (4) dogs for over four (4) months is considered a kennel operation. Dogs and cats in heat must be confined inside.
- D. **WILD ANIMALS:** Wild animals, including ducks, geese, and feral cats, are not to be fed by any person for health safety reasons. The Board of Directors will be the final arbiter of all disputes related to animals and pets.
- IV. **BASKETBALL BACKBOARDS/GOALS:** Portable basketball backboards/goals may be used in driveways and adjacent paved surfaces. All permanent basketball backboard/goals must have prior approval of the ARB as to design and location. Clear backboards are recommended and preferred.
- Outside basketball play is not permitted between 10 PM and 7:30 AM.
- V. **BONFIRES:** City of Jacksonville code requires all residents to secure the approval of the Fire Marshall before igniting any bonfire, and all approved fires must not encroach within 50 feet of any structure. Violations will be reported to Jacksonville Fire and Rescue and the Jacksonville Sheriff's Office.
- VI. **DAMAGE TO COMMON PROPERTY:** When the Common Property is damaged as a result of the willful or negligent acts of a property owner, tenants, family, guests or invitees, contractors such damage shall be repaired by the Association and the cost thereof shall be paid via a special assessment against the property owner. Damage to

Common Property includes damage to grass, soil and landscaping as a result of a property owners, tenant, family, guests or invitees and contractors, placement of trash, yard waste, tree trimmings and large cut fallen trees from hurricanes and storms on Common Property. Damage shall be repaired by the Association and the cost thereof shall be paid via a special assessment against the property owner. All yard waste including hurricane and storm waste must be kept on the property owner's property, until such time that it is removed by the property owner's contractor or removed by the City Of Jacksonville or an agency or contractor of the city.

VII. EMPLOYEES OF QUEEN'S HARBOUR:

- A. **PERFORMING SERVICES FOR RESIDENTS:** Employees of the Association and its contractors shall not be required to attend to any personal matters or business of property owners. Likewise, they may not accept part-time employment from a property owner if it creates a conflict of interest with their duties as an Association employee or contractor. If services other than those associated with their Association employment are provided to property owners or their tenants by any of the employees of the Association or its sub-contractors, the Association assumes no responsibility or liability in any manner for the quality or timeliness of such work, and is not be liable for any injury to persons or damage to property resulting from such work or services.
- B. **RESPECT FOR EMPLOYEES:** The employees of the Association and its contractors shall be treated with respect and dignity. No physical or verbal abuse will be tolerated. If a person has a complaint against an employee, they should contact the Property Manager. Any physical or verbal abuse will be subject to fines.
- C. **PHYSICAL AND VERBAL ABUSE INCIDENT REPORT:** If an employee of the Association or its contractors has a complaint against a property owner, or the property owner's contractors, the employee or contractor of the Association shall complete an incident report and submit it to the Property Manager. The incident report may include, when available, witness statements, video and audio recordings.
- D. **REVIEW AND FINES:** All incident reports will be reviewed by Queens Harbour Yacht and Country Club's Board Of Directors (BOD). The BOD may take one or all of the following actions, starting with the property owner's first violation:
 - 1. Require the property owner to attend a BOD meeting and defend his/her action as stated in the incident report. The BOD will make, when available, the incident report, video and audio recordings.
 - 2. Fine the property owner an amount not to exceed \$1,000
 - 3. Fine the property owner an amount not to exceed \$1,000 for failure to respond to the violation letter.
 - 4. Fine the property owner an amount not to exceed \$1,000 for failure to attend a BOD meeting.

VIII. FUEL STORAGE TANKS: Fuel storage (propane/liquid gas) tanks must be buried in the ground. Small outdoor propane tanks for outdoor grills and small containers of flammable liquids are permitted, providing they are out of sight of the street and other properties. Fuel tanks and containers must meet all Federal, state and local laws, regulations and safety requirements. Fuel providers will provide buried containers for whole house use and property owners must insist on this from the fuel provider.

IX. GARBAGE, RECYCLING AND YARD WASTE:

A. CURBSIDE PLACEMENT: In accordance with City of Jacksonville Ordinance Sections 380.206 and 382.415 garbage and recycling containers, shall not be placed at the curb before 5 PM the night before the scheduled collection day. Containers and yard waste shall not block sidewalks or encroach into traffic lanes.

- a. Any yard waste generated after the designated collection day, MUST BE placed and retained behind a service wall or at the rear of the dwelling, then re-located to the street no earlier than 5 PM Sunday.
- b. Garbage and recycling containers shall be removed from the curb and stored out of sight behind a service wall or inside a garage by 6AM the day after collection day.

In addition to any penalties that may be imposed by the City of Jacksonville for placement of yard waste at the curb prior to the allowed day / time, lot owners will be subject to Owners Association fines for:

- a. Yard waste placed at the curb prior to 5 PM Sunday.
- b. Garbage and recycling containers placed at the curb prior to 5 PM the night before the scheduled collection day.
- c. Yard waste, garbage and recycling containers not removed from the curb and placed out of sight after 6 AM the day after collection day.
- d. Placement of yard waste on vacant lots or Owners Association common property which is PROHIBITED at all times.

In accordance with City of Jacksonville Ordinance Section 380.206 commercial tree firms, lawn service firms, and nurseries must collect, remove, and properly dispose of any yard waste they generate. The City collection service is not required to and will not pick-up any tree trunks, stumps, limbs, and trimmings generated by a commercial tree or lawn service company.

B. SIZE/QUANTITY RESTRICTIONS: Lawn debris must be 5 feet or shorter, 6 inches or less in diameter and stacked in piles parallel to the curb. Collection of yard waste is limited to 5 cubic yards weekly or 30 bags.

If the City collection service fails to pick-up the lawn debris because the size/quantity exceeds the limits allowed, it is the responsibility of the property owner

to either relocate the yard waste behind a service wall or behind the dwelling until the next scheduled collection day, or to arrange for a commercial company to remove the yard waste. It is not permissible to leave the yard waste at the curb until the next collection day.

- X. **GARAGE DOORS:** Garage doors should be kept closed when not in use.
- XI. **GOLF COURSE LOT RESTRICTIONS:** Property owners or their tenants of lots abutting the golf course must not interfere with the normal activities of playing golf and golf course maintenance – including but not limited to, removal of golf balls and tolerance of reasonable noise of golf players and carts. These property owners or their tenants, guests, invitees and pets must refrain from any actions that could detract from the playing of golf. The Queen’s Harbour Yacht & Country Club has the right to enter upon lots abutting the course to remove underbrush or other material interfering with the playing of golf. All fencing and improvements on these lots shall be reviewed by the Club and the ARB to make sure they do not interfere with the playing of golf.
- XII. **HAZARDOUS MATERIALS:** No hazardous or toxic materials or pollutants shall be discharged, maintained, stored, released or disposed of on the property except in strict compliance with applicable rules and regulations, as well as federal, state and local laws.
- XIII. **INSURANCE COVERAGE:** Nothing shall be done to or kept on any lot or Common Property that will increase the rate of insurance covering the property or that would cause cancellation of insurance for that property or other properties, except for ARB approved improvements.
- XIV. **LAWFUL AND MORAL USE:** No immoral, improper, offensive, or unlawful use shall be made of the property or any part thereof and all valid laws, zoning ordinances, and regulations of all governmental bodies having jurisdiction thereof shall be observed.
- XV. **LEASING OF PROPERTY:** Property owners may only lease their properties to tenants who will live in them (no commercial use), and the lease period must be at least 6 months. The property owner and the tenant are obligated to comply with all provisions governing Queen’s Harbour. The property owner is responsible for the tenant’s compliance with all appropriate rules, regulations, ordinances, etc. The property owner shall notify the Owners Association office and provide a deposit as prescribed in the Leasing Guidelines Policy prior to a tenant being permitted to move into a leased property.
- XVI. **MAINTENANCE OF RESIDENCES AND LOTS:**
 - A. **EXTERIORS, ROOFS AND YARDS:** Home exteriors and roofs must be kept free of mold, mildew and algae. Exterior appearance and paint must be in good condition and the color must be the same as originally or subsequently approved by the ARB. The landscaping and yard must remain substantially in compliance with the originally approved landscaping plan, and lawns and beds must be in kept neat and weed free. Dead trees shall be removed in a timely manner after either the ARB

or Property Manager approves the tree removal. Dead foliage, bushes and grass shall be removed in a timely manner.

- B. LOTS: All lots, including those owned by contractors, must be kept free of unreasonable growth, weeds, and underbrush. Using the standards as prescribed in City of Jacksonville Ordinance 518 as a guide any lot, improved or unimproved, within 100 feet of any improved property on which there exists a building, structure, or other premises occupied by people, shall be deemed to require maintenance if the growth of weeds, grass, underbrush or undergrowth, or other noxious vegetation (but not including trees, plants or other vegetation protected by state law) exceeds a height of 15 inches over the majority of the parcel in accordance with City of Jacksonville Ordinance 518.

XVII. NOISE: All noise, including without limitation, talking, singing, television, radio, record, disc, or tape player or musical instruments, shall not be audible beyond the boundaries of the lot or residence from 11 PM until 7:30 AM. At no time shall noise be a nuisance or unreasonable annoyance to other property owners. The Jacksonville Code establishes maximum levels of noise, and violators can be prosecuted and fined up to \$500.

XVIII. NUISANCES: Nothing shall be done or maintained on any lot or in any dwelling that may be or become an annoyance or nuisance to the other residents of nearby property. Any activity on a lot or in a dwelling, which interferes with television, cable or radio reception at another lot, or dwelling unit is prohibited. The decision of the Board of Directors shall govern whether or not an action is deemed a nuisance.

A. Enforcement procedures for Noise and Nuisances Violations are:

a. 1st Incident

- i. 1st Complaint Report-Controlled Access Officer visits property owner, delivers Noise Violation 1st Notice and instructs property owner to control noise and/or unacceptable behavior. Notice specifies maximum fine limits for continued violation.
- ii. 2nd Complaint Report- Controlled Access Officer re-visits property, delivers Noise Violation 2nd Notice with a fine citation and notification of hearing and notification that any subsequent complaint will result in immediate notification of the Jacksonville Sheriff's Office (JSO).
- iii. 3rd Complaint Report-JSO notified to respond to the property and take appropriate law enforcement action.
- iv. Fine Citation review/fine recommendation by the Board of Directors.

b. 2nd Incident

- i. Follow all procedures outline above for the 1st Incident.

- ii. The Association may impose additional fines and/or suspend bar code access privileges.
- c. 3rd and Subsequent Incident(s) within a running six (6) month period
 - i. Follow all procedures outlined above for the 1st Incident.
 - ii. The Association may impose an additional fine and will suspend bar code access.
 - iii. However, if another incident of such rule non-compliance occurs within 30 days, the resident will incur another period of suspended bar code privilege.

Enforcement will continue until there are no incidences in any 30 day period.

XIX. PARKING: STREETS AND DRIVEWAYS:

- A. **TRAILERS:** No trailers shall be parked on streets. Trailers may be parked in residential driveways for a period not to exceed 72 consecutive hours to allow for loading and unloading.

See Oversized Vehicles and Trailers below for policy regarding guest's vehicles and trailers.

- B. **COMMON PROPERTY AND EMPTY LOTS:** No vehicles or trailers are to be parked on empty lots, nor on Common Property of Queen's Harbour, except in spaces specifically designated for temporary parking, such as at the Community Center. For large parties, meetings, and other gatherings at a private residence, the Property Manager may grant a permit to allow guest parking on designated vacant lots with the Lot owners' permission and/or Common Property.
- C. **DRIVEWAYS:** Property owners or their tenants who own more regular sized automobiles than the garage can accommodate should park them in the driveway in the most inconspicuous manner possible, to avoid being a nuisance to neighbors or detracting from the aesthetics of the community.

No "other vehicles" such as commercial vehicles, trailers, boats, motorcycles, bicycles, golf carts, oversized or special vehicles (see below) are to be parked in driveways except as permitted herein. Any vehicle that is not in operating condition or does not have a current license tag must be parked in the garage or removed from Queen's Harbour. Vehicle repairs must be done in a garage; repairs in driveways or on the street are prohibited.

- D. **OVERSIZED VEHICLES AND TRAILERS:** Vehicles described as extra long vans or campers, motor homes, motor coaches, boat trailers, house trailers, and trailers of any type that are hitched to another vehicle are not permitted to park on streets at any time or in driveways with exceptions as specified below:

- a. Short-term guests of property owner's or their tenants who are driving such vehicles or trailers may park them in the host's driveway for no longer than 5 consecutive days.
 - b. Property owners or their tenants who own such vehicles or trailers are expected to store them in their garages or outside the community. However, these vehicles or trailers may occasionally be parked in the property owners or their tenant's driveway for no more than 72 consecutive hours for loading or unloading. These instances of parking oversized vehicles and trailers in driveways are expected to occur less than four (4) times a year.
- E. **PORTABLE STORAGE UNITS:** No portable storage units shall be parked on streets. Portable storage units may be parked in residential driveways for a period not to exceed 14 days to allow for loading and unloading unless otherwise approved by the Property Manager.
- F. **OBSTRUCTION OF TRAFFIC:** No vehicles and/or trailers of any type may be parked anywhere in Queen's Harbour in a manner that prevents the normal and safe passing and turning of other authorized vehicles, especially emergency vehicles. The Property Manager and/or Controlled Access Personnel are granted authority to tow vehicles in violation without notice at the vehicle owner's expense.
- G. **OVERNIGHT PARKING:** No vehicles are to be parked on streets or other common property between 2 AM and 7 AM without prior approval from the Property Manager.
- a. Enforcement procedures for overnight parking violations are:
 - i. 1st Incident results in a friendly reminder notice to the owner.
 - ii. 2nd Incident results in a 1st Notice of Violation - to property owner to remind them of the rule and specify maximum fine limits for future violation.
 - iii. 3rd Incident results in a fine citation. Review/fine recommendation by the Board of Directors. Imposition of fine by the Board.
 - iv. 4th Incident results in additional fine citation. Review/additional fines recommended by the Board of Directors. Suspension of bar code access lane privileges for 30 days. Warning that future violation could result in towing of vehicles without notice.
 - 1. However, if another incident of such rule non-compliance occurs within a thirty day period, the resident will incur another 30 day suspension of bar code privilege.
 - 2. Enforcement will continue until there are no incidences in any 30 day period.
 - v. 5th and Subsequent Violation within a running six (6)-month period
 - 1. Additional fines

2. Suspension of bar code access privileges
3. Vehicle(s) towed without exception
4. In order to revert back to a non-tow situation, the resident must have six months of no parking on the street violations.

XX. **PARTIES:** For parties, meetings, and other gatherings at private residences where non-resident guests are expected, the host property owner or their tenant shall register all non-resident vehicle drivers using the GateAccess.net website. Instructions on GateAccess for Guests and Vendors can be found on the Queen's Harbour Yacht and Country Club website. Once Logged on select Homeowners, select my POA, select GateAccess at www.qhycc.com/homeowners/my-poa/gate-visitors.

Please note the driver of each vehicle must present a valid driver's license and be a listed guest in order to obtain entry into our community. If your party is large enough to require additional parking beyond the driveway capacity, the host will be responsible for securing parking assistance and all costs of the additional assistance including extra Controlled Access or JSO personnel. The Property Manager may grant a permit to allow temporary guest parking on designated vacant lots with the permission of the Lot owner and/or Common Property. Owners are not permitted to have an "open gate" for an event. Parties may not be held on Queen's Harbour streets or other Common Property unless prior permission is granted in writing from the Property Manager. Party guests are expected to adhere to all rules of the Association.

XXI. **VISIBILITY:** Property owners of improved and unimproved lots must keep shrubbery, trees, grass, and etc. trimmed back to avoid obstructing the view of drivers. Queen's Harbour employees or approved contractors are authorized, if necessary, to go on a lot and perform cutting and trimming at the property owner's expense, if a request to remove the obstruction has not been complied with. City of Jacksonville code prohibits trees and shrubbery within 15 feet of an intersection.

In accordance with the ARB Guidelines, no fence, wall, hedge or shrub planting which obstructs sight lines and elevations between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the right-of-way lines, or in case of rounded property corner, from the intersection of a right-of-way with the edge of a driveway or alley pavement. No trees shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstructions of such sight lines. Likewise, walls and landscaping must not block driveway egress sight lines.

XXII. **REPAIRS AFTER CASUALTIES:** Any owner whose residence is destroyed or damaged by fire or other casualty shall promptly contact the Property Manager for the rules pertaining to clean up and restoration.

XXIII. RESIDENTIAL USE ONLY: All residences and lots shall be used for personal residential living only, except as permitted in the “Work at Home” Section below. No business or commercial building or improvement may be erected on any lot.

A. WORK AT HOME: Only unobtrusive types of businesses that are completely compatible with residential use may be conducted at a residence in Queen’s Harbour if the following rules are complied with:

- i. The business must be clearly incidental and secondary to the residential use of the home, and shall not involve any illegal substances or activities.
- ii. The business shall not require any modification or alteration to the approved architectural design of the residence and grounds.
- iii. There must be no window display, advertising, sign or other identification of the home business that is visible from the street or adjoining property.
- iv. The operation of the business shall not materially increase vehicular or pedestrian traffic over that normally found in the neighborhood, nor will any additional parking be needed or provided.
- v. No noise, dirt, fumes, odor, vibration, etc., which are not normal to residential use, nor greater in intensity or duration than that customarily associated with a residence, shall be emitted as a result of the home business.
- vi. All vehicles associated with work at home must conform to the rules and regulations of Queen’s Harbour.
- vii. The business use shall not involve the storage of flammable, explosive or hazardous materials, except those materials that are stored in compliance with all applicable rules and regulations.

The Board of Directors reserves the right to impose any restrictions that are deemed necessary to preserve the residential character of the community. In short, the home business must be invisible from the outside of the residence.

These work at home rules do not relieve the resident of any obligations to obtain all required governmental approvals and/or permits and applicable insurance.

XXIV. STREET TRAFFIC AND VEHICLES:

- A. GO CARTS, ATV’s, MINI-BIKES, MOTORIZED SKATEBOARDS, MOPEDS, SCOOTERS, and OFF-ROAD VEHICLES which cannot be registered with the DMV: These vehicles are not permitted on Queen’s Harbour streets or other Common Property at any time. The Jacksonville Sheriff’s Office may stop and issue tickets as appropriate to offenders.
- B. GOLF CARTS: Property owners or their tenants age 14 and over are permitted to use personally owned golf carts in Queen’s Harbour. No golf cart shall be placed, parked, or stored on the lawn or driveway of any lot or on any portion of the Common Property. If operated on the streets they must be street legal as defined by Florida Statutes. All carts shall display a Queen’s Harbour identification decal, and decals will not be issued without proof of ownership

and/or lease and proof of liability insurance in accordance with the Board approved Golf Cart Policy.

- C. **SPEED LIMIT:** The Queen's Harbour speed limit is 30 MPH, unless otherwise posted. This speed limit is strictly enforced by the Jacksonville Sheriff's Office.

XXV. SERVICE CONTRACTORS: Companies and individuals that are providing services at properties and homes in Queen's Harbour must comply with all applicable rules and regulations. Service companies and contractors are required to:

- a. have employees wear shirts;
- b. avoid blowing grass clippings in streets, the Lagoon and ponds, and storm water drains;
- c. not block intersections and roadways from access by personal and emergency vehicles.
- d. Contractors are not permitted to work in Queen's Harbour on Sundays and or the following holidays except for emergencies: New Years Eve Day, New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve Day and Christmas Day. Emergencies are defined as life threatening situations, utility emergencies or those incurring significant property damage to adjoining properties or those that will pose a danger to the affected properties (such as sink holes). Construction and service contractors are permitted to be on property from 7:30 AM to 6 PM Monday through Friday and from 8 AM to 5 PM on Saturday.

XXVI. SIDEWALKS: Property owners or their tenants shall not permit any appurtenances, toys, trash containers, shrubbery or other vegetation, or other material to block the normal use of sidewalks and the safety of pedestrians using them. Maintenance of sidewalks on residential property is the responsibility of the property owner. Please see ARB Guidelines, Section III, Architectural Planning Criteria.

XXVII. SIGNS: No signs may be posted on any property, except as provided herein

- a. security decals or small security company signs in the yard;
- b. temporary signs warning of lawn pesticide application; and
- c. "For Sale" and "For Rent" signs that conform to ARB Guidelines, Appendix F.
- d. See Section I Appendix F. Open House Procedure, for Open House sign event rules

XXVIII. SOLICITATIONS: No commercial door-to-door solicitations are permitted. Limited youth organization fundraising activities (for example Girl and Boy Scouts) may only be done by property owners' immediate family members.

XXIX. SWIMMING: Swimming is prohibited at all times in the Lagoon and drainage ponds.

XXX. TEMPORARY STRUCTURES: Temporary structures, such as shacks, sheds or other types of outbuildings are not permitted on any improved or unimproved lots. Children's playhouses, play equipment and other recreational structures may be permitted, but

must have the approval of the ARB (ARB Guidelines, Section II.); No lot or dwelling shall be used for tennis courts or any other sports facility, i.e., putting green, etc.

XXXI. WATERWAYS, MARSH, DRAINAGE SYSTEM AND LAGOON: No person may engage in any activity, which interferes with the Queen's Harbour drainage system (creeks, ditches, dry retention areas, marsh, ponds, swales, etc.). No watercraft is permitted in any part of this system except for the Lagoon. No persons may swim in any portion of this system. No debris or grass clippings shall be placed in the system; and no chemicals or fertilizers are to be released into the system, except by contractors hired by the Association. No water may be removed from the system or Lagoon, except by the Association.

A. BANK EROSION CONTROL: In order to prevent further erosion of the banks of the Lagoon, the following activities are prohibited: swimming, driving vehicles or trailers on the banks and creating unacceptable wave action in the water. All owners of lots on the Lagoon are required to stabilize their banks, and should contact the Owners Association with any questions as to proper erosion management.

B. REGULATORY REQUIREMENTS / PROHIBITIONS: Various government agencies have imposed strict regulations concerning the waters, marshes, drainage system and Lagoon within and abutting the development. All property owners' are bound by these agreements. Property owner's are responsible for the proper management of storm water systems within their own lot, and may be required by the St. Johns River Water Management District ("the District") to provide storm water swales, or other drainage arrangements. All property owners should consult with the Architectural Review Board prior to making any changes to their lot elevation; as such changes may degrade the quality of the drainage or Lagoon, or violate permits. Violators will be fined and/or prosecuted to the fullest extent permitted by law.

XXXII. WELLS: No wells of any kind shall be dug or drilled on any lot.

XXXIII. WINDOW COVERINGS: No reflective window coverings or treatments shall be permitted on any structure in the Queen's Harbour community. Please refer to the ARB Guidelines for acceptable window coverings.

XXXIV. VOLLEYBALL NETS, BADMINTION NETS, AND OTHER SPORT EQUIPMENT: Temporary installation of volleyball nets, badminton nets, and other sports equipment that does not include a court may be temporarily installed in residents backyards for a period not to exceed 72 hours.

Harbour Rules and Regulations

NOTE: Refer to the most recent Harbour Rules and Regulations Booklet, which is designed primarily for Harbour lot residents and for boat owners using The Moorings. Below are Harbour Rules that apply to all residents and guests. The words “Harbour” and “Lagoon” are used interchangeably and both refer to the same body of water.

- I. **ACCESS:** No watercraft may be launched into or removed from the Lagoon except through the Lock. A Lagoon lot owner may, however, launch such a vessel through his own lot provided that no motorized vehicle is used in the launch or retrieval. No person may trespass across a private lot to place a vessel in the Lagoon. Boat owners who are authorized to use The Marina will enter from the Lock.
- II. **FISHING:** Fishing is permitted in the Lagoon from private lots and from most of the Common Property. No fishing is permitted from roadways and bridges. All fish caught must be released back into the Lagoon. Florida State fishing laws also apply.
- III. **GUESTS WITH BOATS:** Residents must notify the Harbormaster at least 12 hours in advance of any guest who wishes to bring a boat into the Lagoon, including vessel’s name, make and size; the owner’s name; and length of stay. Every effort will be made to accommodate the vessel, but berthing space cannot be guaranteed. If the boat is docked at the Marina”, the resident will be billed. Guest vessels must arrive during normal Lock operating hours, unless other prior arrangements have been made with the Harbormaster.
- IV. **SWIMMING:** Swimming is forbidden at all times in the Lagoon.

Community Center Rules and Regulations

The Community Center consists of the facilities and grounds at the front entrance to the Community. The facilities include the multi-purpose room, lanai, tennis pro shop, fitness center, offices, and restrooms. The grounds include the parking lot, tennis courts, pool and pool deck, volleyball court, soccer fields, and playground. The complex is available for Queen's Harbour property owners or their tenants and authorized houseguests. Use of these community facilities and equipment is at your own risk.

- I. **ACCESS:** Access to the Community Center is limited to Queens Harbour property owners or their tenants / guests, persons who have previously paid the appropriate fee to use the facilities, or other individuals previously authorized by Association management. Property owners or their tenants must have paid their assessments, special assessments, dues, fines, and fees before being eligible for access and usage of the Community Center facilities and grounds. No one is permitted to climb the fence to gain admittance. Trespassers will be prosecuted.
- II. **ALCOHOLIC BEVERAGES:** Property owners may bring their own (BYO) alcoholic beverages and serve/consume them at the Community Center **only if:**
 - A. No fee is charged for the alcoholic beverage service or the event.
 - B. All beverages served/consumed at the Community Center are in unbreakable containers. Personal beverage coolers may be used for the transport/storage of personally provided alcoholic beverages provided the beverages are in unbreakable containers.
- III. General use guidelines and Queen's Harbour Alcohol Beverage Policy rules at the Community Center include:
 - 1) Access to the Community Center is limited to Queen's Harbour property owners or their tenants, their guests, and others as approved by the Association. Exclusive use of the multi-purpose room and lanai is limited to those who have previously reserved those areas and paid the appropriate fee for service, or other individuals previously authorized by the Association. Rentals of these areas do not include exclusive use of the community pool. At no time is the use of the Swimming Pool and Pool Deck exclusive
 - 2) Reasonable and proper behavior is required at all times. Abusive and profane language is prohibited. Offenders will be asked to leave the facilities. Strict compliance with applicable alcohol beverage policy rules is required and expected.
 - 3) Alcoholic beverages are prohibited in the Fitness Center at all times.
 - 4) All alcoholic beverages consumed at the Community Center must be in unbreakable containers. Alcoholic beverages originally packaged in glass containers must be transferred by the server(s) at the bar or service area from the glass container to a non-breakable container when being served. Glass containers are prohibited beyond the designated bar or service area.

5) Cups, wrappers and refuse must be placed in trash containers. Each property owner or tenant and their guest is responsible for his or her own cleanup.

6) Alcoholic beverages will not be allowed at the Community Center after 10:00 p.m. or before 9:00 a.m.

- III. BEHAVIOR: Reasonable and proper behavior must be adhered to at all times. Abusive and profane language is prohibited at all times. Offenders will be required to leave the facilities.
- IV. FITNESS CENTER: Only residents, tenants, and their guests age 15 and older may use the Fitness Center. Children ages 15-17 require written parental consent. Children ages 14 and under will only be permitted use of the Fitness Center when attending a designated special program and must be accompanied by an adult.
- V. GARBAGE AND TRASH: Cups, wrappers and refuse must be placed in trash containers. People choosing to smoke must use receptacles for ashes and remains. Each property owner or tenant and their guest is responsible for his or her own cleanup.
- VI. LOSS OF PROPERTY: The Association will not be responsible for any money or property losses sustained by property owners or their tenants or their guests.
- VII. MULTI-PURPOSE ROOM: The Property Manager must authorize use of this room in advance. Controlled Access personnel will not permit admittance to the room after normal business hours without this prior approval.
- VIII. NOISE AND NUISANCES: No loud music or other distractions are permitted in the recreational facilities, except for private parties, which have been approved by the Property Manager and only before 10 PM and after 9 AM.
- IX. PARKING LOT: Any unattended and/or unauthorized vehicle left in the Community Center parking lot over 24 hours is subject to towing at the vehicle owner's expense.
- X. PETS: No animals except for service animals are allowed at the Community Center. (Pet waste can cause the pools to be closed and require draining, cleaning and refilling before reopening.)
- XI. PLAYGROUND: Parents are responsible for the care of and conduct of their children. Children using the playground must be supervised by a person who is at least 16 years of age. Children are not allowed to throw playground cushioning material onto the pool deck. Smoking is prohibited on the playground.
- XII. PRIVATE PARTIES: Any property owner or their tenant intending to use the Multi-Purpose Room for a private party or other type of private gathering must make prior arrangements with the Property Manager and sign the appropriate rental agreements. The Lessor will be responsible for obtaining Life Guard services from the Associations approved contractor for any event in which there are more than 25 guests who will be using the Community Swimming Pool.
- XIII. REST ROOMS: A parent or guardian must accompany small children using these facilities.
- XIV. ROLLER BLADES, ROLLER SKATES, SKATE BOARDS, BICYCLES: The only time that these forms of entertainment or transportation are permitted in any portion of the Community Center, including the parking lot, is when property owners or their tenants are

traveling to and from the Community Center to use the facilities. Skateboards are not permitted at any time because of the potential for damage to facilities.

Pool and Deck Area Rules and Regulations

- I. **GENERAL POOL USE:** The pool is open for daily use year round during specific hours as posted at the Community Center. From May-August during public school summer break lifeguards may be provided during specific hours. From September-April there is no lifeguard on duty; swim at your own risk. Swimming is prohibited after dark.
- II. **GUESTS:** A property owner or their tenant, or property owner's dependant at least 16 years old must accompany dependants under the age of 12 to the pool. Owner's or their tenants who wish to utilize the pool deck area for parties/events must obtain the **WRITTEN APPROVAL** of the Property Manager of the Association in advance when more than 15 guests are expected to attend. Any party or event sponsored by a Property Owner or Tenant having more than 25 guests in attendance requires the Property Owner or Tenant to have one Red Cross or Coast Guard Certified Life Guard on duty for each 25 guests in attendance. Guests of a property owner or their tenant **MAY NOT REMAIN IN THE POOL OR ON COMMUNITY CENTER PROPERTY** if the property owner or their tenant is not present.
- III. **GENERAL RULES & REGULATIONS:**
 - A. Parents are responsible for the care of and conduct of their children. There is no running and/or rough play allowed in the pool/bathroom areas.
 - B. The use of abusive or profane language is strictly prohibited.
 - C. All persons must follow the instructions of the Lifeguard, Controlled Access and all May Management Staff, who is/are in complete charge of the pool area.
 - D. Persons are asked to refrain from wearing bobby pins or similar hair clips in the pool in order to reduce/prevent damage to the pool filters.
 - E. Any person jumping over the fence into or out of the pool area will be restricted **INDEFINITELY** from use of the pool.
 - F. QHYCC reserves the right to refuse admittance to, or eject from the pool premises, any persons failing to comply with any of the above health and safety regulations.
 - G. Anyone yelling, "HELP!" in jest or with malice will be restricted indefinitely from using the pool.
 - H. During cleaning, treatment, and inclement weather no one is allowed in the pool area. The Lifeguard on duty has the final say as to when the pool must be vacated due to inclement weather.
 - I. The Association is not responsible for any money or property losses sustained by property owners or their tenants or their guests.

- J. During times of peak use, flotation devices are not allowed in the pool, with the exception of inflatable rings, 24 inch or less outside diameter, upper arm flotation devices and devices, such as mask fins-snorkel, kick boards which are considered swimming apparel. NO BOOGIE BOARDS.
- K. A lap lane will be designated for lap swimmers. Pool users are not to climb or hang on lap lanes.
- IV. ATTIRE: Swimsuits must be worn in the pool. Cutoffs and/or street clothes are not permitted.
- V. SANITATION: All persons must shower before entering the pool. Any persons known or suspected of having a communicable disease or open wounds shall NOT use the pool.
- VI. DIAPERS: Infants and children of "diaper age" must wear a diaper specifically made for swimming while in the pool. NO EXCEPTIONS. The Diapers must be made of a waterproof material and fit snugly around the legs. Regular diapers are not allowed in the pool area.
- VII. FOOD & DRINK: No glass containers are allowed on the pool deck. All beverages must be in unbreakable containers. Food shall be consumed only in Lanai area. No food will be allowed on the pool deck. GUM is strictly prohibited in pool/food area. All refuse, such as cigarette butts, food wrappers, cans etc. must be placed in the proper trash containers.
- VIII. MUSIC: Sound level shall be regulated so that no music shall be heard beyond the Community Center area.

Soccer Field Rules and Regulations

- I. **AUTHORIZED USE:** Property owners or their tenants are allowed to book the field for team practice 1.5 hours per family, per week. Each booking is for half of the field only. Players six years and younger may be asked to use the grassed in areas at the end of the tennis courts.
- II. **TEAMS:** A complete list of team members and their coaches along with a signed field usage agreement are to be given to the Property Manager prior to the first practice of the season.
Members of the teams who live outside of Queen's Harbour must check in at the Controlled Access gate. Non-resident team members are to leave the Community Center immediately at the conclusion of practice or game. Non-resident team members are limited to use of the field and rest rooms, playground, water fountain, and soda machines.
Damage to the facilities by non-resident team members will be charged to the team sponsor.
- III. **STRAY SOCCER BALL ON THE TENNIS COURT:** Players must remove cleats before retrieving a soccer ball from the tennis courts or walking on the courts for any reason and tennis court fences are not to be used as a backboard for soccer balls.
- IV. **SPECTATORS:** Family members who are spectators must be supervised by their guardians and are limited to the use of the rest rooms, playground, water fountain, and soda machines. The spectator responsible for them must closely supervise children using the playground.
- V. Usage of the Community Swimming Pool is not included in the soccer field usage agreement. Non-resident team members are not permitted usage of the swimming pool.

Tennis Rules and Regulations

- I. **COURT RESERVATIONS:** Tennis court reservations must be made by calling the Tennis Pro Shop or registering through Courtside USA up to one week in advance. Those persons desiring to make court reservations should be aware that the courts are lighted and that the lights run on timers that are set to turn off at 10:00 PM. In addition, court maintenance and watering is done daily between 12:00 PM and 1:00 PM. Court availability is limited during maintenance time.

League Play, as well as Tournaments and other Special Events take precedence over any other tennis play.
- II. **GUEST POLICY:** Guests of all ages are welcome. Guests must be registered prior to going onto the court. A Guest Fee will be charged for any guest.
- III. **SIGN IN:** All property owners, property owner tenants, and guests desiring to use the tennis courts are required to sign in at the Pro Shop before beginning play when the Pro Shop is open.
- IV. **TENNIS DRESS REQUIREMENTS:** Proper tennis attire is required at all times. Only smooth sole tennis shoes may be worn onto the courts.
- V. **TIME LIMITS:** When there are persons waiting to play, play is strictly limited to 90 minutes for singles and 2 hours for doubles. The QH Tennis Director is empowered to enforce this rule.

Fitness Center Rules and Regulations

UPDATE 2/13/17

- I. GENERAL: The Queens Harbour Fitness Center is a family friendly facility. The staff reserves the right to ask any patron who is acting in an obscene or profane manner or wearing graphically obscene or profane clothing to leave the facility.
 - A. All residents are requested to go through an orientation and fitness assessment to ensure proper operation of equipment and performance of exercises.
 - B. The fitness center is for the exclusive use of residents and in-house guests of residents only. **Non-residents are not permitted to use the fitness center facilities, equipment or classes.**
 - C. The Fitness Center staff is granted the right to prohibit use of the Fitness Center to any individual who is unruly or using loud, obnoxious or profane language. Smoking will not be permitted inside the Fitness Center or on the premises.
 - D. All fitness related instructors/personal trainers shall be provided exclusively by the designated Fitness Center management company.
 - E. All users of the Fitness Center must agree to and sign a liability waiver prior to using the facilities.

- II. ATTIRE:
 - A. Proper footwear and comfortable, non-revealing clothing must be worn when using the Fitness Center. Graphically obscene or profane language printed on clothing is prohibited.
 - B. Wet swimsuits are not allowed to be worn in the Fitness Center at any time.

- III. EQUIPMENT:
 - A. The equipment is available on a first come, first serve basis.
 - B. Unless no one else is waiting maximum time allowed on aerobic equipment (treadmills, bikes, and elliptical trainers) is 30 minutes. This ensures that everyone has the opportunity for a cardiovascular workout.
 - C. Equipment shall not be removed from the Fitness Center at any time for any reason.
 - D. Residents using free weights are to use spotters for assistance and safety.
 - E. Weights must not be dropped on the floor at any time.
 - F. Plates and Dumbbells must be replaced on the racks after use.

G. Machines must be wiped off after use with provided sanitizing spray.

IV. FOOD & DRINK:

A. Food or uncovered drinks are not allowed in the exercise areas.

B. Alcoholic beverages are not allowed in the Fitness Center

V. CHILDREN:

A. Children under the age of 11 are not permitted in the Fitness Center.

B. Children ages 12-15 year of age must be supervised by an adult (18 or older) at all times when using the equipment or when they are attending a group exercise class.

C. Members 16 years and up have unlimited use of the Fitness Center equipment.

VI. RESIDENT IN-HOUSE OUT OF TOWN GUESTS:

A. Each household is allowed 12 individual out of town guest visits per calendar year. An in-house out of town guest is defined as an out of town guest that is temporarily staying at a resident house. In-house out of town guest visits are limited to 4 guests at one visit time. **Residents' friends or family that live in the Jacksonville Metro area can not be considered in-house guests.**

B. The In-House out of town Guest Out of town Guest must register at the Fitness Center with the name and address of the resident they are staying with.

C. After 12 in-house out of town guest visits are used the In-House out of town Guest fee is \$10.00 per person per visit. Cash and checks are accepted. Fitness Center rules.

D. All residents and their guests must register upon entering the Fitness Center and abide by these Rules and Regulations.

E. It is the resident's responsibility to inform In-House Guests of all policies prescribed for the Fitness Center.

Rules Enforcement Procedures

- I. **BACKGROUND:** The original Rules and Regulations were codified in November 1989, as part of the Declaration that was signed and approved when the community was established. All rights, remedies and enforcement procedures set forth in the Declaration may be invoked to assure compliance with these Rules and the Declaration's provisions for the payment of assessments.

Subsequent to the recording of the Declaration, Florida Statute 720 was adopted, which outline the obligations of Association members, and provides for certain remedies for violations, including the levy of fines and suspension of certain use rights. The Declaration has been amended consistent with this Statute's provisions regarding the Association's right to establish and enforce rules.

The amended Declaration's provisions with respect to enforcement of rules and regulations are also similar to the practices of other deed restricted communities in the Jacksonville area.

- II. **APPLICABILITY:** All property owners, their tenants and their guests are expected to comply with the Rules and Regulations, and are subject to the enforcement procedures described briefly below. The procedures listed below apply to all rules and regulations of Queen's Harbour.
- III. **VIOLATIONS:** Violations are to be reported to the Property Manager's office in order to maintain appropriate written records. Violators will be contacted by the Property Manager and requested to correct the violation. If the violation continues, the Property Manager will notify the violator that formal procedures are to be implemented to enforce the Declaration and these Rules and Regulations.
- A. **Fines / Administrative Sanctions:** Fines and/or administrative sanctions may be imposed with at least 14 days written notice to the violator and an opportunity is provided for a hearing before a Fines and Appeals Hearing Committee (FAHC), duly appointed by the Board of Directors.
 - B. **Appeals:** Property owners or their tenants who violate the Queen's Harbour rules will be permitted to explain any mitigating circumstances or other facts to the Fines and Appeals Hearing Committee (a group of their peers) before any final fine (if any) is imposed or before other action is taken.
 - C. **Determination of Fines/Sanctions:** The Board of Directors has approved guidelines for fines, which are listed at the end of this section for reference. The Fine Guidelines may be amended from time to time at the discretion of the Board.

The Board of Directors is authorized to recommend fines within the limitations of the Fine Guidelines, taking into consideration the facts and circumstances of each specific violation. The Fines and Appeals Hearing Committee, by majority vote, will either confirm or reject a fine levied by the Board of Directors.
 - D. **Habitual Violations:** A habitual violation is defined as more than three (3)

violations of an individual rule within a consecutive six (6) month period. For any Property Owner deemed to be in habitual violation of the Association rules or who fails to pay outstanding fines within a 90 day period, or cumulative fines for a specific type violation that exceeds the maximum fine amount, the Board may suspend all amenities usage privileges i.e. bar codes, tennis courts, fitness center, swimming pool.

- IV. **ASSESSMENTS:** The Board of Directors may impose administrative sanctions or suspension of privileges for failure to pay assessments or charges that are due to the Association. If any assessment obligations or charges are not paid within 90 days, the use of the bar code-controlled electronic gate may be denied. The Board may also suspend the voting rights of property owners, use of the Lock and the use of the Community Center amenities by a property owner or their tenants, their family members, guests or invitees. Suspensions under this section are not subject to the 14 day notice and hearing opportunity requirements. Accounts may also be referred to the Associations attorney for legal collection action.
- V. **VIOLATION OF CIVIL LAW:** When appropriate, the Jacksonville Sheriff's Office will be called to handle violations of civil laws and statutes.
- VI. **FINE SCHEDULE:** Property owners or their tenants need to understand that the fines listed on the next pages are the maximum amounts that Board of Directors is permitted to levy for each occurrence of a violation of the rules. The recommended fines confirmed or rejected – depending upon the circumstances and other factors such as the severity and/or the repetitiveness of the violation.

MAXIMUM FINE GUIDELINES FOR PROPERTY OWNER VIOLATION OF COVENANTS/RESTRICTIONS/RULES

Rule Violation	Maximum Fine per Occurrence**
ARB Rules:	
Exterior changes to home or landscape without approval	\$100/ day until submitted for approval/removed
Cut down trees without approval	\$100/ day until mitigated
Dumping trash or debris on POA property or vacant lot	\$100/ day until debris removed
Dumping trash or debris in the lagoon	\$100/day until debris removed
Animals and Pets	\$100
Bonfires	\$100
Dumping into Drainage System	\$100/day until cleaned up
Garbage, Recycling, Lawn Debris	\$100
Golf Course Lot Restrictions	\$100
Guest Passes	\$100
Hazardous Materials	\$100/day until removed
Insurance Coverage	\$100/day
Leasing of Property	\$100/day
Maintenance of Exterior & Lawn	\$100/day until corrected
Underbrush and Weeds	\$100/day until corrected
Marsh & Creek Restrictions	\$100/day until mitigated
Noise	\$100
Nuisance	\$100
Obstruction of Traffic & View	\$100/day
Parking:	
Boats and Boat Trailers	\$100/day
Common Property & Empty Lots	\$100/day
Driveways – “Other Vehicles”	\$100/day
Guests	\$100/day
Long-Term	\$100/day
Living in Parked Vehicles	\$100/day
Near Intersection	\$100/day
Non-Operational Vehicles	\$100/day
On Streets	\$100/day

Overnight	\$100/day
Oversized Vehicles	\$100/day
Trailers	\$100/day
Trucks	\$100/day
Unlicensed Vehicles	\$100/day
Parties	\$100
Repairs After Casualties	\$100/day
Residential Use & Work At Home	\$100/day
Service Contractors	\$100
Sidewalks	\$100/day until corrected
Signs	\$100/day until removed
Solicitation	\$100
Swimming In Lagoon or Drainage System	\$100
Traffic Regulations	\$100
Restricting Flow of Traffic at the Controlled Access Gate	\$100
Vehicles:	
Commercial	\$100/day of violation
Go Carts, Etc.	\$100
Unregistered Golf Carts	\$100
Inoperative Vehicles	\$100/day until removed
Motorcycles	\$100
Repairs to Vehicles	\$100
Storage of Vehicles	\$100/day of violation
Vans	\$100/day of violation
Waterways & Drainage System:	
Bank Preservation	\$100/day until corrected
Comply With Laws & Permits	\$100/day of non- compliance
Wells	\$100/day
Window Coverings	\$100
Harbour Rules And Regulations:	
Access	\$100
Bank Preservation	\$100/day until corrected
Chemicals and Fertilizers	\$100
Continuous Mooring	\$100/day of violation
Debris, Lawn Clippings	\$100
Discharge of Illegal Materials	\$100
Fishing (catch and release permitted)	\$100
Fueling	\$100
Guests With Unauthorized Boats	\$100/day of violation

Living on Boat (See Harbor Rules) \$100/day

Violation of Rule as Shown	Maximum Fine per Occurrence**
Major Repairs	\$100/day of violation
Register With Harbormaster	\$100/day until registered
Speed Limits	\$100
Storage	\$100/day of unauthorized storage
Swimming lagoon or drainage system	\$100
Trespassing on QH Property	\$100
Treat Employees & Others With Respect	\$100
Community Center, Pool, Soccer & Tennis Rules & Regulations	\$100

****Property owners or their tenants need to understand that the fines listed above are the maximum amounts that the Board of Directors is permitted to levy for violations of the rules. The recommended fines could be confirmed or rejected by the hearing committee.**