

**RULES AND REGULATIONS
FOR
RIVER CLUB AT CARLTON COMMUNITY ASSOCIATION INC.**

River Club at Carlton Community Association, Inc. is a Florida not-for-profit corporation with the responsibility for enforcing the Declaration of Protective Covenants and Restrictions and maintaining the common property. River Club is a deed restrictive community and the covenants that control activities within the community are found in a document that is in excess of 90 pages and recorded in the Public Records of Indian River County.

The Rules and Regulations for River Club are, to some extent, a compilation of some of the requirements of that Declaration, but also include rules adopted by the Board with the assistance of a Committee of owners to carry out the requirements of the Declaration. Some of the rules are within the sound discretion of the Board of Directors and may be subject to change from time to time, such as the rules governing use of the pool or suites or the clubhouse. However, restrictions in the Declaration are not discretionary and the Board has no ability to modify their terms. It is only by a vote of the membership that those kinds of restrictions can be changed.

Whenever you have rules and regulations, you will have questions about how you can enforce those rules. Failing voluntary compliance, the Association does have the ability to levy fines and/or to suspend the rights to use the common facilities. The suspension process is subject to the requirements of Florida law, which include the right of the alleged violator to appear before a committee of his or her peers who are independent of the Board, and that committee has final say on whether or not the recommended penalty is imposed. In a particularly egregious situation, the legal process is available. The very best enforcement process is when the members of the community “buy into” the community restrictions whether in the covenants or in the rules and folks work together. The real purpose of covenants, restrictions and rules is to protect property values and preserve the character of the community which, of course, is the ultimate purpose of having a community association like the River Club at Carlton.

SWIM CLUB AND YACHT CLUB POOLS

1. All persons using the pools do so at their own risk.
2. Pool and pool area hours are from dawn to dusk at the Swim Club Pool. Yacht Club Pool hours are 8:00 AM - 9:00 PM.

3. All persons must shower before entering the pools or spas.
4. No diving into the pool is permitted.
5. Limits on using the pools:
 - A. Children under the age of fourteen (14) may not use the pools or spa unless under the supervision of an adult who is present at the pool.
 - B. All persons using the pools and spa who are not toilet trained must wear swim diapers.
6. Radios and other electronic devices at the pools must be limited to use with earphones.
7. Owners may not invite guests who are not residing in the Suites or in their personal residence to use the pools unless accompanied by the owner.
8. Use of toys and other activity shall not interfere with the comfort of others using the pool.
9. No pets, except for Service Animals, are permitted within the fenced pool areas.
10. Pool safety and cleaning devices are for maintenance and emergency use only and are not to be used or removed for any other purpose at any time.
11. Food is permitted; drinks are permitted in securely sealed containers.
12. Glass is not permitted.
13. Owners are responsible for cleaning their pool area:
 - A. Closing umbrellas, straightening chairs and chaises
 - B. Removing trash
 - C. Turning off spa
 - D. Replacing spa cover when appropriate

SWIM CLUB

1. Footwear and shirts, or cover-ups, shall be worn at all times by persons, including children, in the clubroom.
2. Dripping wet clothing and bathing suits are not permitted.
3. Children under fourteen (14) shall be accompanied by an adult while in the clubroom area.
4. Ice maker ice is primarily for clubroom use only, and filling of large ice chests is not permitted.
5. Use of the clubhouse for private events must be pre-arranged with the Management Company of River Club. When approved, the reservation date is to be posted on the Clubhouse bulletin board. It is the responsibility of the host of the party to completely clean the Clubhouse by noon of the day following any party.
6. Any cost incurred for cleaning and/or repair for any damage will be charged to the host of the party.

7. The refrigerator and freezer are primarily for the use of persons using the clubroom or holding authorized events. Items needed for authorized events may be placed in the refrigerator or freezer 48 hours prior to the event and may remain there until 24 hours after the event. Temporary, day use of the refrigerator is allowed for persons while at the beach or at the pool. All items placed in the refrigerator or freezer are placed at your own risk. Do not disturb food or beverages left by others.
8. If furniture has been moved, all disturbed items should be replaced in the proper location.
9. When exiting the Swim Club, ensure the door is locked.

FITNESS CENTER

1. Use of equipment is at user's own risk.
2. Food is not permitted. Drinks in securely sealed, non-glass containers are permissible.
3. Equipment shall be sanitized with provided disinfectant and wiped dry after use.
4. Persons under the age of fourteen (14) are not permitted in the facility and may not use the equipment.

TENNIS COURT

1. Court is available to owners and their guests from dawn to dusk. Owners may not invite guests who are not residing in the Suites or in their personal residence to use the tennis courts unless accompanied by the owner.
2. The court may be used whenever it is available; however, those with a reservation have priority.
3. Two hours of court time may be reserved on the sign-up calendar at the Swim Club.
4. Unless accompanied by an owner, the minimum age to use the tennis court is fourteen (14).
5. Appropriate tennis footwear and clothing are required for all players.

KAYAK OPERATIONS WHEN AREA IS AVAILABLE

1. All owners must register their kayak(s) with the management company and affix a River Club decal to their kayak in order to utilize the kayak dock area, even if owners are not assigned a kayak storage rack. Registration will require a signature of each owner on the River Club Kayak Storage and Usage Agreement. No owner may utilize the area unless the storage and usage agreement is signed and received by the management company.

2. Due to the limited availability of space, only owners and their guests shall be permitted to utilize the kayak dock area of the Yacht Club. A guest, for purposes of utilizing the kayak dock area, is limited to those guests staying with owners in their homes or at the suites.
3. Only owners with an assigned and designated kayak space may be permitted to store a kayak on site. Unless an owner is assigned a storage space, owners and guests are required to remove their kayaks and all peripheral items including paddles, life vests, etc. from Yacht Club property immediately after use.
4. Usage of the kayak dock area will not be permitted following a serious weather event until the Management Company has determined that the dock area is safe to resume operation.
5. Kayak usage is limited to the hours between sunrise and sunset.
6. Owners and their guests shall limit noise in the kayak dock and storage areas to avoid disrupting any suite guests.
7. Owners and their guests shall dispose of all litter properly and no glass bottles or containers are permitted in the kayak dock or storage areas.
8. Owners and their guests assume all liability for their use of the kayak dock and storage areas and release and hold harmless River Club including the association of owners, officers, directors and members of all relevant boards or committees. River Club makes no representation concerning usage by any person of the kayak dock and storage areas.
9. Owners and their guests must abide by all laws promulgated for kayak usage by the State of Florida.

YACHT CLUB GUEST SUITES

1. Guest Suites are for the use of owners and their guests. Host owners must be in residence during the stay of their guests.
2. Reservations shall be made by the host owner with Paola Alvarado at Elliott Merrill Community Management via email at paolaa@elliottmerrill.com.
 - A. Reservations will be accepted on a first come, first serve basis, at least seven (7) days and no more than 6 months in advance.
 - B. If a reservation is cancelled by the host owner after a payment is made, a full refund will be made if the cancellation occurs at least three (3) weeks prior to the stay. Otherwise a 75% refund will be made.
 - C. Payment varies by suite (\$450.00 or \$600.00) per seven (7) day period or part thereof, and covers cleaning and overhead. Check shall be made payable to "River Club Community Association", and remitted to Paola Alvarado, Elliott Merrill Community Management, 835 20th Place, Vero Beach, FL 32960. (Credit card will not be accepted).

3. Check-in time is 4:00 PM, and check-out time is 11:00 AM. The host owner shall pick up Suite keys from the Guard House on the day of arrival and return the keys on the day of departure. The host owner will be charged \$50.00 per room for lost keys.
4. Host owner will be financially responsible for any damage or theft to the Suites during the period utilized by their guests. A room inventory will be provided with the keys. Any discrepancies noted shall be immediately reported to Paola Alvarado at Elliott Merrill (772-569-9853, ext 206).
5. General Rules:
 - A. No pets of any kind are permitted in the Suites or Common areas.
 - B. Suites are smoke-free and a \$100.00 cleaning charge will be assessed for violation of this policy.
 - C. A Visitor's Pass must be displayed in the vehicle windshield at all times.
6. Main Kitchen
 - A. Guests may use the main kitchen refrigerator and appliances; however, residents of River Club may also be using these facilities as well as the Clubhouse, pool, and spa.
 - B. Clubhouse common room must be kept neat and clean; no personal articles are to be left behind.
 - C. Remove personal food items from freezer/refrigerator prior to vacating suite.
 - D. All garbage should be placed in the main kitchen trash container.
7. Owners will have the responsibility of ensuring common courtesies will be extended to all guests. A courteous noise level in common areas, pool, deck, spa and Suites must be maintained at all times.

VEHICLES AND PARKING-From Schedule A to By-Laws

The following restrictions apply irrespective of whether the Properties in question lie with areas owned by or dedicated to governmental entity:

This section describes certain vehicles that are prohibited from entering Corporation Property and that are not entitled to park anywhere on Corporation property. However, if a vehicle is listed in Rule 3D (Exceptions) below, then such vehicle shall be allowed to park on designated parking areas of the Corporation property during the times indicated, irrespective of what is stated in the rules. No parking or driving shall be permitted on any grass or landscaped areas at any time, whether specifically set forth below or not. For the purposes of this Rule Vehicles and Parking, the parking restrictions established hereby shall not be applicable to private, assigned garage parking spaces.

1. Prohibited Vehicles-No commercial vehicle, trailer, boat, camper, van or truck (other than passenger pick-up trucks, sport utility vehicles, family-style vans, and other passenger vehicles used for personal transportation and which do not exceed the size of one (1) parking space) shall be permitted to park on any portion of the Corporation Property, except as the Board may designate for such use by appropriate rules and regulations, such as in the marina area or other designated areas. The Board may adopt further rules and regulations from time to time regulating and limiting the size, weight, type, place and manner of operation of vehicles on Corporation Property.
2. Golf Carts-Golf carts are permitted to be parked on Corporation property and their use is encouraged.
3. Exceptions-The following vehicles shall not be subject to the parking restrictions contained above, and shall be entitled to park within designated areas for parking in the Corporation Property, subject to restrictions and provisions contained in rules below:
 - A. Moving Vans-Moving vans shall be permitted to park on paved areas of the Corporation property for the purpose of loading and/or unloading, but only for the time period during which said loading and/or unloading is taking place. At no time shall moving vans be permitted on Corporation property during the hours of 8:00 PM to 8:00 AM. Our rules say on property from 0800-1730.
 - B. Maintenance Vehicles-Maintenance vehicles, regardless of classification, necessary for the maintenance, care or protection of property within River Club at Carlton Community, shall be permitted on Corporation Property during regular business hours, but only for the time period during which such maintenance, care or protection is being provided.
 - C. Service and Delivery Vehicles-Service and delivery vehicles, regardless of classification, are permitted on Corporation Property during regular business hours, but only for that period of time to render the service or delivery in question.
 - D. Vehicles for Handicapped Persons-Vehicles for handicapped persons are permitted on Corporation property at any time. For the purposes of this sub-item, the term "handicapped" is defined by any fair housing law.
 - E. Other Permitted Vans-Subject to the provisions above, a two (2) axle van as described hereinafter is permitted to be parked on Corporation property so long as such vehicle:
 - I. Does not contain any exterior commercial identification markings.
 - II. Does not exceed the manufacturer's standard height, width and length for the vehicle.
 - III. Complies with the following window limitations: the vehicle must contain windows on:

- a) The rear of the vehicle.
 - b) On both sides of the vehicle adjacent to the first row of seating.
 - c) At least one (1) set of windows on each side of the vehicle beyond the windows adjacent to the first row of seating.
- F. Vehicles Owner or Controlled by Developer-Vehicles used in connection with Developer's construction, marketing, sale or leasing activities are permitted on the Corporation Property at any time.
- G. Police and Fire Safety Vehicles-Police and fire safety vehicles are permitted on Corporation property at any time.
4. Non-Garage Parking-Only Recreation Members, Guests, Visitors and Invitees shall be permitted to park outside of garages.
5. Classifications and Definitions-The following classifications and definitions shall govern the above rules:
- A. The most current edition of the N.A.D.A. Official Used Car Guide ("Guide") shall determine the classification of whether a vehicle is a truck or van, or whether it is a passenger automobile. If the Guide does not contain reference to a particular vehicle, then the manufacturer's classification shall control. If publication of the Guide shall be discontinued, an equivalent publication shall be selected by the Board to be used to determine vehicle classifications hereunder. Except as otherwise provided as to certain vans under Rule 3E above, a State registration or title classification shall have no bearing on determination of the classifications under the Rules.
 - B. A "commercial vehicle" shall mean any motor vehicle which has an outward appearance of being used in connection with business such as: the vehicle displays work equipment to view and/or is commercial lettered or contains a commercial or business logo. Actual use of the vehicle shall not be considered; only its outward appearance shall be considered.
 - C. A "truck" shall mean any motor vehicle classified as a truck in accordance with Rule 5A above.
 - D. A "van" shall mean any motor vehicle classified as a van in accordance with Rule 5A above and recognized by the manufacturer to be a type of a van, and which has two (2) axles.
6. Restrictions on Use-The following restrictions also apply:
- A. No repair (including changing of oil) of a vehicle shall be made on Corporation Property except for minor repairs necessary to permit removal of a vehicle, unless they are made in Unit's garage with the garage door closed. However, washing, detailing or waxing of a vehicle is permitted on designated areas of the Corporation Property. Notwithstanding the foregoing, activities associated with boat use and maintenance within designated areas shall be permitted as the Board shall determine from time to time.

- B. No motor vehicle, including moving vans, shall be parked at any time on the grass or landscaped areas of the Corporation Property (except for landscaping equipment at the direction of the Board).
- 7. Removal of Vehicles-There will be times where vehicles must be removed from the parking areas to accommodate maintenance, repairs or replacement of the parking areas on Corporation Property. Upon reasonable notice from the Corporation that the foregoing will occur, each Owner, Occupant, Guest and invitee shall remove their vehicle for the time period requested, or be in violation of this provision.
- 8. Alternative/Concurrent Remedies-Whether or not the Corporation exercises the Corporation's right to have a vehicle in violation of these Rules towed, the Corporation shall nonetheless have the right to seek compliance with the Rules by injunctive and other relief through the courts and/or any other remedy conferred upon the Corporation by law or by the River Club at Carlton Community Documents. The Corporation's right to tow shall in no way be a condition precedent to any other remedies available to the Corporation incident to the enforcement of the Rules.

SECURITY AND ENTRANCEWAYS

- 1. No vendor will be allowed access to the Community prior to 7:30 AM Monday through Saturday. Vendors must be off site by 5:30 PM. Vendors for emergency repairs may be given access at any time.
- 2. Moving vans will not be allowed access before 8:00 AM Monday through Saturday and offloaded/off property by 5:30 PM. No moving vans will be allowed access on Sunday, New Year's Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- 3. Do not give third party users personal access codes or remote controls for front and back gates.
- 4. When using pedestrian gates, ensure gate is closed and secured after entrance/exit. Do not give pedestrian gate access code to people who are not residents, tenants, or guests of residents or tenants.
- 5. RFID (Radio Frequency Identification) and Remote Control devices for access to the community have the following policies:
 - A. Owners must register their vehicle(s) to secure RFID stickers and remote control transmitters. Registration is completed through an application and a copy of the vehicle(s) registration.
 - i. Owners receive RFID stickers and remote control devices for the number of cars a) they currently own, and b) for which they have on site garage space.
 - ii. When a vehicle is replaced, reapplication is necessary.

- iii. A fee is charged a) to replace lost stickers or remotes or b) transferring sticker or remote to a new vehicle.
- B. Owners may not convey RFID stickers or transmitters to family members or service providers who do not reside at River Club. These individuals must stop at the gate house or use the after hours call box for access to the community.

GARBAGE/RECYCLE

1. All garbage must be secured in plastic bags, deposited in garbage containers with secure lids, and placed at end of driveway no earlier than 6:00 PM the evening prior.
2. All garbage containers must be returned out of sight by 6:00 PM on the day of pick up.
3. Recycle containers must have secure lids and placed at end of driveway no earlier than 6:00 PM the evening prior.
4. Recycle containers must be returned out of sight by 6:00 PM on the day of pick up.
5. Yard debris should not be placed on curb from 12:00 PM (noon) on Friday to Monday morning 6:00 AM.

PETS

Domestic Pets, defined as fish, small (caged) domestic birds, hamsters, gerbils, small turtles, guinea pigs, rabbits, dogs and cats are permitted subject to the following:

- A. Dogs and cats must have an identification tag with owner's name and phone number, at a minimum.
- B. Pets shall not be a nuisance to neighbors while walking or at any other time because of noisy, aggressive, destructive or other undesirable behavior.
- C. Dogs and cats must be on a leash or in an appropriate enclosure while outdoors.
- D. The owner or other responsible individual (an attendant) must accompany any pet walking in the Community.
 - i. The attendant for each pet walking in the Community shall remove and properly dispose of any solid waste produced by the pet.
 - ii. The attendant and owner of any pet shall be strictly liable for damages caused by the pet.
- E. Notify law enforcement when your pet is lost.
- F. Any right of an owner to keep a pet may be revoked at the sole discretion of the Board if the pet should create or become a nuisance.
- G. Pets are Not permitted in the Swim Club, Yacht Club, Fitness Center, Guest Suites and Pool areas except for Registered Service Animals.

LAWN SIGNS AND/OR ADVERTISING SIGNS

Advertising signs, including but not limited to real estate signs, leaflets, petitions or other written materials, shall not be distributed or displayed within the Community. Notwithstanding, the foregoing shall not apply to the preferred builders. All preferred builder signage must be approved by the ADR Committee in advance of its display.

GARAGE SALES

Garage type sales, including Estate Sales, moving sales and auctions shall not be permitted. Exceptions may include situations where a professionally managed sale is conducted (by appointment only), with prior Board of Director's approval. An application must be made to the Board at least thirty (30) days prior to the sale. The Board shall have sole discretion to permit such professionally managed sale.

RESIDENTIAL IMPROVEMENTS/ADR APPROVAL AND REVIEW

Without the prior written approval of all aspects of construction and landscaping projects (including, but not limited to, the nature, style, shape, height, materials, size, location, layout and exterior color) by the Architectural Design Review Committee (ADR), no person shall:

- A. Construct, erect, install, alter, modify, renovate, remove or demolish any structure, improvement or addition of any type or nature on or to any non-condominium Dwelling Unit, including but not limited to buildings, houses, patios, porches, swimming pools, hot tubs, mechanical and electrical equipment, driveways, walkways, fences, walls, temporary or permanent signs, sewers, drains, or other improvements; or
- B. Plant, remove, alter, or modify any grass, trees, shrubs, landscaping or other vegetation on any non-condominium Dwelling Unit unless ADR approval is not required under Section 8.2.2.2 or any Corporate Easements; or
- C. Change or alter to any degree the grades of any non-condominium Dwelling Unit or Corporate Easements.

A., B., and C. are collectively defined as "Improvements" or an "Improvement."

Depending on the complexity and size of the project, the applicant should provide ample time for review and approval.

All procedures for review and approval of construction or landscape projects are found in the ADR Guidelines. A copy of those Guidelines can be downloaded from the

Community Website or obtained from the Management Company at mikeg@elliottmerrill.com.

GENERAL

1. The Board shall be solely responsible for directing and supervising employees of the Corporation.
2. No disturbing noises shall be permitted on the Corporation Property, nor shall any person's conduct interfere with the rights, comforts or conveniences of Owners, guests, invitees and occupants.
3. No flammable, combustible or explosive fluids, chemicals or substances shall be kept in any Dwelling Unit or on Corporation Property, except as the board may designate for such use by appropriate rules and regulations, such as in the marina area or other designated areas.
4. No exterior antennae, other than satellite dishes of no more than two (2) square feet of surface area that are screened from view, shall be permitted on buildings or improvements.

HARDSCAPE RUST REMOVAL

Homeowners using well water for irrigating their property are required to clean rust from driveways, sidewalks, roadways, mailboxes, lamp posts and fences on their property, Comcast cable box covers, landscape, and home walls. Failure to do so, and after appropriate notice from Elliott Merrill, the Management Company will arrange for rust removal. The homeowner will be financially responsible and invoiced directly for this service.

Note: helpful advice on rust mitigation and cleaning can be found on website:

http://www.elliottmerrill.com/riverclub/document/18424027rc_rust_working_group_final_feb_2019.pdf?23715

VARIANCES

The Board shall be permitted (but not required) to grant variances to one or more owners from specific rules upon written requests for such relief and good cause shown in the sole opinion of the Board. Variances are not expected to be common, and any granting of a variance is not a waiver of any rule or the right to enforce such rule. In the case of any dispute about the meaning or interpretation of any rule, a decision of the Board shall be final.