

AMENDED AND RESTATED RULES AND REGULATIONS
(Effective January 28, 2021)

SEAGROVE PROPERTY OWNERS ASSOCIATION, INC.

WHEREAS, the Declaration of Covenants and Restrictions for Seagrove (North) and Seagrove (South) Subdivisions (referred to as “Seagrove” or “Seagrove Property Owners Association, Inc.”) authorizes the Seagrove Property Owners’ Association, Inc. (the “Association”) to promulgate Rules and Regulations; and

WHEREAS, the Rules and Regulations have been amended and restated from time to time, and provided to owners, renters, and prospective owners in Seagrove:

NOW THEREFORE, the Board of Directors (the “Board”) of the Association hereby:

- (a) Amends and restates the Rules and Regulations (the “Rules”) of Seagrove Oceanside as set forth below, superseding and replacing all prior Rules and Regulations;
- (b) Establishes a fine of \$100.00 per day for the violation of any Association document, including these Rules, with imposition of any fine being in accordance with the Florida “Homeowners’ Association Act”.

1. RESIDENTIAL USE.

- (a) The properties subject to the Seagrove Declaration of Covenants and Restrictions are intended for residential living units and for no other purpose. No business structure or fixture, no commercial building, and no conversion of an existing residential structure may be erected or maintained on any lot. No business, including the sale of products and services, or the manufacture or storage of items for commercial sale, may be conducted on any lot.
- (b) Home Office exception. A resident may maintain a home office for business or personal purposes. It is not permitted for any such business activity to include or attract to Seagrove any business invitees, employees, contractors, commercial or service vendors, or customers or clients of any type.

2. INVITEE RESTRICTION.

Seagrove streets and beach access walks are not open to public use or access and are restricted to the use and enjoyment of residents of the community and to reasonable numbers of their nonresident guests and visitors (“invitees”). Common areas, including the beach accesses, are for residents, their families and invitees only. Invitees are not allowed solely for the purpose of using the Seagrove Beach and Common areas. Invitees must be identified to the entry gate control personnel (“Access Control”) prior to admission. The identification may be by telephone (or in person) at the time of admission, or by telephone or written list prior to admission as described in this Rule. Unless so identified, a resident’s invitees will not be permitted to enter Seagrove. If a resident has requested that Access Control not telephone the resident, and the resident’s invitee has not been identified to Access Control as described in this Rule, the invitee will not be admitted.

No more than four (4) invitees may be identified to Access Control by telephone. If more than four (4) invitees are to be identified for a scheduled function, the names must be submitted to Access Control in writing at least twenty-four (24) hours before admission. In addition, standing written lists of invitees may be maintained, identifying up to twenty (20) individuals and up to ten (10) businesses for each lot. Residents may seek assistance from the Management Company with setting up on-line or smartphone mobile app access for ease of informing Access Control of any other guests, vendors, or invitees that are expected.

3. SPEED AND TRAFFIC REGULATIONS.

Residents, their invitees, their contractors and service personnel are required to adhere to the 15 MPH maximum speed limit while driving motorized vehicles within the Seagrove community. They are also required to comply with all traffic control devices and rules as otherwise required by the State of Florida Uniform Traffic Control Laws. Failure to comply can, at the sole discretion of the Board, result in any and all disciplinary action including, but not limited to, fines and loss of gate access privileges, including loss of bar-code access. Such disciplinary action will be against the homeowner involved, even if the driving violation was committed by a visitor, renter, or family member. Violations by contractors, service personnel and delivery drivers will result in disciplinary actions against the offending contractor, service personnel or delivery drivers.

4. STREET PARKING AND BEACH ACCESS RESTRICTIONS.

Residents and their invitees are requested to park vehicles inside garages whenever possible. When necessary to temporarily park vehicles on the streets, vehicles must not obstruct, hinder or constrict use of the streets or driveway entrances, or restrict access to fire hydrants or mailboxes. No overnight parking on streets is permitted.

Travel to beach access walks must be by foot or bicycle, or automobile drop-off. Parking of vehicles of any kind on streets, vacant lots or lawns while using beach walks is prohibited. Riding of bicycles, tricycles, roller blades, skateboards and all other vehicles are prohibited on beach access walks. Use of vehicles required by persons with disabilities is allowed.

5. OCCUPANCY RESTRICTION.

(a) **Approval Required.** To preserve the single family residential character of Seagrove, property owners, whether individuals, corporations, partnerships or any other type of legal entity, may not allow use or occupancy of their residences by another person or group of persons, for any reasons or purpose whatsoever including, but not limited to, renting to individuals or through time sharing plans or agencies, for any period of time without first obtaining the written approval of the Association. Except as set forth in paragraph 5(c), after submission of application forms specified by the Board, the Association can approve turning over occupancy of a residence to a non-owner for a period no less than eighty-eight (88) days and no more than three hundred sixty-five (365) days. Longer occupancy requires resubmission and approval of the application forms. Once a change of occupancy begins, another one cannot begin within the next three hundred sixty-five (365) days.

(b) **Conditions on Changes in Occupancy.** Applications to the Association for changes in occupancy must be received in writing by the Management Company no less than fifteen (15) days before commencement of the change in occupancy, and include:

1. Payment of outstanding fees, if any, and all assessments that are due prior to the first day of the occupancy;
2. A statement from the property owner, with confirmation from the Management Company, that there are no unresolved Association or

ARC rule violations or other issues concerning the property about which the owner had been notified in writing;

3. Written agreement by the property owner to indemnify the Association for any damage to Association property or common property done by the occupying persons;
4. A statement by the occupying persons that they will abide by the governing documents of Seagrove, including the Architectural Review Criteria and the Rules and Regulations. The Seagrove Rules and Regulations will be provided to the occupying persons for this purpose;
5. A copy of the lease or occupation document; and
6. Identification of the occupier's vehicles for the purpose of controlling access, and identification of any animals. The Board may request references concerning the occupying persons. Occupancy is not permitted until all documents enumerated in this paragraph 5(b) have been furnished and the Board has approved the request in writing.

The Management Company has the right to conduct any investigations of proposed occupiers that are allowed by law.

(c) **Family Use.** The use of a residence by an immediate family member of a property owner does not require approval of the Association under this Rule.

6. VEHICLES AND SAFETY.

- (a) These resident-owned or operated, and guest-owned or operated, vehicles may enter Seagrove:
 1. Four-wheel cars, pick-up trucks, minivans and sports utility vehicles; or
 2. Subject to paragraphs 6(b) and (c), motorcycles, mopeds, noiseless electric or battery-operated scooters or skateboards.
- (b) Other resident-owned or operated, or guest-owned or operated vehicles are prohibited, including but not limited to: any commercial vehicle (as indicated by commercial lettering, storage racks, mechanical boxes, or

other commercial apparatus), any vehicle with more than two axles and and/or more than two tires per axle, any vehicle exceeding four wheels, boats, trailers, golf carts, motor homes, all-terrain vehicles, and racing vehicles.

- (c) No motorcycle or moped may be ridden in Seagrove. A motorcycle or moped may be walked between the gatehouse and a residence. The motorcycle or moped must be garaged if parked or stored in Seagrove.
- (d) Only the following electric or electric-assisted vehicles are allowed on Seagrove roads: noiseless electric battery powered upright or stand-up scooters or skateboards, provided they are operated during daylight hours in a safe manner; and bicycles with an electric assist motor with no more than ½ horsepower (500 watts).
- (e) All vehicles must obey community traffic and speed limits.
- (f) No maintenance or repair, except for routine washing or polishing, flat tire changing or battery charging may be performed on any motor vehicle within Seagrove. No unfinished work, parts or components may be left outside a garage overnight.
- (g) Vehicles used by service companies or construction companies making deliveries to residences or constructions sites may enter Seagrove under the terms and conditions set forth in paragraphs 8 and 9 of these Rules.

7. CONTRACTORS.

Contractor access and activity is subject to these Rules and the Association's Architectural Review Criteria.

8. WORK TIME, DELIVERIES, AND OTHER ACCESS RESTRICTIONS.

- (a) Except for work performed by owners or residents, no maintenance or service work inside or outside of buildings is allowed before 7:30 a.m. nor after 5:00 p.m. on weekdays, nor at any time on Saturday, Sunday, Christmas Day, New Year's Day, Memorial Day, Fourth of July, Labor Day or Thanksgiving Day. One exception to this rule is that pool service and landscaping work can be conducted between 7:30 am and noon on Saturdays when necessary to catch up scheduled work delayed by heavy rains during the same week. Another

exception to this rule is for indoor housekeeping, pet sitting, pet walking and catering services, which can be performed at any time. Work by owners or residents must be done at reasonable noise levels and at reasonable hours.

(b) All contractor personnel must leave Seagrove by 5:00 p.m. No truck deliveries of any kind shall be made after 5:00 p.m. on any day, except for special mail and package deliveries, which are covered by paragraph 8(c) below. The Board of Directors of the Association may, on request, allow entrance of service personnel and equipment to accommodate a resident with after-hours or emergency repairs, deliveries, or pick-ups.

(c) The following rules apply to package deliveries:

1. The Association will maintain and periodically update a list of the delivery companies that will be allowed on Seagrove roads – companies such as the U.S. Postal Service, Fedex, UPS, DHL, Amazon Prime, and local grocery stores and florists.
2. A vehicle marked with the name of the Association-approved company will be admitted by Access Control automatically.
3. The driver of an unmarked vehicle claiming to work for an Association-approved company will be admitted if in possession of: an ID with his or her name and the name of the Association-approved company; or a package associated with that company that is addressed to a Seagrove resident.
4. Any vehicle that does not qualify under clause (2) or (3) of this paragraph 8(c) must have authorization from the homeowner receiving the package in order to be admitted to Seagrove roads. That authorization can be obtained by a call to the homeowner by Access Control, or it can be obtained in advance by having the homeowner call Access Control. The homeowner can also place that delivery company a “standing written list” as per paragraph 2 above.
5. Access Control will leave a voice message for any homeowner whose package could not be delivered because of this Rule.

(d) Limousine, taxi and ride sharing service vehicles will not be admitted to Seagrove roads without Access Control receiving authorization from the homeowner requesting (or whose invitee is requesting) the vehicle.

(e) This Rule applies to moving vans and trucks, whether driven by the owner, the owner's friend or a moving company, and to portable household storage containers. Such moving vans and trucks may be allowed on a Saturday which is not a holiday between 8 a.m. and 5 p.m. with approval of the Board and moving vans may remain in Seagrove after 5 p.m. on weekdays when necessary to complete loading or unloading. Such moving vans and trucks may not remain overnight. The Board may approve the placement on a lot of portable household storage units in connection with a move. The units may not remain on the lot for more than four (4) consecutive 24-hour periods for each move in or out of a residence. The units cannot be placed on common property.

9. TRUCK SIZE AND WEIGHT RESTRICTIONS

(a) Except as provided in paragraph 9(b), trucks cannot exceed any of these limits:

1. Delivery box trucks: 28 feet in length, 8 feet in width, 12 feet, 6 inches in height;
2. Delivery trucks with a single axle trailer and a single drive axle tractor: 28 feet in length, 8 feet, 6 inches in width, 13 feet 6 inches in height, 11 feet in overall tractor length.

(b) Larger vehicles may be permitted to enter if their entry would not present any risk of damage to Seagrove roads, common property, trees, or a homeowner's property. Requests for entry of larger vehicles under this paragraph must be submitted at least 48 hours in advance to the Architectural Review Committee. Unless specifically approved by the Committee, vehicles which exceed the limits in paragraph 9(a) will be refused entry. Committee approval may be conditioned upon reasonable conditions concerning routing, time of entry, and escorting to prevent damage.

(c) Regardless of compliance with the size restrictions, a truck may be refused entry if the guard on duty concludes that its weight or unusual configuration presents a possible risk of damage to Seagrove roads, common property, trees, or a homeowner's property.

10. MAINTENANCE OF PROPERTY.

Undeveloped Lots. Rubbish, vegetation, or other waste may not be dumped or stored in any lot. No resident or contractor may burn any type of trash or construction materials on any lot at any time. Undeveloped lots must be mowed and kept in proper condition at all times. No weeds, underbrush or other unsightly growth is permitted to grow or remain upon any lot and no refuse pile or unsightly objects shall be placed or allowed to remain on any lot on common area. If a property owner fails to keep a lot free of weeds, underbrush, refuse piles or other unsightly growth or objects, the Association may enter upon the lot and remove the debris and such entry shall not be deemed a trespass. All costs incurred by the Association shall be assessable against the lot.

Exterior Maintenance of Residences. Proper maintenance of a residence is a requirement of the Seagrove Declaration of Covenants and Restrictions. In order to preserve the visual characteristics and aesthetic quality of the community, property owners are required to perform periodic maintenance on their residences and associated structures. Such maintenance includes, but is not limited to, painting, general repair, driveway and deck cleaning, roof and gutter cleaning, pool cleaning, and fence repair. Any damage to a property and associated structures, due to weather, fire or other causes, must be repaired within ninety (90) days unless authorized by the Architectural Review Committee.

Landscaping. Landscaping that is visible from the street must be maintained, including regular lawn maintenance, irrigation, shrubbery trimming and periodic replacements. Flowerbeds must be properly cleaned of weeds and dead floral material and either mulched or surrounded with stones. Palm trees must be trimmed every year, including the removal of dead fronds, seed pods and coconuts. For safety reasons, the latter must be removed before they start to fall. All trees and vegetation must be trimmed sufficiently to allow trucks and other vehicles to pass without striking them.

As to landscaping that is not visible from the street, fences must be landscaped according to standards set by the Architectural Review Committee. Invasive exotic vegetation which threatens to spread to other properties or common areas must be removed. The list of such invasive exotic species includes: Brazilian peppers; Australian pines; apple balsam; melaleuca trees; earpod trees; and China berry trees. From time to time, the Board may amend the list of invasive exotic species.

11. SIGNS, TAPE, REFLECTORS, ROCKS AND OTHER MARKINGS.

Except as authorized by the Architectural Review Committee or as required by law, no sign of any kind shall be displayed to the public view on any lot except for signs displaying "OPEN HOUSE" (together with the name of the Real Estate Company), "Notice of Commencement of Construction" or "Construction Permit" (issued by Indian River County). The "OPEN HOUSE" sign shall not exceed four square feet and can be displayed only on the specific lot and only during the time the homeowner or his or her designated representative is in attendance at the residence. Small signs of the type customarily placed by home security companies are allowed. No other signs are permitted on lots, on common areas, or on A1A at the entrance to the Seagrove community.

No sign, tape, stone, reflector or other marking may be placed on or near a Seagrove roadway (within the right-of-way) without prior approval of the Architectural Review Committee.

12. NUISANCES.

No activity or condition, including, but not limited to, noise, may be undertaken by a guest or resident that may constitute a nuisance. In the event of a nuisance-related dispute between parties that they cannot resolve themselves, the dispute may be submitted to the Board of Directors. All interested parties shall have an opportunity to be heard, after which the Board shall render a written decision. The Board's decision shall be a final resolution.

13. BOARDING UP.

Residents may shutter the sides and rear of their homes during hurricane season (June 1st to November 30th) provided those sides and rear are not street facing. If concerned about an approaching storm, residents on their own initiative may elect to shutter their homes completely, but street-facing shutters must be taken down within 14 days of placement unless a Hurricane Watch or Warning issued by the National Weather Service is in effect for the Seagrove area. If a hurricane has struck the Seagrove area, the shutters may be kept up 14 days after the end of the storm regardless of when they were put up. Shutters which are visually indistinguishable from the residence, i.e., clear panels, are permitted at any time.

14. TOOLS/STORAGE/OUTBUILDINGS.

No tool, storage or out-building shall be located on a portion of a lot separate and apart from the residential dwelling.

15. ANIMALS

No animals shall be kept or maintained on any part of the property except dogs and cats, as well as birds and small animals that can be kept indoors. Animals must be for the pleasure and use of the occupants, and not for any commercial use or purpose. All animals must be kept under control by means of a leash or other restraint control at all times when outside of an enclosure, and must not become a danger or a nuisance, by barking or other activity, nor permitted to intrude upon the property of others. Animals under leash or other restraint control are permitted on common property. Animal excrement must be removed immediately by the animal's owner from common area and from the property of others. The maximum allowable number of dogs, cats, small birds and small indoor animals is two of each. Residents with animals shall comply with all ordinances and/or regulations of Indian River County, Florida, that are applicable to their animals.

16. RECREATIONAL EQUIPMENT.

- (a) When not being used, recreational, sporting and/or children's play equipment must be stored in the garage or at the rear of the residence so that they cannot be seen from the street.

(b) In no event shall such equipment be used in a common area.

(c) Basketball hoops, whether permanent or portable, shall be allowed to remain in the front driveway so long as they are affixed to a pole, are properly maintained and not used in the common areas. Portable hoops must be stored within a structure at any time Indian River County, Florida, is under a Hurricane Watch or Warning, or if not in use for a period of ninety (90) days or more.

17. GARBAGE/YARD WASTE/TRASH CONTAINERS.

All garbage/trash shall be kept in sanitary, covered containers and, except on pick-up days, must be placed in a garage or an area where the containers are not visible from the adjoining house or from the street. If a homeowner's schedule does not permit stowage of containers as specified by this Rule, the homeowner is asked to seek help from a neighbor or hire someone to assure compliance with the Rule.

Landscaping debris that meets the trash company's standards for size and method of containment may be left out by the street the night before its scheduled pickup.

Furniture and other large items may be left out by the street during the time window specified by the trash company for pick up. (Requires prior arrangement by the homeowner with the trash company.)

No other refuse items may be out and visible from the street.

18. CLOTHES DRYING.

Only that portion of a lot which is not visible from the street may be used as a drying or hanging area for laundry of any kind.

19. LIGHTING

All residents must provide lighting directed toward street area from dusk until dawn unless such lighting would be in violation of County regulations with respect to sea turtles. Such lighting should be provided from post lights, if present. If no post lamp is present and is not required by Architectural Review Committee rules, lighting should be provided by some other means, such as landscape lighting, porch lighting or spotlights.