

## THE SHORES COMMUNITY GUIDELINES

Introduction: This document contains summarized information on The Shores' current Declaration of Covenants, By-laws and ARB documents, as well as rules and regulations approved by the Board of Directors and documented in minutes of Board meetings. This information can be a starting point and owners are encouraged to review those documents for a complete understanding.

### GENERAL

**The Shores portal** – Our portal requires your user ID and password. If you need them, contact Elliott Merrill.

**Electronic voting** – The Shores uses a third-party electronic voting system as an alternative to paper mailings. It has proven to be secure, efficient and cost effective since we began using it in late 2019. Owners opt in to use this system. You can opt in by contacting Paola at Elliott Merrill who will provide you with the proper forms. You can opt out at any time. If you do not opt to use this, you will be provided with the requisite paper documents and ballots. The Board of Directors encourages electronic voting.

**Speed Limit** – The speed limit throughout the entire community is 15 mph. While observing the speed limit - WATCH FOR CHILDREN, WALKERS AND BICYCLISTS.

**Construction, Maintenance and Service** – The hours for construction, maintenance and service vehicles to be in The Shores are Monday through Friday 7:30 a.m. - 5:00 p.m. These vehicles are to use the west gate, which is for construction, maintenance and service vehicles only.

All construction, service, and maintenance on property in The Shores must be done between 7:30 a.m. and 5:00 p.m. on weekdays. With the exception noted below for Vendor Access on Saturday, no work is permitted on Saturdays, Sundays or holidays (New Year's Day, Memorial Day, Independence Day observed, Labor Day, Thanksgiving Day and Christmas Day).

Access to The Shores outside the approved days and time listed above by emergency home service or maintenance personnel must be pre-approved

by a Board member. If no Board member can be reached, the resident shall inform the control access personnel that no Board member was available and the emergency service person should be given entrance.

For a home service or maintenance emergency between 11:00 p.m. and 7:00 a.m. when no control access personnel is on duty, the resident will, of course, have to grant access to the service person as they would to a guest coming in at that time.

### **Vendor Access on Saturday**

The following procedure is **REQUIRED** for any and all Saturday work within The Shores community.

A Saturday Work Form must be completed and approved by the ARB before any work commences on a Saturday. The form is available on The Shores portal or by contacting Elliott Merrill.

The following are restrictions associated with Saturday work within The Shores and must be respected. If these restrictions are violated it could result in the vendor being asked to terminate work and leave the property.

- Work must be done between the hours of 9:00 a.m. to 4:00 p.m.
- The work performed must be done indoors **only** – no exterior work. No work should create any noise which might disturb neighbors.
- Vendors will enter and exit through The Shores **main gates**. Vehicles too large to enter via the main gate entrance may enter through the commercial gate with Access Control personnel approval.
- Vendors must park on the owner's driveway and **not** on the street.
- No vendor Saturday access will be allowed on holidays as described in this document and as restricted by ARB Planning Criteria.
- This vendor Saturday work accommodation for Shores owners is not intended to facilitate new construction or home renovation work.

**Little Free Library** - This is a place where we share books with our Shores neighbors – “take a book, leave a book”. Books can be fiction, non-fiction, for adults or for children. Please do not leave books outside the box or discard unwanted books that you or someone you know wouldn't want to read. The box is located in front of the tennis court gate.

**Pets** - All dogs must be kept under control at all times and on a leash when not on the Owner's lot. Owners must pick up after their pet(s). In addition to being in The Shores By-laws and Covenants, this is also a statute of the Town of Indian River Shores.

### **Neighbor to Neighbor Communication**

The Shores property owners have created a beautiful and neighbor friendly community. Communication and respect are highly valued. Therefore, when issues arise between property owners, neighbors are encouraged to work together to resolve any dispute.

Examples:

- **Outdoor lighting:** Owners are strongly encouraged to not let their outdoor lighting shine onto or into a neighbor's home. If this happens, neighbors should discuss what might be a good solution for both properties.
- **Tree trimming:** Whenever the branches of an owner's tree overhangs onto another owner's property, before any pruning is done, owners should speak with each other and decide the best course of action. This should result in healthy trees and lovely aesthetics.
- **Dogs:** All owners should clean up after their pets. If a neighbor notices this not happening, it is the right course of action to mention this to the pet owner. Also, a dog's incessant barking can cause a problem for neighbors. It is appropriate for the offended neighbor to work out a solution with the dog's owner

Your Board of Directors and ARB Committee are here to help. However, neighbors working together to solve a problem is always the best solution.

**The Shores Property Owners Association** - The Annual General Meeting for all Property Owners is held each year in January. Board of Directors Meetings are held as required. Meeting schedule for the year is on the portal. Notices are posted at the gatehouse. Board meeting agendas and minutes are sent to owners. Owners are invited to attend all meetings. The Shores Property Owners Association fees are payable quarterly: January 1, April 1, July 1, and October 1.

## SECURITY

One of the benefits of our community is that we maintain security through using access control staff at the gatehouse from 7:00 a.m. to 11:00 p.m. To facilitate identification of residents you should obtain from Elliott Merrill a Shores resident sticker for each of your vehicles and display this identification on your windshield. Stopping at the entrance gate as a courtesy provides the control access staff with the opportunity to ensure that reasonable controlled access is maintained. If you have family or guests planning to stay beyond 24 hours, you can request the control access staff give a pass to your guest.

Please inform control access personnel, in advance, of the expected arrival of your guests and service personnel. This will speed up their entry, as the person on duty at the gatehouse will not have to phone you for entry permission. For frequent guests and service personnel, you should add them to your Permanent Guest/Service Personnel list. Forms can be obtained on The Shores portal, from Elliott Merrill or at the gatehouse.

Please inform gatehouse personnel when you will be away for an extended period of time. A written notification is requested.

Property owners may have keys kept at the gatehouse in the locked key box. The keys are not labeled with owner's name or address. A logbook is kept for key control. All requests to the gatehouse to use the key to your home must be in writing.

Gate entry when control access person is not on duty:

- Owners, tenants, and guests will enter The Shores through the gates at the main entrance between the hours of 11:00 p.m. to 7:00 a.m. when no control access person is on duty. All owners are given 'clickers' for entry, as well as an entry code to use at the entry keypad.
- Tenants are given entry codes to use during their lease term.
- Guests entering The Shores when access control is not on duty should use the following directions for entry:
  - Locate your name on the keypad, enter the three digits corresponding to your name into the system. This will call your telephone.

- When you answer your phone and know it is okay for them to enter, press the 9 key on your phone. The gate opens immediately.
- If you are not home, the guest must use your code or your clicker.
- Contact Elliott Merrill if you have problems or questions, or if you need your current or a new entry code. Entry codes are not on file at the gatehouse.

## MAINTAINING OUR COMMUNITY

This section contains some of the key covenants and restrictions that apply to all property owners in The Shores community. It is not a complete list of obligations as detailed in the amended version of our documents; however, it should provide a general understanding of some of our individual responsibilities as property owners.

- Residents are encouraged to retain and preserve the lush natural vegetation of The Shores.
- Nothing shall be done or maintained on any lot that may be an annoyance or nuisance to the neighborhood.
- All lots are to be kept free of weeds, unsightly growth, and refuse.
- All new storm shutters must be approved by the Architecture Review Board (ARB) before installation. Approved colors are white, clear and the color of the house. Storm shutters may be installed and remain in place from June 1 to November 30 in any year.
- All individually hired architects, general contractors and landscape designers/contractors require prior approval of the ARB.
- New construction requires a conference with ARB, prior to completion of the home's design plans.
- Any changes to existing homes require approval of the ARB. This includes changes to exterior paint colors, changes in driveway material, and any remodeling that impacts the home's exterior design. Forms are available on our portal or from Elliott Merrill.
- All construction, repairs, and maintenance on properties in The Shores must be done between 7:30 a.m. and 5:00 p.m. on weekdays. See General Section of this document for more detail.
- The Town of Indian River Shores requires the following procedures to be followed when emptying a pool
  - Homeowner is required to neutralize the pool by adding sodium thiosulphate (Na<sub>2</sub>S<sub>2</sub>O<sub>2</sub>) to the pool water.
  - The pool water should be emptied onto property owner's yard. It should **not** be emptied into the community lake.

## **PROCEDURES USED FOR INFRACTIONS OF THE SHORES DOCUMENTS**

Article III, section 5 and Article VII, section 5 of The Shores Declaration of Covenants specifically grant the Board the right to impose reasonable monetary fines and other sanctions. Monetary fines may be collected and property foreclosed as provided in the Declaration. In addition, Article V, section 3 outlines the process which the Board shall use when a property owner is not properly maintaining property in The Shores. Included is a written communication to the property owner and 15 days for the owner to comply before action is taken by the Board at the owner's expense for corrective action plus fine. See The Shores Documents for a complete understanding of this topic.

### **PROHIBITIONS**

- No commercial venture (including manufacturing or offering goods for sale), at any home which involves direct visitation of customers, employees, or tradesmen.
- No signs of any kind, including “For Sale” signs or for a sales open house are permitted.
- No tents, vans, or storage buildings on any lot.
- No topographical changes without ARB permission. Forms are available on our portal or from Elliott Merrill. The ARB Guidelines are on The Shores portal.
- No window or wall air conditioners.
- No docks or power boats on the interior waterways.
- No artificial vegetation, except artificial grass approved by the ARB.
- Trash containers, pool equipment, air conditioners and generators must not be visible from the street. The above must be fenced and landscaped.
- No aerials, antennas, or satellite dishes should be visible from the street.
- No removal of trees with trunks in excess of four (4) inches when measured five (5) feet from the ground.
- Garage doors must be kept closed.

## **USE OF LAKE WATER FOR PRIVATE IRRIGATION**

The Lake Committee urges owners who use lake water for private irrigation to be cautious when the lake water level is low. The concentration of salinity could be high and damage lawns and ornamental plantings. In addition, silt could compromise your irrigation system. When lake level is extremely low, owners are encouraged to use an alternate source of irrigation.

Owners using lake water for private irrigation should also note that The Shores does not endorse nor encourage using lake water for private irrigation. All irrigation from the lake system is done independently and The Shores will be held harmless from any and all damages from the use of lake water.

## **POST-HURRICANE CLEAN UP PROCESS**

Approved by Shores Board of Directors on December 21, 2016  
Published in meeting minutes

- Contractors will begin cleanup after the all clear is given by Indian River Shores Public Safety Department.
- Shores POA landscape contractor will immediately begin clean-up along Shores community roads. The contractor will remove all debris from roads and common areas.
- Please note NO debris from private property is to be placed on common areas of the community.
- Shores residents are to gather debris from private property and place on the edge of their property by the road as close to the driveway as possible.
- All debris must be placed at the end of the driveway within 7 (seven) days after the storm. After that date all debris from private property will be the owner's responsibility to remove.

# THE SHORES ARB MEETING GUIDELINES

## April 2015

Florida statutes require Architectural Review Boards (ARB) to:

- post notices of ARB meetings
- allow POA members to attend the meetings
- keep minutes of those meetings.

The committee members do not have to follow those formalities when they are reviewing plans and specifications, visiting a construction site or making comments.

However, the approval or disapproval of an application needs to be made at a properly noticed committee meeting\* by a majority vote of the ARB committee

Florida Statute §720.303(2)(a) addresses this issue. It reads as follows:

“A meeting of the board of directors of an association occurs whenever a quorum of the board gathers to conduct association business. Meetings of the board must be open to all members, except for meetings between the board and its attorney with respect to proposed or pending litigation where the contents of the discussion would otherwise be governed by the attorney-client privilege. A meeting of the board must be held at a location that is accessible to a physically handicapped person if requested by a physically handicapped person who has a right to attend the meeting. The provisions of this subsection shall also apply to the meetings of any committee or other similar body when a final decision will be made regarding the expenditure of association funds and to meetings of any body vested with the power to approve or disapprove architectural decisions with respect to a specific parcel of residential property owned by a member of the community.”

The committee can only vote at a meeting. Committee Members do not have to attend the meeting in person. They may attend by telephone, Skype, or other electronic means as long as everyone in attendance at the location of the meeting can hear



what they are saying and they can hear everything said at the meeting location.

The Shores Board of Directors has passed a policy that if an application for approval has already been approved in The Shores for specific requests, then it becomes an automatic administrative function that can be handled by the ARB Chair and does not require a meeting. Only when the Committee members are using their independent judgment to make a decision applicable to a specific parcel of property is a meeting necessary.

**NOTE:**

*These guidelines were approved by the 2015 Shores Board of Directors with the input of the Shores HOA lawyer Chuck McKinnon April 2015.*

*\* a properly posted ARB committee meeting will be signed at the Shores Gatehouse and an agenda will be placed in the gatehouse window. As well, Owners will receive notice of the meeting along with an agenda by email or by post if prearranged by an Owner.*

## **THE SHORES VEHICLE POLICY**

### Owner's Vehicles:

Motorized owner vehicles allowed into The Shores on a regular basis include automobiles, SUVs and non-commercial pickups (no lettering or identification on the pickup). All other owner vehicles that are to be driven into The Shores must be preapproved by a board member for temporary entrance. Temporary entrance means that if a vehicle, other than the three described above, shall be given temporary entrance to The Shores and that entrance will not include an overnight stay in The Shores. In all cases, if a temporary entrance is permitted, then the vehicle which will be permitted temporarily must be parked on the owner's property and on their driveway. Parking on the road will not be allowed.

Two wheeled motorbikes and mopeds shall be permitted in The Shores. The wheels of such vehicles shall not exceed 17 inches in diameter. The maximum speed attainable by such vehicles shall not exceed 45 mph. The horsepower shall not exceed 5 ½ hp.

Motorcycles that are to be garaged on a permanent basis (this means the motorcycle will not be used for regular transportation) may be driven to the

owner's property and then garaged. Motorcycles are not allowed in The Shores if they are to be used for regular transportation.

Owner vehicles or other modes of transportation that are not allowed in The Shores (Board approval required for exception) include:

- Buses
- Boats and boat trailers
- Campers, mobile homes, motor homes, or other recreational vehicles
- Off road vehicles, dune buggies, motorized go karts
- Owner owned commercial vehicles
- Pickups and vans that too large to be parked in the resident's garage

#### Commercial Vehicles:

NO semi-truck or large moving vans are allowed in The Shores at any time

Maximum size of the truck allowed in The Shores is:

- No longer than 26 feet including the cab. Tight turning radius does not permit longer trucks.
- No higher than 13 feet. This is to protect tree limbs.
- No heavier than 40,000 pounds which includes the load. This is to protect the bridges.

Other regulations:

- Air brakes are not permitted in The Shores.
- Gatehouse personnel have the discretion to forbid loud vehicles into The Shores.

Off-loading: For alternate parking, call Indian River Public Safety Department.

**REALTOR PREVIEWS  
AND PUBLIC OPEN HOUSE POLICIES**  
**Clarification of Realtor Previews of Home for Sale**  
(in Vero Beach known as Office Caravans)

Realtor Previews of homes for sale are announced by Internet to Vero Beach-based realtors and typically are held on Thursday morning from 10:00 a.m. to noon. They are hosted by the listing broker. Below is a clarification and the process for this at The Shores.

Definitions:

- A "Realtor Preview/Office Caravan" is a specific date and time where Vero Beach-based realtors can view a home which is or will be listed for sale.

- The "home owner's broker/agent" is the person selected by the owner to list and sell the home or that person's designee. If the home owner wishes the broker/agent to have access to the home without the owner contacting the guard house each time, the home owner will have requested the broker/agent to be on their "permanent guest list" by writing to Elliott Merrill with the person's name, company and telephone number. The written instruction may be delivered to the gate house for expediency. If the owner wishes the broker/agent to grant access to others on the owner's behalf, this request would be in that written communication.

Process:

1. The home owner or the home owner's broker/agent (if delegation is in place) will advise the guards of the date and time for the Realtor Preview/Office Caravan at least one day before it occurs.

2. The Realtor Preview/Office Caravan is for Vero Beach-based brokers/agents who are currently affiliated with a local registered realty company. Prospective buyers are not invited, but, by exception, may accompany an invited broker/agent.

3. Brokers/agents are required to leave a business card at the gate house upon entrance to The Shores.

4. Parking will be in the driveway of the home for sale. Any overflow will be expected to practice courtesy. To facilitate adequate parking, ride-sharing is encouraged.

5. Signs for the event are not permitted.

## **The Shores “Home for Sale” Open Houses**

Open Houses will only be allowed between the hours of 12:00 p.m. and 4:00 p.m. on Sundays. The Owner or their Agent must notify the appropriate administrative assistant at the Association’s Management Company no less than four (4) days in advance of an Open House. An Open House requires the following:

1. An appropriate advertisement in the local media.
2. A copy of the advertisement to the Association’s Management Company. The Association’s Management Company will contact the access control personnel so that they will be prepared to greet anyone coming to the Open House. The control access personnel will note the license plate and name of anyone coming to an Open House.
3. The Owner or their Agent must provide appropriate maps or directions for the access control officer to give to the Open House visitor.
4. The Shores does not permit Realtor open house signs in The Shores, on Old Winter Beach Road or Highway A1A. In lieu thereof, The Shores has available for broker use generic “Shores, Open House” signs for placement on those rights-of-way. The signs are available at The Shores gate house and are to be returned there after use.