

# FOREST CREEK CONDOMINIUM ASSOCIATION

## RULES & REGULATIONS

### SUMMARY OF COVENANTS, RESTRICTIONS, AND RESOLUTIONS



This document is merely a summary of portions of our Declarations of Condominium for your convenience. Please refer to our full Declaration of Condominium of Forest Creek, A Condominium for full listing of all restrictions. *Document # 2003407205 Filed and recorded 12/16/2003 Duval County Circuit Court.*

It is very important that homeowners are courteous of their neighbors when living in a condominium. It is imperative that all homeowners read their governing documents.

These documents are in place to protect the integrity of the community and to protect property values.

The fastest way to bring down property values is to not adhere to the covenants and restrictions. If a property is well maintained, the values will continue to appreciate.

Any requests to alter any common or limited common elements requires submission of an ARB (Architectural Review Board) request form which can be found under "documents" at

[www.forestcreekjax.com](http://www.forestcreekjax.com)

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## Animals / Pets (17.5)

A Home Owner and/or resident is permitted to keep up to two (2) dogs or two (2) cats or one (1) dog and one (1) cat; however, under no circumstances will any dog whose breed is noted for its viciousness or ill-temper in particular, the "Pit Bull" (as hereinafter defined), Rottweiler, Mastiff, Presa Canario, or any crossbreeds of such breeds, be permitted on any portion of the Condominium Property.

- No exotic pet or any animal of any kind which has venom or poisonous defense or capture mechanisms, or if let loose would constitute vermin, shall be allowed on any portion of the Condominium Property.
- Pets may not be kept, bred, or maintained for any commercial purpose.
- Any pet must be temporarily caged, carried, or kept on a leash when outside of a Home.
- No pet shall be kept tied outside a Home or on any Balcony or Common Covered Porch, unless someone is present in the Home.
- A Home Owner shall immediately pick up and remove any solid animal waste deposited by his pet.

## Antenna, Aerial and Satellite Dish (17.9.)

- No outside television, radio, or other electronic towers, aerials, antennae, satellite dishes or device shall be erected, constructed, placed, or permitted to remain on any portion of the Condominium Property unless expressly approved in writing by the Association.
  - For more information, please refer to the Board resolution on this subject.

## Assessments (5.3-5.4)

- An Owner who fails to timely pay any Neighborhood Assessment shall be charged a late charge by the Association for such late Neighborhood Assessment in an amount not to exceed the maximum amount permitted by the Act.
- Owners shall be responsible to pay all legal fees (including but not limited to, attorney and paralegal fees and court costs) incurred in connection with the collection of late Neighborhood Assessments whether or not an action at law to collect said Neighborhood Assessment and foreclose the Association's lien has been commenced.
- The Association may charge an administrative fee in addition to any interest charged in accordance with the Declaration in an amount not to exceed the greater of \$25.00 or five percent (5%) of each installment that the payment is late.
- Any payment received by the Association shall be applied first to any interest accrued by the Association, then to any administrative late fee, then to any court costs and reasonable attorney's fees incurred in collection, and then to the delinquent assessment.
- The amount of fines may be increased by the Board in its sole discretion

## Delinquent Assessment Collection Policy (Resolution adopted 2017)

- For more information, please refer to the Board resolution on this subject.

## Board Meetings (4.1.3 – 3.13)

- Meetings of the Board shall be open to all Members.
- Members shall have the right to participate in meetings with reference to all designated agenda items in accordance with the rules and regulations.
- All Board meetings shall be conducted in the English language.
- In addition, any Member may tape record or videotape a meeting in accordance with the rules and regulations.

## Meeting Notifications (resolution adopted 2014)

- Notice for all meetings of the membership and all meetings of the board of directors where non-emergency special assessments or rules regarding the use of unites will be considered shall be posted on the notice board located at the mailbox area not less than fourteen (14) continuous days prior to any such meeting
- Notice for all regular meetings of the board of directors shall be posted on the notice board not less than forty-eight (48) continuous hours prior to any such meeting
- The association is responsible for posting of all required notices in the designated location
  - For more information, please refer to the Board resolution on this subject.

## Garbage – Recycling (17.10)

- Please review rules posted at compactor
- Please note our **dumpster pick up day is scheduled for Monday** so please do not deposit trash on ramp but plan to bring trash to dumpster on another day other.
- Large items placed inside compactor area require a phone call to number posted for pick up
- To preserve the beauty of the Condominium, no garbage, trash, refuse or rubbish shall be deposited, dumped, or kept upon any part of the Condominium Property.
- Unit owner is responsible to ensure their trash is properly disposed of in the community compactor.
- Trash improperly disposed of causes unnecessary additional costs to the association.

## Trash Policy (policy adopted 2013)

- Identified trash will result in notice – repeated violation will result in fines on owner account
  - For more information, please refer to the Board resolution on this subject.

## Garage Sales (17.14)

- No garage sales, estate sales, yard sales, moving sales, or [lily other sales that invite the public, shall be carried on, in or about Forest Creek.

## Garage Lights (resolution adopted 2013)

- Homeowners are permitted to install lights in hi or her garage driveway area (building)
- Requires ARB form submission with intended location of light to be installed
  - For more information, please refer to the Board resolution on this subject.

## General Architecture (19.1.3 – 19.3.1)

- No Home Owner shall paint, refurbish, stain, alter, decorate, repair, replace or change the Common Elements or any outside or exterior portion of the Building maintained by the Association, including balconies, porches doors or window frames (except for replacing window glass).
- No Home Owner shall have any, exterior lighting fixtures, mail boxes, window screens, screen doors, awnings, hurricane shutters, hardware or similar items installed which are not consistent with the general architecture of the Building maintained by the Association without first obtaining specific written approval of the Board
  - For more information, please refer to the Board resolution on this subject.

## Holiday Decorations (resolution adopted 2006)

- Holiday decorations are allowed in limited common elements (refer to declaration 5.3 for description of limited common element)
  - Example: Balconies, entry areas and common covered porches
- Areas that cannot be decorated include: outside of windows, sidewalks, landscaped areas including trees and plant material, eaves, roofs, and garage doors.
- Decorations cannot alter or damage any common or limited common element
- Any damages and costs to repair will be the responsibility of owner.
  - For more information, please refer to the Board resolution on this subject.

## Hurricane Season (17.17)

- Each Home Owner who plans to be absent from his or her Home during the hurricane season must prepare his or her Home prior to their departure by removing all furniture, potted plants, and other movable objects, if any, from the Balcony or Common Covered Porch and by designating a responsible firm or individual satisfactory to the Association to care for his or her Home should the Home suffer hurricane damage.

## Roadway

- Forest Creek is a one-way road with a 10 MPH speed limit as designated by signage.
- For everyone's safety, please adhere and notify any family or guests of this policy.

## Signage (17.4)

- A Home Owner shall show no sign, advertisement or notice of any type on the Common Elements, other portions of Forest Creek or in or upon his or her Home so as to be visible from

the Common Elements, or any public way, except as may be previously and specifically approved in writing by Master Association and the Board.

## Sunshades (policy adopted 2017)

- Please refer to resolution for restrictions on website for full details.

## Vehicles (17.12)

- Motor homes, trailers, recreational vehicles, boats, camper and vans or trucks used for commercial purposes shall not be permitted to be parked or stored in or on Forest Creek unless kept fully enclosed in a garage except for trucks furnishing goods and services during the daylight hours and except as the Association may designate for such use by appropriate rules and regulations.
- The Association and the Master Association shall have the right to authorize the towing away of any vehicles which violate this Declaration or the rules and regulations of the Association, with the costs to be borne by the Home Owner or violator.
- The Board shall adopt rules and regulations from time to time regulating and limiting the size, weight, type and place and manner of operation of vehicles on the Condominium Property

## Window Décor (17.7)

- Window treatments shall consist of drapery, blinds, decorative panels or tasteful other window covering.
- Outward facing color to be consistent with overall development (white, light tan facing outside).
- Window tinting is permitted provided that the type and method of tinting is first approved by the ARB.
- Reflective window coverings are prohibited

## Procedure for Enforcement of the Neighborhood Documents

(Declaration Section 5)

A nonexclusive optional procedure for Board enforcement of the Neighborhood Documents, including the rules and regulations, shall be as follows:

- First Offense (1st Notice)

When the Association becomes aware of noncompliance of a rule or regulation by a Home Owner, family member, guest, invitee or lessee, it shall send a certified letter to the Home Owner advising him or her of the rule which he or she has been accused of violating and warning that strict compliance with the rules and regulations will be required. Each day on which a violation occurs shall be deemed to be a separate offense.

- Second Offense (2nd Notice)

If the Association receives a second report that a violation has been repeated or has been continued beyond the time specified within the first notice, the Board, after verifying the violation, may authorize a

fine to be levied upon the Owner. The fine for a second offense may not exceed the maximum amount permitted by the Act. Notice of a second violation shall be sent to the Owner by certified mail.

- Third Offense (3rd Notice)

If the Association receives a third report that a violation has been repeated or has continued beyond the time specified within the second notice, the Owner may be charged a fine in an amount not to exceed the maximum amount permitted by the Act, following verification of the violation by the Board.

- Fourth Offense


For repeated offenses or in any case where the Board deems it appropriate, the Board may seek injunctive relief through court action. In addition, a fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing, provided that no such fine shall in the aggregate exceed the amount set forth in Section 718.303(3) of the Act.

### Exemptions and Hearings

(a) Any Home Owner may appear before the Association to seek an exemption from or variance in the applicability of any given rule or regulation as it relates to said person on grounds of undue hardship or other special circumstances.

(b) Where the Association levies fines, such fines shall be levied pursuant to the procedures set forth in the rules and regulations.

Approved by Board of Directors this 30th day of August, 2017 and replaces any previous Rule, regulations, addendums, policies and amendments beyond our covenants and declarations.

By:  Holly Fritz Date: 9/1/17

Its: FCCA Board Secretary

Please refer regularly to the document section at [www.forestcreekjax.com](http://www.forestcreekjax.com) regarding any details or new resolutions.

Thank you and we appreciate your cooperation