

SUMMARY OF RULES, REGULATIONS, and FINES of the FALCON POINTE HOMEOWNERS ASSOCIATION

BY-LAWS
OF
FALCON POINTE HOMEOWNERS ASSOCIATION, INC.

ARTICLE VII
POWERS AND DUTIES OF THE: BOARD OF DIRECTORS

Section 1 Powers: The Board of Directors shall have power to:

(a) Adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof;

DECLARATION OF CONDITIONS. COVENANTS. EASEMENTS AND RESTRICTIONS FOR FALCON POINTE
HOMEOWNERS ASSOCIATION

ARTICLE VI
CERTAIN RULES AND REGULATIONS

6.30 Additional Rules and Regulations.

In addition to the foregoing, the Association shall have the right, power and authority, subject to the prior written consent and approval of Declarant, to promulgate and impose rules and regulations governing and/or restricting the use of the Properties and Lots, including without limitations, rules and regulations relating to the placement or installation of any type of improvement on any Lot, and to thereafter change, modify, alter, amend, rescind and augment any of the same; provided, however, that no rules and regulations so promulgated shall be in conflict with the provisions of this declaration. Any such rules and regulations so promulgated by the Association shall be applicable to and binding upon all the Properties and the Owners thereof and their successors and assigns, as well as all guests and invitees of all parties claiming by, through or under such Owners.

In accordance with the powers given to the Falcon Pointe Board of Directors by the Articles, By-Laws and Declarations which form the Governing Documents (GD) of the Falcon Pointe Homeowners Association (Article VII, Section 1 of the BY-LAWS and Article VI, Section 6.30 of the DECLARATION) the Board of Directors has adopted certain rules and regulations. These rules and regulations govern the use of the Lots and Common Area and all facilities at any time situated thereon, the assignment and collection of Assessments and the enforcement of these rules by any lawful means including the right to fine Members.

These rules, regulations and fines are presented herein for clarity and to eliminate any future ambiguity.

- 1) **Bi-Annual Assessments:** The bi-annual assessments are due on January 1 and July 1 of each year. They are delinquent if payment has not been postmarked (or online credit card payment notification received from Intuit Payment Network) by January 31 and July 31. Delinquent accounts shall be assessed a Late Fee of \$50.00. If the assessment plus the late fee have not

SUMMARY OF RULES, REGULATIONS, and FINES of the FALCON POINTE HOMEOWNERS ASSOCIATION

been received by March 1 and September 1, the account shall be turned over to the Association's lawyer for collection.

- 2) **Over Night Street Parking:** A rule of no overnight street parking has been adopted by Falcon Pointe's Board of Directors. Overnight parking is defined as a vehicle on the street between the hours of midnight to 6:00 AM. Vehicles so doing are subject to a Red Tag notice being affixed to the vehicle. Three Red Tag notices received within a six month rolling period by vehicles associated with the same resident shall result in Fining Notice sent to the owner of record and a fine of \$50.00 assessed against that property's account. After receiving three Red Tags any additional Red Tags issued within the six month rolling period shall result in an immediate Fining Notice sent to the owner of record and a fine of \$50.00 assessed against that property's account.
- 3) **Privacy Fences:** Only approved vinyl (PVC) fences will be allowed for new fence construction. These fences shall comply with the 6ft restriction set forth in the Falcon Pointe Governing Documents. Exception: a 1ft privacy lattice may be added to the top of the solid fence structure. Existing wood fences will be grandfathered in and may be continued to be repaired. If the wood fence is to be taken down in its entirety, it then will be replaced with an approved vinyl replacement. The only approved vinyl fence colors are white and tan. All other colors will have to be approved by the Falcon Pointe ARC committee.
- 4) **CERTAIN RULES AND REGULATIONS:** Failure to comply with the rules and regulations set forth in Falcon Pointe's Governing Documents, in particular Article VI of the Declarations, may result in a levy of a \$50.00 fine. The fining procedure shall be in accordance the Falcon Pointe's Governing Documents and Florida Statutes, Title XL REAL AND PERSONAL PROPERTY, Chapter 720 HOMEOWNERS' ASSOCIATIONS, subchapter 720.305 *Obligation of members; remedies at law or in equity; levy of fines and suspension of use rights.*