

Prepared By and Return To:
Cianfrone, Nikoloff, Grant & Greenberg, P.A.
1964 Bayshore Boulevard, Suite A
Dunedin, Florida 34698

**CERTIFICATE AS TO THE
RULES AND REGULATIONS
OF
CAYA COSTA COMMUNITY ASSOCIATION, INC.**

WE HEREBY CERTIFY that the attached is a true and correct copy of the Rules and Regulations of Caya Costa Community Association, Inc. adopted in the manner required by the Association's By-Laws, Articles of Incorporation and/or the respective Declarations of Covenants and Restrictions for Caya Costa, as of APRIL 9, 2021.

CAYA COSTA COMMUNITY ASSOCIATION, INC. is the Association organized for the purpose of administering a development known as Caya Costa in Pinellas County, Florida, in accordance with that certain Declaration of Covenants and Restrictions of Caya Costa, originally recorded in O.R. Book 5785, Page 219 et seq. and as preserved by that certain Notice of Preservation recorded at O.R. Book 18411, Page 1512 et seq., all of the Public Records of Pinellas County, Florida, as same has been amended from time to time.

IN WITNESS WHEREOF, CAYA COSTA COMMUNITY ASSOCIATION, INC. has caused this Certificate to be executed this 9th day of APRIL, 2021.

CAYA COSTA COMMUNITY ASSOCIATION, INC.

By: C. Gregory Peters
C. GREGORY PETERS, President
Printed Name

(CORPORATE SEAL)

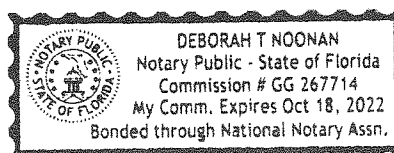
Attest:

Linda E. Anderson
Linda E. Anderson, Secretary
Printed Name

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 9th day of APRIL, 2021, by C. Gregory Peters, as President and LINDA E. ANDERSON, as Secretary, of Caya Costa Community Association, Inc., and are personally known to me or have produced DRIVER LICENSE as identification.

Deborah T. Noonan
NOTARY PUBLIC





CAYA COSTA COMMUNITY ASSOCIATION RULES AND REGULATIONS

1. ACCOUNT DELINQUENCY

The Association shall direct the Management Company and legal counsel, where appropriate, to conduct all future collection actions on delinquent accounts in accordance with the following:

1. Payments are due on the 1st of each month. A fee of \$35, consisting of late fee of \$25 and collection fee of \$10.00, will be assessed for any payments not received within 30 days, regardless of the number of days in the month. Late fees will continue to be assessed each month for any outstanding balance, including any unpaid fees imposed in prior months.
2. The management firm will send owners notice of such delinquencies, and the owner will have thirty (30) days to bring the account current, or the matter will be referred to the Association attorney for collections, and the Association attorney shall issue a statutory pre-lien letter providing the owner with forty-five (45) days to bring the account current. If the account is not brought current within 45 days of the pre-lien letter, the Association attorney will cause a lien to be filed against the property, and the owner will have 45 days to bring the account current. The Board reserves the right to initiate foreclosure against any owner who has failed to bring their account current within 45 days after a lien has been filed. Owners may request a payment plan, in writing, by contact the Association attorney.

2. SATILLITE DISHES

1. Satellite Dish Antennas (36 in or less) are permitted with ACC approval. A Caya Costa Resident who desires to have a satellite service installed must first submit a written request to the Architectural Control Committee (ACC) for approval. The resident must identify:

1. The location on their home where the satellite dish will be installed (roof, wall or chimney)
 2. The name of the professional installer (one who is licensed by the Pinellas County Construction Licensing Board) who will perform the installation.
 3. A permit for installation will be obtained, if required.
 4. The town home or bay home homeowner will assume responsibility for any damages, such as broken roof tile, torn shingles, roof leaks, etc. that were caused by the satellite dish installation.
2. Aerial antenna are not permitted

3. CONTRACTOR HOURS

Hours of Operation:

1. a) When Daylight Savings Time goes into effect in the spring, contractors are permitted to work between 7:00 AM and 6:30 PM. Monday through Saturday only. They must be off the property by 7:00 PM.
- b) When Eastern Standard Time goes into effect in the fall, contractors are permitted to work between 7:00 AM and 5:30 PM Monday through Saturday only. They must be off the property by 6:00 PM.

c) No contractors/vendors are permitted to work on the property (internal or external to the unit on Sundays or legal holidays, except in conditions deemed an emergency repair that cannot wait until the next business day. The gate attendant is to be notified by the resident of the nature of any such emergency situation before access will be granted.

All contractors/vendors must ensure the following:

1. The site must be left clean with no debris lying around.
2. Roadways cannot be obstructed by vehicles or materials.
3. Residents are not to be inconvenienced.
4. No loud radios or music.
5. Any problems between contractors and residents will be brought to the attention of maintenance or security.
6. Contractor vehicles (including trailers) are not to be parked in visitor spots for prolonged periods, unless prior approval has been granted by a representative of the Board.

4. BASKETBALL HOOPS

Custom and Bay homeowners may install freestanding basketball hoops no less than ten (10) feet from the curb. If a sidewalk is present, then ten (10) feet from the inside of sidewalk. The Architectural Control Committee must approve all hoops prior to installation. Residents will assume all responsibility for damage to their basketball equipment or to their property as a result of the presence of basketball hoops.

5. RESIDENT CONCERNS

All complaints and/or concerns from residents must be in writing, with supporting documentation, and submitted to the Management Company. The complaint and/or concern will be forwarded to the Board of Directors, when necessary. After investigation, a course of action to remedy the situation will be determined, by either Management or the Board, if necessary. Management will then send a written response to the homeowner.

6. EXTERIOR HOUSE PAINT COLORS

An approved color palette will be maintained by the Maintenance Staff. Each resident, prior to the start of exterior house painting, must submit an "Application for Improvement" to the Architectural Control Committee (ACC) identifying the colors selected from the approved paint palette. Forms from all four (4) townhome residents or a single form with all four townhome residents' signatures must be received. If townhome residents cannot agree on the color, majority rules. Custom home and bay home residents must submit a single "Application for Improvement."

The palettes will provide various shades of base, trim and accent colors professionally developed for our community eliminating "grandfathering" of colors and the use of the same color on adjacent buildings

7. DECKS

Homeowner Responsibility:

Outdoor decks on townhomes and bay homes are the responsibility of the homeowner.

Association Responsibility:

1. If a deck is covered by a roof or is part of a front porch or back porch and stairs, it is the Association's responsibility to repair.

2. The Association will remove the river rock and provide a painted concrete finish instead. Homeowners wishing to install any other type of finish may do so at the own expense, contingent on ACC approval.

3. Porches and railings are the responsibility of the Association as well as front porches, back porches and stairs.

The Association shall only maintain those items, which it is obligated to maintain under the Governing Documents. Any item that is to be maintained by individual lot owners shall be maintained by the owners, even if the Association has previously maintained, repaired or replaced these items.

8. MAILBOXES – All mailboxes and stands for all homes must be approved, in advance, by the Architectural Control Committee. (ACC). The ACC will provide information regarding styles that are acceptable. The Association will provide mailboxes and stands along with their installation for townhomes and bay homes. Bay home owners who installed their own mailboxes with ACC approval are responsible for their repairs. Custom homes are required to purchase and maintain their own mailboxes and stands.

9. DRIVEWAY MODIFICATIONS – Owners must submit an Application for Improvement to the ACC requesting approval for modifying the original driveway surface or extending (widening) existing driveways. Extension requests must show this as being on the lawn side of the property and may not exceed 24 inches (2 feet). Extensions must also not interfere with irrigation and/or utility lines, trees and other substantial landscaping. Requests must include compete plans showing the surface modification or expansion of the existing driveway, designating whether a hard surface (concrete) or porous surface (such as pavers) is to be used. If approved by the ACC, the owner will assume responsibility for any immediate or future damage to the property, including replacement of driveway surfaces due to cracks or other normal wear and tear, as well as situations that arise requiring digging up driveway surface for underground repairs as part of the community's responsibility to perform maintenance on common infrastructure such as water lines, utility pipes, etc. Modifications to the surface of property line grass strips between TH driveways can also be requested, provided written consent of both adjacent owners is included on the ACC Application for Improvement.

10. MOTORIZED VEHICLES

1. 1. No person may operate any motorized vehicle on the sidewalks, streets or roads of the Caya Costa community unless:
 - a) that person holds a duly issued and valid current driver's license that would be authorized to allow that person to operate a motor vehicle on the public streets and roads of the State of Florida.
 - b) that person is under the responsibility of an adult.
2. For the purpose of these rules, a motorized vehicle shall include a (i) motor vehicle; (ii) a go-cart, or (iii) a moped (all as defined in Section 320.01, Florida Statutes; and (iv) any similar vehicle having two or more wheels and powered by other than muscular power, including without limitation vehicles such as are commonly known as go-carts, go-peds and motorized skate boards; provided, however, specifically

excluding any motorized disability access vehicle, as that term is defined in Section 3200.01, Florida Statutes.

3. For the purpose of these rules, the Association will not be held responsible for any damages caused by any incidents by licensed or unlicensed drivers.

11. RECORDS INSPECTION & COPYING OF RECORDS (Resolution)

Official records are available for inspection and photocopying by Association members within ten (10) business days after receipt of a written request for access. Requests to inspect and copy the Association's official records must be made in writing via U.S. Mail to the Property Management office. Documents will be inspected in the offices of the Management Company. A fee of twenty-five cents (\$00.25) per page will be charged for copies of documents under twenty-five (25) pages. A fee of twenty-five cents (\$00.25) per page, plus any additional fees charged to CCCA by the Management Company (administrative time, etc) required to fulfill the request, will be charged for documents over twenty-five (25) pages.

12. RULES VIOLATIONS

The Association Manager shall take immediate action to inform Caya Costa offending parties when management staff observes violations of established Caya Costa rules. When a violation is observed, action should proceed without further instruction from the Board and should consist of a letter of warning including notification of subsequent action if the violation continues. Records, including photographs when appropriate, should be kept when a violation is initially observed and of any subsequent observations. Owners will receive no more than two (2) courtesy violation notices before the matter is referred to the Association attorney for enforcement. Unless an exception is made because of special circumstances, the following violations should be acted on without further instruction:

1. The parking of any vehicle on the curbs, sidewalks, yards, common space or any designated no parking area.
2. The parking of any commercial vehicle, camper, trailer or boat in driveway or in any other location on a resident's property.
3. Reckless driving or speeding.
4. Trespassing on private property including trespassing on The Point dock
5. Improper installation or use of a basketball hoop.
6. Absence of a commercial sized dumpster on a construction site during the renovation of a house.
7. Home improvements or landscaping/yard improvements not authorized by the ACC or Landscape Committee respectively.
8. Misuse of the pool, pavilion, tennis courts, or other common areas.
9. Property damage of any kind
10. Loose dog or cat.
11. 03/27/2017: Failure to pick up and properly dispose of pet waste, in accordance with City of St. Petersburg Code, Sec. 4-56.

13. TERMITE DAMAGE

Caya Costa Community Association will not accept responsibility for repair of termite damage incurred after 10/1996.

14. UNREGISTERED AND NON-OPERATIONAL VEHICLES

Unregistered and non-operational vehicles will not be allowed to be parked in outside parking areas. Vehicles must be stored inside the resident's garage.

15. RESIDENT PARKING – MARCO DR.

The following policy is adopted regarding parking on Marco Drive.

- Marco Drive residents should park in their garages or driveways.
- Visitors or vendors may park in driveways or on the street, but are allowed to park on the odd-numbered house (north) side of Marco Drive only.
- Attended vehicles are also allowed to park on the even numbered (south) side of the street, but not directly across from another vehicle that is parked on the opposite side. An attended vehicle must have the keys left in the ignition and be continuously observable by a licensed driver and said driver cannot be more than 100 feet from the vehicle regardless of continued and uninterrupted vision. Attended vehicle parking is restricted to one hour per day.
- All vehicles parked on Marco Drive must maintain 15 feet of space for passage of emergency vehicles
- Vehicles must not be parked within 15 feet of a fire hydrant.
- During weekday hours, the Management Company should be notified and provided the location, time, date and tag number of a vehicle that is in violation of these regulations. During weekends and after hours, the gate attendant should be notified
- Notices, which include the specific violation that occurred (i.e. in the case of unattended vehicles, what exactly deemed it to be "unattended), will be initiated by the Management Company and will be sent via e-mail, hand delivery or certified mail.
- Any incurred towing costs will be at the owner's expense.

16. VISITOR PARKING

Parking spaces in the "courts" are reserved for visitor parking and residents should avoid using these parking spaces for "regular", "daily" or prolonged periods of time exceeding three (3) days. When a violation of this regulation is brought to the Association Board of Directors, a letter will be sent to the resident reminding them of the regulation and asking them to cease parking in the visitor parking spaces. A second complaint to the Board will result in a second letter that includes the information from the Association Documents, Article IX. A third complaint will result in a notification sent to the resident that their vehicle will be towed on a particular date at the owner's expense. Residents who have circumstances or reasons that may justify an exception to this policy are urged to present their reasons for exemption to the Board.

17. YARD SALES

Yard sales, flea markets, rummage sales, estate sales, garage sales etc., will not be allowed in Caya Costa.

18. BOARD MEETINGS

Association members will have the right to speak at any association meeting with regard to any agenda item. He/she may address each item one time for three (3) minutes. Any owner desiring to record a Board meeting must provide notice to the Board before the meeting starts, and the Board shall reserve the right to require recording equipment to be placed and to remain in a specified location for the duration of the meeting. Association meetings may not be posted on social media or the public internet, and may not be distributed to non-members for any reason.

20. APPROVAL OF APPLICATION TO LEASE

Application to Lease properties must be requested in accordance with the Master Declaration. The \$50 application fee will be used to offset the cost of conducting criminal background checks on potential tenants. Any prospect tenant who has been convicted of or pled guilty to a violent, drug or theft-related crime within the previous 10 years will be denied. Any person who is a registered sex offender in any state or federal database will be denied. Lease application approvals may be granted by CCCA President; however, if circumstances arise and the President feels board consensus is needed, a final decision will be made by the Board of Directors at their next scheduled meeting. A Resolution was approved unanimously by the Board of Directors establishing guidelines by which the Board shall base its lease approval decisions, and which shall completely amend, replace and supersede any prior lease approval guidelines.

21. COMMERCIAL USE OF BOAT AREA

The boat yard and community boat launch ramp, is intended for the sole use of residents. The private launch ramp is designed for recreational use only, all commercial uses of the Boat Use Area, consisting of the boat yard and boat launch ramp (including but not limited to commercial vessel storage, commercial vessel repair and/or maintenance, commercial vessel ramp deployment, commercial vessel ramp retrieval, commercial vessel dockage, etc.) are prohibited.

22. USE OF SECURITY CAMERAS/VIDEO MONITORING EQUIPMENT

1. Scope of Policy -

- a. Uses of any type of security camera/video recording equipment by Caya Costa Community Association (CCCA) will be limited to the Common Areas within the community.
- b. Use of equipment is to aid in the identification of vandalism and/or other illegal activity within the community.
- c. Equipment is not continuously monitored; therefore, it is not a system that provides an expectation for improved/increased personal safety within the Common Areas.
- d. Equipment will be installed in such a manner that it is not intrusive to the privacy within a homeowner's dwelling.
- e. Homeowners will be notified any time new or additional security camera/video recording equipment is installed in a Common Area. This notification will occur at a duly noticed Board of Directors meeting.

2. Signage –
 - a. Appropriate notification signs will be placed in the vicinity of Common Areas where security cameras/video recording equipment is in use.
3. Authorized Use to View Security Camera/Video Recording Images –
 - a. Access to video/still images from security cameras/video recording equipment will be limited to the CCCA Board of Directors, Community Property Manager, and applicable law enforcement representatives.
4. Retention Period –
 - a. Video/still images will be deleted from all files and storage devices created through use of security camera/video recording equipment after a period of thirty (30) days, unless such records are needed for an ongoing investigation.

23. TH/BH WINDOW REPLACEMENT:

Caya Costa Townhome and Bay Home owners must select the appropriate window for the type of exterior wall of the home. For wood frame or siding exteriors, a Fin window design is required. For masonry (stucco) constructions a Flange window design is required. If your home has both types of exterior walls, you will need both types of window.

Both designs, as well as their installation requirements, are covered under Section R609 of the Florida Building Code R409 - Residential. The window installer must follow all Florida Code and window manufacture specifications and installation directions to prevent damage to your home and to ensure that the warranty on your new windows is not voided by improper installation. The installer should waterproof the opening prior to and during installation. Any immediate or future damage to your home caused by installing incorrect windows, or incorrect installation and waterproofing of the windows, shall be the sole responsibility of the home owner and not of the Caya Costa Community Association, Inc (CCCA).

24. FLAG POLICY:

Display of Flags must follow Florida Statutes and Federal Flag Code which includes the Official United States flag and US Military Flags. All other flags must be approved by the ACC, with the exception of seasonal, school and sport flags. No political/controversial/unsightly flags are allowed, as determined in the sole discretion of the Board.

25. TOWNHOME GARAGE DOORS

All garage doors in a 4-resident townhome building shall have a uniform appearance in color and style

26. RESIDENT COMMUNICATIONS

All communications with the Association's Contractors and Vendors will be done solely by the Association President or the Board Member appointed Chairperson for that specific area.