

## **THE VINES COMMUNITY ASSOCIATION RULES & REGULATIONS**

Adopted July 29, 2024

### Preface

The following Rules and Regulations shall apply to and be binding upon all unit owners within the Vines unless so noted.

Each unit owner is responsible for ensuring that their family, guests, service personnel, employees, lessees, vendors and all others who enter the Vines with their permission are aware of and abide by these Rules and Regulations. Unit owners are responsible for any damages, fines or penalties that result from violations of these Rules and Regulations by their family, guests, service personnel, employees, lessees, and vendors.

The Estero Country Club (ECC) is responsible for ensuring that its employees, service personnel, vendors and non-resident members are aware of and abide by these Rules and Regulations. ECC is responsible for any damages, fines or penalties that result from violations of these Rules and Regulations by their employees, service personnel, vendors and non-resident members.

Violation of these Rules and Regulations may subject the violator and the owner to any and all remedies available to the Association and other unit owners pursuant to the terms of the Declaration of the Community Association, the Articles of Incorporation, the By-Laws of the Association, as amended and any applicable laws and governmental regulations.

The Association may remedy violations by fines, penalties, injunction or other legal means. If the Association prevails in any action against a unit owner or Estero Country Club pursuant to a violation of these Rules and Regulations, Declaration, Articles of Incorporation and By-Laws, as amended, the Association shall be entitled to recover any court costs incurred by it, together with reasonable attorneys' fees.

Any waiver, consent or approval given under these Rules and Regulations by the Board of Directors shall be revocable at any time and shall not be considered a waiver, consent or approval of identical or similar situations unless notified in writing by the Board of Directors.

Reference to the related governing document and section is listed parenthetically after each rule when applicable. Refer to the Second Amended and Restated Declaration (D) and the Amended and Restated Bylaws (B) listed on the VCA website for exact language and clarification. Other denotations are; Florida Administrative Code (FAC) and Florida Statutes (FS).

The Rules and Regulation of individual Home Owners and Condominium Associations take precedence if they are more restrictive than those herein defined.

1) Antennas (D8.9)

- a) Except as otherwise expressly permitted by law, only small dish type antennas will be allowed. Refer to the ARC Guidelines on the VCA website for details.
- b) An ARC Form and prior approval are required.

2) Barcodes

- a) Barcodes are issued only to vehicles owned by the following:

- i) Residents

- (1) Issued to owners listed on the warranty deed forwarded to security by the VCA's management company except as noted in (4) below.
    - (2) There is no barcode fee charged to Residents. The cost to provide security and barcodes is included in their VCA dues.
    - (3) Must be renewed 24 months from date of issue.
    - (4) Vehicles registered to property owners not residing on property are not eligible for a barcode
    - (5) Vehicles registered to property owners but operated by someone else are not eligible for a barcode unless the operator is a full-time occupant of the residence.

- ii) Permanent Occupants

- (1) Issued upon approval of Permanent Occupant Application by the VCA's management company.
    - (2) Must be renewed 12 months from date of issue.

- iii) Lessees

- (1) Issued upon presentation of a lease agreement in excess of 45 days.
    - (2) Expires at end of lease term.

- iv) ECC Employees

- (1) Available 30 days after employment (Employees must present a valid ID to enter during the 1<sup>st</sup> 30 days of employment).
    - (2) Issued upon written confirmation of employment from ECC personnel dept.
    - (3) All employee barcodes expire July 1.
    - (4) Vehicle registration and insurance in the employee's name must be presented at time of issue.

- v) ECC non-resident, trial or summer members

- (1) Non-residents are any ECC member that does not live in The Vines.
    - (2) Issued upon written confirmation of membership status from ECC membership dept.
    - (3) An annual fee of \$50 per barcode will be charged to offset costs related to barcodes and related equipment maintenance.
    - (4) **All non-resident member barcodes expire Jan 1.** Trial and summer member barcodes expire on the date of ECC membership expiration.
    - (5) **Renewals are accepted after Dec. 1.**
    - (6) Payment is made by check payable to the Vines Community Association delivered to security at the main gate upon renewal.

- (7) Barcodes for vehicles replacing a vehicle with an existing barcode will issued at no charge.
- b) **Barcodes are issued by security at the main gate between 8 a.m. and 2 p.m. Monday through Thursday, Saturday 3 p.m. to 6 p.m.** All weather permitting.
- i) A valid driver's license is required.
  - ii) Vehicle registration in the name of the resident or non-resident ECC member or their spouse are required for issuance of a barcode. Vehicles registered in a company name require a letter on company letterhead authorizing use by the named individual and must include the VIN number.
  - iii) Rental vehicles operated by someone qualified for a barcode in 2. a) upon presentations of a lease agreement in excess of 45 days may obtain a barcode for a fee. **Rental vehicle payments are charged to the resident's account.**
- 3) Dash Passes
- a) Residents may obtain dash passes when using a vehicle on a temporary basis (less than 45 days).
  - b) Tenants with a lease agreement for less than 45 days will be issued a dash pass.
  - c) Guests are not issued dash passes.
- 4) Drones and Cameras
- a) No camera or listening device may be directed at a neighbor's home.
  - b) Drones are not permitted except for use in the preparation of Real Estate Sales material, roof inspection and property appraisals. Drones must not fly over or view a neighbor's property except in the case of Real Estate Sales material that is intended to show the common areas and amenities of The Vines.
- 5) Estate and Other Sales
- a) Estate, garage and other sales of merchandise are not allowed in The Vines.
- 6) Flags (D8.9)
- a) US and Armed Service and State of Florida flags may be flown at any time and must be treated with respect.
  - b) University and professional sporting team flags are allowed.
  - c) Holiday flags may be hung two weeks before the holiday and must be removed one week after the holiday with the exception of December holiday flags which may be hung on the Friday after Thanksgiving and must be removed by the following January 15<sup>th</sup>.
  - d) Seasonal flags that do not denote a specific day may be hung for no more than 30 days.
  - e) All flags not listed above are prohibited.
  - f) No flag shall exceed 4.5 ft by 6 ft.
  - g) All flags must be maintained in good repair.
  - h) No more than two flags may be hung on the same property concurrently.

7) Gate Access

- a) The main gate on route 41 is manned 24 hours per day. Entry is available 24 hours a day for resident, guest, emergency vehicle and emergency vendor entry (emergency service for security, utilities, refrigeration and HVAC repair).
- b) Mail and package delivery services such as UPS and FedEx. have 24 hour access.  
**AMAZON IS NOT ALLOWED BETWEEN 10 P.M. AND 5 A.M.**
- c) Vendor entry hours are:
  - i) Monday through Friday 7am – 7pm
  - ii) Saturday 8am – 5pm
  - iii) Sunday emergency repairs only
  - iv) After hours and Sunday entry allowed for emergency repairs for security, utilities, refrigeration and HVAC only. No after hours or Sunday entry allowed for routine service, estimates, appraisals or deliveries (except as noted in b above).
- d) Gate access without a barcode
  - i) Residents must present a valid driver's license
  - ii) Non-resident ECC members must present a valid driver's license
  - iii) Vendors and guests must present a valid driver's license and be listed on the resident's guest list. The gate will make one attempt to contact residents for vendors and guests not on the list prior to denying entry.
- e) Resident guest list
  - i) Residents are encouraged to use the abdi GateAccess app on their smart phones to manage their guest list. **(Community code is VCA, Username is the phone number you selected as your primary number and the password was supplied to you by Security personnel. The front gate can help you with this information.)**
  - ii) For your security and the security of your neighbors please add the minimum date range possible for each guest.
  - iii) Residents may also call the gate at 239-481-2640 to add a guest to the list
  - iv) Vendors and guests not on your list will be denied access if the gate cannot reach you.

8) Golf Carts (D8.17)

- a) Golf carts are permitted on the streets within the Vines and are subject to the same traffic laws as motor vehicles.
- b) Golf carts must be covered by liability insurance to operate on streets within the Vines.
- c) Only golf carts with headlights, tail lights and turn signals are permitted on the street between dusk and dawn.
- d) Golf carts must be driven as close to the right side of the street as possible.
- e) Golf cart drivers must be at least 16 years of age and have a valid driver's license or be accompanied by an adult.
- f) Golf cart drivers must allow motor vehicles behind them to pass whenever it is safe.
- g) Golf carts are not permitted to be driven past The Vines gates.
- h) Golf carts must be stored in the owner's garage.

9) Lakes (D5.5)

- a) Swimming, boating, wading or any other recreational activity, other than fishing, is not allowed in or on any of the lakes and ponds within The Vines.
- b) Violators shall assume all risks and hold harmless the Vines Community Association from any injury resulting from such improper use of the lakes and ponds within The Vines.
- c) Fishing is not allowed from the golf course side of the lakes and ponds or cart path bridges except as allowed during ECC sponsored fishing events.
- d) Pool discharge must be onto vegetated areas. Florida prohibits the discharge of chlorinated or chemically treated water into lakes, ponds, storm sewers and any other body of water, therefore, pools cannot be discharged into the street or onto the driveway. (FAC 62-302.530)

10) Noise (D8.4)

- a) Noise level from each unit must be low enough so that it does not annoy neighbors or golfers.
- b) Fireworks are prohibited at all times.
- c) Discharging of firearms is prohibited.
- d) Under no circumstances should there be any loud noises after 10 p.m.

11) Ownership (D11)

- a) Fractional and Timeshare Ownership are prohibited

12) Parking (D8.7)

- a) Vehicles must be parked in the owner's driveway or garage and should not extend beyond the driveway into the street.
- b) All vehicles must be parked facing the correct direction.
- c) No vehicle may be parked on the street overnight.
- d) No vehicle may be parked on the non-residential side of the street on Vintage Trace Circle.
- e) No vehicle may be parked in a manner as to impede emergency response vehicles from being able to safely pass.
- f) Vendor trucks and trailers must be parked on straight aways instead of curves.
- g) Vendor trucks must not be parked on the divided sections of Vintage Trace Circle.
- h) No limousines, motor homes or commercial vehicle or any other vehicle not normally used for highway travel shall be parked in any driveway for more than 24 hours.
- i) No vehicle of any kind may be used as a residence either temporarily or permanently.
- j) No parking is permitted on Vintage Trace Parkway (between the main gate and route 41 with the exception of on-duty security personnel).

13) Pets (D8.6)

- a) No animals, livestock or poultry of any kind shall be raised, bred or kept on the property except that dogs, cats and birds may be kept provided that they are not used for any commercial purpose and they do not constitute a nuisance or annoyance to any neighbor by reason of barking or otherwise.

- b) The owner of any dog or other pet shall pick up feces left by the animal on common or neighboring property and dispose of them in a sealed container on the pet owner's property.
- c) Pets shall be subject to all applicable governmental or agency rules and regulations.
- d) All pets must be on a leash or be carried when outside of the owner's dwelling.
- e) Dog runs and other outdoor pet enclosures are prohibited.
- f) The feeding of any wild animal or water fowl is prohibited by these rules and may be against the law. (FS 372.667, 379.412)

14) Property Maintenance- (Applies to all single-family homes on Vintage Trace Circle only)

- a) Any and all modifications, alterations or renovations to the exterior of a home on Vintage Trace Circle requires submission of an ARC Form and prior written approval by the ARC
  - i) Modifications requiring an ARC Form and prior approval include but are not limited to: landscaping, exterior painting, lanai screening, lighting, roof replacement, storm shutters, tree removal and window replacement.
  - ii) Detailed ARC Guidelines and Forms for Vintage Trace homes are available on the VCA website. Guidelines for other associations within The Vines are available on the applicable association's website.
- b) All residences and other homeowner property must be maintained and kept in good repair. (D6.2)
  - i) Only minor repairs or replacements with the identical material, style and color are permitted without submission of an ARC Form.
  - ii) Roofs, driveways and other hardscape must be kept free of mold and mildew.
  - iii) Lawns must be mowed regularly and kept free of weeds.
  - iv) Shrubs must be trimmed and dead foliage removed.
  - v) Palm trees must be trimmed to remove dead fronds at least annually.
  - vi) Any tree that extends over Vintage Trace Circle must be trimmed to a minimum of 15 feet above the street.
  - vii) Mailboxes must be maintained in good repair and free of faded or peeling paint. (D8.25)
  - viii) Outdoor clotheslines and clothes drying areas are prohibited. (D8.15)
  - ix) All permanent propane tanks must be buried at least 10 feet from the property line.

15) Recreational, Playground and Exercise Equipment

- a) No playground equipment of any kind is permitted.
- b) No trampolines or bounce houses are permitted.
- c) No above ground swimming pools are permitted. (D8.16)

16) Rental and Leasing (Applies to all single-family homes on Vintage Trace Circle only) (D11)

- a) All leases must be in writing, even if no rent or other considerations is involved.
- b) All leases must be submitted to the VCA's management company for review and approved by the VCA Board of Directors not less than 30 days prior to proposed occupancy.
- c) No more than two leases per 12-month period per residence are allowed.

d) Timeshares, transient and short-term rentals are prohibited.

17) Seasonal and Holiday Decorations

- a) Holiday decorations and lights may be installed two weeks before the holiday and must be removed one week after the holiday with the exception of December holiday decorations which may be installed on the Friday after Thanksgiving and must be removed by the following January 15th.
- b) Seasonal decorations that do not denote a specific day may be installed for no more than 30 days.
- c) No inflatable decorations are allowed.

18) Security at Main Gate

- a) Security personnel must be notified before any guest or vendor will be admitted unless the visitor is on the resident's permanent guest list.
- b) Visitors must show a photo ID showing the individual's name and image. Acceptable IDs are state issued driver's license or ID, military ID or passport. In addition, vendor employees must be in a company uniform or company marked vehicle or provide a company business card with their name.
- c) Security will not accept packages for residents or forward keys to guests.

19) Signs (D8.3)

- a) No signs are permitted except real estate sales signs and signs required by law.
- b) Real Estate Sales Signs.
  - i) Two approved "Vines for Sale" signs are allowed; one in the front yard and one in the back yard of the unit for sale.
  - ii) See the separate Real Estate Guidelines on the VCA website.
- c) Open House Signs
  - i) Two approved "Open House" signs are allowed; one in the front yard and one in the back yard of the unit for sale on the day of the Open House.
  - ii) See the separate Real Estate Guidelines on the VCA website.

20) Solicitations

- a) There shall be no door-to-door solicitations by any person anywhere within The Vines for any cause, charity or other purpose unless specifically authorized by the Vines Community Association Board of Directors in their sole discretion.
- b) Leaflets and Flyers may not be placed in or hung from mailboxes or any part of a property

21) Traffic

- a) All traffic laws of Lee County and the State of Florida apply within the Vines.
- b) Anyone operating a motorized vehicle must abide by the posted speed limits. Currently 23 mph. (D8.4)
- c) Anyone operating a motorized vehicle must come to a full stop at all posted stop signs including stop signs at the railroad tracks.
- d) Motor vehicles must yield to all pedestrians and bicyclists.

- e) All pedestrians including walkers, roller skaters, in-line skaters, skate boarders, motorized wheelchairs and motorized scooters to assist the handicapped must stay as close to the left side of the street as possible (i.e. travelling against the flow of traffic).
- f) Bicyclists must stay as close to the right side of the street as possible (i.e. travelling with the flow of traffic).
- g) Drivers are responsible to pay for any damages to the gates or any other Association property caused by their vehicle. The Association is not responsible for any damages to the driver's vehicle.
- h) Nuthatch Lane exit may be used by residents and guests in passenger cars or SUVs only. All trucks, trailers, commercial vehicles and vendors must exit through the front gate.
- i) Bicycles and pedestrians are prohibited from using the Nuthatch Lane gate.

## 22) Trash (D8.20)

- a) All trash cans and recycling bins must be clean and maintained in good order.
- b) All trash cans and recycling bins must be stored where they are not visible
- c) Trash cans and recycling bins may be set out no more than 12 hours before the scheduled pickup and must be put away no more than 12 hours after they have been emptied.
- d) No yard waste or any other material may be dumped on any common ground or across the property perimeter.
- e) No yard waste or construction materials may be stored where they are visible
- f) Compost bins, piles or containers are prohibited.

## 23) Use Restrictions (D8.1, D11)

- a) All units shall be used for single-family residential purposes only.
- b) No trade or business may be conducted from any unit except business activities that involve only phone calls and correspondence and are not apparent or detectable from outside the unit.
- c) The use of the unit on a "time share" or other rotating, transient basis or as a public lodging is prohibited.

## 24) Violations and Penalties (D10)

- a) Responsible Party
  - i) Unit owners are responsible for any damages, fines or penalties that result from violations of these Rules and Regulations by their family, guests, service personnel, employees, lessees, and vendors.
  - ii) ECC is responsible for any damages, fines or penalties that result from violations of these Rules and Regulations by their employees, service personnel, vendors and non-resident members.

- b) Remedies Available



- i) Failure to comply with a provision of the declaration, bylaws, ARC Guidelines or rules and regulations may result in a written warning and or fines, penalties and other actions available by law as determined by the VCA fining committee and approved by the Board of Directors. VCA remedies include but may not be limited to:
  - (1) The revocation of the owner's barcode.
  - (2) Fines assessed up to the maximum allowed by law. (Currently \$100 per day for a violation up to a maximum of \$1,000 per continuous occurrence). (D6.4, D10, FS 720.305)
  - (3) The VCA may take whatever action is reasonably necessary to bring a lot or dwelling to maintain a safe, clean and orderly appearance and the owner will be financially responsible. (D6.2, D 6.4)
  - (4) The VCA may compel the property owner to restore the property to its original condition at the owner's expense.
  - (5) Additional remedies for failure to follow the ARC Guidelines are defined in the ARC Guidelines on the VCA website.
- c) Damage to any VCA property may be repaired by the VCA in its sole discretion and the cost charged to the owner. (D6.4, D6.5)
  - i) Vehicles caught on camera or witnessed by security personnel hitting the gate or barrier arms at either entrances or exits will result in a fine.
    - (1) Vines residents will be billed for fines incurred by their family, guests, vendors, and employees.
    - (2) ECC will be billed for fines incurred by their non-resident members, guests, vendors, and employees.