

## **The Links at Pelican Pointe Homeowners Association**



## **General Information, Rules and Regulations**

The Rules and Regulations presented herein have been extracted from the *Amended and Restated Declaration of Covenants, Conditions, Restrictions, Easements, Articles of Incorporation and By-laws* of the Links at Pelican Pointe Homeowners Association, Inc. (the Association) adopted by the Association on December \_\_, 2009. It is the obligation of each homeowner/member of the Association to read and comply with the aforementioned documents. It is to be understood that these rules and regulations are to serve as guides and reminders, and to highlight the general code of conduct for our Association and community embodied in the base documents adopted by the Association. These rules and regulations apply to members, guest and lessees, as applicable, and are subordinate to the Master Declaration for Pelican Pointe Golf and Country Club Property Owners Association. From time to time these Links Rules and Regulations will be modified, updated and distributed to the Association membership.

# **The Links- General Information, Rules and Regulations**

## **General Information**

### **Each homeowner:**

- Holds a non-exclusive right and easement of enjoyment and use of the common property.  
The use of this property must be consistent with the Covenants of the Association.
- may delegate the right of enjoyment to family/household members, guests, tenants, lessees and contract purchasers.
- must be thoroughly familiar with Association Covenants, conditions and restrictions.
- must inform those delegated with the above rights of all Association rules and regulations.
- must submit required evidence and information to the Association in a timely manner before delegating use of a unit. See Leasing, Insurance, and Guests, below.
- is responsible for the LOT exterior as enumerated in Article 4.2.3 of the Covenants.
- shall not conduct any unauthorized activity on any neighborhood Common Property.
- shall not conduct improper, offensive or unlawful activities on any Lot, neighborhood Common Property, or other Links improvements.
- may not conduct any trade, business, profession, or commercial activity on any portion of the Links Property nor on any Lot. See Covenants Article 2.9.1
- non-payment of quarterly dues may result in loss of Association privileges.

When a homeowner sells, leases, or allows a guest to use a property, the owner must provide a copy of and explain the Association Rules and Regulations, and Covenants to the buyer, lessee, or guest. This information is provided on the Argus website @ [www.ArgusMgmt.com](http://www.ArgusMgmt.com) through the "Client Roster", Links @ Pelican Pointe, password = lpp.

### **Homeowner's Association Property Management**

- Argus Management of Venice, Inc. manages the Links property on behalf of the Association. Their information is:

Argus Management of Venice, Inc.  
181 Center Road  
Venice, FL 34285  
Tel: 941 408-7413  
Fax: 941 408-7419  
Email: [Robert@argusmgmt.com](mailto:Robert@argusmgmt.com)

### **Communications**

- Bulletin boards are located at each mailbox-cluster in the Links. The bulletin boards are reserved for Association business.
- Board Meeting notices and other Association business will be posted as needed.
- Personal notices may be posted on the bulletin board at the Links Community Pool.

### **Association Emergency Powers and Procedures**

- The Board will issue under separate cover, a set of procedures describing Association authority to take extraordinary action in the event of severe emergencies, such as hurricanes, and other contingencies. Association and homeowner requirements will be enumerated. A list of emergency contacts will be included. See Articles of Incorporation, 3.4.

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### **House Water Control Value**

- The interior sprinkler system must never be turned off. However, a control valve maybe installed at owner's expense, this leaves the interior sprinkler system activated but turns off the rest of the house water system to prevent interior leakage while you are absent. Many of our residents have installed this system, through their local plumber.

### **Exterior Sprinklers**

- Owners are to advise Argus Management if sprinklers are hitting any part of your home, as this may cause damage.

### **Community Safety and Security Committee**

- During severe emergencies, the Community Safety & Security Committee has specific authority, responsibilities and duties. A description of the Committee's responsibilities and procedures will be distributed to the membership when completed.

### **Emergency Contact List**

- In order to contact owners during an emergency, the Board requires all homeowners to provide an out of town phone number and mailing address for seasonal or extended absences on a year-round basis, and to advise the Links Management Company of any changes as they occur.
- The Board also requires each homeowner to provide the Links Management Company with the name and phone number of a local contact during seasonal and other extended absences, and to leave a house key and instructions with the local contact prior to departing for an extended absence.
- Failure to make this important information available to the Board could result in substantial loss or damage to a dwelling during an emergency while a homeowner is absent for an extended period.
- The gate codes are up-dated every quarter; contact the Links Management Company or log on to the website for the current gate code.

### **Community Safety**

- The Board of Directors requires homeowners to remove or secure loose items from the exterior of the lot (lanai, lawn and sidewalks) during seasonal or extended absence, and during declared hurricane watches and warnings for those homeowners who remain on the premises.
- Skateboarding, and other sports activities are prohibited on sidewalks and streets.

### **Community Security**

**Pelican Pointe is a gated Community.** As such, homeowners are obligated to comply with security and property access procedures established by the Pelican Pointe Master Association.

#### **Front Gate Procedure:**

- To enter: Residents must use the right lane to enter Pelican Pointe through the front gate by activating their transmitter or gate access code.
- Use of the transmitter or gate access code number by other than an owner, guest or lessee is prohibited.
- Visitors entering when a guard is on duty must use the left lane.
- After-hours: Visitors, guests, lessees, delivery and other service people must use the left lane phone entry system for entry.
  1. Press the pound key (#) and follow the prompts on the menu screen. The resident's phone will ring.
  2. After the visitor is identified, the gate will open when the resident presses "9" on the phone key pad.
- To Exit: Drive slowly to the gate until it opens. Do not use the transmitter while exiting.

## **The Links- General Information, Rules and Regulations**

### **Rules and Regulations**

#### **Community Security Cont'd**

##### **Rear Gate Procedure:**

- To Enter: Entrance through this gate is restricted to Pelican Pointe Residents using a transmitter. Visitors and guests are required to enter at the front gate. There is no phone system or access code-box at the rear gate.
- To Exit: Drive slowly to gate until it opens. Do not use the transmitter.

##### **Gate Code Procedure:**

Gate codes are changed on the first day of each quarter (January, April, July, October), these numbers are obtained on the web site @ [www.ArgusMgmt.com](http://www.ArgusMgmt.com) through the "Client Roster", Links @ Pelican Pointe, password = lpp or the Links Management Company.

#### **Vehicle Restrictions**

- **The speed limit in Pelican Pointe is 25 mph.**
- All Pelican Pointe residents are required to register each vehicle for security purposes. The guard at the front gate will provide registration forms and instructions.
- All motor vehicles operated or parked within the Links must be licensed for street operation.
- No parking of any vehicle is allowed on any grassed areas, landscaped areas, neighborhood common property or any portion of a Lot, other than driveways, garages, or designated parking lots.
- No vehicle may be parked on a driveway so as to obstruct a sidewalk when parked in a driveway, or so as to extend into the street.
- Driveway turnaround on property other than that of the homeowner is prohibited.
- No overnight parking of any vehicle is permitted on any street in the Links Community, except in common areas designated by the Association, without prior written consent of the Board of Directors. Refer to Article 2.15.4 of the Covenants.
- Golf carts may be operated within the Links and on and across streets. Operators must be at least 15 ½ years of age.
- Motorcycles, motor scooters and mopeds may be operated in the Links if license-tagged and insured for public street use, equipped with proper muffler and do not create unreasonable annoyance or nuisance to other homeowners.
- No motor vehicle, motor home, RV, boat, or other vehicle or equipment may be repaired, serviced, painted, dismantled, rebuilt or constructed upon any lot. See Cov. Article 2.15.5.
- Bicycles are permitted and shall have the right-of-way according to Florida Law.
- See Links Covenants Article 2.15 for other vehicle restrictions.

#### **Architectural Standards, Restrictions and Procedures**

- The general regulations concerning the exterior of buildings and property maintenance are found in article 4.2.0 of the Covenants.
- Changes, alterations, and additions of any nature, to structures or landscape, require the prior written approval of the Architectural Committee.
- Yard and lawn ornamentation and statuary of any description must have written approval from the Architectural/Landscape Committee.
- Architectural Committee approval process and procedures are delineated in Articles 6.3 and 6.4 of the Covenants.

##### **Holiday Decorations**

- Holiday decorations may be displayed and illuminated from Thanksgiving through January 15; they must be removed.
- All other holidays: Decorations may be displayed fifteen (15) days prior to the holiday and must be removed no later than seven (7) days after the holiday.

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### **Architectural Standards, Restrictions and Procedures, Cont'd.**

#### **Garage Overhead Door**

- Garage doors are to be closed after dusk, this helps eliminate rodents, snakes and other unwanted “guests” from entering your residence.

#### **American Flag**

- All American Flags flown at the Links must follow the U.S. Flag Laws and Regulations.
- A flag presented from an angled pole on a home must be 4' x 6' or smaller.
- All U.S. Flags must be presented on a pole or standard when attached to a building.
- Written Architectural Committee approval is required for all other outdoor presentations of the American Flag.
- Flags or banners other than the U.S. Flag are prohibited.

#### **Signs**

- All signs, including open house and for sale, are prohibited on Links lots and common grounds, except an OPEN HOUSE sign may be placed in the rear window of a vehicle parked in the driveway on the day of open house.

#### **Outside storage of Personal Property**

- The personal property of any resident shall be kept inside the resident's unit or screened-in lanai, except tasteful patio furniture and other tasteful personal property commonly kept outside, with Architectural Committee approval.
- No personal property may be stored so as to be visible from any street; this restriction applies to any item placed outside or added to the landscape.
- Barbeque grills must be kept on a screened-in lanai, or in a garage, unless stored outside on a pad, and screened from view with shrubs as approved in writing by the Architectural Committee.

#### **Landscape Standards**

- The general regulations concerning Landscaping are found in Article 2.21 of the Covenants.
- Turf and landscape management and irrigation is the responsibility of the Association.
- The Association Architectural/Landscape Committee is authorized and delegated to regulate the use and appearance of Neighborhood exterior property.
- Plantings by homeowner's in grassed areas must be approved by the Architectural/Landscape Committee in advance. The maintenance of such plantings is the owner's responsibility.
- Ficus trees, and fruit trees are prohibited.
- Encroachment on or alteration to conservation lands or water bodies is forbidden by County and State Law. See Environmental Standards below.
- An owner electing to perform any part of the contracted lawn and plant service must state in writing to the Architectural/Landscape Committee which part of the service will be performed by the owner. This provision does not apply to seasonal residents.
- When an owner plans to be on seasonal or extended absence, annual plantings must be removed. Potted plants and loose objects should be moved inside, or the owner should arrange to have a neighbor do so, to avoid damage in the event of severe weather.

Architectural/Landscape forms can be obtained in the mailbox located at the pool parking lot or log on to the website @ [www.ArgusMgmt.com](http://www.ArgusMgmt.com) through the “Client Roster”, Links @ Pelican Pointe, password = lpp or the Links Management Company.

- Forms may be returned to mailbox at pool or sent to Argus Management, 181 Center Rd., Venice, Fl. 34285.

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## **Architectural Standards, Restrictions and Procedures, Cont'd.**

### **Environmental Standards**

#### **Nature Preserve Areas**

- Encroachment or alteration to conservation lands or water bodies is forbidden by State and County laws.
- Feeding birds, alligators and other wildlife is prohibited.
- The Links Association is not responsible for injury to persons or pets due to encounters with wildlife. See Covenants Article 12.0

### **Access by Neighbor Association**

The Neighborhood Association has right of entry onto the exterior of each lot for any purpose reasonably related to the Neighborhood Association's performance of any duty imposed, or exercise of any right granted by the Links Declaration. See Covenants Articles 2.29 and 2.7.

### **Animals and Pets**

- No animals, livestock or poultry shall be raised or bred or kept within the property, except for two (2) common household pets.
- No pets shall be kept unattended, outside a dwelling.
- All pets must be carried or kept on a leash when outside the unit.
- Pet owners are required to remove any solid waste deposited by his/her pet.
- It is the pet owner's responsibility to have proper insurance coverage under their Homeowner's policy. Some insurers do not cover certain breeds of dogs.
- Pets shall not cause unreasonable nuisance or annoyance to other residents.

### **Golf Course**

#### **Hazards:**

- Property ownership involves risks which may affect the owner's enjoyment of the property.
- Risks include property damage and personal injury.
- The Pelican Pointe Golf and Country Club assumes no liability for any damage or injury. See Covenants Article 2.30.2.

#### **Restrictions:**

- Golf practice, dogs, walking, jogging, biking, skate-boarding, in-line skating, or any other non-golf activity is prohibited on any part of the Golf Course property.

### **Weatherproofing, Termite and Other Insect Control**

- Temporary protective storm covers for windows. See Covenants Article 7.4.1.
- Termite control. See Covenants Article 7.4.2.
- Interior pest and other insect control. See Covenants Article 7.4.3.
- Contact the Links Management Company for insect/termite problems or the current exterminator, Pest Guard at 358-3863.

### **Common Property**

- There shall be no unauthorized activities permitted on any Links or Master Association Common Property.
- There shall be no obstruction of Neighborhood Common Property.
- There shall be no alteration of Neighborhood Common Property.
- Exceptions to the foregoing must be granted in writing by the Board of Directors.
- See Covenants Articles 2.25, 2.23.1, 2.23.2, 2.23.3.

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### **Community Pool and Pool Grounds**

- General use of the pool area and surrounding grounds must comply with the conditions set forth in the Links Covenants and Rules and Regulations.
- Use of the pool is at the swimmer's risk.
- Special activity use requests must be approved by the Board of Directors in advance of any planned event.
- Water exercise or classes cannot interfere with other swimmers.

### **Community Pool and Pool Grounds Cont'd**

- Social functions must be authorized by the Board.
- The Social Committee is responsible for organizing social functions on pool grounds.
- Solicitation of funds for social events held on pool grounds must have Board Approval.
- Pool hours are from 7:00AM to 10:00 PM.
- Owners must advise family, guests and lessees of pool and grounds use regulations.
- Homeowners are responsible for any damage done to the pool, pool furniture, or the pool grounds by guest or lessees.
- Pool users are requested to place trash in the receptacle when leaving the pool grounds.
- Pool users must return pool furniture and umbrellas to original location when leaving the pool area. Umbrellas must be left in closed position to avoid wind damage.
- No children under age 16 may use the pool facilities unless accompanied by an adult.
- No food or glass of any kind, in accordance with Sarasota County Pool Code.
- Diving, running, or roughhousing in the pool area is prohibited.
- Balls of any kind and floating objects, except "noodles" are prohibited in the pool area.
- Loud music and loud or disruptive behavior in the pool area is prohibited.
- Animals, other handicapped assistance dogs are prohibited.
- Only swim diapers are acceptable.

### **Waste Collection**

- Recyclables, yard waste and garbage are collected on Thursday, of each week. For disposal of larger or unusual items, or for other questions, call Waste Management of Sarasota County: 924-1254.
- Waste material to be collected should be placed at curbside only after 5:00 PM on the day prior to collection. Containers must be removed promptly after collection.
- No plastic trash bags prior to daylight of collection day.
- Upright trash containers must be pest-proof with secure lid. Pests such as raccoons are a problem.

### **Insurance**

- Insurance for Common Property is the responsibility of the Association. See Covenants Article 9.1.
- Homeowner insurance, personal liability insurance and personal property insurance are the responsibility of each homeowner.
- Owners are cautioned to purchase Homeowner Insurance, not Condo Insurance.
- Each homeowner is required to obtain Homeowner Insurance coverage insuring the dwelling in an amount equal to the maximum replacement value excluding foundation and excavation costs. See Covenants Article 9.4, and must include coverage on a Wind Damage policy.
- Homeowners are required to furnish proof, or direct their insurance agent to furnish proof of Homeowner's insurance at the time the Lot is purchased, and at the time of each annual renewal thereafter. Homeowners are required to provide such evidence to the Management Company on behalf of the Board of Directors, at the location cited above. See Covenants Article 9.4.3.

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### **Leasing a Property and Lease Application**

- Leases are subject to the Covenants, Articles of Incorporation and By-Laws of the Neighborhood Association and the Master Association Declaration (Master Article 6.1.1).
- Leases of a unit must be for a term of at least ninety (90) days in any twelve (12) month period.
- An owner may enter into no more than two (2) leases of at least ninety (90) days in any twelve (12) month period.
- Leases must be in writing and on forms approved of, or prepared by, the Board.
- A Lease Application Form must be obtained from the Management Company and submitted for approval at least seven (7) business days prior to the actual leasing date. The Board will then issue approval and a parking permit for conspicuous placement in the Lessee's vehicle for the duration of the lease.
- Lessees using the property shall be reasonably controlled by the owner.
- Occupancy is limited to two persons per bedroom; exceptions require Board approval.
- See Covenants Articles 2.9.3 and 2.10.

### **Guest Occupancy and Guest Application**

- A guest (including, but not limited to visiting family members) may occupy a Lot without limitation, if the owner is present.
- When an owner is not present, the owner must obtain a Guest Application for all guests, (including visiting family) from the Management Company and submit it to the Board at least seven (7) business days in advance of the anticipated occupancy. The Board will then issue approval and a parking permit for conspicuous placement in the guest's vehicle for the duration of the occupancy.
- Guest usage in the absence of the owner shall not occur more than ninety (90) days in any twelve (12) month period without the prior written consent of the Board.
- In the interest of Community Safety and Security, the Board requires the Guest Application in order to know who is occupying a dwelling in the owner's absence.
- Guest using the property shall be reasonably controlled by the owner.
- See Covenants Article 2.10.

### **Sale of Property**

- When an owner decides to sell his/her Links Residence, a resale information packet containing relevant information as to the sale process and procedures must be obtained from the Management Company.
- New owners are required to register all vehicles. The guard at the front gate will provide a Pelican Pointe vehicle registration form and instructions. Turn in the completed vehicle registration form to the Pelican Pointe sales office. There, a Pelican Pointe decal, and the gate access code will be issued.

***The foregoing General Information, Rules and Regulations were reviewed and approved by the Links Board of Directors on Tuesday, December 8, 2009.***