



Portofino Shores Property Owners Association, Inc

RULES AND REGULATIONS

SECURITY - OWNERS ACCESS TO LEASED HOMES

January 30, 2014

It is the opinion of the Association's attorney that we cannot require tenants to call owners into the property. The owner has rights to the property that we cannot interfere with. Effective Immediately - If an owner comes to the guardhouse to gain access to the property, please allow them in BUT they must be registered in the computer system as a guest. If they own multiple properties, please ask which property they are visiting so that we may log them as a visitor to that particular property.

LEASING

January 17, 2013

As clarification to our current rules, to utilize the second lease during a 12 month period, the new lease must consist of all new tenants. County codes do not permit the community to be used as a "boarding house". Owners are permitted to have 2 leases during a 12 month period. This was included in the rules so that owners do not have to wait out the year if their tenant breaks their lease. Trading one or two tenants and creating a new lease does not constitute a new lease, it essentially makes the property fall under the classification of a "boarding house", which is circumventing county codes. A new lease must consist of all new tenants, no tenants that were listed on the previous lease.

PERMANENT VISITORS

January 17, 2013

Tenant occupied properties: All guests must be called into the guard house prior to gaining access to the property. There will be no more "permanent visitors" allowed.

If a guest comes to the guard house that has not been previously called in, the guard will make a courtesy call to attempt to contact the resident. If they cannot reach them, the guests will not be allowed in. Relying on the guards to contact a resident about a guest is not proper procedure and any abuse of the system will not be tolerated. Residents must call in their own guests.

LEASE APPLICATION PROCESSING – POLICY AMENDMENT

January 29, 2009

As of March 1, 2009, all rental applications will be processed in the following manner: The completed rental application package must be turned into the Management company at the Clubhouse Office where the package will be processed. In this package, the following requirement

has been added: all rental application packages must contain original criminal background check reports on all tenants aged 18 and older. These background checks must be done by either the real estate agent assisting the renter/homeowner or by the homeowner if no agent is involved. **NO PACKAGES WILL BE ACCEPTED OR PROCESSED WITHOUT THE ORIGINAL CRIMINAL BACKGROUND REPORTS INCLUDED IN THE PACKAGE.** The same dollar fee of \$100.00 must be paid to the Management Company; however, the \$100.00 fee to Portofino Shores Homeowners Association is no longer required. Upon processing the package, it will be given to the Screening Committee for their review. Lease renewals will still require a complete package; however, no fee will be charged. In order to rent their property, all homeowner accounts must be up to date, with no outstanding balances. The property must also meet all association guidelines for appearance.

LEASING ADDENDUM – AMENDMENT “EXHIBIT A” ALREADY IN DOCUMENTS December 4, 2003

REQUIRED MINIMUM CREDIT SCORE FOR PROSPECTIVE TENANTS - POLICY February 21, 2017

1. In considering the approval or disapproval of prospective tenants, the Board of Directors may disapprove any prospective tenant with a credit score under 662, a credit score that reflects an average of a very good credit rating to a fair credit rating. At least one prospective tenant should attain the 662 credit score. This does not act as a limitation and the Association may disapprove a tenant for other reasons, including, but not limited to, negative information in the criminal background report or credit report.
2. This policy does not apply to tenants approved by the Board of Directors prior to February 21, 2017, and currently occupying a property in Portofino Shores.
3. This policy will apply to lease renewals wherein all lease renewal submittals must have at least one tenant attaining the 662 credit score. Any failure to attain a 662 or better will be a factor in the decision whether to allow the renewal, along with a written explanation, and consideration of all other factors.

TENANT OCCUPANCY RESTRICTIONS May 21, 2013

Non-Related Tenants: The Association will only allow two (2) adult unrelated tenants as adult occupants of a leased residence within the community.

Married Plus Additional Adult: The association will only allow a Married Couple + 1 Related Adult as adult occupants of a leased residence within the community.

Current leases that are in place that violate the new restrictions will be allowed to stay until their lease expires but will have to follow the new restrictions upon lease renewal.

OPEN HOUSE

May 1, 2012

1. Open house is the last Sunday of the month from 1PM to 4PM
2. Anyone can have an open house. They must be owners or realtors of the property.
3. Anyone can come off the street and visit the open houses. They do not need to have a realtor with them; they must only have a valid driver's license.
4. In order to have an Open House, the interested party must first notify the office staff, the latest being the Friday before the Open House. If no one notifies the office, there will not be an Open House. It is not automatic.
5. A Board member will be responsible for putting up the sign at the entrance to the community and removing it at 4 PM.

RENTERS INSURANCE POLICY

November 18, 2011

All future renters of Portofino Shores owned homes from 17 November 2011 forward are to take out Renters Insurance which includes a liability policy, prior to renting.

POLICY AND PROCEDURE - PIT BULLS

February 26, 2009

As of March 1, 2009, anyone buying a home in Portofino Shores will not be allowed to have a Pit Bull dog. As of March 1, 2009, any tenant moving into Portofino Shores will not be allowed to have a Pit Bull dog. As of March 1, 2009, any current owner who has a Pit Bull dog will be grandfathered in and that dog will be allowed. As of March 1, 2009, any current tenant who has a Pit Bull dog will be grandfathered in and that dog will be allowed until the expiration of the tenants' lease. As of March 1, 2009, if the tenant wishes to renew their lease, the Pit Bull dog will not be allowed.

GENERAL MAINTENANCE OF IRRIGATION SYSTEM

May 1, 2013

During a recent analysis of the irrigation repair and maintenance procedure that is in place, we have determined that the cost associated with the general maintenance of the irrigation system can be covered by the association's 2013 budget.

Effective May 1, 2013, the Board of Directors have approved the owners, at no charge, general repair and maintenance of their irrigation system. This includes the replacement of broken heads, cleaning of nozzles, and the raising/adjustment of heads in the system. Requests for modifications to the system and breakage of lines and/or heads caused by act of neglect will be considered a chargeable item to the homeowner and will be handled on an individual basis.

IRRIGATION REPAIR PRICING POLICY

September 15, 2022

Irrigation repairs and/or modifications outside of association general maintenance responsibilities will be handled directly between homeowner and irrigation maintenance vendor at their prevailing billing rates.

SECURITY SOPS

GATEHOUSE

No-one is permitted in the gatehouse except security officers, U.S. Security Associates Managers & Supervisors, law enforcement officers, board members, security committee members and maintenance employees.

SPECIAL RESIDENT PASSES

June 25, 2012

“Special Resident” passes will no longer be issued. All currently issued passes will be good until July 1st, 2012. Informational papers will be provided by the Association to give to the residents with current “Special Resident” passes until that date. Beginning July 1st, 2012, residents without bar codes will be handled in the normal matter of having to show a Driver’s License at the visitor’s entrance and be verified through the computer system. No exceptions will be allowed.

REVISED GUARD SOP - RESIDENT(S) REQUIRED TO SHOW DRIVER’S LICENSE

June 21, 2012

Any resident gaining access to the property through the visitor entrance that does not have a driver’s license in their possession will **NOT** be allowed access by vehicle to the community. Any exception to this rule must be approved by a Board Member or the Property Manager prior to allowing the resident access to the community.

REVISED GUARD SOP - REALTORS

October 14, 2010

All realtors must make an initial showing of their driver’s license, Realtor’s license and a business card. The guards will input this information into the system. From that point on, when that Realtor comes to the association to show property, they need to just show their driver’s license. The guards will ensure that all is correct and log the address of the house to be shown. Realtors must stay with their clients at all times. Realtors may show property from 8:00am until 8:00pm, Monday thru Sunday.

RESIDENT ACCESS BY VEHICLE

A driver's license is required by ALL persons entering through the visitor gate.

If an owner/renter is bringing friends in behind them, each vehicle will be stopped and processed as a visitor.

GUARD SOP VERIFYING DRIVER'S IDENTITY AND COMMUNITY ACCESS

June 22, 2012

The Board of Directors is strictly enforcing the SOP in regard to checking driver's licenses and the database for proper access approval. Any guard found not checking a driver's license against the computer database for verification could be subject to immediate termination. Allowing access to the community because the guard "personally knows" the person is not acceptable. Their driver's license needs to be taken in hand and must be checked against the database to be sure they are still allowed access to the property.

GATE ACCESS POLICY AND PROCEDURES

July 18, 2019

Non-Resident Access

1. Portofino Shores has a general access gate for guests, vendors and all others. This gate is managed by a guard 24/7. All vehicles entering through the guest gate shall be checked in by the guard and, upon approval to enter, will be issued a guest pass that shall be placed conspicuously on the dashboard, so as to allow verification, while on-site. All guest, vendor, or other non-resident vehicles must enter Portofino Shores through the general access gate and obtain a guest pass. No other entry is permitted, including, without limitation, entry through the back gate in Portofino Shores. No resident or other person shall permit or assist a guest, vendor, or other non-resident vehicle to enter Portofino Shores through the back gate or by any other unauthorized or improper means. All violators will be fined \$1,000. The Association may also pursue any and all other legal remedies available to it.

Resident Access

2. Portofino Shores offers a resident gate system at its entrance with a bar-code reader for access. This gate is intended for the convenient access to the neighborhood and use of this gate is a privilege offered only to the residents.
3. Only registered residents may utilize the resident gate.
4. All stickers are applied to your vehicle by office personnel.
5. All stickers are permanently applied to the outside of the vehicle.
 - A. On a car or truck, the sticker is applied to a right-side window.
 - B. On a motorcycle, the sticker is applied to the right front fork.
6. Replacement stickers are available at a cost of \$10.00. This includes replacement for a damaged sticker and any additional stickers requested by the resident.

7. Stickers found to be defective due to fading or cracking shall be replaced at no charge.
8. Upon replacing a vehicle, the resident shall update their Resident Access Form with the office and a replacement sticker will be issued.
9. Any attempt, by a resident or owner, to provide a sticker or a facsimile of a sticker for use on a vehicle shall result in a \$100 fine and suspension of use of the resident gate by all vehicles of the household for 90 days.
10. The Association will initially issue a bar-code sticker for each registered vehicle of each owner or their tenant, at no charge.
11. **Upon a change in ownership**, all previously issued stickers for that home will be deactivated and the Association will issue (2) new stickers at no charge.
12. **Upon a change in occupancy without a change in ownership**, all previously issued stickers for that home will be deactivated and no free stickers are provided.
13. The residents of each home shall submit to the office, a completed Resident Access Form, including each resident vehicle, in order to receive their bar-code stickers.

CONTRACTORS/DELIVERY TRUCKS/SERVICE PERSONNEL

8:00 AM – 5:00 PM Monday – Saturday for all contractors in marked vehicles. NO SUNDAYS.

All contractors will be screened prior to permitting access to the property. The driver will be required to provide his/her drivers license, name, address, phone number of the person they are delivering/providing service too. The security Officer will check the computer and access file and call the resident for approval unless they are on the permanent visitor list or have been pre-called. If the resident does not have an access form on file, or cannot be contacted, the contractor will be denied access. Repair contractors are permitted access for emergency repair on utilities and appliances 24/7.

POLICY CHANGE DELIVERIES OF MERCHANDISE TO RESIDENTS

October 19, 2010

The Board of Directors has made a change in the hours for delivery of merchandise purchased by homeowners.

Effective at once, all delivery personnel will be allowed entry into the association until 7:00pm. This includes furniture, appliances, etc.

The above change DOES NOT affect the hours of operation for contractor work outside of the home.

Emergency service will be allowed at any time. This could include plumbers, electricians, a/c workers, cable and phone workers and any other service that be deemed an emergency after hours service that would be necessary to maintain a quality of life.

SECURITY - SEMI-TRUCKS

December 10, 2013

Please have all semi-trucks use the resident lane to prevent the possibility of damaging the overhang or the gate system on the visitor side.

SECURITY – MOVING COMPANIES/RENTAL TRUCKS/COMERCIAL VEHICLES

All commercial vehicles, moving trucks to include rental trucks and trailers, boats on trailers etc must enter through the visitor's lane. Several reasons, one is that the automatic gates on the resident lane may be damaged by trailers; secondly, we must check the back of trucks and trailers. They are only permitted on the property Monday thru Saturday from 8:00 am to 5:00 pm. Unless it is a resident moving in/out which you should have information on, in which case they would follow the below procedures for moving in/out and this can be done on the weekends and until dusk.

SOP FOR NON-RESIDENT OWNERS GATE CARD DEACTIVATION

January 13, 2011

Non-Resident Owners Gate Card Deactivation. This situation occurs when a non-resident requests that his card be left on so that he can visit the house. In the past, if an owner is not residing in the house and the tenant leaves, the cards were deactivated. If the tenant gives the cards back to the owner, then we leave the cards on. The owner has to advise us if the cards have been returned to him. We will gather information as to if the cards are returned to the owner and then make decision as to deactivation. If the cards have not been returned to the owner, the cards will be deactivated.

CARD KEY POLICY

July 16, 2015

- Two card keys will be distributed per household. Office staff will confirm you were previously issued a pool key before a card key is issued.
- If you do not have a pool key, and our records reflect that a pool key was assigned to your residence, you will need to purchase a card key at a cost of \$35.00 each. If our records indicate that no pool key was issued to your residence in the past, you will be entitled to receive two card keys at no charge.
- If a card key is lost, it can be replaced at a cost of \$35.00 each.
- For those homeowners who rent their property, only two card keys will be issued free of charge. It will be your responsibility to make sure tenants return those card keys after vacating and/or at their lease end. If card keys are not returned and you lease your property again, the card keys will be deemed lost and can be purchased at \$35.00 each (and this will be each timecard keys are not turned over).
- Card keys will need to be used each time you would like to enter clubhouse amenities and each time you would like to enter or exit through the pedestrian gate at Place Lake Dr.

SECURITY - CLUBHOUSE PARKING

April 15, 2010

Going forward, homeowners are to get the ok to park oversize, commercial or overflow parking at the Clubhouse parking lot from the Guardhouse (during non-business hours). As a general rule, no more than 24 hours should be allowed, however there may be incidents where longer periods of time are requested i.e., weekends, out of town visitors, etc. Weekend parking (Sat and Sun) should be allowed in these cases. During the week, if there are questions, then final clearance can be obtained from the management office. If management is not available, then the Guards are to give authorization.

POLICY AND PROCEDURE - APPEALS COMMITTEE

The Appeals Committee will meet the second Thursday of each month to review and hear appeals from those who have received fines for violations. The Appeals Committee will make a finding and give same to the property manager within 3 days from the hearing date. If, after further discussion, the Board of Directors feels that the findings should be overturned, the Board may vote on same and reverse the Appeals Committee decision.

DRONES

February 26, 2015

Drones are prohibited from the following:

1. Flying in any airspace within 400 feet above the Common Areas.
2. Landing on the Common Areas.
3. Flying in any airspace within 400 feet above any Lot in Portofino Shores without the consent of the owner or occupant of that Lot; or
4. Landing on any Lot in Portofino Shores without the consent of the owner or occupant of that Lot.

“Drone” is defined as an unmanned aircraft that can fly under the control of a remote pilot or by a geographic position system (GPS) guided autopilot mechanism. The terms “Common Areas” and “Lot” shall have the same meaning as given to them in the Declaration of Covenants, Restrictions, and Easements for Portofino Shores. This rule does not prohibit the use of drones by the Association.

TRASH, RECYLCE AND YARD DEBRIS

March 18, 2021

1. All garbage and trash containers must not be visible from adjoining properties other than when placed curbside for pick-up. When not being put curbside for pick-up, current Architectural Guidelines state that “All garbage or trash containers must be placed in an enclosed or landscaped area so not to be visible from the street.” Please remember that any exterior changes to the property require prior approval from the Architectural Control Board.

2. Household trash and garbage containers cannot be placed curbside for pick-up any earlier than the evening before the scheduled pick-up day. Securely tied plastic bags are considered “containers” only if they are placed curbside for pick-up on the morning of the scheduled pick-up day. Plastic bags cannot be placed curbside for pick-up any sooner than the morning of the scheduled pick-up day.

3. Landscaping and yard debris must be neatly stacked in a pile or bagged and brought curbside for pick-up no earlier than the evening before the scheduled pick-up day for landscaping and yard debris. If owners hire a contractor to remove fallen plant debris or to cut and trim, the contractor must also be contracted to remove all plant debris they cut. If yard debris is not hauled away by contractor, it must be stored in an area not visible from street and Owner will be responsible for bringing debris to the curb on the evening before pick-up. Exception: if the debris pile meets the Waste Pro guidelines. Current Waste Pro regulations state that piles must not be longer than four (4') feet in length nor weigh more than fifty (50) pounds.

4. All garbage and trash containers must be returned to their properly stored area as soon as possible on the same day of pick-up.

5. Residents are responsible for cleaning up any garbage, trash, landscaping debris, and yard debris left behind or scattered after the scheduled pick-up.

6. The first violation of these rules will result in a warning notice. The second violation of these rules will result in a \$100.00 fine. Any further violations after the second violation will result in a \$100.00 fine per occurrence and a suspension of the bar code and clubhouse facilities for thirty (30) days.

TRAFFIC FINE AND SUSPENSION POLICY

June 16, 2022

Portofino Shores Property Owners Association, Inc. (the “Association”) has the right to impose fines and suspensions of common area use privileges for violations of the Association’s governing documents. This policy applies to the imposition of fines and suspensions for moving vehicle violations. This policy does not prevent or limit the Association’s right to pursue other enforcement remedies for violations.

I. Fine Amounts and Length of Suspension. The amount of fines and length of suspensions for moving vehicle violations shall be as follows:

	1 st Violation	2 nd Violation	3 rd Violation	4 th Violation
1 st violation any speed	Warning	n/a	n/a	n/a
21-39 MPH		\$100 + 15 days loss of privileges	\$100 + 30 days loss of privileges	\$100 + 60 days loss of privileges
40+ MPH		\$100 + 30 days loss of privileges	\$100 + 60 days loss of privileges	\$100 + 90 days loss of privileges

II. Assessment of Fines and Suspensions.

- a. Owner violations will be assessed against the Owner. Lessee violations will be assessed against the Lessee.
- b. Visitor/guest violations will be assessed against the Owner/Lessee who authorized admittance.
- c. Contractor/Delivery Service violations will be assessed to the Owner/Lessee who *authorized admittance* and also notified and assessed to the Contractor/Delivery Service local management.
- d. Daily Delivery Service (i.e., USPS, Fed-Ex, Amazon, UPS) violations will be notified/assessed to the local terminal management.

All assessments and notifications will be given by mail and/or email.

Interference, vandalism or theft of traffic monitoring equipment will be prosecuted to the fullest extent of the law. Including assessment of fine up to \$100 per day, per occurrence, and full replacement cost of said equipment.

Revised 9/15/2022