

# BONITA LAKES PROPERTY OWNERS ASSOCIATION, INC.

## RULES & REGULATIONS (Effective 7-21-2004 and includes revisions 2-28-2006)

**This document is valid and complete as of 10-24-2006.**

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For the purposes of this document, "AOI" shall mean Articles of Incorporation"  
For the purposes of this document, "DOR" shall mean Declaration of Restrictions and Covenants.

The Amended and Restated Articles of Incorporation of Bonita Lakes Property Owners Association, Inc., (a corporation not for profit) is the source of the authority for the adoption of community rules and regulations by the Board. Section 7.11 OR: 18493:3046

The Amended and Restated Declaration of Restrictions and Covenants for Bonita Lakes is the source of the authority for the Board to act on behalf of the Corporation as to the adoption of community rules and standards except where a vote of the membership is specifically required. Section 26.3 OR: 18493:3033.

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**General Rule 1: CHILDREN:** Parents must supervise children while they are playing within any common area, using the pool, lakes or any recreational facilities. Children must not play in the public streets within Bonita Lakes. Children must not play so as to trespass on the property of others. Children must be required to respect authority of the Security Officers, Management Team and Association Employees and abide by any instructions given whether permissive or restrictive without argument, backtalk or issuance of obscenity or gesture. Improper behavior by children on the common areas, pool, lakes, clubhouse or gym may result in the individual being banned from that portion of the premises, or the premises will be temporarily closed in order to enforce the standard of conduct in the area. Children must not permit friends from outside the community to enter the community and/or use the recreational facilities unless at least one adult/homeowner representative is present to take responsibility for monitoring such use. Children under 16 years of age must be accompanied by an adult/homeowners representative when using pool, lake, tennis courts, clubhouse or any common area facility. The Association shall not be held responsible for any accident, injury or mishap due to violation of this rule. Parent/homeowner shall be held responsible for any damages or the consequences of any accident as a result of violation of this rule. **See also DOR Section 14.30.**

**General Rule 2: TRASH:** Trash collection is provided by Miami-Dade County Department of Solid Waste and our scheduled days are Tuesday and Friday. Homeowners must use covered refuse containers of plastic material, no metal "ash cans" are permitted because of the potential of damage to vehicles should they blow about due to wind. Thick plastic garbage bags may be used, but must be securely tied. Containers may be set out the night before, after sundown and in no event before 8 p.m. Plastic bags may not be set out until the morning of collection to prevent animals from breaking into the bags and littering the contents about overnight. Collections begin at 7.a.m. Homeowners are responsible for the consequences of improper trash container posting, including cleanup. **SEE ALSO DOR SECTION 14.33**

**General Rule 3 (a-h): PETS:** Keeping a pet is not a right, it is a privilege and a choice. Homeowners rights to the peaceful enjoyment of their property take precedence. Pets including only domestic cats and dogs (except Pit Bull Terrier or any dog which will conform substantially to the criteria of that breed is not permitted anywhere in Dade County IAW Dade County Ordinance 89-22, Chapter 5 effective 4-14-89) may be kept wholly within the confines of a homeowners lot and home subject to restrictions as follow and such that the animal does not constitute a nuisance of any kind to any other homeowner: (a) No animal (including cats) shall be permitted to run free upon the common property at any time for any reason. (b) No animal will be tied up outside, or left outside unaccompanied/unattended in any fenced yard. (c) Owners will not permit any animal to make

noises, bark, cry or otherwise which constitute an annoyance to other homeowners in violation of DOR 14.28, 14.29, 14.46. regardless if the noise emanates from the interior or exterior of the animal owners premises. Notwithstanding the permissiveness of 14.46, barking dogs are not tolerated at anytime of day or night. (d) Pet droppings on homeowners private property must be cleaned up daily so as not to create a malodorous nuisance to adjoining lots. (e) Walking of pets on the common areas is a privilege not a right. (f) Owners are expected to "pooper-scooper" all animal waste. (g) Male dogs will not be permitted to urinate upon the property of others, i.e. cars, trees, shrubs, walls. (h) No animal may be permitted to defecate upon the property of others, whether "pooper-scooped" or not. Guide dogs and personal assistance animals including dogs and monkeys are subject to all of the same regulations except that they are not subject to removal. **SEE ALSO DOR Section 14.28, 14.29, 14.46.**

**General Rule 4: VEHICLES/TRAFFIC:** Posted speed limits within Bonita Lakes are in place for safety reasons and are to be observed. Homeowners who violate speed limits and/or traffic control signs may be subject to fine. Contractors, vendors, visitors who violate speed limits and/or traffic control signs may be banned from the premises and if found on the premises be subject to arrest for trespass after warning. Drivers must not operate the vehicles so as to exacerbate any exhaust, engine, turbocharger noise constituting a nuisance to others. Stereo systems specifically including BASS systems will not be played at a volume where they can be heard or felt outside of the vehicle. See also Rule 8(e) which supports this section. The Association shall not be held responsible for any accident, injury or mishap due to violation of this rule. Driver shall be held responsible for any damages or the consequences of any accident as a result of violation of this rule.

**General Rule 5: VEHICLES/PARKING:** No homeowner will park or permit to be parked, any vehicle on the grassy portion of the lot, sidewalk, street, curbside or common areas within Bonita Lakes. The only allowed parking is in the garage or the driveway of the owners lot. Homeowners may not use guest parking for excess vehicles, except that should a guest park in the driveway, the homeowner may utilize guest parking for his/her car for the duration of the guest visit. Derelict, damaged, out of service vehicles and/or any vehicle without a valid licensed tag/decal must be removed from the premises within 48 hours including private driveways. Contractors with vehicles which physically fit on the homeowners driveway must park there, else may park in the street at the curb for no more than 8 hours, and must display an orange traffic cone 25' to the front and 25' to the rear of the vehicle. Such vehicles must be marked and contain the company name and License number prominently displayed. Such vehicles without license number and name must park wholly upon the homeowners driveway or leave the premises. Homeowner is responsible for compliance of their contractors. Vehicles illegally parked in handicapped spaces without displaying a permit will be referred to the Police for citation, \$250.00 fine and car towed without warning or notice. This section does not apply to emergency, police, fire or public utility vehicles. **SEE ALSO DOR 14.37**

**General Rule 6: VEHICLES/MAINTENANCE:** No vehicle may undergo any periodic maintenance, oil change, lubrication, modification, repair, or mechanical modification or repair/adjustment within Bonita Lakes whether inside a garage or on a driveway. This is in accordance with Miami-Dade County DERM Regulations. Mobile mechanics will not be admitted to the property and may not conduct business on the premises at any time. If found operating on the property, the Management Team is authorized to require them to leave the premises. Flat tires may be changed on the homeowners driveway. This section specifically allows ADDITION but not draining or replacement of antifreeze, oil, power-steering fluid, brake fluid, and other expendables as well as a MINOR emergency repair by the homeowner provided no spills of any controlled materials occur and no damage to the common areas results. Washing, waxing and detailing are permitted if done by the homeowner or a licensed/insured mobile detail vendor who operates in compliance with Rule #5 and limited to 4 hours. Tow trucks and roadside assistance vehicles may operate on the premises provide they enter and exit within 2 hours. **SEE ALSO DOR SECTION 14.37**

**General Rule 7: Private Property/Exterior:** Pursuant to the Community Standards Section, the ACC/VIO has jurisdiction over all exterior changes, additions, removals, installations both front and rear of each lot. Application must be made to deviate in any way from the basic as built configuration of a home, lot, landscape, accessories, décor, color and other criteria. Homeowners will not install clotheslines, or string any materials for the purpose of drying or airing clothing, area rugs or other materials. No beating of rugs outside is permitted. Nothing will be hung, placed on or attached to any fence. Patio furniture, potted plants and minimal personal décor items in the rear only and not visible from the front are permitted provided it/they is/are not a nuisance to others. No personal articles, toys, bicycles, portable basketball hoops, tools, building materials of any kind will be left on the exterior of the building, front or rear if they are visible in any way from the front of the premises when not in use. Ongoing repairs, construction or installations are permitted to deviate from this section as needed for the duration of the permitted activities only. **SEE ALSO DOR SECTION 14.31, 14.34.**

**General Rule 8: Noises and Disturbances:** Homeowners will not create any conditions of noise or disturbance, or allow any condition of noise or disturbance to emanate from their premises or vehicles such as but not necessarily limited to: barking dogs, car exhaust or engine noises, stereo, radio, musical instruments, use of power or hand tools, loud playtime, maintenance or construction/repair or any other disturbance which can be heard or felt (bass noise) inside the home of another homeowner subject to the following considerations:

- (a) Hobbyist hand and power tool usage, contractor or repair activities, lawn maintenance, car washing/detailing are all permitted on Saturdays/Sundays from 9am to “Sunset” and any weekday from 7am until “Sunset”. Contractors (not lawn maintenance) on a timetable may reasonably deviate from the limits of this rule to suit specific needs of a job for the duration of the job only. In no event will any contractor/vendor related activities begin before 7am, or continue past “Sunset” on any day except in an emergency as defined in this rule. Emergency repairs to plumbing, electrical, air-conditioning, broken windows, roof leak or alarm systems are permitted 24 hours, 7 days. Emergency shall include but not necessarily be limited to outage of service, wind events, leaks/flood or inability to secure the premises.
- (b) Social activities, garden parties, barbeques, with or without music are permitted, but all outside music, noise and lighting must cease at 11p.m. Miami-Dade County Noise ordinance prevails. Noise level after 11 p.m. must not be detectible inside a neighboring home. Parties are subject to parking restrictions in Rule 5.
- (c) Homeowners will refrain from scheduling roof cleaning, painting, exterior maintenance, construction or repairs for 24 hours before and 24 hours after the defined legal holidays for the United States. This rule is in place to allow neighboring homes peaceful enjoyment of their property for holidays, entertainment of guests without impact of neighboring disturbances.
- (d) Homeowners of various background, religion or custom should speak directly to their immediate neighbors and advise them of any intended observance of their specific holidays and provide dates/times in writing and solicit their cooperation. The Association will only enforce section (c) as pertains to legal holidays in the United States.
- (e) Cars with unnecessarily loud exhaust systems, engines or stereos are subject to noise abatement restrictions. Owners will not accelerate, rabbit start, spin tires, or operate in such a manner as to exacerbate noises. Violations herein and complaints will result in fines, and other actions up to and including banning the vehicle from Bonita Lakes. Car audio systems will not be played loudly on the streets, provisions of General Rule 4 also apply. **SEE ALSO DOR 14.28, 14.29, 14.46.**

**General Rule 9: Lakes and Banks:** No gasoline or diesel powered watercraft of any kind are permitted to be operated on the lakes within Bonita Lakes. Boats using electric motors are permitted subject to the following restrictions: (a) Boat using an electric motor must be capable of floating when completely filled with water. (b) Battery in use must be attached to the boat with straps so that it cannot become detached and sink to the bottom of the lake. (c) Battery must be a maintenance free, sealed unit so that no acid can escape. (d) In the event that a battery will be accidentally submerged and lost, the homeowner will be charged back for all expenses to hire a diver to retrieve the battery from the lake to prevent pollution.

Owners are responsible for their boats at all times. Sunk or damaged boats must be removed from the lake within 24 hours, or the Association will remove them and charge all costs back to the homeowner. All boats must be removed upon issuance of a Hurricane Warning. Boats may be launched and recovered ONLY from the bank directly behind the owners home. Grassy banks and that portion of the surveyed lake bottom belonging to each lakefront home is private property and no trespassing is permitted in that area on land or water. Bonita Lakes is a wildlife sanctuary. Fishing is permitted from the bank on each lakefront homeowners property provided you "Catch and release" or take for consumption IAW State Law, season and daily limits on size and number taken. Do not harm the wildlife. Watercraft operating hours are sunup to sundown. All residents are responsible for the actions of their guest and must accompany their guest while using the lake.

Bonita Lakes restates Local, County and State law with regard to watercraft and specifically enforces the following provisions:

- i. Alcoholic Beverages: No alcoholic beverages are permitted on the lake and operators of watercraft are not permitted to operate watercraft while under the influence of alcohol.
- ii. Life Vests: Life vests must be worn while operating all watercraft in accordance with all applicable federal, state and local laws.

**SEE ALSO DOR 14.50, 17.13**

**General Rule 10: COMMON ELEMENTS:** For the purposes of this rule, common elements include all areas of Bonita Lakes except individual home lots. Common element usage is a non-exclusive right, and all homeowners are entitled to use on a shared basis subject to restrictions and behavioral standards. Guests must be accompanied by a homeowner when using any of the amenities, pool, gym, tennis courts, lakes or other premises. Independent/unescorted guest access is not permitted. Children may not allow or permit non-resident children into Bonita Lakes, only the homeowner or adult representative may permit such guest access and accepts full responsibility for it. Provisions of LS#4 below are required to be observed for all guests. Management Team is authorized to close any portion of the common elements in order to enforce provisions of the Rules and to maintain safety and behavioral standards. Management Team is authorized to ask any person to leave any portion of the common elements because of infraction of rule, improper behavior or life safety issues.

Homeowners, their children and guests agree that a condition of usage of the common elements is to when so using, to provide identification and/or address upon request of the Management Team, Security Personnel or a Board or ACC/VIO Member. Failure to respond truthfully to such an inquiry will result in denial of further use of the facility. Children who are asked to leave the common elements for reason of behavior problems and violations under General Rule 1, must bring parent or homeowner to the Management Office to explain themselves before they will be granted access to the facilities.

If a person is banned from a premises and then returns without permission, they will be considered trespassing after being warned, and will be subject to arrest.

In general, the following are minimum standards:

**Pool:** No radios, cd players, games or televisions without earphone. No AC electric powered items, battery only. No alcoholic beverages, glass containers or food items. No running, horseplay, yelling/screaming, diving into pool, disturbing others using the facilities. No babies or small children in diapers permitted in the pool. No tampering with any equipment protected by LS#2. Guest access is permitted only when there is sufficient room. Guests may not displace other homeowners from their rightful use of the facilities.

**Gym:** Shirt or cover of upper body and secure shoes/sneakers required. No flip flops, sandals or footwear which does not fully enclose/secure the foot, particularly on the treadmills. No bare upper body or bare feet are permitted. All users should bring their own clean-wipes for various benches and surfaces before and after use. Guest access is permitted only when there is sufficient room. Guests may not displace other homeowners from their rightful use of the facilities.

**Tennis:** Tennis courts are for playing tennis only. No skateboarding, ball playing, loitering or any non tennis use. Guest access is permitted only when there is sufficient room. Guests may not displace other homeowners from their rightful use of the facilities.

### **SEE ALSO DOR SECTION 17.0**

**Life Safety/Security Rules "LS": Rules under this category subject the violator to a minimum \$100.00 fine per day for each violation, immediately upon discovery of the violation, plus costs of any damage, no excuses will be accepted. Ignorance of the rule is not an excuse.**

LS: 1 No person shall pull or tamper with the fire alarm system pull stations, or security alarm in the clubhouse, except in the event of a bonafide emergency where fire is seen, evidence of fire is smelled, or smoke has been detected.

LS: 2 No person shall play with, tamper with, remove from the premises, touch or damage any poolside life saving or operating equipment including but not limited to: Life rings, shepherds hook, flotation ropes, first aid kits, filters, pumps, water treatment equipment or chemicals.

LS: 3 No person shall play within 50' of any electric security gates; nor shall they tamper with hardware, arms, gates, chains, electronic card readers or related equipment, or attempt to circumvent the authority of the access control system regardless if the system is defective or not. Failure of the hardware to perform as expected is not an excuse to circumvent or damage it.

LS: 4 No homeowner will give, lend or allow to be used an access control device whether it be a card key or clicker or pedestrian gate key to any person who is not a full time legal resident of Bonita Lakes. Proof of residency includes State ID, Passport, School ID, Mail received by the individual at a Bonita Lakes address, or other bonafide proof of residency. Inconvenience is not an excuse to circumvent the access control provisions of our security protocol. All non residents must pass through the security checkpoint.

LS: 5 No person shall tamper with any wire, cable, electrical connection, utility box, post, housing, camera, light or other features of the Bonita Lakes Surveillance system.

LS: 6 Because the Bonita Lakes Web Site is a primary means of communications for the community, it shall be considered a violation of this section for any person to attempt to damage, hack, change, disturb, create a denial of service attack on, hijack bandwidth, obtain users files or personal data from or in any way molest the web site.

LS: 7 Feeding, molesting, killing, interfering with, or in any way interacting with the wildlife in Bonita Lakes is prohibited. Bird feeders would be generally prohibited under Community Standards and subject to ACC scrutiny. Bird feeders tend to attract undesirable and destructive species as well as those desired. Ducks particularly should not be fed as to do so disturbs their natural nomadic movement in search of insects to eat. Muskovy Ducks cannot be legally relocated (Florida Statute), when they become a nuisance because of number or behavior, they must be legally removed and destroyed ONLY by a licensed service for which we pay a fee per "head". Fishes in the lakes should be released quickly without injury, so that they can be caught again unless taken for consumption as provided for in General Rule 9. This provision does not apply to poisonous snakes, rats, mice or other vermin.

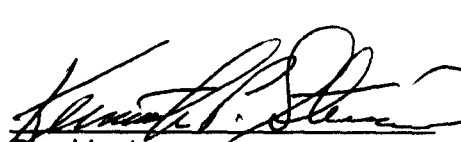
**General Rule 12: ATV, GO-PED, MOPED & SIMILAR VEHICLES:**

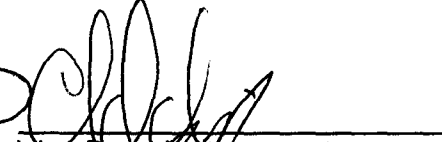
- (a) Motorized bicycles can be operated within the private roadways of the Bonita Lakes Property Owners Association, provided that the operator is at least 16 years of age and complies with all traffic regulations relating to the operation of vehicles on the private roadways of the Association and relevant Florida Statutes.
- (b) Mopeds can be operated on the private roadways of the Bonita Lakes Property Owners Association, provided that the operator possesses a class A, B, C, D, or E Florida Drivers License and is over the age of 16. Furthermore, the moped must have a valid license tag and proof of annual registration shall be provided to the Bonita Lakes Property Owners Association along with the name of authorized operators. The operator of the moped shall comply with all traffic regulations relating to the operation of vehicles on the private roadways of the Bonita Lakes Property Owners Association and relevant Florida Statutes.
- (c) Motorized scooters (ATV's, gopeds, pocket bikes and similar vehicles) are not permitted to be operated on the common areas and private roadways of the Bonita Lakes Property Owners Association consistent with Florida Statutes.

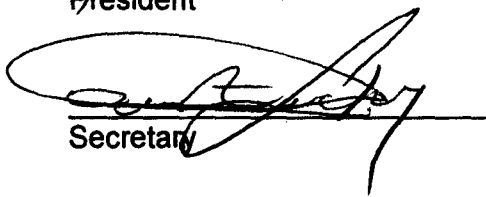
Revision 1: General Rule 12 was added by Board action 2-28-06.

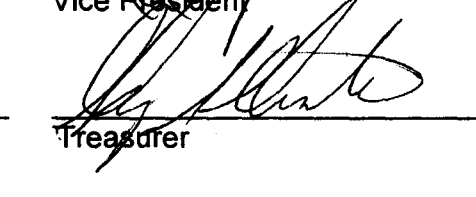
Adopted by the Board of Directors of Bonita Lakes Property Owners Association, Inc.

On 2-28-2006 and to become effective on 3/14/06.

  
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President

  
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Vice President

  
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Secretary

  
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Treasurer

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Member at Large