

**RULES AND REGULATIONS, ARTICLE XVI SECTION 3 CONT.**

**VENTURE OUT AT INDIAN RIVER, INC.**

**March 4, 2016**

**TABLE OF CONTENTS:**

- 1. RESPONSIBILITIES OF OWNERS, GUESTS and RENTERS**
- 2. UNITS**
- 3. PARKING AND STORAGE RULES**
- 4. ROAD USE AND TRAFFIC RULES**
- 5. CANAL RULES**
- 6. HURRICANE SEASON**
- 7. BUILDING AND INSTALLATION RULES**
- 8. EASEMENTS**
- 9. CONDOMINIUM FEES**
- 10. CONFLICTS**
- 11. NOTIFICATION OF RULE VIOLATIONS**
- 12. PENALTY**
- 13. PREVIOUS RULES AND REGULATIONS**
- 14. RECORDED COPY AND POSTING**

**FILE NAME: Indian River R&R\_FINAL**

## **RULES AND REGULATIONS, ARTICLE XVI SECTION 3 CONT.**

### **VENTURE OUT AT INDIAN RIVER, INC.**

**March 4, 2016**

The rules and regulations hereinafter enumerated, and the Rules and Regulations of Venture Three, Inc. shall be deemed in effect until further amended by the Board of Directors and shall apply to and be binding on all Unit Owners. The Unit Owners shall at all times obey said rules and regulations and use their best efforts to see that they are faithfully observed by their families, guests, invites, renters, and persons over whom they exercise control and supervision. A current copy of these rules is available at the Venture Three Inc. office.

Said rules and regulations are as follows:

#### **1. RESPONSIBILITIES OF OWNERS, GUESTS and RENTERS:**

- A. All owners, guests and renters are subject to the Venture Out at Indian River, Inc. Rules and Regulations.
- B. All owners, guests, and renters will register at the Venture Three, Inc. Office when commencing their stay at the park, and will notify the office when leaving the park for a period exceeding one week. This notification is necessary to facilitate prompt response in an emergency and to be in conformance with Florida Statutes.
- C. All owners who place their lot and/or unit for sale must provide a current copy of these Rules and Regulations to the prospective buyer. The owner must sign a Venture Out at Indian River form #100 stating that a copy of the rules has been provided to the buyer. The prospective buyer must sign the same Venture Out at Indian River form #100 stating that he or she has read the rules and agrees to abide by them. The form must be notarized and attached to the copy of the Warranty Deed provided to the Venture Three, Inc. office.

#### **2. UNITS:**

- A. **Definition:** Units are designated lots, parcels or plots, specifically designated for the construction, use, parking or setup of the following:
  - 1) **Recreational Vehicles (RVs):** Defined as a folding type “pop-up” trailer, pick-up camper, travel trailer, motor homes, park trailer and RV Park trailers as described in Florida Statutes, Chapter 513 and Chapter 320F.S., as amended, sometimes referred to as mini-mobile homes, all of which were originally manufactured and designed for use as a completely self-contained recreational vehicle.
  - 2) **Single Family Houses:** Permanent Single Family houses of frame, block or concrete construction, as allowed by the St. Lucie County Building Codes and Rules and Regulations of Venture Out at Indian River, Inc.
- B. **Unit Use, Maintenance and Restrictions:**
  - 1) All units must be properly maintained, kept free from accumulations of clutter, rubbish, refuse and garbage and kept free of any fire hazard.

## **RULES AND REGULATIONS, ARTICLE XVI SECTION 3 CONT.**

### **VENTURE OUT AT INDIAN RIVER, INC.**

**March 4, 2016**

- 2) Trees and shrubs, especially on corner lots, must be trimmed back to prevent obstruction of sign age or vision of oncoming traffic.
- 3) Items such as unused construction materials, general purpose tools, lawn and garden implements (shovels, rakes, lawn equipment, etc.) shall not be permitted to remain where they can be seen by other owners or visitors, except when the items are actually in use.
- 4) One small portable clothes drying rack may be used in an inconspicuous area.
- 5) All Recreational Vehicles (RVs), mobile homes, or Single Family Houses shall have all basic utility hookups (water, electricity, and sewage) that meet all County Codes.
- 6) The underneath area of any permanent installation of an RV must be skirted with a material to blend with the RV and park surroundings.
- 7) All permanent RV installations must be properly tied down per County Code.
- 8) The installation of a radio or TV antenna on a unit is prohibited. The installation of a small satellite dish is allowed, provided that the installation is accomplished within all setbacks and height limitations and provides the least possible visual impact.
- 9) No fences are allowed other than a safety fence that meets county code. It may be installed along the seawall of a waterfront unit, with side fences approved by the Indian River Condominium Board. No wooden fences are allowed. The height of the fence will be a minimum of 3 feet (3') high and a maximum of 4 feet (4') high. The fencing materials, type of fence and a diagram of the fence with a copy of a survey of the plot layout along with a form 101 must be submitted to the Indian River Condominium Board to approve or disapprove the planned fence.
- 10) Only two signs are permitted on the unit:
  - a) One small, tastefully designed, sign with a maximum area of one square foot that may be used for any or all of the following:
    1. Owner's or Renter's name
    2. Unit Number
    3. Name of Hometown and/or State
  - b) One "For Sale" or "For Rent" sign with a maximum area of 24"x24".
  - c) All signs must be made of a durable waterproof material and be kept in good repair.
- 11) A storage box constructed of a durable material, with a maximum volume of one hundred twenty-eight cubic feet (128') is allowed provided it is:
  - a) Properly tied down with ground or concrete anchors
  - b) Kept neat and clean and in good repair
  - c) Not built as an addition to the residence unless it conforms to the house style and roof line, meets setback requirements, and is approved by the Building Committee and the Board of Directors

## **RULES AND REGULATIONS, ARTICLE XVI SECTION 3 CONT.**

### **VENTURE OUT AT INDIAN RIVER, INC.**

**March 4, 2016**

- 12) No washing machines, dryers, freezers, ice machines, or other household appliances are allowed outside of the RV, screen room, or dwelling.
- 13) Each unit must have an in-ground garbage can with a top a maximum of six inches (6") above ground, maintained in sanitary and serviceable condition.
- 14) No animals or fowl shall be kept or maintained on a unit except for the customary household pets, and then only on a leash, and in accordance with the St Lucie County Code for animals in a residential district, which limits pets to 3. An additional restriction limits the number of dogs to two (2).
  - a) Pit Bull, Rottweiler and Doberman breeds as well as cross breeds of such, are prohibited. In addition, any pet showing aggressive behavior and cited, as per St Lucie County regulations, for the same, must be removed from the property by the Unit Owner, renter or guest.
  - b) When outdoors, pets must be on a leash and under owner's control at all times.
  - c) Pets are not allowed on neighbor's unit.
  - d) Pets are exercised only in designated pet walking areas.
  - e) Pet droppings must be picked up and disposed of immediately.
  - f) Pet owners must register all of their pets with the Venture Three office with photos of the same. Pet owners are also required to show current proof of rabies vaccination at the beginning of each calendar year for any pet. Renters are also required to submit photos and proof of rabies vaccination for any pet 7 days in advance of rental. All owners and renters are expected to abide by the pet licensure requirements of St Lucie County.
  - g) No feeding of wild animals/birds is allowed.
- 15) Any common nuisance, any illegal activity, any practice that is a source of annoyance to park residents or any practice that interferes with the peaceful possession and normal use of the property by its residents, will not be allowed.
- 16) It shall be the continuous responsibility of each Unit Owner to properly secure all personal property, on his unit, against the hazard of high velocity winds, which can occur at any time, to prevent damage to other properties in the Condominium.
- 17) Quiet Hours: Between 11:00 PM and 7:00 AM everyone in the park will endeavor to maintain as low a noise level as is possible. Residents and guests will refrain from loud talking, high volume use of television sets and radios, and engaging in noise producing activities such as hammering, running power tools, loudly closing car doors, etc.
- 18) Curfew: There is a curfew for everyone under 18 years of age from 11:00 PM to 7:00 AM unless accompanied by a parent, grandparent or adult host.
- 19) Year-round street lighting, attached to the front of a house or on a post on the east side of most units, or the west side of units on Stingray Drive, which is used for the security and safety of park residents, and must be on from dusk to dawn whether the unit or lot is occupied or vacant. Venture Three will arrange for the repair of broken or inoperative

## **RULES AND REGULATIONS, ARTICLE XVI SECTION 3 CONT.**

### **VENTURE OUT AT INDIAN RIVER, INC.**

**March 4, 2016**

lights. The Unit Owner will be billed for the cost of the repairs in their monthly maintenance statement. It is the responsibility of the Unit Owner to supply power for the light on a year-round basis, whether the light is on a post or attached to a building. If the light is on a post, it is the Unit Owners' responsibility for proper maintenance of the post; if attached to a building, the fixture is the Unit Owners' responsibility. If a Unit Owner replaces a burned-out bulb, it shall be a minimum of 40 watts or 450 lumens.

### **3. PARKING AND STORAGE RULES:**

**A. Vehicle Parking:** Vehicles may be parked in the driveway of the owner's unit, providing that:

- 1) The driveway is large enough to accommodate all vehicles, and the vehicles do not overlap onto the roadway or grass. Vehicles are not permitted to permanently park on the grass.
- 2) Vehicles may not be parked at any other unit without the respective owner's written permission. This permission must be filed with the Venture Three office.
- 3) Owners, guests and renters must display Venture Three parking stickers/tags available from the office. Violations are subject to towing at the vehicle owner's expense.
- 4) No overnight parking on park roadways is permitted, except as noted in section 3-B.
- 5) No unregistered vehicles shall be parked in the driveway of any owners unit.

**B. Parking and Loading RV:** When entering or leaving the park for the season or vacation, an RV will be allowed in the driveway, or immediately in front of the driveway or in front of the house providing that:

- 1) Parking is limited to a maximum of forty-eight (48) continuous hours.
- 2) The RV shall not interfere with the use of your neighbor's driveway.
- 3) The RV shall not block the park roadway.
- 4) The RV can be hooked up to electric power only.
- 5) No overnight sleeping is permitted in the RV.
- 6) All other overnight parking on park roadways is prohibited.

**C. Utility/Boat Trailer:** The unit may not be used for storage of boats, campers, utility trailers or boat trailers, for a period of more than forty-eight (48) continuous hours per thirty (30) days period beginning on the date of initial storage.

- 1) Boats and/or boat trailers cannot be stored, for any period of time, on the unit property except as allowed above.
- 2) After forty-eight (48) hours, the above mentioned units must be moved out of the unit section of the park.

### **4. ROAD USE AND TRAFFIC RULES:**

A. All owners, renters, visitors and guests shall operate their vehicles with due care, caution, and reasonable control at all times. No vehicle shall be operated at speeds exceeding ten (10) miles per hour and the operator shall observe all traffic control signs.

## **RULES AND REGULATIONS, ARTICLE XVI SECTION 3 CONT.**

### **VENTURE OUT AT INDIAN RIVER, INC.**

**March 4, 2016**

- B. Golf carts (electric or gas) are allowed providing:
- 1) Golf cart owners have proof of current liability insurance
  - 2) Drivers are at least 16 years old
  - 3) Golf carts have proper white front lights and red rear lights.
  - 4) Brakes, steering system, and lights are maintained in proper operating condition.
  - 5) Speed is kept to ten (10) miles per hour or less at all times.
- C. ATVs (all-terrain vehicles) and all similarly classed vehicles are not permitted to be operated at any time by owners, guests, or tenants on the park roadways or other common elements.
- D. There shall be no use of roller blades, hover boards, skateboards, roller skates or scooters.
- E. Bicycles and tricycles must be kept in good operating condition and, if operated at night, must have a visible white front light.
- F. There is no overnight parking allowed on park roadways, except as allowed in section 3-B above.

#### **5. CANAL RULES:**

- A. There shall be no additional pilings in the canal unless approved by the Building Committee and the Board of Directors. Those pilings now in the Canal may not be replaced. For boat tie-ups, pilings are allowed, if they are placed as close as possible to the seawall, approximately one foot (1') from the seawall.
- B. A boat tied up at a unit's seawall must be six feet (6') [three feet on each side] shorter than the length of the seawall as measured along the seawall between the unit's property side lines.
- C. Hoists and lifts:
- 1) Cantilever hoists and elevator lifts are permitted providing that the base is at least three feet (3') from property sidelines.
  - 2) Elevator boat lifts are permitted providing that;
    - a) Elevator boat lifts are allowed on an angle as per drawing titled, Indian River Angle Boat Lift, Dated 2-22-08.
    - b) Boat lift piling ("A") to be set no more than three feet (3'-0") from the seawall.
    - c) Boat lift piling ("B and C") to be set no less than three feet (3'-0") from the side property line.
    - d) Access to the lift with a ramp no wider than three feet (3'-0") attached to pilings ("A and D") will be permitted from the seawall to piling ("D") and no further into the canal.
    - e) No other structure, patio, ramp, etc., shall be built on, or beside the boat lift.
    - f) Maximum measured total length of boat or watercraft must allow for a three foot (3') clearance from the extended lot line in waterway on both sides.

**RULES AND REGULATIONS, ARTICLE XVI SECTION 3 CONT.**

**VENTURE OUT AT INDIAN RIVER, INC.**

**March 4, 2016**

- g) Wheelchair ramp will be permitted to the boat lift per handicap permit specification and filed with the state, a copy of this permit must be attached to the 101 form.
- h) Special exception for a boat lift setting will be reviewed by the Indian River Board for a hardship condition on a lot by lot basis.
- i) Elevator boat lift drawings shall be submitted to the Indian River Building committee, along with a 101 form for approval, before it goes to permitting.
- j) All existing boat lifts can remain in place until there is a conflict with an adjacent boat lift, then the angle lift shall take precedent.
- k) All other permits with the Federal, State, and County must be approved before any work can be started.
- l) Davits are permitted provided they do not overhand the property side lines.
- m) There shall be no sleeping aboard boats in the canal or marina.
- n) There shall be no other structure created that extends out from the seawall into the canal.
- o) All maintenance of the seawall shall be the lot owner's responsibility. Any storm damage to the seawall must be repaired as soon as possible to prevent loss of retained soil.
- p) Dredging of the canal to accommodate a specific lot owner's boat will be the owner's responsibility, with approval of the Board of Directors.





## **RULES AND REGULATIONS, ARTICLE XVI SECTION 3 CONT.**

### **VENTURE OUT AT INDIAN RIVER, INC.**

**March 4, 2016**

#### **6. HURRICANE SEASON:**

- A. Dates of season are June 1st to December 1st.
- B. All park model trailers, and other vehicles with push outs and fifth wheels (when tow vehicles and owners are not present), must be tied down per Florida Insurance Codes during the season.
- C. All small recreational vehicles and boats on boat trailers must be tied down per Insurance Code or immediately removed from the Park when there is a hurricane warning issued.
- D. As discussed in section 2-B-16 above, each Unit Owner shall properly secure all personal property on his respective Unit against the hazard of high velocity winds.
- E. Hurricane tie down rules will be strictly enforced. If an owner is notified by certified mail by the Board of Directors to make corrections, they must be made within 14 days. If the correction is not made, the Venture Three Office will hire a licensed contractor to make the correction and the cost will be billed to the owner.
- F. Tree trimming of all palm trees by Unit Owners must be done before the 15th of July or the Venture Three office will have it done and bill the Unit Owner. Trimming must include removal of loose branches, coconuts and berries on palms. Unit Owners trimming their own trees must do so between June 1st and July 15th. Norfolk Pines must be maintained to a maximum height of thirty feet (30').
- G. Prior to leaving the property for an extended vacation or summer home, it is the owners, renters or guests responsibility to secure or tie down items listed below:
  - 1) Tie down all trailers and fifth-wheels.
  - 2) Barbecue Grills: Tie down to concrete or building or store inside unit.
  - 3) Tables and chairs: Store in or under structure (except concrete tables).
  - 4) Plants, potted or containers: Store in or under structure.
  - 5) Hoses: Store in or under structure.
  - 6) Bicycles: Store in or under structure.
  - 7) Outdoor storage boxes: Tie down to concrete or structure.
  - 8) Electric carts: Tie down to concrete or structure.
  - 9) Boats and trailers: Stake and tie down in storage area.
  - 10) Central Air Conditioners must be secured per County Code.
  - 11) Outside lights must be "ON" dusk to dawn.
  - 12) Store all other materials that can become dangerous missiles during hurricanes or high wind velocity.
  - 13) All affixed awning-type shutters must be in a down position when leaving the park.
  - 14) If items are left behind and are considered a threat to the properties, the Association will remove said item or items at a possible cost for the Unit Owner.

## **RULES AND REGULATIONS, ARTICLE XVI SECTION 3 CONT.**

### **VENTURE OUT AT INDIAN RIVER, INC.**

**March 4, 2016**

#### **7. BUILDING AND/OR INSTALLATION RULES:**

- A. Before making any changes and/or additions to a unit/dwelling the owner shall have a licensed surveyor establish the property boundary lines, and submit a copy to the Building Committee with the site plans. This includes:
  - 1) New RV installations and/or RV relocations
  - 2) Construction of new buildings, building additions or building alternations
  - 3) Earth and concrete excavations
  - 4) Concrete additions and removal
  - 5) Waterfront safety fence installation
  - 6) Florida/screen room addition or alternations
- B. Ten (10) days (minimum) prior to a new dwelling arriving at the gate, or any work being done to the property, including RV demolition, Unit Owners are required to submit to the building committee, the site plan and a completed form #101, which will describe the extent of the work to be completed. The plan shall include the location of all utilities and services.
- C. After review of the side plan, the building committee will give their recommendations to the Board of Directors. The Board of Directors will approve, reject, or request changes to the site plan. After approval of any part of, 7-A the Board will stamp all building and site plans or any changes to said plans with a Venture Out at Indian River Inc. Approval Stamp.
- D. Any changes made from the original approved site plan will require that the site plan be resubmitted to the building committee for approval prior to completion of work. All revisions shall be identified and dated on the drawing.
- E. A copy of the approved site plan and form #101 will be maintained in the Venture Three, Inc. office.
- F. Construction work in the Park is limited to 7:30 AM to 6:00 PM Monday through Saturday except for work required in emergency situations.
- G. It is the Unit Owner's responsibility to notify the Venture Three office when a new or replacement dwelling is scheduled to arrive at the Park. A designated person, appointed by the presiding officer, shall help oversee the placement of the dwelling on the lot. The owner will, however, bear the final responsibility for compliance with the approved site plan, height and set-back restrictions.
- H. The Unit Owner will be liable for any damages to any common utilities, common areas, roadways, and neighboring property caused by the owner or his contractors.
- I. Within fourteen (14) days after completion of the work, the Unit Owner shall return any disturbed area of the neighboring properties to its original condition.
- J. It is the Unit Owner's responsibility for the complete cleanup of the site after any type of construction work.
- K. Conformance with all County Building Codes and Ordinances is the Unit Owner's responsibility.

## RULES AND REGULATIONS, ARTICLE XVI SECTION 3 CONT.

### VENTURE OUT AT INDIAN RIVER, INC.

March 4, 2016

- L. There must be at least four feet (4') in width on the eight-foot side of the lot that is not covered with solid concrete. Patio stone, crushed rock, grass, chips, loose brick, and other pervious materials are allowed in this area. Owners of pie-shaped lots can request an exception of this four foot rule. Waterfront lots are exempt for the area along the seawall.
- M. Minimum set back of four inches (4") is required on the right side of the unit, and a minimum of eight feet (8') on the left side. The minimum set back at the rear lot line is five feet (5"). The front minimum set back is ten feet (10'). For new construction all utilities (e.g., sewer lines, electric boxes) must be located within Unit Owners property.
- N. The driveway on the front of the unit shall meet County off-street parking requirements.
- O. Required for all Dwellings:
- 1) The outside color of all dwellings shall be of a shade to blend in with existing dwellings.
  - 2) The maximum height above minimum flood plane for all dwellings shall be twenty-two feet (22') and nothing shall be allowed above the twenty-two foot height limit, such as solar panels, antennas of any type, flag poles, railing, satellite equipment, etc.
  - 3) No decks shall be permitted above the first floor.
  - 4) An air conditioner compressor unit is allowed to be placed in the set-back at either end of the dwelling if it is within established height limitations as per St. Lucie County code and is approved by the building committee and the Board of Directors.
  - 5) If any area is covered with concrete or pavers where underground utilities may be installed, it will be the owner's responsibly to replace said concrete or pavers if the utility must be made accessible for servicing.
  - 6) Except for the roof gutter, no part of the dwelling may extend into the 4 inch (4") set back on the utility side of the property.
  - 7) All utilities, including power, water, sewage, telephone, and cable TV are required for the dwelling.
    - a) The site plan shall include location of all utilities and services.
    - b) Power, water and sewage utilities must be on unit property.
  - 8) All roof water collected from gutters and down spouts on the four inch (4") utility side must be directed away from the adjoining property.
  - 9) Street lighting, including house-mounted lights on the front of the house shall be provided on every site.
  - 10) Measured from ground level, the height of the Patio, Car Port, or Garage Door opening shall be a maximum of nine feet (9').
  - 11) On flat roof design dwellings, the roof shall not be used as a patio deck, and furniture of any type, shall not be permitted on said roof.

### **8. EASEMENTS:**

An easement ten feet (10') in width is reserved along the inside of and across each of the unit lines of each unit in the Subdivision for the installation and maintenance of utility services, and it is understood that such easement may be used by the condominium, and/or its assigns, for

**RULES AND REGULATIONS, ARTICLE XVI SECTION 3 CONT.**

**VENTURE OUT AT INDIAN RIVER, INC.**

**March 4, 2016**

such installation and maintenance, as the case may be, for service either to the Condominium property or other property or projects of the condominium in the general area of the Condominium.

**9. CONDOMINIUM FEES:**

Venture Three, Inc. shall levy and collect a reasonable monthly assessment against owners, sufficient to cover each Unit's proportionate share of the actual cost of operating and maintaining all Common Use Elements, Common Co-Use Areas and Easement appurtenant to the Units and the facilities providing water, electricity, garbage disposal service, sewage service, cable TV service, general maintenance and carrying out of its duties hereunder as "Management". Likewise, Venture Three, Inc. shall include in the assessment so made, the sum adequate to pay all real property taxes on the Common Elements, the Common Co-Use Area and the Easements. The collections of these sums shall be provided for in an adequate manner to assure the maintenance necessary.

**10. CONFLICTS:**

In the event of any conflict, between the rules and regulations contained herein, or from time to time amended or adopted, and the Condominium documents, or the Florida Condominium Act, the latter shall prevail.

**11. NOTIFICATION OF RULE VIOLATIONS:**

It is the responsibility of the Board of Directors to enforce the Rules and Regulations. Owners and/or renters will be notified, in writing by certified mail, when a violation occurs. All violations must be rectified within 30 days of notification.

**12. PENALTY:**

Any violations of the rules and regulations of Venture Out at Indian River, Inc. may be subject to a maximum fine of \$50.00 per day based upon written notification of the violation, 30 day notice and the Board of Directors approval.

**13. PREVIOUS RULES AND REGULATIONS:**

These Rules and Regulations supersede and replace all those previously issued. All superseded copies of the Rules and Regulations are hereby declared void and should be removed from the file.

**RULES AND REGULATIONS, ARTICLE XVI SECTION 3 CONT.**

**VENTURE OUT AT INDIAN RIVER, INC.**

**March 4, 2016**

**14. RECORDED COPY AND POSTING:**

A recorded copy of these Rules and Regulations is on file in the Venture Three, Inc. office and attached to the Venture Out at Indian River, Inc. minutes.

Authorized and approved by the Board of Directors of Venture Out at Indian River, Inc. on February 21, 2005.

Amendments, authorized and approved by the Board of Directors of Venture Out at Indian River, Inc. on: May 5, 2006; March 22, 2007; November 19, 2007; March 17, 2008; October 9, 2008; November 17, 2008; March 4, 2016.