

CERTIFICATE OF AMENDMENT  
OF  
RULES AND REGULATIONS  
OF  
VENTURE HARBOUR, INC.  
A SENIOR COMMUNITY

At a Regular meeting of the Venture Harbour Inc. Board of Directors held on January 15, 2024 at 10:30 A.M. amendments were made to the Rules and Regulations of Venture Harbour, Inc.

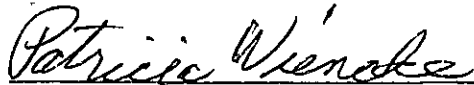
Copy of Amended Venture Harbour Rules and Regulations, Dated 15 January 2024, Attached

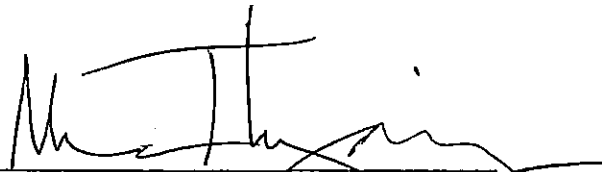
**IT IS FURTHER CERTIFIED** that the resolution adopting the above amendment was duly approved by an affirmative vote, unanimously, of the Board of Directors at a Regular Meeting held on 15 January 2024 and said resolution appears upon the minutes of the meetings and is unrevoked.

**EXECUTED** at Jensen Beach, Florida this 25th day of January, 2024.

VENTURE HARBOUR, INC.,  
A SENIOR COMMUNITY

(VH Corporate Seal Here)

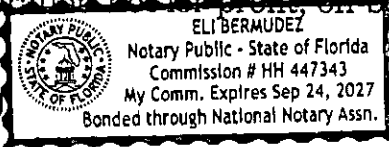
  
Patricia Wiencke, Secretary


  
Marc Thyrring, President

STATE OF FLORIDA)  
COUNTY OF ST. LUCIE)

The foregoing Certificate of Amendment was acknowledged before me this 25th day of January 2024 by MARC THYRRING AND PATRICIA WIENCKE, President and Secretary respectively, of VENTURE HARBOUR, INC., a Florida corporation ~~not for profit~~ on behalf of the corporation.

(Notary Seal Here)



  
Eli Bermudez, LCAM



***Venture Harbour, Inc.***  
***A Senior Community***  
***Rules and Regulations***

**January 15, 2024**

Venture Harbour, Inc., A Senior Community

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**Table of Contents**

I. HOME SITE ..... 6

    A. Dwelling Style:..... 6

    B. Construction Approvals: ..... 6

    C. Decks: ..... 7

    D. Building Restrictions and Setbacks: ..... 7

        1. New home construction shall be a minimum of 1500 square feet (under air conditioning). Note: Garage is NOT considered part of the 1500 square feet)..... 7

        2. Front: 30 feet from center line of road on straight property lines on Snook and Wahoo Streets..... 7

        3. 37 1/2 feet from center line of Fisherman’s Blvd for lots A-18 & B-1..... 7

        4. 42 feet from cul-de-sac center pin on all property lines on Snook St. .... 7

        5. 45 feet from cul-de-sac pin on all arc property lines on Wahoo St. .... 7

        6. Side: 7 1/2 feet from all side property units..... 7

        7. Rear: 15 feet from all property lines. .... 7

        8. Building Height..... 7

        9. New Home utility connections. .... 8

    E. Watercraft Lifts, Docks, Davits ..... 9

        1. General ..... 10

        2. Canals and turning basin waterway. All A lots and B lots thru B-10..... 10

        3. Indian River. Lots B-11 thru B-18..... 12

        4. Approval..... 12

    F. Mailboxes: ..... 13

---

Revised 15 January 2024

Venture Harbour, Inc., A Senior Community

---

II. OCCUPANCY: ..... 14

    A. VH an Adult Community: ..... 14

    B. VH Homes are Single Family Dwellings: ..... 14

    C. Household Children: ..... 14

    D. Visiting Family age Waiver: ..... 14

    E. Owner and Guest Registration on Arrival/Departure ..... 14

III. MAINTENANCE: ..... 14

    A. Bulkhead, Seawall Maintenance: ..... 14

    B. Venture Harbour Reimbursement for Seawall Work..... 15

    C. Home Site Maintenance Responsibility: ..... 15

    D. Additional Owner Maintenance Responsibilities: ..... 15

    E. Tree Trimming ..... 16

    F. Construction ..... 17

IV. LEASING: ..... 18

    A. Occupancy: ..... 18

    B. Submission of Lease Application Package: ..... 18

    C. Minimum Lease Period and Mandatory Interview: ..... 18

    D. Lease Age Restrictions: ..... 18

V. Resale: ..... 19

    A. Board Approval of Sale: ..... 19

    B. Submission of Sale Package: ..... 19

    C. Sale Age Restrictions: ..... 19

    D. Landscaping Part of Sale: ..... 19

    E. Real Estate Agency Requirements: ..... 19

**Venture Harbour, Inc., A Senior Community**

---

- VI. RESTRICTIONS ..... 19
  - A. Resident and Visitor Restrictions:..... 19
- VII. RULE VIOLATIONS: ..... 21
  - A. NOTIFICATION OF RULE VIOLATION: ..... 21
    - 1. Board Responsibility ..... 21
    - 2. Emergencies ..... 22
- VIII. REMEDIES FOR VIOLATIONS, FINES, & SUSPENSIONS: ..... 22
  - A. Fines ..... 22
  - B. Standardized Enforcement Process ..... 23
    - 1. Initial Violation ..... 23
    - 2. Documenting Violations ..... 23
  - C. Written Notice..... 23
  - D. Implementing a Fine..... 24
- IX. Change Summaries: ..... 27
  - A. Updates for November 2019: ..... 27
    - 1. Added I.D.1 New home construction shall be a minimum of 1500 square feet (under air conditioning). Note: Garage is NOT considered part of the 1500 square feet). (Subsequent paragraphs renumbered accordingly) ..... 27
    - 2. Changed paragraph IV.C to read "THREE" months from "TWO" months. .... 27
  - B. Updates for March 2021: ..... 27
    - 1. Added Table of Contents ..... 27
    - 2. Preamble: Added .... "or special" ..... 27
    - 3. Para I.B, Corrected E-mail address: V3Office@V3Assoc.com ..... 27

Venture Harbour, Inc., A Senior Community

4. Para V.A.9, Added "Private Property" and/or "No Trespassing" signs may be displayed on lots under construction and on empty lots..... 27

C. Updates for April 2021..... 27

1. Added Para VII RULE VIOLATIONS..... 27

2. Added Para VIII REMEDIES FOR VIOLATIONS, FINES, & SUSPENSIONS 27

3. Renumbered Change Summaries to Para IV..... 27

E. Updates for January 2022 ..... 27

F. Updates for February 2022 ..... 28

D. Updates for November 2021.....26

1. Modified Paragraph III.D.8. prohibiting solar lighting .....26

E. Updates for January 2022 .....26

1. Added "consecutive" to Section IV, Leasing, Article C, Minimum Lease Period and Mandatory Interview.....26

F. Updates for February 2022 .....27

1. Added requirement for a sealed property survey if property lines come under question .....27

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Venture Harbour, Inc., A Senior Community

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**PREAMBLE:**

In order to maintain the high standards of our community and thus enhance the value of each dwelling and home site, the following Rules and Regulations have been established by the Board of Directors of Venture Harbour, Inc. and can be modified at any regular or special meetings of the board.

**I. HOME SITE**

**A. Dwelling Style:**

Any dwelling to be erected on any home site must be in accordance with the County and State regulations and comparable in appearance to those recently constructed in the community.

**B. Construction Approvals:**

To ensure all building restrictions and setbacks are adhered to, Venture Harbour Inc. requires a homeowner to supply a sealed property survey by a licensed surveyor which identifies all property survey pins. If the building of any dwelling or attachments comes under question with respect to building restrictions or setbacks, the Venture Harbour Board of Directors or the Building Committee can require the homeowner to supply a survey with survey pins marking the property lines. The dwelling itself, and addition thereto, and the exact location of the entire structure on the home site must have prior approval of the Board of Directors of Venture Harbour, Inc. For the building of the house, or any additions to the house, the plans must be approved by the Venture Harbour Board of Directors and accompanied with a signed Form #101. The owner must then obtain a building permit from the County, and a signed Indemnification Agreement. Owner shall ensure that they, and the contractor, comply with the working hours and conditions outlined in the submitted Form 101 - **V3 Contractor Rules, WORK BY CONTRACTORS & TRADES, PROFESSIONAL, AND COMMERCIAL PERSONS**. This shall include any work performed by the owner acting as contractor.

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Venture Harbour, Inc., A Senior Community

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Please Note: Venture Harbour Inc., – Venture Out at Indian River Inc., – Venture Out at St. Lucie Inc., all require a FORM 101 and an INDEMNIFICATION AGREEMENT to be executed prior to any outside construction or demolition. These documents may be obtained at the V-3 Office, or you may request them to be mailed to you, or they can be E-mailed to you as an attachment.

The V-3 Office address is:

Venture Three, Inc.

10701 S. Ocean Drive OFC

Jensen Beach, FL 34957

Telephone: 772-229-2333

E-mail address: [V3Office@V3Assoc.com](mailto:V3Office@V3Assoc.com)

**C. Decks:**

Any decks shall not be at a higher level than the floor level of the building.

**D. Building Restrictions and Setbacks:**

The building restrictions for Venture Harbour, Inc. are as follows:

1. New home construction shall be a minimum of 1500 square feet (under air conditioning). Note: Garage is NOT considered part of the 1500 square feet).
2. Front: 30 feet from center line of road on straight property lines on Snook and Wahoo Streets.
3. 37 1/2 feet from center line of Fisherman's Blvd for lots A-18 & B-1.
4. 42 feet from cul-de-sac center pin on all property lines on Snook St.
5. 45 feet from cul-de-sac pin on all arc property lines on Wahoo St.
6. Side: 7 1/2 feet from all side property units.
7. Rear: 15 feet from all property lines.
8. Building Height

For the purpose of this section, the maximum height of any onsite construction of a Detached Single-Family Residence, including additions thereto, shall not exceed twenty-two (22) feet above finished grade or minimum flood elevation,

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Revised 15 January 2024



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Venture Harbour, Inc., A Senior Community

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whichever is higher. The maximum height of any structure shall be determined at the highest point of the roof. In the case of multiple roof lines, the maximum height of any structure shall be determined at the highest point of the highest roof structure or system. To the extent that the method of determining maximum building height as described in this paragraph conflicts with any other provision of this code, the terms of this paragraph shall apply. These setbacks are also applicable to any free-standing structures and attached additions to mobile homes or conventionally built homes or buildings.

9. New Home utility connections.

Each home site within Venture Harbour has building restrictions and setbacks as set forth in section "D" paragraph 1-7 above. Contained within the 15' setback the rear (water side) of the home site is an easement for public utilities e.g., telephone, cable TV and electric. There are also easements contained within the front and side setbacks of each home site for connection to the community owned water and sewer. The community owned utilities are managed by Venture Three Inc.

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Venture Harbour, Inc., A Senior Community

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- a. All new home sites will have utilities placed in the following easement locations:
- (1) Electric, phone, and cable TV will all be contained within the 15' setback in the rear (non-street side) of the home and use the 7 1/2' side setbacks between homes for individual homes connections.
  - (2) Sewer hook-ups will utilize the front (street side) and side 7 1/2' setbacks for individual home hook-up.
  - (3) Water hook-ups will utilize the front (street-side) setbacks for water main line and meters. Individual home connections may also use the side 7 1/2' setbacks.
  - (4) It is mandatory for new homes to hook up to the FPL handhold in the ground instead of the community pedestal. The meter will be on the owner's property.
- b. Home site modifications requiring new utilities:  
Modifications to existing home sites requiring new utilities, e.g., electric, phone, cable, sewer, or water must abide by the requirements of D.1-8 above.

**E. Watercraft Lifts, Docks, Davits**

Watercraft lifts, davits, mooring devices, docks, access docks, parallel to seawall piles, dredging adjacent to lots on waterfront property, and adjacent waterways.

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Venture Harbour, Inc., A Senior Community

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1. General

- a. Setbacks of 5'0" at property lines of all A lots and B lots 1 thru 10. B lots B-11 thru B-18 to have 10'0" setbacks. No piling, dock system, mooring device, watercraft and its fully extended parts shall be permitted to intrude into the setback in, on, or above the water and on the seawall.
- b. No watercraft/waterfront/lift(s) may be rented or leased except to active members of Venture III. No live aboard.
- c. Working Lift Systems: All dock systems, lifts, davits, pilings, and watercraft must be in proper working condition. Any derelict structure or equipment must be repaired, replaced, or removed within four months of notice by V.H. Board of Directors.
- d. No permanent covers or roofs shall be permitted above lifts and dock systems.
- e. Dredging: All dredging must be permitted by state and county authorities having jurisdiction. Bahama (prop wash) dredging is not permitted.
- f. Boat Registration: Any boat owner must provide evidence of ownership or lease and current registration to V-III Property Mgr.
- g. Storm Season Plan: No owner may leave a watercraft stored on a in the water floating lift from 1 May thru 30 Nov. while out of town and must have a "tropical storm warning watercraft removal plan" on file with the V-III Mgr. at any time the owner is out of town between 1Dec thru 30 Apr.
- h. Committee Reporting: This committee has the responsibility to report all issues to the V.H. Board for their action.

2. Canals and turning basin waterway. All A lots and B lots thru B-10.

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- a. Lifts, davits, mooring pilings, mooring devices, access platforms, and watercraft may be parallel or angled to seawall. Exception: Floating removable lifts may be moored perpendicular to seawall if the overall length of watercraft and lift is less than 12' 0" overall and does not extend over the 20'0" envelope line from the property line.
- b. Floating Watercraft Lift (FWL). A FWL may not be used for mooring watercraft that remains in the water per FLA Statute 403.813. The FWL shall have UV resistant skin suitable and warranted by manufacturer for saltwater use. Skins may be aluminum or heavy-duty polyethylene material. Installation must meet or exceed manufacturer requirements and specifications. A copy of the manufacturer's installation manual must accompany the form 101 for approval.
- c. Minimum mooring material requirements: FWL pilings must be PVC Schedule 40, 6-inch dia. for motorboats, pontoon boats, and sailboats. Other FWL pilings may be Sch. 40, 4-inch dia. Piling height to be 48 inches above MHW and set 4 feet or more below canal bottom.
- d. No piling, watercraft with fully extended parts, mooring ball, anchor/anchor line may be placed more than 20'0"(including pilings) into the waterway as measured from your property line. Note: the property line is not the waterside edge of the seawall. It is located approx. center line on the original 1976 seawall. A survey will have to locate and indicate this (mark) in the case of new seawalls.

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Venture Harbour, Inc., A Senior Community

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- e. When the seawall has batter piling the area between the adjacent pilings for lift and parallel mooring will require a platform for safe access to watercraft. The platform may have similar design and material as a dock. The platform may extend up to 5'0" from the property line into the waterway and the pilings for mooring and lifts shall be attached to the platform. Part of the safety access platform, up to a maximum length of 20'0", may be lower in order to access floating watercraft. There may be a 4'0" wide safety access platform between the seawall and the seawall side of the parallel brace on a free standing four(six) pile elevator boat lift. The height above MHW may be determined by seawall top cap grade level; length may be length of lift(s) or parallel mooring pilings, or both.

3. Indian River. Lots B-11 thru B-18

- a. One dock system with elevation of 5'0" above MHW consisting of an access dock and terminal dock may be installed as permitted by authorities having jurisdiction. A replacement system must meet current standards.
- b. The access dock not exceeding 4'0" in width must be located at property centerline. The access dock to attach to terminal dock. The terminal dock shall not exceed 160 sq. ft., however up to 25% of the surface area (40 sq. ft.) is authorized at a lower elevation for water and watercraft access. The dock system and pilings shall extend no further than 25'0" into the waterway
- c. Watercraft lift systems are permitted as approved and are adjacent to access dock, terminal dock, or both. Lifts may be elevator 4/6 pole system or 1 or 2 pole side loader system. Floating removable lifts are not permitted.

4. Approval

All construction requests for new or alteration of existing docks and lifts must be approved by the Venture Harbor Board. Prior to owner seeking permits from authorities having jurisdiction, owner must first submit a preliminary Form 101 to

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### Venture Harbour, Inc., A Senior Community

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the Board. (A sketch of the work to be provided) After preliminary Form 101 approval owner can move ahead with process.

Applicant must provide a copy of these rules (sec. E, I-IV) to dock/lift vender/engineer for proper submittal drawing information. Drawings must be in 1/8"=1'0" scale, fully dimensioned and show the following: plan views showing structural and utility work, watercraft in lift or at dockage, owner's property lines, seawall top cap, docks or platform, elevations and all utilities with load requirements. Also provide construction materials list/description and equipment list indicating manufacturer that will be used. Applicant must submit drawings and specifications to all authorities having jurisdiction and receive stamped approval. After the St. Lucie County approval, submit an original complete set of red or blue stamped (no copy) drawings to Venture Harbor Board of Directors for final Form 101 approval. Construction cannot begin until after this approval. No deviation from approved drawing set is permitted and if it occurs, it will be the owner's responsibility to bring project into compliance. Any construction and/or alteration not approved will be removed at owners' expense. After completion of project, inspection for compliance will be conducted by authorities having jurisdiction. If the proposed work does not require approval of State and County authorities, the owner still must provide a Form 101 to the Venture Harbor Board for approval before any work is begun.

Caution: When locating lifts and davits, consideration must be given to the future. If you or a subsequent owner deploys watercraft that infringes upon the setbacks or the 20' waterside limit as noted above, all must be brought into compliance. (This may mean moving lifts and davits)

**F. Mailboxes:**

In order to maintain a uniform look, residence mailboxes must conform to the size, shape, and color of the standard mailboxes currently throughout the community.

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Venture Harbour, Inc., A Senior Community

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**II. OCCUPANCY:**

**A. VH an Adult Community:**

Venture Harbour is a 55 years of age and over adult community; therefore, the homes must be occupied by at least one person who has attained the age of 55 years or older.

**B. VH Homes are Single Family Dwellings:**

The dwelling and home site on which it stands must be used only as a private dwelling, occupied by only one family.

**C. Household Children:**

Children, relatives, or wards of the owner(s) or of the occupants of the home, who reside in the dwelling, must be eighteen (18) years of age.

**D. Visiting Family age Waiver:**

The restrictions in IIC (above) do not apply to the periodic visits of relatives or friends of the occupant(s) of the dwelling.

**E. Owner and Guest Registration on Arrival/Departure**

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 any period exceeding one week. This is necessary to afford prompt notification in the event of an emergency.

**III. MAINTENANCE:**

**A. Bulkhead, Seawall Maintenance:**

Maintenance of the bulkhead abutting any part of any home site shall be the sole responsibility of the owner(s) of the home site who must pay for the necessary repairs so that said bulkhead shall not be or become a menace to the adjacent bulkheads and/or navigation.

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**Venture Harbour, Inc., A Senior Community**

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Replacement of seawalls: All seawall panels to be a minimum of 8" thick concrete, to have minimum compressive strength of 5000 psi@28 days. King and batter piles to be a minimum of 12" x12" pre-stressed concrete 18'0" in length. King pilings to be driven vertically at every panel seam and batter pilings to be set at 22 to 25 degrees angle at the center of each panel. All piling to be driver to ten-ton capacity. The new seawall panel will be placed less than 1'0" from old seawall panel and include a fabric backing attached to the length and height of new seawall. Prior to placing back fill, all concrete walkways, platforms, and structures must be inspected for underground voids. If any voids found, these must be filled. The top of the new seawall cap may not exceed the height road elevation or be below the original seawall.

**B. Venture Harbour Reimbursement for Seawall Work**

If the owner(s) of any home site does (do) not comply promptly with regulation III.A (above), Venture Harbour, Inc. shall have the necessary repairs made and assess the cost thereof to the owner(s) of the home site.

**C. Home Site Maintenance Responsibility:**

Home site maintenance shall be the sole responsibility of the owner(s) of the dwelling.

**D. Additional Owner Maintenance Responsibilities:**

Except for these community services provided by outside contractors, the owner(s) of the dwelling, even though occupied by others, shall be responsible for the following requirements:

1. The dwelling outside must be kept clean and neat.
2. Garbage cans must not be visible.
3. TV antennas must be maintained in proper condition and appearance.
4. Fences are not permitted.
5. Vehicle Parking:

Vehicles must be parked in the carport or driveway not on the street or grass areas overnight. Persons wishing to park on another unit owner's property, in



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Venture Harbour, Inc., A Senior Community

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the absence of that owner, must submit in writing to the Venture Three office permission from the owner including dates of usage. Vehicles must be parked so as not to obstruct access to driveways and/or mailboxes.

6. Motor Home Parking: The following types of vehicles shall not be parked on home sites or on the street in front of the owner's home site for more than 72 hours:
  - a. Motor Homes
  - b. Travel Trailers
7. Right to Enter Property in an Emergency: If the owner(s) or occupant(s) is (are) not present and it becomes necessary - to prevent damage to any property - Venture Harbour, Inc. shall have the right to enter the dwelling for the purpose of making the necessary repairs.
8. Street Lamps: Each home in Venture Harbour is required to have their street lamps (either a lamp post light or street side house light) illuminated from dusk to dawn 365 days per year for security. Solar powered street lamps are not authorized as substitutes for commercially powered electrical street lamps.
9. Securing Property Prior to Hurricane Season: Prior to leaving the property for an extended vacation, and imminent storm or to return to summer home, it is the owners' responsibility to secure their Units. If items are left behind and are considered a threat to the properties, the Association (Venture Harbour Inc. or the Management Company, Venture Three Inc.) can remove said item or items at a minimum cost to the unit Owner.

**E. Tree Trimming**

1. All tropical trees should be trimmed of coconuts, berries, and dead fronds as of June first.
2. Norfolk pines must be topped at 25'.0".
3. Venture Three, Inc. will trim trees and bill the appropriate amount to unit owners unless written notice not to trim is received by Venture Harbour Board of Directors.

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Venture Harbour, Inc., A Senior Community

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That unit owner will be responsible for tree maintenance within the specified time limits. This notice must be received by May first each year.

**F. Construction**

1. Owners are reminded that, per Form 101, they are responsible for the conduct of their contractors and the overall appearance of the job site.

2. Dumpsters:

a. Large dumpsters are permitted and must be covered and secured with a tarp at the end of each workday, to prevent debris from being blown out during stormy weather and to discourage unauthorized use.

b. Dumpsters can only be used for debris generated on the construction/building site where the work is being done. It is prohibited for contractors to bring debris from other construction/building sites.

c. Dumpsters are only permitted on "active" construction/building sites. Venture Harbour defines an "active construction/building site" as a site where work is being done on a monthly basis. If work comes to a standstill for more than 30 days, the dumpster must be removed and then returned when work resumes.

3. Construction/building sites are permitted to store materials that will be used on or for that project only. They cannot be used as a "staging area" for materials or equipment that are to be used at or for other construction/building sites that are different from the current work site.

4. Silt fences must be installed on any construction/building site at the beginning of the project and must be maintained throughout the project.

5. At the end of each workday, the construction/building site must be free of trash.

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Venture Harbour, Inc., A Senior Community

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6. Construction of new homes must be completed within two (2) years from the date the 101 Form is approved. If additional time is needed, homeowners must meet with the Venture Harbour Board to request an extension.

7. It is prohibited for Contractors to park in front of neighbors' driveways and mailboxes.

**IV. LEASING:**

**A. Occupancy:**

Article Two - Occupancy, shall apply to a lessee.

**B. Submission of Lease Application Package:**

All prospective tenants must submit a fully completed Lease Application Package before the Venture Harbour Board of Directors can consider approval for tenancy. Venture Harbour, Inc. will charge a fee of \$100.00 to cover the processing of documents for property leasing.

**C. Minimum Lease Period and Mandatory Interview:**

No dwelling may be leased for less than three consecutive months and only after the lessor has obtained prior approval from Venture Harbour, Inc. and the lessee has agreed to abide by these rules and regulations. Before approval of Venture Harbour Inc. can be obtained, it will be necessary that the lessee(s) be interviewed by a committee of two Board members and two proofs of age, such as birth certificate, driver's license, passport, etc. be submitted. The leasing of a home cannot be approved without a 10-day written notice requesting approval by Venture Harbour, Inc., and a signed agreement by the lessee(s) to endorse and subscribe to these Rules and Regulations.

**D. Lease Age Restrictions:**

All prospective tenants must comply with the restrictions contained in IV-A of these rules and regulations and one of the occupants must have attained the age of 55 years or older.

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Venture Harbour, Inc., A Senior Community

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**V. Resale:**

**A. Board Approval of Sale:**

Resale of a home and/or home site cannot be consummated without a 10-day written notice prior approval by Venture Harbour, Inc., and a signed agreement by the purchaser(s) to endorse and subscribe to these Rules and Regulations.

**B. Submission of Sale Package:**

All prospective residents must submit a fully completed Sale Application Package before the Venture Harbour Board of Directors can consider approval for residency. Venture Harbour, Inc. will charge a fee of \$100.00 to cover the processing of documents for property resale.

**C. Sale Age Restrictions:**

In the event of a resale, at least one of the occupants must have attained the age of 55 years or older. Before approval of Venture Harbour, Inc. can be obtained, it will be necessary that the purchaser(s) be interviewed by a committee of two Board members and two proofs of age, such as birth certificate, driver's license, passport, etc. be submitted.

**D. Landscaping Part of Sale:**

Any and all plantings shall become part of the home site and shall not be removed if the dwelling and/or the home site are transferred to (a) new owner(s).

**E. Real Estate Agency Requirements:**

Real Estate agencies listing properties must be supplied with Venture Harbour Rules and Regulations.

**VI. RESTRICTIONS**

**A. Resident and Visitor Restrictions:**

The following restrictions apply to residents and visitors:

1. Quiet Hours: Quiet between 11p.m. and 8 a.m. and a curfew will be in effect between 11 p.m. and 7 a.m. year-round for anyone under eighteen (18) years of age unless accompanied by a parent, grandparent, or adult host.

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Venture Harbour, Inc., A Senior Community

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2. Loud Behavior: Drunken, loud, profane language is prohibited at all times.
3. Motorcycles: Motorcycles and motorbikes must be licensed and operated at all times by licensed drivers.
4. Speed Limits: Speed limit for motor driven vehicles is 10 miles per hour.
5. Boats and Trailers: Boats and any type of trailers may be parked in the carport but not in the driveway or lawn area. Owners may not leave boats or trailers stored in carports from May 1 through November 30 while not in residence.
6. Peddling: Commercial peddling, soliciting, and selling are not permitted.
7. Pets: Two customary household pets, i.e., domestic dog or cat, are allowed per unit providing:
  - a. Pet is on a leash when taken outdoors.
  - b. Pet is not allowed on a neighbour's property without permission.
  - c. Pet is exercised only in designated pet walking areas.
  - d. Pet owners observe sanitary, leash, and noise rules.
  - e. Pet droppings anyplace must be picked up and disposed of properly.
8. Loud Noise: Any act or action including playing of loud music and excessive running of engines that will disturb others should be avoided.
9. Signage Display

Only one (1) "For Sale" or "For Rent" sign may be displayed per lot, of 16" x 20" maximum size, and of durable weatherproof material, except in the case of waterfront lots, one may also be placed on the waterfront side.

Only one (1) Contractor sign may be displayed per lot, of 16" x 20" maximum size, and of durable weatherproof material. General Contractors and Sub-Contractors must be contained on the same sign.

"Private Property" and/or "No Trespassing" signs may be displayed on lots under construction and on empty lots.
10. FIREPITS & OPEN FIRES

Open wood fires and wood fires in fire pits, even if the fires are covered by a screen, are prohibited at all times because of the close proximity of structures in the

## Venture Harbour, Inc., A Senior Community

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community and because of the harmful effects on people's health and the carcinogenic properties of wood smoke. This applies to all properties in Venture Harbour Inc.

- a. This prohibition does not include gas fired grilles or fire pits/rings that burn propane or a similar gas.
- b. This prohibition does not include the use of a personal unit type of smoker with the exception that if a smoke irritation complaint is made by person(s) that are nearby, then upon being notified of such a complaint, the owner/user must cease using the smoker immediately.

### 11. PROHIBITED ACTIVITY

- a. As a residential community, homeowners may not conduct a commercial business on their property where:
  - 1) Business activities are clearly conducted on the outside of the dwelling.
  - 2) It anyway contributes to traffic congestion on the streets.
  - 3) Is illegal by local, state or federal statute.
- b. Homeowners may not engage in activities at their homesite, which impede, interfere or otherwise prevent neighboring properties from the peaceful enjoyment of the Venture Harbour community.

## VII. RULE VIOLATIONS:

### A. NOTIFICATION OF RULE VIOLATION:

#### 1. Board Responsibility

It is the responsibility of the Board of Directors to enforce the Rules and Regulations. Except as otherwise provided in the text of any other rule herein for notice or remedies for specific types of violations, owners and/or tenants will be notified, by personal contact, by telephone and/or, in writing, when a violation occurs and upon receipt of such notification the owners and/or tenants will have a minimum of 1 day to a maximum of 14 days as decided by the Property Manager or the President of Venture Harbour, Inc. to correct the specific violation or to make other time arrangements with the Property Manager, President or the

## Venture Harbour, Inc., A Senior Community

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Venture Harbour, Inc. Board of Directors when more time is warranted given the facts of the situation.

### 2. Emergencies

However, during emergency situations, which include but are not limited to hurricanes, or during other situations that create an immediate health or safety hazard to other owners and/or tenants, or to any unit or common areas, or to any structure or personal property, the President of Venture Harbour, Inc. (or his/her designee(s) or the Property Manager of Venture Three, Inc. after consulting the President (or designee(s)), in the exercise of its discretion, may make sufficient correction without any prior notice to the owner and/or tenant to eliminate the emergency situation and then shall notify the owner and/or tenant of the correction made and the need for the owner and/or tenant to make further correction(s), if necessary. The notice shall request further correction within a period of time as is reasonable under the circumstances. This reduced time notice shall not be less than 24 hours and shall be as close to 14 days as the immediate situation allows. The Board may grant further time if requested by the owner and/or tenant and if it is warranted. For violations which are not time sensitive for correction, such as, but not limited to, behavioral corrections or modifications (like speeding, for example) it is expected that once notified the correction will be immediate. The violators have the right to rebut the notification by contacting the Venture Three, Inc. office and if they are not satisfied with the outcome may request a hearing before the Board of Directors.

## VIII. REMEDIES FOR VIOLATIONS, FINES, & SUSPENSIONS:

### A. Fines

Any violation of the Rules and Regulations of Venture Harbour, Inc. that has not been corrected within 14 days of notification, or other time limit as permitted or specified in this rule or other rules in this document, may be subject, upon the

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**Venture Harbour, Inc., A Senior Community**

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recommendations of an Enforcement Panel and approval by the Board of Directors, to a maximum fine of \$100.00 per day, until the violation is remedied, but not to exceed \$1,000.00 in the aggregate and/or subject to a suspension of the rights to the use of the common elements.

**B. Standardized Enforcement Process**

Unless otherwise specified in the documents of Venture Harbour, Inc., achieving remediation or stopping of a violation(s) of the requirements of any of the Association's documents, and/or a specific action of the Board of Directors voted at a duly authorized and noticed regular or special meeting, shall follow a standardized enforcement process. This standardized process shall include, but is not limited to the following: From the time that a potential violation surfaces, specific information of the offending conduct must be documented & Maintained by the Board of Directors or by the Property Manager of Venture Three, Inc.

**1. Initial Violation**

Initially, when a violation occurs, a personal meeting or telephonic verbal communication by either a member of the Board of Directors or the Venture Three, Inc. Property Manager shall be attempted with the objective being to inform the parties of the violation and to achieve voluntary remediation within a specified period. If an attempt at a personal meeting verbal contact does not achieve a response, then alternatively, this requirement for first contact may be written notification.

**2. Documenting Violations**

From the time that a potential violation surfaces, specific information of the offending conduct must be documented & Maintained by the Board of Directors or by the Property Manager of Venture Three, Inc.

**C. Written Notice**

Should the initial contact, either verbal or written, not result in a correction of the violation or behavior, then a written notice of violation shall be issued by either the Board of Directors of Venture Harbour, Inc., the President of the Association, or the



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Venture Harbour, Inc., A Senior Community

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Venture Three, Inc. Property Manager describing the violation, referencing the document provision(s) violated, and requesting a correction of the violations within a reasonable period of time from the date of the notice under the circumstances and facts or such other period as is specified in other applicable rules in this document<sup>7</sup>. The period of time shall generally be from 1 to 14 days from the date of notice in non-emergency situations. In an emergency case where very short or no notice is required, the Board shall follow the guidance established in Rule VII.A.2 of the Venture Harbour, Inc. Rules & Regulations for implementing the emergency notice and setting the time for compliance.

**D. Implementing a Fine**

Should the formal written demand for compliance not result in a cure of the violation or an agreement for same approved by the Board, the Board may consider levying a fine and/or imposition of a suspension of Common Elements use rights for the violation. All of the following must be met to continue to pursue this course of action:

- a. The matter shall be placed on the agenda for the next regular or a special Board meeting.
- b. Not less than 14 days written notice shall be given to the violating owner, guest and/or tenant of the hearing and the opportunity to attend and present a defense. The notice and hearing requirements do not apply to the imposition of suspensions or fines against a unit owner or a unit's occupant, licensee, or invitee because of failing to pay any amounts due the association.
- c. An Enforcement Panel shall be convened, and the matter shall be considered by the Enforcement Panel as a part of a duly noticed meeting of the Board of Directors at which a quorum is present in person or by telephone.
- d. If such a fine or suspension is to be imposed, the Board of Directors must vote to levy the fine and/or impose a reasonable suspension at the same properly noticed Board meeting before the Enforcement Panel decision has been rendered allowing the same.

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Venture Harbour, Inc., A Senior Community

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- e. The Enforcement Panel pool shall consist of a minimum of 5 unit owners who are not Board members, nor spouses of Board members, nor others who reside in the same unit as a Board member. Three (3) members shall be selected from the pool by the President to be the Enforcement Panel for each case. The Panel shall hear the evidence presented by the Board and/or by the owner, guest, and/or tenant, who are the subject(s) of the hearing, given either by themselves or through their legal representative, supporting and/or opposing the levying of a fine or imposition of a suspension.
- f. The Enforcement Panel, after hearing all relevant information, shall deliberate (in closed session if so desired by the panel or by the Board) and render a decision allowing or disallowing the Board to levy a fine in such amount as is permitted by Florida Law and the Venture Harbour, Inc. By-Laws or in cases of a Board's intention to suspend common element use or voting rights the panel shall allow or disallow the Board to proceed to approve such suspensions.
- g. The Board of Directors, upon hearing the decision of the Enforcement Panel, shall, if allowed by the Enforcement Panel decision, levy a fine and/or suspend Common Element use and/or voting rights of the violator. If the Enforcement Panel decision is against levying a fine and/or suspension of common element use and/or voting rights, the Board may not levy any fine or suspend rights, but may consider any other remedy permitted under Florida Law and the By-Laws of Venture Harbour, Inc.
- h. After the imposition of such fine or suspension, the association must notify the unit owner and, if applicable, the unit's occupant, licensee, or invitee by mail or hand delivery.
- i. Any fine levied shall be due and payable within 14 days of the date of the written notice to the owner, guest, and/or tenant. Any suspension of common element use or voting rights shall be effective immediately upon adoption by the

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Venture Harbour, Inc., A Senior Community

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Board. Written notice shall forthwith be submitted to the owner, guest, and/or tenant advising of the Enforcement Panel's decision and all Board action(s).

- j. The Board shall adopt a standard form of letter of notice of levying of a fine and/or suspending voting and/or common element use rights.
- k. After the fine due date, any payments, made including the monthly Maintenance fee, shall be applied as permitted by Florida Law regardless of any restrictive endorsement or written notice of restriction received with the payment.

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Venture Harbour, Inc., A Senior Community

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**IX. Change Summaries:****A. Updates for November 2019:**

Summary of changes adopted by the VH Board of Directors on 18 Nov 2019.

1. Added I.D.1 New home construction shall be a minimum of 1500 square feet (under air conditioning). Note: Garage is NOT considered part of the 1500 square feet). (Subsequent paragraphs renumbered accordingly)
2. Changed paragraph IV.C to read "THREE" months from "TWO" months.

**B. Updates for March 2021:**

Summary of changes adopted by the VH Board of Directors on 15 March 2021:

1. Added Table of Contents
2. Preamble: Added ..... "or special"
3. Para I.B, Corrected E-mail address: V3Office@V3Assoc.com
4. Para V.A.9, Added "Private Property" and/or "No Trespassing" signs may be displayed on lots under construction and on empty lots.

**C. Updates for April 2021**

Summary of changes adopted by the VH Board of Directors on 19 April 2019.

1. Added Para VII RULE VIOLATIONS
2. Added Para VIII REMEDIES FOR VIOLATIONS, FINES, & SUSPENSIONS
3. Renumbered Change Summaries to Para IV

**D. Updates for November 2021**

Summary of changes adopted by the VH Board of Directors on 14 Jan 2019 and failed to be officially incorporated into the rules until now.

1. Modified Para III.D.8 to prohibit the use of SOLAR LIGHTING for home street lighting.

**E. Updates for January 2022**

Summary of change adopted by the VH Board of Directors on 14 January 2022.

1. Add the word "consecutive" to Section IV Leasing, Article C Minimum Lease Period and Mandatory Interview

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Venture Harbour, Inc., A Senior Community

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**F. Updates for February 2022**

Summary of change adopted by the VH Board of Directors on 14 February 2022.

1. Add the following to I. Home Site, B Construction Approvals:

“To ensure all building restrictions and setbacks are adhered to, Venture Harbour Inc. requires a homeowner to supply a sealed property survey by a licensed surveyor which identified all property survey pins. If the building of any dwelling or attachments comes under question with respect to building restrictions or setbacks, the Venture Harbour Board of Directors or the Building Committee can require the homeowner to supply a survey with survey pins marking the property lines.”

**G. Updates for May 2023**

Summary of change adopted by the VH Board of Directors on 14 February 2022.

1. Add Prohibited Activities Section VI:A11 Prohibited Activities

**H. Updates for January 2024**

Summary of changes adopted by the VH Board of Directors on 15 January 2024.

1. Corrected V3 address under I. Home site, B. Construction Approvals
2. Deleted G. Liability for Existing Pedestal Removal
3. Added Section F., Construction, under III. Maintenance
4. Changed quiet hours from 11 pm – 7 am, to 11 pm – 8 am, under VI Restrictions
5. Corrected spelling under Loud Behavior in VI Restrictions
6. Added “any type of” to trailers under Boats & Trailers