

MAPLEWOOD

HOMEOWNERS ASSOCIATION, INC.

SUPPLEMENTAL RULES & REGULATIONS APPROVED APRIL 8, 2021

The Maplewood HOA Board of Directors is responsible for ensuring the Declaration, Bylaws and Rules & Regulations of the Association are enacted and enforced. This document will provide owners, lessees and guests with Rules & Regulations intended to help ensure the quality of life and collective investment of Maplewood homeowners.

Please refer to the Declaration of Restrictive Covenants for the Maplewood Homeowners Association, Inc. for other use restrictions in the Maplewood Community. The declaration may be found on the MaplewoodNaples.com website.

AUTHORITY

1. All homeowners, lessees and guests are expected to be familiar with and comply with the obligations, duties, rights and limitations imposed by the Maplewood Declaration of Covenants, its Bylaws, Rules & Regulations and architectural standards.
2. All homeowners are required to ensure that their family members, guests and lessees abide by these documents. Homeowners shall be responsible for any fines that may result from the actions of guests or lessees.
3. These Rules & Regulations will be reviewed periodically by the Board of Directors and updated or amended in order to best serve the community.

ENFORCEMENT

1. Any violation of Rules & Regulations may be reported by residents, in writing, to the Board of Directors or management. Individual homeowners are not authorized to enforce these rules independently.
2. The Association shall notify, in writing, anyone violating these Rules & Regulations. Violators of minor infractions will be notified by an officer of the Association or management. Repeated and ongoing violations will be referred to and considered by the Board of Directors for resolution and appropriate action, including, but not limited to, fines, suspension from use of Association amenities, or actions for injunction and/or damages in a court of competent jurisdiction in accordance with Florida Statute 720.305. Fines may be issued for rules violations as per Florida Statutes; the Board of Directors has authorized maximum of fines to be raised from \$1,000 to \$2,500 per violation. Please refer to the violation and fines procedure below.
3. Owners, families, guests and lessees may not direct, supervise or attempt to assert control over the property management company, its employees or contractors without prior Board approval.

HOA VIOLATIONS AND FINES PROCEDURE

1. The HOA Board or duly authorized Property Manager will provide one courtesy warning of a violation for each type of violation or rule. The courtesy notice of violation will be in effect for one calendar year. The courtesy notice may be served by email, mail or hand delivered.
2. If the previously cited violation occurs a second time within one calendar year of the first violation, the resident will be served notice of proposed fine and hearing date where the proposed fine may be disputed before the fine is issued and payable. The Maplewood Homeowners Association, Inc. Rules and Regulations, along with F.S.720, allow for a maximum fine of \$100.00 per instance of a violation.
3. Architectural or landscape improvements that have been made without prior approval of Maplewood Master Homeowner's Association shall be noticed to the resident with a specific and reasonable time to request approval for the improvements and if rejected by the ARC, to remove any unapproved improvements. Notice of the unapproved improvement will be issued to the Fine Committee for approval of the fine and once approved by the Committee, fines will be issued at the rate of \$100 per day until the unapproved improvement has been removed.
4. Once an approval has been given by the Fine Committee for the violation of the rule, the fine may be re-issued for subsequent violations and/or for the number of days that the violation goes unresolved. The fine will be reissued until the maximum fine per violation has been reached. The Rules and Regulation of Maplewood HOA allow for fines of up to \$2,500 per violation.

OCCUPANCY AND USE RESTRICTIONS

Motor Vehicles

1. The speed limit throughout Maplewood is 25 mph.
2. Parking is prohibited on all streets in Maplewood between the hours of midnight and 7 a.m. Violations will be reported to Collier County Code Enforcement.
3. No vehicles and the like* parked in driveways can extend onto sidewalks or into the street.
4. Parking on the grass is prohibited on common areas and upon residential lots.
*Reference to "vehicles and the like" refers to passenger cars, trucks, recreational vehicles, trailers, boats, campers, mobile homes, golf carts, and motorcycles.
5. No Vehicles may be parked in any driveway or in plain view of the street, that:
 - a. are covered with any type of car cover or tarpaulin.
 - b. are unregistered and/or unroadworthy.
 - c. are damaged and/or in generally poor condition.
6. Motorcycles, golf carts, boats and trailers kept at an owner's residence must be kept inside the garage unless being cleaned or worked on. (See #9 as regards boats and trailers) Golf carts are not allowed to be driven on streets or sidewalks with the exception of when being used by landscaping companies or if they are registered motor vehicles.
7. Residents may park recreational vehicles in their driveways for a period not to exceed 48 hours within any given 7-day period so long as the required permit is obtained from Collier County Code Enforcement and is properly displayed and visible from the street. All boats should display the Collier County Overnight Parking Permit sticker at all times.
8. No vehicles used for commercial purposes and displaying exterior advertising may be parked in streets or driveways unless providing service or delivery to the property. Any commercially lettered or wrapped vehicle belonging to a resident must be parked in an enclosed garage at all times. No commercial cargo vans, a van designed to carry cargo, tools and equipment, rather

than passengers, regardless of whether lettered, marked or signed, may be parked in the community.

9. No boats or trailers may be parked on a driveway or street overnight without Master Association approval in addition to having a county permit.

10. Pool/recreational park parking is restricted to owners, their families, guests and lessees when using the pool or playground. Special requests made by residents for temporary overflow parking may be granted by the Board of Directors with prior approval obtained 48 hours in advance.

11. Vehicles, boats, trailers, campers and RV's may not be dismantled, repaired and/or assembled on a driveway or lot. (Inclusive of oil changes, body repairs, etc.) In addition, no excessively damaged vehicle may remain visible in the driveway.

12. The Association may have any vehicle towed from any common areas when in violation of rules of the Association or Collier County Code.

Garage Doors

1. Garage doors must be closed when not in use (**MHOA Declaration of Covenant 13.13 and 13.23**). The garage may be open for ingress and egress by contractors working in the home for a period of up to 8 hours a day or longer if approved by the Association. Residents may occupy their open garages for home improvement projects, hobbies, and any other activities that require ventilation for as long as they are actively working in or occupying the space. If the garage is not occupied, the garage door must be closed. Garage doors must be closed when not being actively used by a tradesman or occupied by the homeowner or guest.

2. If a resident wants to keep their garage door opened for purposes of ventilation or any other reason while not physically occupied by the resident, guest or contractor, the homeowner may make application to the ARC for the use of a garage screening system. See ARC standards for more information. **All garage screen systems must be ARC approved.**

3. All replacement garage doors must be similar in appearance, with any replacement of said doors being subject to approval by the Architectural Review Committee prior to installation.

Leases / Rentals

1. No residence may be leased for less than 30 days or more than three times in a calendar year.

2. No owner, lessee or guest may sublease any room in a residence to any individuals on a permanent or temporary basis.

3. All leases require the advance approval of the Association and are subject to background checks payable by the applicant. The lease, once approved, must be written and a fully executed copy provided to management no less than 20 days prior to the beginning of the lease term, along with such other information about the tenants as the Board may reasonably require. Leases should have a copy of the Rules and Regulations attached to the lease as an exhibit to the lease, and each lessee shall acknowledge that they are bound by all governing documents of the Maplewood HOA and not limited to the Rules and Regulations of the Maplewood HOA.

4. No subleasing or assignment of lease rights are allowed.

5. All persons residing in the home must be listed on the lease document and pass the MHOA background check.

6. All Association rules and regulations shall be applicable to and enforceable against any person occupying a residence as a lessee or guest to the same extent as against the owners.

7. The Association has the authority to terminate any lease and evict a tenant in the event of violations by a tenant.

Landscaping (See Community Standards for further information)

1. No fences of any height shall be erected on any lot with the exception of a fence, no more than four-foot-wide and four-foot-high and painted the same color of the house, for the purpose of eliminating the view of garbage bins or A/C and pool equipment.
2. No artificial grass, plants or other vegetation shall be placed or maintained on the exterior of any residence.
3. ALL CHANGES, deletions and additions in landscaping must be presented to the Architectural Review Committee (ARC) prior to any changes to the property landscaping, including installation and removal of trees, hedges and shrubs.
4. All lawns must be kept properly trimmed, irrigated and free of weeds and unsightly growths.
5. All lots that contain community streetlights must maintain trees in such a fashion that the photometrics of lights are not disturbed and that the lighting of the streets is not impacted.

Maintenance / Improvements / Architectural and Aesthetic Control

1. It is the owner's responsibility to maintain the appearance of the lot, lawn, landscape and improvements, including the driveway and sprinkler system (in single-family residences only.) All improvements shall be well-kept and well maintained.
2. No exterior change or modification shall be made to any residential structure or lot without an ARC request being submitted and approved.
3. Except during power outages, no wall or window air conditioning or heating units are permitted.
4. The replacement and/or installation of new mailboxes requires approval by the ARC and must conform to the current standard of black posts and boxes on Stanhope Circle and white posts and boxes on Crossfield Circle.
5. All pool pumps and filters and air conditioning units shall be suitably screened from view from the road and adjoining properties by means of landscaping or other screening device approved by the ARC.

Garbage and Refuse

1. Recycling and trash are picked up on Mondays and trash only is picked up on Thursdays. Bins may be placed at the end of the driveway no sooner than 6 p.m. the evening prior to pick up and returned to the garage or area out of view from the street or adjacent lots no later than 6 p.m. on the day of pickup.
2. Residents are required to keep trash and recycling bins in an area out of view from the street or adjacent lots. Residents must submit drawings to the ARC for approval indicating the placement and method of screening said bins, such as vegetative screening or fence no more than four feet high and four feet wide and the same color as the house.

Other Use Restrictions

1. Grilling/barbequing/smoking are prohibited from front yards and driveways in the single-family homes. The use of small portable grills is allowed in the villas so long as they are stored in the garage immediately after use.
2. Clothes drying devices are allowed in rear yards only and no more than 10' from the structure. Drying devices must be stored out of sight when not in use and may not be permanent. Clothes and drying devices must be removed as soon as clothes have been dried, and at no time shall laundry be hung over night.

Pets

1. No animals (including dogs, cats and other household pets), livestock or poultry of any kind shall be raised, bred or kept for commercial purposes in Maplewood.
2. All animals must be on leash or carried when outside the owner's lot. Collier County has a Leash Law and laws that govern the licensing and vaccination of pets.
3. Pets may not be left unattended in yards, garages, porches, or lanais; excessive barking and noise is a violation of the Rules and Regulations and violation of Collier County Ordinances.
4. Pet owners are responsible for cleaning up and removing pet waste, whether on their own property, the property of others, or the commons areas.
5. Pets determined to be dangerous by Collier County Domestic Animal Services or are the cause of excessive disturbance and annoyance to others are subject to a possible request for removal.

Commercial Activities

1. A business or commercial activity may be conducted in Maplewood as long as (a) the existence or operation of said business is not apparent or detectible by sight, sound or smell from outside the residence, (b) no signs are placed on the property in view of the public, or (c) there is no visible increase in traffic due to the existence of said business.
2. All home businesses must comply with the Collier County Code of Ordinances and have an occupational license issued by Collier County.

Flags

1. Temporary seasonal or holiday flags may be displayed but are subject to size restrictions, location, and length of display time as determined by the ARC.
2. An owner, lessee or guest may display a United States or State of Florida flag and one flag representing the United States Army, Navy, Air Force, Marine Corp, Coast Guard or POW-MIA. Those attached to a unit may be on a flagpole with a flag size not to exceed 4.5 feet by 6 feet. A standalone flagpole may not exceed 20 feet in height with the attached flag not to exceed 4.5 feet by 6 feet. ARC approval is required prior to the installation of a standalone flagpole.

Signage

1. Owners are allowed one For Sale sign, limited to 4 Square feet in area. This must be a professionally produced sign, installed in the ground and if on a post it is not to exceed 6 feet in

height. The sign must be 10 feet from any adjacent property and a minimum of 10 feet inside the property line.

2. All signs, other than For Sale signs, are prohibited. No signs are permitted on the common areas.

3. Political election signs may be placed in accordance with Collier County Sign code and may only be placed and removed within the time limits specified in the Collier County Code.

Retention Ponds (Lakes)

1. No owner, lessee or guest shall have the right to use water from the lake for any reason without written approval by the Association. Lake water may not be used for irrigation under any circumstance either permanent or temporary. Irrigation from the lakes is prohibited by the Maplewood PUD and by South Florida Water Management District.

2. No boats or other floating devices of any kind are allowed in Maplewood retention ponds other than for water management and maintenance purposes by a licensed contractor. Wading or swimming is prohibited.

3. Property owners of waterfront lots are responsible for landscaping and/or sodding and maintaining the lot to water's edge. No person or persons are permitted upon that portion of land except for the owner, his family, guests or employee/contractor for the purpose of maintenance.

4. Nuisance Alligators -- If you are concerned about an alligator, call the Nuisance Alligator Hotline at 866-FWC-GATOR (866-392-4286). A nuisance alligator trapper will be sent to resolve the situation. Alligators less than 4 feet in length are not large enough to be dangerous to people or pets per FWC.

Maplewood Recreational Park and Pool Rules

1. The Recreational Park and Pool Facility are for the use and enjoyment of Maplewood Residents in good standing with the Association and their guest only. Please report non-resident use to the board or to management.

2. The Recreational Park and Pool Area are unattended by staff and used at the residents own risk. There is no lifeguard on duty.

3. The Recreational Park and Pool Area are smoke-free areas.

4. Children under the age of 10 must be accompanied by an adult at all times.

5. The parking area is open from dawn to dusk daily. No overnight parking of vehicles in the parking area is permitted without written approval of the association.

6. The pool is open generally during the hours of 8 AM to dusk daily, but subject to temporary closures for maintenance. Hours of operation are subject to change and any changes to pool hours will be posted on the bulletin board at the pool entry.

7. Residents and guests must abide by the posted pool and park rules and hours of operation at all times. Violations are subject to fines as described above.

8. Pets are allowed in the park area while on leashes. All pet owners MUST clean up after their pets.

9. Pets are not allowed in the pool area or the pool.

Quality of Life

1. No activity shall be carried on upon Maplewood lots or common property such as will create a disturbance or be a nuisance to residents, such as fireworks or loud music or voices. This applies to owners, lessees, and guests. Reports of such activity should be reported to the Collier County Sheriff's Department at their non-emergency number of (239) 252-9300.
2. Enforcement of Rules and Regulations provisions will be enforced in accordance with the Rules and Regulations of Maplewood Homeowners Association, Inc., the provisions of Section 10 of the Declarations of Covenants, Conditions and Restrictions for Maplewood Homeowners Association, Inc. and Section 720.305, Fla. Statutes.

Florida Statute Regarding Fines

720.305 Obligations of members; remedies at law or in equity; levy of fines and suspension of use rights.

(1) Each member and the member's tenants, guests, and invitees, and each association, are governed by, and must comply with this chapter, the governing documents of the community, and the rules of the association. Actions at law or in equity, or both, to redress alleged failure or refusal to comply with these provisions may be brought by the association or by any member against:

- (a) The association;
- (b) A member;
- (c) Any director or officer of an association who willfully and knowingly fails to comply with these provisions; and
- (d) Any tenants, guests, or invitees occupying a parcel or using the common areas.

The prevailing party in any such litigation is entitled to recover reasonable attorney fees and costs. A member prevailing in an action between the association and the member under this section, in addition to recovering his or her reasonable attorney fees, may recover additional amounts as determined by the court to be necessary to reimburse the member for his or her share of assessments levied by the association to fund its expenses of the litigation. This relief does not exclude other remedies provided by law. This section does not deprive any person of any other available right or remedy.

(2) The association may levy reasonable fines. A fine may not exceed \$100 per violation against any member or any member's tenant, guest, or invitee for the failure of the owner of the parcel or its occupant, licensee, or invitee to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association unless otherwise provided in the governing documents. A fine may be levied by the board for each day of a continuing violation, with a single notice and opportunity for hearing, except that the fine may not exceed \$1,000 in the aggregate unless otherwise provided in the governing documents. A fine of less than \$1,000 may not become a lien against a parcel. In any action to recover a fine, the prevailing party is entitled to reasonable attorney fees and costs from the non-prevailing party as determined by the court.

(a) An association may suspend, for a reasonable period of time, the right of a member, or a member's tenant, guest, or invitee, to use common areas and facilities for the failure of the owner of the parcel or its occupant, licensee, or invitee to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association. This paragraph does not apply to that portion of common areas used to provide access or utility services to the parcel. A suspension may not prohibit an owner or tenant of a parcel from having vehicular and pedestrian ingress to and egress from the parcel, including, but not limited to, the right to park.

(b) A fine or suspension levied by the board of administration may not be imposed unless the board first provides at least 14 days' notice to the parcel owner and, if applicable, any occupant, licensee, or invitee of the parcel owner, sought to be fined or suspended and an opportunity for a hearing before a committee of at least three members appointed by the board who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. If the committee, by majority vote, does not approve a proposed fine or suspension, the proposed fine or suspension may not be imposed. The role of the committee is limited to determining whether to confirm or reject the fine or suspension levied by the board. If the proposed fine or suspension levied by the board is approved by the committee, the fine payment is due 5 days after the date of the committee meeting at which the fine is approved. The association must provide written

notice of such fine or suspension by mail or hand delivery to the parcel owner and, if applicable, to any tenant, licensee, or invitee of the parcel owner.

(3) If a member is more than 90 days delinquent in paying any fee, fine, or other monetary obligation due to the association, the association may suspend the rights of the member, or the member's tenant, guest, or invitee, to use common areas and facilities until the fee, fine, or other monetary obligation is paid in full. This subsection does not apply to that portion of common areas used to provide access or utility services to the parcel. A suspension may not prohibit an owner or tenant of a parcel from having vehicular and pedestrian ingress to and egress from the parcel, including, but not limited to, the right to park. The notice and hearing requirements under subsection (2) do not apply to a suspension imposed under this subsection.

(4) An association may suspend the voting rights of a parcel or member for the nonpayment of any fee, fine, or other monetary obligation due to the association that is more than 90 days delinquent. A voting interest or consent right allocated to a parcel or member which has been suspended by the association shall be subtracted from the total number of voting interests in the association, which shall be reduced by the number of suspended voting interests when calculating the total percentage or number of all voting interests available to take or approve any action, and the suspended voting interests shall not be considered for any purpose, including, but not limited to, the percentage or number of voting interests necessary to constitute a quorum, the percentage or number of voting interests required to conduct an election, or the percentage or number of voting interests required to approve an action under this chapter or pursuant to the governing documents. The notice and hearing requirements under subsection (2) do not apply to a suspension imposed under this subsection. The suspension ends upon full payment of all obligations currently due or overdue to the association.

(5) All suspensions imposed pursuant to subsection (3) or subsection (4) must be approved at a properly noticed board meeting. Upon approval, the association must notify the parcel owner and, if applicable, the parcel's occupant, licensee, or invitee by mail or hand delivery.

(6) The suspensions permitted by paragraph (2)(a) and subsections (3) and (4) apply to a member and, when appropriate, the member's tenants, guests, or invitees, even if the delinquency or failure that resulted in the suspension arose from less than all of the multiple parcels owned by a member.

History.—s. 37, ch. 92-49; s. 55, ch. 95-274; s. 2, ch. 97-311; s. 51, ch. 2000-258; s. 20, ch. 2004-345; s. 17, ch. 2004-353; s. 12, ch. 2007-173; s. 8, ch. 2008-202; s. 24, ch. 2010-174; s. 18, ch. 2011-196; s. 16, ch. 2013-188; s. 17, ch. 2015-97; s. 14, ch. 2018-96.

Note.—Former s. 617.305.

APPLICANT ACKNOWLEDGEMENT

I acknowledge by signing this form and initialing the Association Application for purchase or lease that I have read and understand the above Rules and Regulations of the Maplewood Homeowners Association. As a renter/Lessee/Occupant in owner absence and Purchaser, I am obligated to abide by Community Documents and corresponding Rules and Regulations.

Unit Address: _____

Name: _____

Signature: _____

Date: _____

Please be advised these Rules and Regs are not meant to alter your current Association documents. As allowed under Community Bylaws 3.12 and Chapter 720 of Florida Statute, the Board of Directors may add or remove rules as they see fit with a 14-day notice.

Each person over the age of 18 please initial each page of the rules and regulations along with signing the last page.