

PORTICO OWNERS ASSOCIATION

RULES AND REGULATIONS

Portico Owners Association
Rules and Regulations

The Rules and Regulations in this booklet have been created to protect and maintain the Portico Community and ensure the health and safety of all owners and guests. Please remember these Rules and Regulations govern all homeowners and tenants. Every Owner must make sure his or her Authorized Users (tenants, guests, and invitees) comply with all Governing Documents and ARC Guidelines and will be responsible for all violations and losses to the property caused by such Authorized Users. Authorized users are fully liable and may be sanctioned for any violation.

The Master Association, acting through its Board of Directors, shall have the authority to make and enforce reasonable Rules and Regulations which provide standards governing the use of the Property. These Rules and Regulations supplement Portico's Governing Documents, all of which are subject to change from time to time. Portico currently has a developer-controlled Board of Directors with one resident Board member.

On behalf of Portico, these Rules and Regulations are adopted as an extension of the Governing Documents and will be enforced until modified in a formal vote.

Thank you and welcome to the community.

ASSOCIATION GATE SYSTEM

Ramco is our vendor for the gate system. The gates are closed at all times. A guard monitors the entrance and all visitors must use the visitor lane by the Guardhouse. An officer is on-site patrolling the property Fridays & Saturdays 6pm - 2am, Sundays - Thursdays 8pm - 8am. An officer is at the gatehouse Mondays - Fridays 6am - 6pm, Saturdays and Sundays 10am - 6pm. Portico does not offer security. The officers are for access control during specific shifts only and act as compliance officers while on patrol. For security matters, emergencies, trespass, disturbance of peace, etc., residents are to call the Lee County Sheriff's office or dial 911 for an emergency**.** *There is a virtual kiosk if Guard is out on property.

GATE STICKERS AND FOBS

The first two gate stickers and amenity fobs are complimentary for all new homeowner residents (New Home - not Resale). Additional stickers may be purchased for $25.00 each by check, money order, or cashier's check, made payable to Portico Master Property Owner's Association. A fob may be purchased for $25.00 each by check, money order, or cashier's check, made payable to Portico Amenity Association.

Additional stickers/fobs can be purchased in the Management Office at the Clubhouse. All gate stickers are to be installed by Office Staff and are to be placed on the inside of the windshield, passenger side, and at the top of the window (but below any tinting). **Gate stickers and fobs are for residents only (18 years of age and older). Your guests and non-resident family members may not have member access stickers/fobs.**

LEASING

The homeowner needs to submit to the association office a copy of the lease and a completed association leasing application 15 business days in advance of the tenant's move-in date. There is a $100 processing fee that needs paid with 2 Money Orders, Cashiers Checks or personal checks. $50 made out to Portico Master and $50 made out to Portico Amenity. Payment, copy of lease and lease documents can be dropped off in the office 9am-5pm Mondays - Fridays.

If you are seeking to rent in the Townhomes, please reach out to Associa for their process details.

For an association leasing application, please email or call the office at 239-362-2929 or email Ashley Sanders at AMSanders@theiconteam.com

"MULTI-PURPOSE ROOM" RENTAL

An application must be completed from the office in person and two (2) Checks provided for a rental fee of $75.00 for a 4-hour minimum rental and a refundable $250 security deposit, made payable to Portico Amenity Association. The security deposit is returned upon inspection of the room and finding it is clean and returned in the condition it was upon lease. The Multi-Purpose Room can be rented by residents only. The reservation of the Multi-Purpose Room does NOT include any other amenity space including the pool, gym, deck, or any other amenity of the club. Utilizing these areas could risk your security deposit being returned/ refunded.

HOLIDAY DECORATIONS

Christmas or holiday decorative lights may be displayed between Thanksgiving and January 10th only.

ASSOCIATION STAFF AND VENDOR

All Members, Tenants (hereinafter "Transfer Members"), and Guests are to be respectful of the Association's staff and vendors. In no manner shall any Member, Transfer Member, and/or Guest interfere with the management of the Association. Serious complaints regarding Association staff or vendors shall be made in writing to the General Manager.

PRIVATE LOW-SPEED VEHICLE (LSV)

The Association does not permit golf carts to be used on the roads and sidewalks within Portico. The Association does permit a homeowner can have a private low-speed vehicle (LSV) and every year the LSV must be registered with the Association. A resident will be given Portico LSV stickers for their LSV.

Specifications for LSV are as follows:

a. LSV shall not have any business or advertisement stickers or signage

b. LSV body, canvas tops or covers, and upholstery shall be in good condition

c. All LSVs must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rear-view mirror, and red reflectorized warning devices in both front and rear. LSVs must have functioning headlights, taillights, brake lights, turn signals, mirrors in accordance with DMV standards, a parking brake, a seatbelt for each designated seat, VIN (Vehicle Identification Number), and a windshield.

d. Optional equipment may include, a high-speed motor, fuel gauge, horn, pin striping, and name decal, fans, side enclosure panels, seat covers, or four-passenger seating.

e. Any LSV displaying significant body damage must be repaired. Vinyl seats or seat covers must be free of tears and rips.

f. Customized LSVs are prohibited.

g. Converted golf carts which meet all requirements of an LSV are permissible.

LSV Insurance Requirements- A policy of liability insurance for injuries or death, and damage to property sustained within the Portico community, with minimum limits of Two Hundred Fifty Thousand Dollars ($250,000) for injury to or death of any one person, and a minimum of Fifty Thousand Dollars ($50,000) for damage to property.

h. Resident LSV owners are required to ensure that their private LSV is restricted to Florida state licensed drivers, who will operate the LSV in a safe, and prudent manner in accordance with all governmental and Portico regulations.

To complete your required annual LSV inspection, **please schedule an appointment with the on-site management staff**, and bring your insurance information, and your LSV to your appointment. No resident cost associated.

SPEED LIMIT

The speed limit within the community shall be 25 MPH on Portico Blvd.

MAILBOX KIOSK

Mailboxes of SW Florida is the original mailbox vendor, 239.482.5655. New built homes are provided with 2 keys. Resale homes should be provided with the mailbox key from the seller. If a key is not provided – you may contact a locksmith to re-key the box.

The assigned box number/location can be obtained from the on-site management staff.

TRASH AND RECYCLING

No portion of the Property should be used or maintained as a dumping ground or rubbish. Trash, garbage, or other waste should be maintained in sanitary containers with lockable tops, and all trash containers should be kept in a clean and sanitary condition. If provided by a service provider, recycling and garbage containers should be utilized by each Owner.

Portico Declaration 6.12.3. All trash containers shall be stored in the garage of or pertaining to a home. Per Portico ARC Guidelines, a homeowner may request ARC approval to have hedges/landscape, enclosure, and/or fencing to store the trash/recycle containers outside.

Trash/Recycle containers are to be placed at the curb the morning of collection and are to be placed back inside your garage or ARC-approved area by 7:00 pm, the day of pickup.

PARKING AND VEHICULAR RESTRICTIONS

Location of Parking.

- No parking anywhere but on paved areas intended for that purpose.
- No parking on lawns or landscaped areas.
- Resident vehicles are to be parked in the garage or driveway of a Lot and cannot block or impede, in whole or in part, a sidewalk.
- No Parking on the street or alleyways contained within the Community between the hours of 12:00 a.m. and 6:00 a.m. Failure to abide may result in the vehicle being towed at Owner's expense.
- No vehicles are permitted to park overnight within the Community if they cannot be parked within the size of a private parking garage with the garage door closed.

Number of vehicles

- No more than 2 vehicles of any type be parked overnight in the driveway of a Lot that contains a 2-car garage.
- No more than 3 vehicles of any type be parked overnight in the driveway of a Lot that contains a 3-car garage.
- No unlicensed vehicle or vehicle that cannot operate on its own remains in the Community for more than 12 hours, unless the vehicle is contained within a closed garage of the Lot.
- No repairs of vehicles (except for emergency repair) within the Community, unless the vehicle is within a confined closed garage.
- No "Commercial Vehicle" permitted to be parked in the Community for a period of more than 4 hours per day unless the commercial vehicle is present and in the actual construction, maintenance,

or repair of a home. If a commercial vehicle is parked overnight such vehicle must be confined within a close garage or have a fitted car cover that is black, tan, or grey.

- No owner, resident, or Authorized user shall be permitted to park a limousine or like vehicle on any portion of the property, regardless of whether or not such vehicle is that person's primary vehicle.

Prohibited Vehicles and Uses

No boats, jet skis, wave runners, boat trailers, trailers of any kind, campers, motor homes, truck campers, mopeds, buses, limousines, or other like vehicles are permitted to park in the Community unless kept at all times fully enclosed within a parking garage with the garage door shut at all times except for periods of ingress and egress.

SIGNS

No sign billboard or advertisement of any kind, including those of realtors, contractors, subcontractors, and for sale or lease signs. Under no circumstances shall signs, banners, or similar items advertising or providing directional information with respect to activities being conducted outside the Property be permitted within the Property. No sign should be nailed or otherwise attached to trees, shrubs, or other landscapes. Lots that are for sale or lease may be shown by prior appointment only.

OPEN HOUSE POLICY

"Open house" signs shall only be permitted to be placed on a Lot, Unit or Parcel, or any Subdivision Common Areas, and open houses are only permitted within the Community on Saturdays and Sundays from 10 am. To 4 pm. There are no directional signs permitted, only in front of the home during event hours.



For sale sign requirement: 10' x 18' Wood or Metal sign (Dark Green Background w/ White Letters and Border) mounted to metal step stake.

FISHING

The lakes in Portico are for wetland, aesthetic and irrigation purposes**. Fishing is prohibited throughout the community. The roving patrol has been authorized to address violations of the community guidelines and will approach any person that is fishing.**

WILDLIFE

Portico at one time was a ranch and in the Buckingham community, there are wild animals including turkeys, alligators, snakes, bobcats, and wild hogs, various lizards, geckos, spiders, tropical and hunting birds, etc. Wildlife are to be respected - NOT played with, trapped, teased, or interacted with in any way. Wildlife are truly wild animals and, as such, unpredictable and can cause serious harm or be harmed. The association nor management is responsible for any injury that may occur as a result of any animals a resident may come into contact.

The association will not authorize trapping alligators to the Department of Fish and Wildlife unless an alligator is being aggressive and posing a safety risk.

Do not feed the alligators as this encourages the species to approach humans and this is extremely dangerous. Please do not leave pets or children unsupervised in your backyards.

PETS

No more than three household pets (dogs and cats) are permitted for each residence.

Prohibited Actions - No pet or animal shall be kept on the exterior of a Home, Lot, Unit or Parcel, or upon the Common Property, or left unattended in a yard or on a balcony, porch, patio or lanai. All pets (including cats) shall be walked on a leash when outside of the physical boundaries of a Home, and no pet shall be permitted to be kept outside of the boundaries of a Home while such pet's owner is away from the Home or overnight (meaning that no pet shall be permitted to sleep outside of the physical boundaries of a Home). No pet shall be permitted to leave its excrement on any portion of the Property, and the owner of such pet shall immediately remove the same.

RULES & REGULATIONS FOR PORTICO TOWN CENTER AND AMENITIES

Hours of Operation

Clubhouse, Fitness Center, & Motion Room: 24 hours, 7 days a week

Pool and Pavilion Areas: Dawn to Dusk, 7 days a week

Basketball Court, Tennis / Pickleball Courts: Daily 5am - 11pm

Playground: Dawn to Dusk, 7 days a week

Community Manager Office: 9am-4pm Mondays - Fridays, Closed Saturdays & Sundays

**Receptionist is on site Mon-Fri 9am-5pm*

General Guidelines

- The Town Center is video monitored 24 hours per day, 365 days per year. Video surveillance is used to document violations which could lead to suspension and/or fines. Owners are responsible for the conduct of any guests who violate amenity campus rules/regulations.
- **NO PETS** are allowed within the Clubhouse, Pool, Pool deck, Pool Pavilion area, Basketball, Tennis, Pickleball Courts, Fitness Center Fitness Studio, or Playground.
- **NO BIKES, ROLLERBLADES, SKATEBOARDS, ETC.** are allowed within the Clubhouse, Pool, Pool deck, Pool Pavilion area, Basketball, Tennis, and Pickleball Courts, Fitness Center, and Fitness Studio, or Playground.
- No **SMOKING or VAPING** anywhere within the Town Center, Pool, Pool deck, Pool Pavilion area, Basketball, Tennis, and Pickleball Courts, Fitness Center, Fitness Studio, or Playground.
- All damage repair expenses will be charged to the responsible homeowner.
- Report all problems to management. In case of an emergency, dial 911.

Basketball/Tennis/Pickleball Court

- At least one player (with guests) must be a resident.
- Residents take priority over outside guests.
- Maximum number of outside guests per resident: 3 on weekdays, 3 on weekends.
- No food or glass containers are allowed in the Courts.
- Pets are not allowed within the Court areas.
- No bicycles or skateboards are allowed in the Courts.
- Make sure all trash is disposed of properly.
- Appropriate shoes and clothing must be worn.
- Observe basketball/tennis/pickleball etiquette and courtesies.

Pool Area and Pavilion Rules

- No LIFEGUARD on duty – SWIM at your own risk.
- POOL CAPACITY – 90 persons - out of courtesy to fellow residents, residents should limit to 1 guest per resident family member (i.e. family of 4, no more than 4 guests).
- POOL HOURS – Dawn to Dusk
- No food or beverages, or glass allowed in the pool or pool wet deck area.
- No moving of furniture and tables in the pool pavilion area
- No glassware allowed in the pool pavilion
- No animals are permitted
- No alcohol or smoking/vaping allowed
- All persons must shower before entering the pool
- Children under the age of **16** must be accompanied by an adult.
- Children not toilet trained must wear rubber pants over swim diapers.
- If a homeowner or guest soils the pool, requiring cleaning, the homeowner is responsible for the cleaning charges
- Throwing of any items (balls, Frisbees, pool toys, etc.) is not allowed
- No horseplay or running.
- No bikes, skateboards, rollerblades, etc. are allowed inside the fenced area
- No diving or jumping in the pool

Fitness Center and Fitness Studio

- No one under the age of **16** is allowed to use the Fitness Center and Fitness Studio unless accompanied by an adult over the age of 18.
- No one under **12** years of age is allowed in the Fitness Center and Fitness Studio.
- Proper fitness attire is required when using any part of the Fitness Center and Fitness Studio.
- Bare feet, flip flops, sandals, or non-protective footwear are not permitted in Fitness Center.
- Only those using the fitness equipment are allowed in the Fitness Center.
- Fitness equipment must be wiped down before and after use.
- A homeowner may have up to 2 guests accompanying, except for Community classes planned in advance.
- If someone is waiting for cardio equipment, use is limited to 30 minutes.
- Treat equipment with respect and care. Including not dropping free-weights or letting weight stack drop.
- If working with a personal trainer, the trainer must register with management and provide a copy of current certification and insurance.
- Food and glass containers are not permitted in the Fitness Center.
- Free weights, exercise balls, mats, bands, etc., cannot be removed from the Fitness Center.
- All equipment must be returned to its proper place, including returning weights to the racks.
- Please report any equipment damage or malfunction to management

Club Room /Multipurpose Room

- Only homeowners are permitted to reserve the MP Room for private events. (see Property Manager for reservation instructions.)
- Reservations for Multipurpose Room only - does not include any other portion of the amenity center, including the pool, pool wet deck, and/or pool pavilion
- No alcohol use is permitted in the MP Room, unless during a private event where the MP Room has been reserved in accordance with policy and/or at management’s discretion

- No personal items are to be left in cabinets overnight
- Residents and guests using the MP Room are responsible for cleaning up after themselves
- Clubhouse furniture and decorations must be returned to their original position.
- Proper attire, including shirts and shoes must always be worn in the MP Room.
- TV must be turned off after use.
- Do not attempt entry into the MP Room before or after hours of operation.

Playground

- Play at your own risk.
- Use caution when the sun has heated the equipment.
- Do not use equipment when wet.
- All children must be accompanied by someone who is at least 18.
- No littering
- No pets
- No bikes, skateboards, rollerblades, or the like within the playground

A Resolution of the
PORTICO MASTER PROPERTY OWNERS ASSOCIATION, INC.
(the "Association") Adopting a Uniform Policy for
Covenant Enforcement

WHEREAS, the enforcement of the restrictive covenants, rules, regulations, and policies (the "Rules and Regulations") of the Association is essential for the Association to maintain a harmonious community; and

WHEREAS, the Association's authority to enforce the Rules and Regulations and establish Committees stems from the Association's governing documents (the "Governing Documents") and the applicable Florida Statutes; and

WHEREAS, the Association's Board of Directors (the "Board") is granted the authority to act on behalf of the Association in the enforcement of the Rules and Regulations; and

WHEREAS, a uniform and strictly enforced policy for the enforcement of the Rules and Regulations will help maintain a uniform appearance of the community; and

WHEREAS, the Board deems it to be in the best interests of the Association to adopt a uniform and systematic procedure for the enforcement of the Rules and Regulations and for promptly dealing with Owners in violation of the Rules and Regulations.

NOW THEREFORE, BE IT RESOLVED, that the following Rules and Regulations Enforcement Policy (the "Policy") be adopted by the Association.

BE IT FURTHER RESOLVED, that the Fine Review Committee as outlined in Section E below be established.

Rules and Regulations Enforcement Policy

A) Overview

Due process is a formalized procedure designed to protect the rights of all parties involved in violations of the Rules and Regulations and enforcement thereof. Utilizing a documented process will ensure that violations are handled consistently with ample notice and an opportunity for the owner to correct the violation before the issuance of any fine or suspension.

B) Violation Notification

If, during a routine inspection, or by reports from owners, Management is made aware of violation(s) at a specific home site, Management will adhere to the following communication process;

1. Violation Notice - Written notice is sent to the owner(s) of the property at least 14 days in advance of the next scheduled board meeting via regular US mail, identifying the violation

and providing the owner(s) the allotted time given according to the approved Standing Fine Schedule to correct the violation or provide Management with a written plan to correct the violation in a reasonable timeframe approved by Management. The notice will include photos of the violation, if practical, as well as notice of the next board meeting with a date and time or state at the next properly noticed board meeting where the violation will be fined, should the violation not be corrected.

C) Imposition of Fines and Suspensions

When fines are levied, the Board and Management shall adhere to the following procedure:

1. Standing fines have been established for certain violations and are outlined in Exhibit "A" and made a part of this policy. The Board will establish fines not contemplated in the Standing Fines Schedule in accordance with the Statute and Governing Documents.

2. Fines may be up to a maximum of $1,000 per day/occurrence unless a higher amount is authorized in the Governing Documents. Fines may not exceed the maximum cumulative total for a single violation as contemplated by Statute or the Governing Documents, whichever is higher.

3. Fines and suspensions may only be levied at a properly noticed Board Meeting in which the subject property address is listed on the agenda.

4. Once the Board imposes a fine or suspension, notice is sent via certified (return receipt) and regular US Mail informing the owner of the fine and/or suspension. The notice will also provide a date, time, and location at which a hearing before the Fine Review Committee, as outlined in Section D, will occur.

5. Fines imposed will be retroactively applied based on the date of the Violation Notice.

D) Right of Appeal

Owners shall have the right to appeal any fine or suspension levied by the Board. The Association's policy is to automatically schedule an appeal hearing of the Fine Review Committee to occur not less than fourteen (14) days after the Board has levied a fine or suspension. The appeal shall occur at a hearing before the committee of at least three (3) owners appointed by the Board. Members may not be officers, directors, or employees of the Association; nor may they be the spouse, parent, child, brother, or sister of an officer, director, or employee. The owner of the property in which a fine or suspension has been levied may attend the hearing and present evidence or facts as to why the fine or suspension should not be imposed. If the Committee, by majority vote, rejects the fine or suspension the fine or suspension may not be imposed. If the Committee, by majority vote, approves the fine, no additional appeals may occur, and the fine or suspension will be due. A final notice will be sent via certified (return receipt) and regular US Mail notifying the owner of the imposition of the fine and providing a five (5) day period in which to pay the fine. Unpaid fines over $1,000 shall become liens against the property.

E) Creation of Fine Review Committee

In order to adhere to the Covenant Enforcement Policy the Board hereby creates the Fine Review Committee and subjects the Committee to the following charter:

1. Composition: The Committee shall consist of three (3) owners appointed by the Board. Members may not be officers, directors, or employees of the Association; nor may they be the spouse, parent, child, brother, or sister of an officer, director, or employee. Alternate Committee members may also be appointed at the discretion of the Board.

2. Term: Committee members shall serve until their resignation or removal by the Board.

3. Duties: The sole purpose of the Committee shall be to determine if a fine or suspension levied by the Board shall be imposed.

4. Meetings: The Committee shall only meet as called upon by the Board to render a decision on imposing or not imposing a fine or suspension.

This Resolution was adopted by the Board on this 6th day of May, 2019, and shall be effective immediately.

Exhibit A

Standing Fines Schedule

Violation	Fine (per day/occurrence	Remediation Period
Architectural Violation (Major modification without approval - Conforming to the Design Standards)	$300 per occurrence per day	Immediate
Architectural Violation (Minor modification without approval- Conforming to Design Standards, i.e., flower pots, yard art, flags/banners, etc.)	$150 per occurrence per day	Immediate
Architectural Violation (modification without approval - Non-conforming to the Design Standards)	$100 per day	5 days
Failure to maintain the property (dirty roof and exterior, weeds in landscape beds, dirty pavers, painting, etc.)	$ 100 per day	30 days
Street Parking Violations	First Offense - $50 Second Offense - $75 Subsequent Offense - $100	Immediate
Illegal Renting	$1000 per occurrence per day, 10k max	Immediate
Miscellaneous Violation	$100 per day	30 days or at CAM's discretion
Basketball hoop/toys/playground equipment in the yard	$100 per day	5 days Second offense/Subsequent Immediate
Boat, RV, Motor Coach, Camper, Trailer Storage	$100 per day	First offence-5 days Second

		offense/Subsequent-Immediate
Unregistered LSV	$250 per occurrence	First Offence- 5 days Second Offense/Subsequent-Immediate
Unauthorized Golf Cart	$150 per day	Immediate
Commercial Vehicle in Driveway	$100 per day	First Offence-5 days Second Offense/Subsequent-Immediate
POD storage (without ARC approval)	$100 per day	Immediate
Verbal Abuse of POA board members, committee members, staff, and vendors	First Offence$ I 00-Second Offence-$200 Subsequent Offence-$300	Immediate
Trash/Recycle Can- Left at the curb/ Not properly stored	$ I 00 per occurrence	Immediate
Pet Limit Exceeded, Pet Nuisance, Pet off-leash, Pet waste clean up	$100 per day	30 days
Unauthorized Pet Breed	$200 per day per pet	30 days
Debris	$100 per day	30 days

Standing fines may be modified or amended by the Board from time to time.