Fairmont Architectural Review Committee (ARC) Guidelines
Community Rules, Regulations, and Restrictions

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ALL PERSONS USING THIS MANUAL ARE ADVISED:

1. This manual has been adopted to establish general guidelines for architectural reviews and everyday rules for the community. It does not supersede or replace the Association's governing documents or local, state, or federal laws, codes, ordinances, rules, or regulations.
2. This manual is subject to amendment from time to time. Also, because of changing circumstances and technologies, matters prohibited or approved in the past may not necessarily be prohibited or approved in the future.
3. This manual is not an all-encompassing document. We understand that certain situations or requests may not be detailed in the manual. In that case, the resident would need to submit an ARC form with as much detail as possible outlining the request.
4. While this manual is intended to establish consistency of appearance within the community, it should be remembered that because of location, neighborhood characteristics, and proximity to Common Areas, water bodies, roads, and the like, various properties may be treated differently to reflect such factors.
5. As stated in the Association's governing documents, no approval hereunder shall constitute a warranty or approval as to (and neither the Association nor any member or representative, thereof, shall be liable for) the safety, soundness, workmanship, materials, usefulness neither for any purpose, improvement, or alteration nor as to its compliance with governmental or industry codes or standards.

AIR CONDITIONERS

A. Window A/C units are not permitted.

B. See DOCCR Section 9.13 for additional information.

ANTENNAS & SATELLITE DISHES

A. Exterior antennas used for AM/FM radio, amateur (Ham) radio, CB radio, Digital Audio Radio Services ("DARS") or antennas used as part of a hub to relay signals among multiple locations are not permitted.

B. Satellite dishes with a diameter of 18 inches or less may be installed subject to the following:

   1. Dish must be installed at least 8 feet above the finished floor of the home.
   2. The preferred location for dishes is on the rear wall of the home or a sidewall within 6 feet from the rear of the home.
   3. Cables required for installation, exposed on outside walls, must be painted to match the existing building color.
   4. Dishes may not be installed in Common Areas.
   5. Installation of more than one dish will be considered in the circumstance that a single dish is insufficient to provide an acceptable signal. In such situations, a letter from the satellite service provider must be presented for review to ARC with the homeowner's request.

C. Max of (1) antenna or satellite dish per home. Any non-usable or old items need to be removed.

D. See DOCCR Section 9.11 for additional information.

AWNINGS

A. Retractable roll-out awnings encased on the rear of the home are permitted with ARC approval.

B. You must submit an architectural application, with a survey showing location and sample of fabric, to ARC for approval before installation. Colors must be consistent with the color scheme of the houses in the community.

C. Periodic cleaning and eventual replacement by the owner are at the discretion of the Board of Directors.

BASKETBALL HOOPS

A. Only professionally manufactured portable basketball hoops are permitted and shall be stored when not in use. Storage on lanais or anywhere outside of the home is prohibited.

B. Use of portable basketball hoops is only allowed in the owner's driveways with the hoop near the garage door.

   No hoops should be used or placed on sidewalks or in the streets.

C. Shall not cause a nuisance.

CLOTHES DRYING

A. While garments, rugs, or any other materials may be hung, exposed, or dusted outside the home, no permanent outside clothesline or other permanent facilities for drying or airing clothes shall be erected in the front yard or backyard of any home.

B. Shall not cause a nuisance.

C. See DOCCR Section 9.18 for additional information.

DRIVEWAYS & WALKWAYS

A. Blocking of any sidewalk is prohibited. Cars parked blocking sidewalks (even if parked in the driveway) can result in a violation.

B. Surfaces must be consistent with original materials and colors.

C. Walkways from the driveway to the front door, front and rear patios, and porches may be considered for resurfacing (ARC approved finishes).

D. Driveways should remain free from oil, gas, and other stains. Periodic cleaning may be required at the discretion of the Board of Directors.

E. Any changes in finish or expansion require ARC approval.

    1. NEW Paver expansion must MATCH (as close as possible) existing driveway paver construction relating to color and size of paver.

    2. Boundaries to be from the current sides of the current driveway. Boundaries do NOT include any expansion in any manner to the driveway apron.

    3. Total expansion shall NOT exceed a total of 42 inches (for example, 21 inches on each side or 42 inches on one side).

    4. Pavers to be installed on a sand bed with a minimum of 1.5-2 inches in-depth with a concrete ribbon (Edge) for paver support.

    5. Sweep sand into paver joints.

    6. Owner is responsible for any damage to irrigation or moving the irrigation during the installation of the pavers.

F. See DOCCR Section 9.10 for additional information.

EXTERIOR CHANGES

A. All exterior changes, including but not limited to doors, windows, walls, roofs, solar panels, screens, pool cages, etc., must have prior ARC approval.

B. See DOCCR Section 9.8 and Section 5.1 for additional information.

EXTERIOR HOUSE LIGHTS

A. All light fixtures require ARC approval. Along with your architectural application, submit a picture of the fixture and a drawing showing the location to ARC for approval before installation.

B. See DOCCR Section 9.16 for additional information.

FENCES

A. Fencing of yards is NOT permitted.

B. Other fences such as invisible pet fences, pool barriers, sound barriers, screens, structures for sound mitigation, or pool enclosures require ARC approval.

C. See DOCCR Section 9.15 and Master Document Amendment to Declaration Article XIV Section 21.1 for additional information.

FLAG POLES & FLAGS

A. Flags may be mounted by brackets to the front exterior of the house. Flags are not permitted to be affixed to trees or other landscaping.

B. Vertical Flagpoles are allowed per Florida Statute 720.304(b) but need ARC approval for location and material.

   1. Flagpoles cannot exceed 20 feet in height.
   2. Following are the only flags allowed to be displayed from a vertical flagpole: United States, State of Florida, United States Army, Navy, Air Force, Marines, Coast Guard, or POW-MIA.

C. Decorative and Team Flags may be displayed from a pole-mounted by a bracket to the side of the house in conjunction with their respective season.

D. No political flags or banners are allowed to be displayed anywhere outside on any property.

E. Shall not cause a nuisance.

F. See DOCCR Section 9.11 for additional information.

GARAGES

A. Garage conversions are not permitted.

B. Garage doors should be kept closed when the garage is not in use.

C. Garage doors should be periodically cleaned, painted, and maintained.

D. Damaged or unsightly doors may be required to be cleaned, repaired, or replaced at the discretion of the Board of Directors.

E. Garages with front-facing windows should be fitted with appropriate window treatments.

F. Garage door replacements or changes require ARC approval.

G. See DOCCR Section 5.5 for additional information.

GENERATORS & BACKUP POWER

A. Installation of a permanent generator requires ARC approval and a Collier County Permit.

B. Permanent whole-home generators must be concealed with approved landscaping or sound mitigation.

C. Portable generators must be used outside the home or garage per the manufacturer's guidelines.

D. Portable generators are only to be used during natural disasters or extended periods of power outages.

E. Uses of portable generators, within rules, do not require ARC approval.

F. Shall not cause a nuisance.

G. See DOCCR Section 9.12 for additional information.

GOLF CARTS

A. Unless otherwise prohibited by statute, golf carts are permitted to be operated by residents that maintain a valid motor vehicle operator's license and obey all traffic signs and regulations (including posted speed limits). They may NOT be driven on unpaved or grass areas, between or behind residences, or on other non-paved areas not designated for motor vehicles.

B. Golf carts may NOT be operated at night unless equipped with front AND rear lights (and any other additional equipment that may be required by FL Statute).

C. Golf carts may NOT be operated with open containers of alcohol within or by anyone legally impaired to drive a motor vehicle.

D. All occupants MUST be seated and may not stand in or hang from the vehicle while in motion.

E. Golf carts should be operated for transportation and not used in any way that would create a disturbance or nuisance to other residents or traffic.

F. The Board may enact a registration, proof of insurance, and safety checks of golf carts at any time.

G. See DOCCR Section 9.7 for additional information.

HOUSE COLORS

A. Original developers' house colors will receive a "fast track" approval from the ARC.

B. Approval must be received before painting front doors, garage doors, or any portion of the house, including gutters and downspouts, even if using original colors.

C. See DOCCR Section 9.8 & Section 5.1 for additional information.

HOUSE PAINT

A. Shall not have mildew, fading, or irrigation staining.

B. Shall not have chipped or peeling paint.

C. Painted surfaces should be periodically cleaned and maintained; damaged or unsightly surfaces may be required to be cleaned, repaired, or replaced at the discretion of the Board of Directors.

LANDSCAPING & PLANT MATERIALS

A. Landscaping (includes plants in established planter beds, trees, and any gardens) shall not be removed or installed without prior ARC approval; exceptions for safety concerns can be completed after natural disasters.

B. All landscaping shall be contained in mulched beds. Soft natural wood mulch in earth tones may be installed and maintained without ARC approval.

C. Rock beds, gravel, and seashells must have a hardscape border installed between the grass and the planter bed and have ARC approval before installation.

D. The homeowner is responsible for the maintenance and upkeep of all additional landscaping.

E. Landscaping should not be planted in the right-of-way or Public Utility Easements without ARC approval.

F. When installing new landscaping in any area other than an existing planter bed or when installing a new planter bed, the homeowner should be sure to locate all public and private utilities before digging and be responsible for any damage sustained to any utility line during the improvements.

G. No trellises are allowed without prior ARC approval.

H. Ponds, fountains, and other water features and sculptures are not permitted unless contained within an enclosed lanai or pool area or not visible from the street without ARC approval.

I. Landscape Lighting

1. Wiring shall be buried and out of sight.
2. The homeowner may be required to assume responsibility for maintaining lawn directly surrounding landscape lighting or decorative structures if installing such features creates an undue burden on the lawn maintenance company.
3. Transformers shall be obscured from view.
4. Must not be a nuisance to neighbors and meet "Dark Sky Ordinance."

J. PLANT MATERIAL

1. Trees

   i. Currently planted trees as of 12/12/17 are grandfathered in. Removal, modification, or other uses of existing trees are required to attain ARC approval.

   ii. Most varieties are permitted; however, rapid-growing and invasive varieties may be prohibited entirely or restricted in specific locations.

   iii. Shall not be a nuisance due to insects or rodents.

   iv. Shall be regularly trimmed so that branches do not become a nuisance to neighboring properties.

   v. Fruit trees may not be planted in yards.

   vi. The homeowner must pick up fallen fruit, branches, and fronds.

   vii. Fruit trees may only be placed in pots in backyards and maintained by the homeowner.

   viii. No trees may be planted in the lake easement.

2. Hedging

   i. Most varieties are permitted; however, rapid growing and invasive varieties may be prohibited or restricted in specific locations.

   ii. Shall not be a nuisance due to rodents or insects.

   iii. Shall be regularly trimmed so that branches do not become a nuisance to neighboring properties.

   iv. Spacing of hedging shall be continuous (i.e., planted on 18" centers).

   v. Hedging shall be planted inside the property line by at least 18". Hedging must be set back 5' from sidewalks and roadways on corner lots.

   vi. Landscaping shall not extend into lake-easement.

   vii. Hedging should be maintained per landscape committee guidelines.

3. Plants and Flowers

   i. No artificial vegetation is allowed (including grass, plants, etc.).

   ii. Most varieties of plants are permitted.

   iii. Shall not encroach into the 20' lake maintenance easement.

   iv. For the tree's health, the planting of flowers around swale trees is not permitted.

K. See DOCCR Section 9.9 for additional information.

MAILBOXES

A. Mailboxes need to be repaired or replaced if damaged and need ARC approval.

B. Replacement mailbox and post should be like the original installed with the home or may be replaced with a black Vandalet Mailbox Co. mailbox pictured in the Appendix.

MAINTENANCE

A. Roofs, soffits, gutters, windows, outside walls, lanai cages, driveways, and walkways need to remain free of mold and mildew; periodic cleaning may be required at the discretion of the Board of Directors.

B. See Master Document Article XIV, Section 6, and DOCCR 7.2 for additional information.

NUISANCE ITEMS

A. Fireworks are permitted per Florida Statute within the community.
    1. Permitted on the following days New Year's Eve, New Year's Day, 4th of July
    2. Owners are responsible for any cleanup or damage to HOA or neighbor's property.
    3. See Florida Statute 791.08.
B. Music may not be played at a level that can be heard outside of your home.
C. No homeowner shall create an annoyance to the neighborhood. Loud, disturbing, and unnecessary noises will not be tolerated and may be reported as noise disturbances to the Collier County Sheriff's Office. Activities that may constitute a noise disturbance or annoyance include, but are not limited to, the following:
    1. Loud music, television, or parties.
    2. Sounding of horns and whistles for an unreasonable period other than as a danger warning.
    3. Yelling, shouting, singing, etc., other than at normal conversation levels after 10 PM.
    4. Barking, howling, whining, screeching of animals.
    5. Rodents and insects shall be controlled.
    6. Garage or yard sales are not permitted without prior Board approval.
    7. Pellet and BB guns shall not be discharged within the community. Firearms shall not be discharged unless in the lawful defense of life or property, subject to FL Statute.

OFF-ROAD VEHICLES

A. All-terrain vehicles (ATV), recreational off-highway vehicles (ROV), off-highway motorcycles (OHM), Low-speed vehicles (as defined by Florida Statute), including but not limited to unregistered "dirt bikes," "three-wheelers," "quads" other types of vehicles designed for off-road use, as well as non- "street legal" vehicles including race and track cars and "go-carts," are PROHIBITED from operating anywhere in the community, except for loading and unloading such vehicles into and out of trailers or other conveyance for their transport.
B. See DOCCR Section 9.7 for additional information.

PATIOS & LANAIS

A. Any construction must receive prior ARC approval.
B. Wood decks are not permitted.
C. Shall be constructed of pavers or concrete.
D. Materials shall be consistent in color and type with those used in the construction of the home and neighborhood.
E. Shall not extend beyond the plane (sides) of the house.
F. Shall not encroach on any easement, including lake maintenance easement or utility easements.
G. The homeowner is responsible for having all public and private utilities located before commencing construction.
H. Irrigation lines and heads that run through the area where the improvement will be installed should be capped or re-routed by the owner so that no running water flows under the patio.

POOLS & POOL EQUIPMENT

A. Swimming Pools & Spas

1. No portion of the pool, pool deck, or enclosure may extend beyond the plane of the house. Pool/decking shall be at least 5' inside the rear property line.
2. No portion of the pool, pool deck, or enclosure may encroach on any Lake Easement.
3. The homeowner is responsible for having all public and private utilities located before commencing construction. Homeowners that proceed with construction without having utilities located will be responsible for costs associated with damage to any utility line.
4. Irrigation lines and heads that run through the area the pool and deck will be installed should be capped or re-routed by the owner so that no running water is flowing under the pool or deck.

   Homeowners who build over existing lines do so at their own risk. If a line breaks underneath the improvement, the Association's irrigation contractor will repair the line and is permitted to remove any portion of the improvement necessary to complete the repair. Neither Association nor contractor will be responsible for repair or reimbursement to the homeowner for damage caused to the property due to the break.
5. A survey showing a scaled drawing of pool/spa and pool equipment should be attached to your architectural application.
6. It is suggested that you receive architectural approval from ARC before applying for permits.

B. Pool Equipment & Gas Tanks (heaters, pumps)

1. Landscaping shall be used to obscure pool equipment from view.
2. The type of landscaping used should be identified in the ARC application submitted for pool installation.

RC VEHICLES, TOYS, DRONES & BICYCLES

A. The operation of remotely controlled "R/C" hobby or toy vehicles is permitted if not operated in a way that becomes a nuisance or danger to neighbors or traffic. Drones or other airborne devices may not be operated to photograph, videotape, or otherwise record the activities of residents on their property or operate in any way that becomes a nuisance. (Drones operated by the Board's approval to photograph resident violations are exempt unless operated in violation of FL or other governing statutes.).

B. Children's electric or pedal toy vehicles (designed to be ridden inside of or on top of) are permitted with ADULT SUPERVISION. And are not to be operated when motor vehicle traffic is present.

C. Bicycle riders must operate bicycles per FL Statutes and traffic laws.

D. See DOCCR Section 9.11 for additional information.

SCREEN ENCLOSURES & SCREEN DOORS

A. Shall not extend beyond the plane of the house nor encroach on any easement, including lake maintenance easement.

B. Shall be bronze or white aluminum framing with charcoal color screening.

C. Shall not have a flat aluminum-covered roof.

D. Landscaping may be required, particularly on corner lots.

E. It is suggested you receive ARC approval before applying for County permits.

SEASONAL LIGHTS & HOLIDAY DECORATIONS

A. May only be displayed seasonally and removed 10 days after the holiday.

B. No hooks, nails, or other devices shall be placed on a tree or other landscaping to hang lights or other decorations as this is harmful to the plant's health.

C. Landscapers are not responsible for yard maintenance while decorations are in the way and are not responsible for any damage to decorations while performing their regular maintenance.

SIDEWALKS (PARALLEL TO STREETS)

A. Sidewalks are never to be permanently altered in any way.

B. Sidewalks must NOT be blocked or impeded by any vehicle or object.

SIDE YARDS

A. Side yards are to be kept in a clean, accessible manner. Items such as, but not limited to, excess building materials, equipment, sporting goods, rubbish, etc., must not be placed in these areas.

SIGNS & WARNING DEVICES

A. Real estate signs (for sale or rent) must conform to ARC-approved size and appearance.

B. Two home security signs no larger than 1 square foot in size.

C. No other signs including political, or warning signs, are permitted.

D. Warning devices such as traffic cones or "green men" are not permitted.

E. See DOCCR Section 9.2 for additional information.

STORAGE SHEDS & TENTS

A. Are not permitted.

STORM SHUTTERS

A. Shall preferably have removable panels.

B. Roll-down and sliding models shall match the wall color.

C. Accordion panel shutters may only be permitted with an approved ARC application. Color and all visible parts of the shutter must match the current paint color of the home.

D. No Bahama shutters are permitted.

E. Panels must be in place no earlier than one week before storm or warning and must be removed within 30 days after landfall except when allowed by Florida Statutes.

F. Must not be used for security purposes.

G. Storage of removable panels must be in the owner's garage. No other locations are permitted.

H. See DOCCR Section 9.15 for additional information.

SWING SETS & PLAY EQUIPMENT

A. Treehouses and trampolines are not permitted.

B. No temporary swing set or play equipment is permitted. Permanent play equipment must receive prior ARC approval.

C. Shall not become a nuisance.

D. Shall be properly maintained and kept in good repair; Swing sets or equipment that are in disrepair, unclean, or become a nuisance may be requested to be removed from the property at the discretion of the Board of Directors or by recommendation of the ARC.

E. Approved play equipment must be installed in a mulch bed to accommodate lawn maintenance. Neither Association nor the landscaper will be responsible for equipment damaged during routine lawn maintenance.

F. Shall not be placed closer than 10' from any adjoining property line.

TRASH

A. All trash must be placed in containers (other than bulk items). Bags and loose debris are not permitted. No container other than the containers provided at each home should be used and should be well-sealed.

B. No trash containers or bulk items can be put out earlier than 24 hours before pick-up.

C. Containers must be brought in by 10 PM on collection day.

D. Trash containers must be stored out of view. Trash containers may not be stored at the side or rear of the house unless obscured from view by approved landscaping or fencing.

E. Large or household items may only be placed at the curb on pickup days. These items also require a call to the current waste provider for pick-up (currently Waste Management). These items will not be picked up if just left on the street.

WATERCRAFT

A. The only place a boat, kayak, or other watercraft may be kept within the community is within the garage of the unit owner. The garage door must be closed completely so that the boat, canoe, or kayak is not visible from the street. Unauthorized parking of boats, canoes, kayaks in driveways, clubhouse parking lots, or any unauthorized area will be towed at the owner's expense.

B. Boats or other motorized watercraft are not permitted on the lakes.

C. Boathouses or docks are not permitted.

D. Shall not cause a nuisance.

WINDOWS & WINDOW COVERINGS

A. Window coverings shall consist of curtains/drapes, blinds, or other traditional window covering. Sheets, newspaper, aluminum foil, bags, and other similar items are not permitted.

B. Tinting shall be a non-mirror finish.

C. Broken or damaged blinds or window coverings will be required to be replaced at the discretion of the Board of Directors.

D. Broken windows shall promptly be replaced.

E. See DOCCR Section 9.15 for additional information

WETLAND & NATURE PRESERVES

A. All preserves on the property are protected under conservation easements. No persons, pets, or vehicles are permitted within any preserve on the property at any time.

B. No homeowner, guest, or other people may remove any tree, vegetation, animal, or other items from any preserve, nor shall any tree, vegetation, waste, debris, or other item be placed in any preserve.

COMPLIANCE WITH THESE GUIDELINES DOES NOT AUTOMATICALLY GRANT ARCHITECTURAL APPROVAL. ARCHITECTURAL APPROVAL MUST BE REQUESTED IN WRITING FOR ANY CHANGES TO THE EXTERIOR OF YOUR HOME (INCLUDING PLANT INSTALLATION AND LANDSCAPING; flowers, bulbs, and annuals are exempt).

DOCCR = Declaration of Covenants, Conditions, Restrictions

APPENDIX

DOCCR 5.1

Necessity of Architectural Review and Approval. Except for Developer, no Owner shall make or permit the making of any alterations or additions to his Parcel or the Neighborhood Association Common Area, or in any manner change the exterior appearance of any portion of the Living Unit, without first obtaining the written approval of the Architectural Reviewer, which approval may be denied if the Architectural Reviewer determines that the proposed modifications or alterations would adversely affect, orin any manner be detrimental to, the Neighborhood, in part or in whole. Any glass, screen, curtain, blind, shutter, awning, or other modifications, additions, or installations which may be installed where visible from outside the Living Unit, are subject to regulation by the Architectural Reviewer. The installation of hurricane shutters shall be subject to regulation by the Architectural Reviewer. No Owner may alter the landscaping of the Neighborhood Association Common Area in any way without prior approval of the Architectural Reviewer.

DOCCR 5.5

Garages. No garages shall be converted to residential use or use other than as originally designed, with the exception of conversion of a garage by the Developer for use as a temporary sales office.

DOCCR 7.2

Owner Maintenance. Parcel Owners shall maintain, repair and replace their Parcels, Living Units and any other improvements, modifications and additions thereto in a safe, clean, orderly, and attractive condition those portions of the Parcel, Living Unit and any other improvements located thereon.Whenever an Owner contracts for maintenance, repair or replacement, alteration, addition or improvement of any portion of the Parcel, whether with or without approval from the Architectural Reviewer, such Owner shall be deemed to have warranted to the Association and its Members that his contractor(s) are properly licensed and fully insured and that the Owner will be financially responsible for any resulting damage to persons or property not paid by the contractor's insurance.

DOCCR 9.2

Signs. No sign or advertisement of any kind, including, without limitation, those of realtors, contractors and subcontractors, shall be erected within the Neighborhood without the written consent of the Board of Directors or in accordance with the regulations adopted by the Board of Directors of the Association and the Master Association, except in connection with the sale or resale of Parcels by the Developer or as may be required by legal proceedings. Signs which are permitted within the Neighborhood may be restricted as to the size, color, lettering, materials and location of such signs. The Board of Directors or Developer shall have the right to erect signs as they, in their discretion, deem appropriate. Under no circumstances shall signs, flags, banners or similar items advertising or providing directional information with respect to activities being conducted outside the Neighborhood be permitted within the Neighborhood without the express written consent of the Boards of Directors of the Association and the Master Association or unless they are installed by the Developer. No sign shall be nailed or otherwise attached to trees.

DOCCR 9.7

Trucks. Commercial Vehicles. Recreation Vehicles. Mobile Homes. Boats. Campers and Trailers.

(A) Vans, pick-up trucks and sport utility vehicles shall be considered to be automobiles and may be parked on driveways if the vehicle is used for the primary purpose of transportation of passengers and their personal goods. If the vehicle is used primarily for the transportation of goods then it shall be considered to be a truck. Law enforcement vehicles may be parked on driveways and in parking spaces if the driver is a law enforcement officer. All other vehicles (i.e., all motorized and non-motorized vehicles except operable automobiles) including, without limitation, the following: inoperable automobiles, golf carts, commercial vehicles, recreational vehicles, all-terrain vehicles, ambulances, hearses, motorcycles, motorbikes, bicycles, watercraft, aircraft, house trailers, camping trailers, other trailers, vehicles with commercial markings, racks or tools in the bed and tractors shall be kept within an enclosed garage. Parking in

the roadway is prohibited. Bicycle racks are permitted on non-commercial vehicles. Garage doors mustbe kept closed except when a vehicle must enter or exit the garage. Any use of a motorcycle is limited to providing ingress/egress to a Parcel over roadways. All motorcycles shall be equipped with effective sound muffling devices and must be parked in a garage when not in use.

(B) No commercial vendor vehicle of any kind shall be permitted to be parked on a residentialParcel for a period of more than twelve (12) hours unless such vehicle is necessary and being used in the actual construction or repair of a structure or for grounds maintenance.

(C) None of the foregoing restrictions shall apply to commercial vehicles or other vehicles which may be utilized by Developer, its contractors and subcontractors for purposes of completing construction of the Community.

DOCCR 9.8

Exterior Colors. No exterior colors on any structure, nor the colors of driveways and walkways shall be permitted that, in the sole judgment of the Architectural Reviewer, would be inharmonious or incongruous with the remainder of Fairmont. Any future color changes, as described above, desired by Owners must be first approved in writing by the Architectural Reviewer. The color of the roof tile shall not be changed nor shall other roofing materials or styles be substituted.

DOCCR 9.9

Landscaping. All areas not covered by structures, walkways, paved parking facilities or areas approved by the Association to be left in their natural state shall be maintained as lawn or landscape areas to the pavement edge of any abutting streets and to the waterline of any abutting lakes, canals or surface watermanagement areas. All lawn and landscaped areas shall be kept in good and living condition.

DOCCR 9.10

Driveways and Parking Areas. All driveways shall be constructed of concrete or paverstone.

DOCCR 9.11

Antennas and Flagpoles. Antennas and satellite dishes are prohibited, except that (a) antennas or satellite dishes designed to receive direct broadcast satellite service which are one meter or less in diameter (b) antennas or satellite dishes designed to receive video programming services via multi-point distribution services which are one meter or less in diameter; or (c) antennas or satellite dishes designed to receive television broadcast signals, ("Reception Device") shall be permitted, provided that the Reception Device is located so as not to be visible from outside the Living Unit, or is located on the side or rear yard of the Parcel. The Architectural Reviewer may require that a Reception Device be painted or screened by landscaping in order to blend into the Living Unit and removed from view from the street and other Living Units. A flagpole shall not be used as an antenna. The installation and display of flagpoles and flags shall be subject to regulation by the Architectural Reviewer, but no Owner shall be prevented from displaying a portable, removable United States flag or official flag of the State of Florida in a respectful mam1er, or onArmed Forces Day, Memorial Day, Flag Day, Independence Day and Veterans Day, a portable, removable US Army, Navy, Air Force, Marine Corps or Coast Guard flag not larger than 4.5' x 6'.

DOCCR 9.12

Outdoor Equipment. All garbage and trash containers, oil tanks, bottled gas tanks, swimming pool equipment, housing and sprinkler pumps and other such outdoor equipment must be walled-in or placed in sight-screened or fenced-in areas so that they shall not be readily visible from any adjacent streets or properties. Otherwise, adequate landscaping shall be installed and maintained around these facilities. The Neighborhood shall be equipped with dual water lines, one of which shall be designated to utilize non-potable water. All underground irrigation systems must be connected to the non-potable water line and all spigots on the exterior portion of a structure shall be connected to the potable water line.

DOCCR 9.13

Air Conditioning and Heating Equipment. All air conditioning and heating units shall be shielded and hidden so that they shall not be readily visible from any adjacent streets or properties. Window or wall air conditioning units are prohibited.

DOCCR 9.15

Fences. Window Coverings Hurricane Shutters. No fence shall be constructed on any Parcelwithout approval from the Architectural Reviewer. In no event may a fence be placed in the area between the front of a Living Unit and the road at the front of the Parcel upon which the Living Unit is situated, All approved fences on the rear of a Parcel shall be required to have a gate to permit access for maintenance purposes to the portion of the Parcel not enclosed within the fence, The Owner shall be obligated to maintain the fence, including, but not limited to, trimming any grass, ivy or other plants from the fence, The Architectural Reviewer may condition approval of a fence upon the Owner's agreement to install landscaping that is also approved by the Architectural Reviewer. In addition, the installation of any fence placed upon any Parcel is subject to easements which run with the land. In the event the grantee of any such easement which encumbers a Parcel (i.e., a utility company) and its successors and/or assigns requires the removal of any fence upon the Parcel, then the Owner of said Parcel shall, at the Owner's sole cost and expense, immediately remove the fence. No fence shall be permitted in any "lake maintenance easement" that is referenced on the Plat. All fences shall be installed and maintained in compliance with all applicable laws, zoning ordinances and regulations. An Owner shall be obligated to construct a fence in a manner that permits sections of it to be temporarily removed if necessary to permit an adjacent Owner, the Developer or the Association to construct improvements on the Parcel or the adjacent Parcel and to fulfill any obligation imposed pursuant to this Declaration,

Owners may install hurricane shutters, subject to specifications adopted by the Architectural Reviewer and the Master Association. The Architectural Reviewer shall have the authority to adopt hurricane shutter specifications, which may include color, style, time periods in which shutters may be kept closed, and other factors deemed relevant by the Architectural Reviewer. Laminated glass and window film architecturally designed to function as hurricane protection which complies with the applicable building code, may be used in place of hurricane shutters, except that reflective window coverings are prohibited, The Architectural Reviewer's hurricane shutter specifications may not conflict with those adopted by the Master Association's Board of Directors, except that they may be more restrictive than those adopted by the Master Association's Board of Directors.

DOCCR 9.16

Lighting. The exterior lighting of a Parcel shall be accomplished in accordance with alighting plan approved in writing by the Architectural Reviewer.

DOCCR 9.18

Clothes Drying Area/Clotheslines. No outdoor clothes drying area or clotheslines are permitted.

Master Document Article XIV Section 6 (b) Amendment (2019)

Operable and currently licensed passenger automobiles may be kept or parked in those areas permitted by (a) above or in areas specified in a Supplemental Declaration and/or Neighborhood Association Documents. Van, sport utility vehicles and pick-up trucks shall be considered to be passenger automobiles and may be parked on driveways or in Neighborhood parking areas if the vehicle is used for the primary purpose of transportation of passengers and their personal goods. If the vehicle is used primarily for the transportation of goods then it shall be considered a commercial vehicle. Law enforcement vehicles may be parked on driveways and in parking areas if the driver is a law enforcement officer. All other vehicles (i.e., all motorized and non-motorized vehicles except operable automobiles), including, without limitation the following: inoperable vehicles in a state of disrepair, golf carts, recreational vehicles, all-terrain vehicles, ambulances, hearses, security company vehicles, watercraft, aircraft, house trailers, campers, camping trailers, and other trailers, vehicles with commercial markings, racks or tools in the bed, and tractors shall be kept within an enclosed garage. Notwithstanding the foregoing, motorcycles and motorbikes are

permitted subject to the following conditions. If a Neighborhood contains Units that have enclosed garages, then motorcycles and motorbikes must be parked in an enclosed garage when not in use. If a Neighborhood contains Units that do not have enclosed garages then motorcycles and motorbikes may be parked in the parking areas in that Neighborhood. Use of a motorcycles and motorbike is limited to providing ingress/egress to a Parcel over roadways. All motorcycles and motorbikes shall be equipped with effect sound muffling devices. All permitted vehicles must observe posted speed limits or the Owner thereof shall be fined as permitted in the Bylaws. Bicycle racks are permitted on non-commercial vehicles. Any vehicle that is parked in violation of the Master Association's restrictions, including Rules and Regulations, may be towed or booted. No prior notice is required. All costs and expenses shall be borne by the owner of the vehicle. Such costs and expenses shall not be considered a fine or suspension of the right to use the common facilities and do not prelude the Master Association from pursuing those remedies instead of or in addition to towing or booting a vehicle. The Master association is not liable for any damage to a vehicle that is towed or booted by a licensed and insured contractor. Owners and lessees are responsible to see that all of the occupants of their Units, as well as guests, visitors, and invitees, comply with the Master Association's parking restrictions. Owners are responsible to indemnify, defend, and hold the Master Association harmless from all claims against the Master Association on account of towing or booting a vehicle, including claims against the Master association asserted by any occupant of the Unit as well as any guests, visitors, and invitees to a Unit, excepting only if it has been judicially determined that the Master Association is guilty of gross negligence or higher degree of culpability.

Florida Statute 702.304(b)

(b) Any homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property, regardless of any covenants, restrictions, bylaws, rules, or requirements of the Association, if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement. The homeowner may further display in a respectful manner from that flagpole, regardless of any covenants, restrictions, bylaws, rules, or requirements of the Association, one official United States flag, not larger than 4½ feet by 6 feet, and may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marines, or Coast Guard, or a POW-MIA flag. Such additional flag must be equal in size to or smaller than the United States flag. The flagpole and display are subject to all building codes, zoning setbacks, and other applicable governmental regulations, including, but not limited to, noise and lighting ordinances in the county or municipality in which the flagpole is erected and all setback and locational criteria contained in the governing documents.

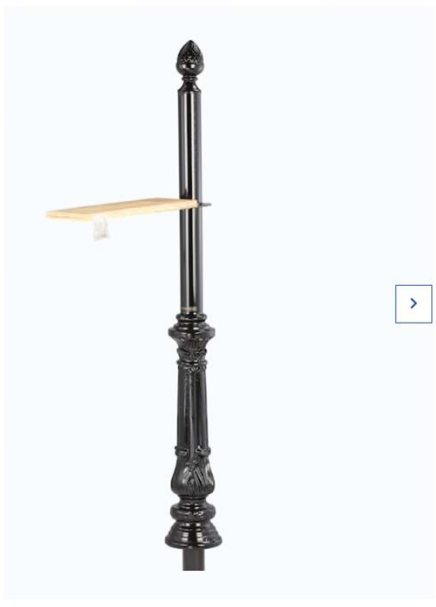
Florida Statute 791.08

Use during designated holidays; exemption.—

1) As used in this section, the term "designated holiday" means:
    a. New Year's Day, January 1;
    b. Independence Day, July 4; or
    c. New Year's Eve, December 31.
2) This chapter does not prohibit the use of fireworks solely and exclusively during a designated holiday. This section is not intended to provide for the comprehensive regulation of fireworks as described in s. 10(5), chapter 2007-67, Laws of Florida, or to supersede any local governmental regulation relating to the use of fireworks as provided in s. 10(5), chapter 2007-67, Laws of Florida.
3) The Legislature does not intend for the application of this section to supersede any prohibition against the use of fireworks contained within a legally executed and properly recorded declaration of covenants or covenant running with the land of any homeowners' Association pursuant to chapter 720. However, a homeowners' Association, through a board of directors, may not promulgate rules that attempt to abrogate a homeowner's right to use fireworks during a designated holiday or under general law.

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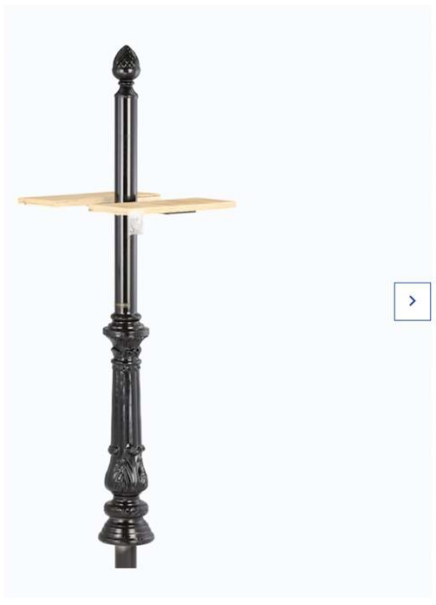
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