

# DEERCREEK COUNTRY CLUB OWNERS ASSOCIATION, INC.

## RULES AND REGULATIONS

Revised March 28, 2019

Approved

The following rules and regulations (“Rules”) apply to the Deercreek Country Club community (“Deercreek”) coming under the jurisdiction of the Deercreek Country Club Owners Association, Inc., a Florida nonprofit corporation (“Association”). The defined term “ARB” used herein stands for the Architectural Review Board of the Association. The defined term “Member” used herein refers to members of the Association.

These Rules replace all previous versions of the same and have been adopted by the Board of Directors of the Association. These Rules are derived from existing declarations and by-laws of the Association accepted by each property owner and evidenced by signed and recorded documents in the public records of Duval County. To the extent that any of these Rules contradict any provisions of the foregoing recorded documents, the provisions of the recorded document shall control. The Association intends to enforce these Rules by all means available, including through instituting legal actions and imposed fines authorized by the recorded documents.

### **A. A Controlled Access Community**

Deercreek is a controlled access community. Access is restricted to preserve the private nature of the community and limit traffic. The Association employs gatehouse staff and roving patrol/surveillance personnel to enforce the Association regulations but such personnel are not police or sworn enforcement officers. In addition, members of the Jacksonville Sheriff’s Office periodically patrol the community. In case of an emergency requiring outside help, dial 911; otherwise call the security gate house at 519-1390 for assistance.

Access to the community is regulated by a bar code entry system issued to Members, approved house renters, club members and approved vendors and are issued at the security gate house. Members or guests without bar codes must enter through the left lane.

### **B. Visitors**

Guards are not permitted to grant entry to visitors unless prior authorization is given. When visitors (guests, including golf and tennis guests, taxis, vendors, etc.) are expected, the guard gate must be informed in advance either through the automated voice system, 363-2147, the internet at [www.deercreekcc.com](http://www.deercreekcc.com) or the Gate Access app on any smart device. If a guest arrives without previous approval of the resident, the guard will instruct the guest to exit the community and contact the resident for approval, via one of the above methods, before reentering the gate.

### **C. Barcode Fees**

#### **1. Resident Barcodes**

The Association instituted the following resident barcode fees:

Issuance of a new barcode:	\$20.00
Issuance of a replacement barcode:	\$10.00
Issuance of a handheld barcode:	\$40.00 (Use restricted, penalty for misuse *)
Replacement of a handheld barcode:	\$20.00 (Renewable every six months)

**\*Handheld barcodes**

Any handheld barcodes loaned to unauthorized persons will be canceled for seven days and the original holder will be charged \$100 to reinstate the barcode.

**2. Vendor Barcodes**

The Association instituted the following vendor barcode fees for access during normal Deercreek vendor hours:

Six Month Barcodes:	\$12.00
One Year Barcodes:	\$24.00

**D. Protection of Property**

While Deercreek is a private community, the Association still highly recommends that each Member secure his/her property. Please:

- Secure all doors and windows when leaving your home unattended.
- Lock all parked cars.
- Keep garage doors closed.
- Lock doors into the house when no one is in the immediate area.

**1. Suspicious or Undesirable Activity**

Immediately call Security at 519-1390 to report any suspicious or undesirable activity, e.g., a suspicious person/vehicle, vandalism, or excessive noise or failure on the part of the Security staff to perform in a proper manner. Call 911 in the case of any emergency.

**2. Vendor-Free Holidays**

Except in cases of emergencies, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and New Year’s Day are designated vendor-free and no commercial vehicles may access Deercreek.

**3. Weekday Work Hours, Saturday Work Hours and Sunday Access/Vendor Free Holiday Restrictions:**

Contractors shall have access to Deercreek only as follows:

Between the Work Hours of 7:00 AM to 7:00 PM Monday through Friday  
 Between the Work Hours of 8:00 AM to 5:00 PM on Saturdays

No contractors shall have access to Deercreek on Sundays, Vendor-Free Holidays, or after Work Hours. The security guard will document any violation of this rule and resident will be subject to a fine of \$100

per day.

Emergency service calls, flower/gift deliveries, and dinner deliveries are excluded from Sunday, Vendor-Free Holiday and After-Hours access restrictions.

Delivery of personal purchases or gifts by United Parcel Service (UPS), Federal Express (FedEx), Amazon, and retailer delivery of personal purchases are allowed as followed:

**January 1 through November 16:**

Monday through Sunday 7:00 am – 9:00 pm

**November 17 – December 31**

Monday through Saturday 7:00 am – 10:00 pm

Sunday 7:00 am – 9:00 pm

No box trucks will be allowed to deliver on Sunday except in an emergency.

**E. General Rules**

**1. Garbage and Refuse**

All garbage, trash and recycle items must be kept in clean containers stored in a service court or other enclosure approved by the ARB if not stored in the garage. Collection of yard waste, trash and recycle items will be managed by the City of Jacksonville in accordance with its schedules and requirements. Yard waste shall not be placed at the end of the driveway for collection prior to 8:00 AM the day before yard waste is scheduled for collection; and trash and recycle containers shall not be placed at the end of the driveway prior to 6:00 PM the day before scheduled collection. Trash and recycle containers shall be removed from the curb and properly stored by 8:00 AM the morning after the day of collection. The citation penalty for violation of this Rule shall be \$30.00. Landscape clippings should be bagged where feasible and be stacked along with bundled or tied landscape trimmings at curb for collection. Landscape contractors should be requested to remove landscape debris following completion of yard service. Dumping of landscape debris within Deercreek, including all lakes and swamps, is strictly prohibited.

**2. Equipment Storage**

All lawn, maintenance, construction and home maintenance equipment must be stored out of view from the street, the golf course or neighboring lots. Violations will be subject to a \$30.00 fine.

**3. Garage Parking**

Garages are expected to be used for the housing of vehicles to minimize the number of vehicles parked on the driveway. Accordingly, the Board has adopted the requirement that Members, or their tenants, must garage park: not less than 1-vehicle if the house has a 2-car garage; not less than 2-vehicles if the house has a 3-car garage; and, not less than 3-vehicles if the house has a 4-car garage. Golf carts shall be considered a vehicle for purposes herein. Parking of vehicles on a grassed area is prohibited. Daytime street parking is permitted provided such parking does not to block the flow of traffic. Overnight

street parking (i.e. a vehicle parked on the street between 2:00 AM and 6:00 AM) is prohibited. Parking violations will be subject to a \$30.00 fine per occurrence.

#### **4. Unlicensed Vehicles**

Unlicensed motorized vehicles, except golf carts, are prohibited on Deercreek streets and common property. The fine for operating such a vehicle will be \$30.00 for each offense.

#### **5. Commercial Vehicles**

Vehicles configured for commercial use, such as pipe racks on the back or top of the truck or showing any kind of commercial signage or lettering on the vehicle, must be parked in a garage from 2:00 AM to 6:00 AM. Commercial vehicle parking violations will be subject to a \$30.00 fine per occurrence.

#### **6. Boats and Trailers**

Boats and trailers must be stored in the garage. Fine is \$50 per night.

#### **7. Motorcycles, Mopeds, Scooters, Etc.**

Vehicles of this kind that are licensed to travel on public highways are permitted on the roads within Deercreek. When not in use, such vehicles owned by a resident or guest must be housed in a garage. Safety precautions prescribed by the laws of Florida are applicable while the vehicle is within Deercreek. Any use or operation of such vehicle, which is considered to be a nuisance or an endangerment to the driver or to the public, may result in revocation of the right to use the vehicle within Deercreek. Motorized skateboards are permitted on Deercreek streets only for licensed drivers and only if the vehicle is fully equipped with the safety features required of motorcycles on Jacksonville streets. Violators are subject to a fine of \$30.00.

#### **8. Golf Carts**

Golf carts may be used on all roads and other areas designated for golf cart travel. Golf carts are to be operated only by a person sixteen (16) years of age or older who has a driver's license. Night driving is permitted only if the cart is equipped with proper lights.

#### **9. Special Vehicles**

Motor homes, recreational vehicles, trucks, buses, travel trailers and similar vehicles may only travel within Deercreek for purposes of loading and unloading between 8:00 AM and 5:00 PM.

#### **10. Off-Road Vehicles**

Trail bikes, and three- or four-wheel off-road vehicles, except golf carts, are prohibited within Deercreek.

#### **11. Water Vehicles**

Lake, wetlands and other waterways are for use solely by residents and their guests. Use by any other person or organization must be authorized by the Association. Boats on these waterways must be propelled by hand or by an electric motor.

## **12. Vehicle Repair**

Mechanical repairs to an automobile, truck, boat, golf cart or other vehicle shall be permitted only within a garage.

## **13. Animals**

All pets must be kept under the direct control of their owners so as not to be a nuisance to other persons. Animals may be kept solely as pets and not for purposes of breeding or other commercial or business purposes. When a pet is taken beyond the owner's property, it must be secured by a leash. Owners are responsible for cleaning up pet droppings. If, in the opinion of the Association, any pet shall be deemed a nuisance to other residents, destructive of property or dangerous to persons or animals, such pet may be barred from Deercreek.

## **14. Signs**

Signs on residential property, other than Association-approved For Sale and yard spray warnings signs, are prohibited in the Deercreek community (Reference C, C & Rs Article VI section 5 for details). Prohibited signs on common property include, but are not limited to, commercial, organizational, political signs, non-Association approved For Sale signs, home business signs, event signs, or the placement of any meeting announcement sign (excluding Association signage). Violators of this rule are subject to a fine of \$100 per day up to a total of \$1,000. Deercreek is a family community, and an occasional display of tasteful and temporary (24 hours or less) signs will be permitted for Welcome Home, Happy Birthday, or similar family events.

## **15. Realtor Signs**

Realtors may place directional signs to open houses on common property on the day of the open house provided the realtor removes the signs within one hour following the open house event. Deercreek Security Staff will remove and discard open house directional signs if not properly removed by the realtor as required herein.

## **16. Basketball**

Playing basketball within 50 feet of a neighbor's house after 9 PM on weeknights and after 10 PM on weekends is prohibited.

## **17. Construction Debris**

During construction, the property owner and his/her general contractor shall be responsible for ensuring that the construction site is always maintained in a neat and orderly condition. Roads, Sidewalks,

Cart Paths, and waterways shall not be blocked except temporarily during daylight hours and with prior notification and approval of Deercreek Security. Trash, paper, wrappings and other materials that are subject to being scattered or blown away by the wind shall be kept in containers with covers.

### **18. Fishing**

Fishing is permitted in the waterways from banks of the waterways. It is to be noted that these waterways may be contaminated or polluted, and the fish are unfit for human consumption.

### **19. Common Property**

The placement of temporary or permanent items on Common Property is prohibited without approval from the Board, except those items specifically allowed under the Covenants and Rules. Any such unapproved item may be removed from Common Property at the Board's discretion, without notice, and the person or entity known to have placed the unapproved item on Common Property will be charged with all removal and disposal expenses.

### **20. POD (Temporary Storage Container) Parking**

A POD unit can be placed outside a resident's home for three days (72 hours). After that time, the unit and resident will be cited \$30.00 each day until the POD is removed.

## **F. Operating Assessments/Other Payments to Association**

Per Florida Statute 720.3085 (3b) Payment for Assessments; Lien Claims, all payments received and accepted by the Association shall be applied as follows:

- First: Toward accrued interest
- Second: Toward late fees
- Third: Toward reasonable attorney's fees and collection costs
- Fourth: Toward any outstanding fines charged to Member's account
- Fifth: Toward assessments

### **1. Past-Due Financial Accounts**

Quarterly Operating Assessments are due on the first day of the first month of each calendar quarter. An Operating Assessment payment is past due if not received by the Community Association Manager prior to the last day of the first month of each calendar quarter (EXAMPLE: A Late Fee, plus an Interest charge, will be assessed a Member's account in the event the 1<sup>st</sup> Calendar Quarter payment, which is due January 1, is not received by January 31).

Member accounts that are thirty (30) days past due in Operating Assessment payments shall accrue interest at 18% per annum from the due date of an unpaid Operating Assessment until the Member's Operating Assessment account balance is fully paid.

A \$25 Late Fee, plus annual interest accruing at the rate referenced above shall be assessed on each past

due Operating Assessment.

The Association will begin lien and foreclosure procedures on a Member's property when the Member's Quarterly Assessment is past due more than ninety (90) days, or if the Member has an account balance in excess of \$1,000 that is more than ninety (90) days past due. All costs and expenses incurred by the Association in the collection of outstanding payments due the Association, including legal and court costs, shall be added to the Member's account and be paid by Member.

All gate access barcode(s) of a Member, and/or property renter, shall be deactivated upon a Member's account balance being more than ninety (90) days past due. Prior to a gate access barcode being suspended, the Member shall receive a notice from the Community Association Manager advising the Member that his/her account balance is more than ninety (90) days past due and the balance is to be paid in full by the date referenced in the written notice to maintain gate access barcode privileges. Following deactivation, the gate access barcode(s) shall only be reactivated upon the Member's account balance being paid in full.

## 2. Traffic Citations

The speed limit within the Deercreek Community (which includes the roadway between the Gate House and Southside Boulevard) is 30 MPH and will be enforced by the Deercreek Security Staff and the Jacksonville Sheriff's Office utilizing radar and issuing traffic citations where appropriate. Speed limit violations by Members will be cited and fined. **Deercreek Security Staff will not attempt to stop a vehicle observed violating the speed limit or failure to observe a stop sign. Vehicle will be identified, and citation will be mailed to the Resident.**

Guests and visitors violating the speed limit will be noticed that their right to drive within the community may be revoked in the event they violate the speed limit again on a future occasion.

The Deercreek Security staff is also authorized to monitor traffic and issue citations for reckless driving, failure to observe stop signs and overnight parking on Deercreek streets. Residents may appeal all traffic violations to the Covenants and Enforcement Committee at their regular monthly meetings. Please refer to the Deercreek Website for date and time of all Covenant Enforcement Committee meetings. Prior notification to the Chairman of the Covenant Enforcement Committee is requested. Your cooperation and participation is key to ensuring the safety and peace of mind of every family in the Deercreek community.

The DCCOA Board has approved the following moving vehicle citation fines:

MPH over 30 mph posted limit	
6-10	\$100
11-15	\$175
16-20	\$200
21-29	\$225
30	\$300
Running stop sign	\$100
Reckless driving	\$200

**Note: Resident is responsible for any traffic violation issued to a vehicle registered to the residence.**

## **G. Architectural Review Board Violation Process and Fine**

### **1. Un-Approved ARB Project**

Projects being undertaken by homeowners that are subject to ARB approval, but for which ARB approval has not been sought or granted, are subject to being fined. A work project is defined as having been commenced once visible materials and/or laborers are on-site.

### **2. Fines - Unapproved ARB Projects**

For work violations for projects that have not been approved by the ARB, the following shall apply:

- \$250 initial fine
- \$750 additional fine if the owner fails to file the applicable ARB application within 14 days following receipt of a Notice of Violation

Property improvements made without approval may also be required to be returned to their original condition, unless approval is granted after-the-fact. Owners seeking after-the-fact approval shall submit a completed Application Form, along with all supporting documentation, the proper Application Fee and the fine as described above. The Application Fee and the fine will not be returned. The required deposit will be returned subject to approval of the Application and a subsequent inspection confirming the improvement has been constructed in accordance with ARB approval.

## **H. Covenant Violation Fines and Appeal**

A fine of up to \$100 per day until the violation is corrected to a maximum of \$1000 may be levied by the Board against any Member (or any Member's tenant, guest, or invitee) for failure to comply with any provision of the Declaration, the Association By-Laws, or Rules of the Association. In the event the Association finds it necessary to engage legal counsel to recover a fine, such legal cost shall be at the Member's expense and assessed to the Member's account.

A fine may not be imposed by the Board prior to the Member being provided not less than 14 days' prior written notice (such notice to be delivered by first-class mail or by hand delivery to the Member, or if applicable, any tenant or invitee of Member) of an opportunity for a hearing before the Covenant Enforcement Committee. A fine must be appealed within ninety days of notification of the fine.

The Covenant Enforcement Committee shall be comprised of at least 3 Members appointed by the Board who are (i) not officers, directors, or employee of the Association; or, (ii) the spouse, parent, child, brother, or sister of an officer, director, or employee of the Association. If the Covenant Enforcement Committee, by majority vote, rejects a fine against a Member that was approved by the Board, then the fine shall not be assessed. If the Covenant Enforcement Committee, by majority vote, affirms the fine approved by the Board, then the fine stands and the Member's account shall be charged. The role of the Covenant



Enforcement Committee is to determine whether to confirm or reject a fine approved by the Board to be assessed against a Member.

**I. Deercreek Security Policy on Entering Private Residences:**

Security officers will not enter residences – including garages – without an adult resident (18 years of age or older) being present.

**J. Abuse/Harassment of HOA Personnel Policy**

The employees of the Association and its contractors shall be treated with respect and dignity. No physical or verbal abuse will be tolerated. If a person has a complaint against an employee, they should contact the Property Manager. Any physical or verbal abuse toward an employee or contractor will be subject to fines up to \$1000.