

**TURKEY CREEK FOREST OWNERS' ASSOCIATION, INC.**

**Rules and Regulations**

**(Amended May, 2017)**

**[TURKEY CREEK FOREST FOLLOWS ALL CITY OF GAINESVILLE CODES AND ORDINANCES]**

It is important to the well-being of the residents of Turkey Creek Forest Owners' Association, Inc. (TCFOA) that rules be set regarding our community and the use of common facilities. Certain rules and regulations are hereby set forth and will be enforced by TCFOA. These rules and regulations are designed to protect the rights of our neighbors and to enhance the enjoyment of our community and its facilities. Any violations that cannot be resolved after two (2) letters to the resident may be turned over to the corporate attorney to proceed with FL 720.305(1) application.

The following rules and regulations shall be observed by all residents, visitors and guests.

**A. Dress Code and General Conduct**

1. Dress Code: Covering tops are required of everyone except in a private yard or the pool area. (Small children are exempted.) Shirts, footwear and appropriate coverings are required in the Clubhouse.
2. No offensive, loud or unruly conduct will be permitted.
3. Residents must exercise special care regarding excessive noise caused by TVs, radios, tools, equipment, loud autos, motorcycles, fireworks and the like between the hours of 10PM and 8AM.

**B. Guests:** Guests shall be defined as invited, non-resident family and friends. Residents shall be responsible for their guests' adherence to rules and regulations.

1. All common areas and recreational facilities shall be available to TCF residents and their invited guests for the uses intended for such common areas and recreational facilities.
2. Residents' guests who are under 18 years of age must be accompanied and supervised by a resident or other responsible adult when using any common areas.
3. Each member of TCFOA shall be liable for the expenses of any maintenance to the common area and its improvements for repair and replacement rendered necessary by his/her act, neglect, carelessness or by the negligence of any member of his/her family, or their guests, employees or agents. Such liability shall be limited to the extent that such expense is not recoverable from the insurance carrier by TCFOA (from TCF By-Laws X.C).
4. TCFOA shall have the right to suspend the enjoyment rights (except egress and ingress) of any member, their visitors and guests during the period of such member's delinquency in payment of assessments pursuant to the TCFOA Covenants (from TCFOA Covenants Article III Section 1.B)
5. TCFOA shall have the right to evict persons from any recreational or common areas. Violations of the Covenants, By-Laws or Guidelines shall be considered sufficient cause for such action. Guests and all residents have the same obligation to obey the rules as TCFOA property owners.

### **C. Homesites**

1. The only items allowed to be visible in carports from the street are currently licensed vehicles, golf carts, motorized medical devices, outside furniture, bicycles, barbecue grills, hose reels, lawnmowers and trash containers. All other items, including lawn equipment, must be kept in a garage, storage shed, utility room or outside and hidden from view.

2. Clotheslines or any other facility for laundry drying, whether fixed or portable, should be hidden from view, if at all possible.

3. The only signs permitted on a resident's personal property shall be the resident's name and/or address, one, small "no dog" sign, one small "security" sign, contractor's signs while work is in progress, estate sale signs, political signs or real estate signs. No signs shall exceed four square feet. Garage sale signs will be allowed only during approved TCFOA events. Any exceptions must be approved by the Rules and Regulations Committee. Political signs should be removed within 24 hours following an election. Satellite dishes and/or antennas should be placed discreetly on property. Preferences are roof, side or rear of home. Exposure to common view should be minimized.

4. Removal of trees shall be done only in accordance with the City of Gainesville's Tree Ordinances, noting that Turkey Creek Forest is a Planned Unit Development. (Free tree removal permits: 352-393-8171)

5. Mailboxes and stands shall be maintained by TCFOA in a uniform fashion and color. No one shall customize the outside of mailboxes. Any damage caused by a resident or guest will be repaired or replaced by TCFOA and paid for by the homeowner.

**D. Pets:** Household pets are permitted provided that when the pets are outside they are on a leash at all times or confined within a fenced area. Pets, except service pets, are not permitted in the clubhouse or recreation areas (common areas). It is the pet owners' responsibility to clean up any feces left by their pets on private property or common property, per local ordinance. There is a local ordinance against barking dogs disturbing neighbors. (Contact Alachua County Animal Control: 352-264-6870).

### **E. Vehicles and Pedestrians**

1. All residents and visitors shall park in the garage, carport or driveway. When all driveway space is utilized, residents and visitors may park on the street during daylight hours, taking care not to block the street for emergency vehicles, mail delivery, garbage collection or obstruction of neighbors' driveways. Vehicles should not be parked within ten (10) feet of intersections. Vehicles shall not be parked on resident grass areas except for trade vehicles, on a limited basis, when all other parking in the residents' driveway is exhausted and parking on the street is not an option.

## E. Vehicles and Pedestrians, continued from previous page

2. Residents or visitors may park at the clubhouse during daylight hours. Overnight clubhouse parking is available for residents' and visitors' vehicles, on a limited basis, with special permission from the office. If the office is not open, please call a Board Member (numbers are in the directory). Exceptions will be for short durations only. The special written permit must be displayed and visible in the windshield at all times. Any vehicle (not identifiable as a resident's vehicle) which has been parked illegally may be towed after a 48-hour notice has been placed on the windshield. Any resident's vehicle parked illegally will result in two warning letters being sent to the resident. If warnings are not heeded, the matter will be referred to our corporate attorney for legal action.

3. Recreational vehicles, boats and trailers are not to be parked or stored at individual residences or in the guest parking area for more than a 24-hour period without special permission.

4. Speed limit is 15 MPH and shall be observed by everyone at all times. All vehicles must come to a complete stop at all stop signs. Only vehicles with current tags are allowed on TCF streets. All vehicles operated on TCF streets must yield right-of-way to pedestrians, bicycles, golf carts and wheelchairs.

5. Bicycles, skate boards, etc. shall not be used in common areas, including the pool area, clubhouse, tennis and shuffleboard courts. Bicycles shall not be parked on sidewalks, walkways or inside the clubhouse. Bicycle racks are provided. Remember, all children must be supervised by an adult when in Turkey Creek Forest.

6. Motorized vehicle and bicycle riders shall observe all traffic rules that are followed by automobile drivers. Bikers should always ride on the right side of the road, single file. Walkers should always walk on the left side of the road, facing traffic. All traffic regulations are to be observed. Anyone on the streets after dark should use a flashlight and reflective clothing is recommended.

7. Decals: All residents, including renters, must display a valid TCFOA decal in the windshield of each of their vehicles. Each household is limited to three decals. Additional vehicles must be issued temporary passes.

8. Temporary Passes: Residents may secure a visitor's pass from the office for frequent visitors to display in their windshield when entering TCF.

a.) Long Term (blue) is primarily for relatives and/or caregivers whose frequency of entry requires a longer permission period. Long term passes will typically be issued for six months but may be extended to twelve months, if requested.

b.) Short term (white) passes are primarily for relatives, friends and guests for shorter duration visits. They may be issued for days, weeks or any time up to six months.

9. All vehicles should dim their headlights at night and stop at the guardhouse to facilitate proper identification, whenever security is on duty.

E. Vehicles and Pedestrians, continued from previous page

10. NO ONE SHOULD PARK ON THE STREETS AFTER DARK (Our streets are too narrow to permit access to emergency vehicles if cars are double parked or staggered on both sides of the street.) After two mailed written notices, resident violators may be turned over to the attorney for further action. Vehicles not identifiable as a resident's may be towed following a 48-hour notice posted on the vehicle.

E. Vehicles and Pedestrians, continued from previous page

11. Golf Carts and Low speed Vehicles:

a.) The operator of the vehicle must be at least 18 years of age and have a valid Drivers' License. Such operator shall not do anything which will create a dangerous condition in the Community.

b.) The owner and operator of all vehicles is personally responsible for any damage to property or injury to persons which is caused by or a result of his/her operation of the vehicle within the community, including liability to the Association for any costs and expenses incurred to maintain or repair the Common Property. By permitting the operation of the vehicle within the community, the Association does not accept any liability or responsibility for any damage, injury or any event which arises out of such operation.

c.) It is required that the owner and the operator of a golf cart or low speed vehicle provide a copy of the recreational golf cart policy or proof of coverage for the vehicle to the association annually. Some insurance carriers allow an additional interest be added to the policy when written. TCFOA can be the additional interest so we can get a copy of the policy by mail each year. A minimum liability limit requirement of \$100,000 is required. A regular homeowners' policy only provides an extension of liability while on the parcel you own, so there is no coverage provided when operating the vehicle on any streets or on any common areas. A regular auto insurance policy does not extend any coverage to a golf cart or low speed vehicle.

d.) The operator of the vehicle is solely responsible for his/her own health and welfare, and the operation of the vehicle is at his/her own risk, subject only to the ordinary maintenance responsibilities of the Association for the roads and Association property.

e.) Any vehicle operated after sundown must be equipped with a headlight (a bright flashlight is permissible) and either tail lights or rear reflectors.

f.) The number of passengers should not exceed the number of seats for which the golf cart or low speed vehicle was designed. Sitting on the laps of other passengers is prohibited.

**F. Refuse and Yard Waste**

1. Garbage and recycling containers may be placed at the street side no earlier than the day preceding collection days in accordance with City regulations.

2. No plastic bags are to be used for yard waste. Use paper lawn & leaf bags or approved containers. All overflow garbage must be placed in official yellow bags. (which can be purchased at Publix, locally)

3. No refuse from residences shall be disposed of in any common area receptacles. There should be no blowing of leaves into streets or against TCFOA fences or into common areas.

4. A patio wood-burning unit may be installed and used in the City of Gainesville only in accordance with the following provisions:

a. The patio wood-burning unit shall not be used to burn refuse.

## **F. Refuse and Yard Waste, continued from previous page**

b. The patio wood-burning unit shall burn only clean wood or a commercially prepared log product designed for outdoor burning. Commercially prepared log products shall be used in accordance with the manufacturer's recommendations

### **F. Refuse and Yard Waste, Continued**

c. The patio wood-burning shall be located at least 25 feet from the nearest structure that is not on the same property as the patio wood-burning unit. A mesh screen shall always be used.. The patio wood-burning unit shall not cause a hazard or otherwise create a nuisance to neighboring property. To report a violation, call the Fire Marshall 352-384-3101

## **G. Recreational Facilities and Common Areas**

1. The sinks in the Clubhouse public restrooms are to be used for hand washing only. The shower, adjacent to the pool, is for rinsing off before or after swimming only.

2. Court Facilities: Anyone under the age of 18 must be supervised by an adult when using any facilities.

a. Court facilities including, but not limited to, tennis, basketball, pickle ball, shuffleboard and horse shoe pits are available on a first come, first served basis for residents and their guests.

b. The hours 8AM to dusk shall be observed for all court facilities.

c. Tennis shoes are required footwear on the tennis and basketball courts.

d. In the event of overcrowding, first priority will be given to residents of TCF. Players should work cooperatively to assure that everyone who wishes to use the courts may do so.

e. All equipment must be returned to its proper place.

3. Swimming Pool: Anyone under the age of 18 must be supervised by an adult when using the pool.

a. Each household shall be given one pool pass, which must be displayed by residents and guests when using the pool facilities. Residents are encouraged to greet and identify other residents and guests by their pass. Individuals not possessing a pool pass may be asked to leave (by any resident).

b. All residents and guests must abide by the pool hours and rules as posted at the pool.

c. In the event of the pool capacity (40) being exceeded, first priority will be given to residents of TCFOA.

d. Children who are guests of TCF residents are welcome to use the pool and enclosed area between 10AM and 1PM and after 5PM until 10PM. As stated above, children under the age of 18 must be supervised by a resident or other responsible adult.

e. Children who are not toilet trained must wear special swim diapers in the pool.

f. The buoy line must be in place when minors are in the pool, per County regulations.

g. Wet swimwear or bare feet are not permitted in the clubhouse, arts & crafts room or game room.

h. The area enclosed by the pool perimeter fence is designated as a non-smoking area.

4. Clubhouse

a. Recurring TCF Activities (e.g., calendar events such as quilting, Bingo, exercise, yoga, etc.) These activities shall be announced in the community calendar and posted on the community bulletin board.

Residents may invite guests to participate in these activities as long as the majority of participants are TCF residents.

#### G. Recreational Facilities and Common Areas, continued from previous page

b. Meetings: All regular Board Meetings of TCFOA shall be posted no less than forty-eight (48) hours prior to the meeting. The posted annual calendar shall suffice as “posting”, unless a regularly scheduled meeting time and/or date are changed.

#### c. Special Events

1.) Events sponsored by the TCF Social Committee shall be announced in the calendar, posted on the community bulletin board and open to all residents. Residents may invite guests to participate in these events as long as the majority of participants are TCF residents.

2.) One-time events (e.g. birthday celebrations, memorials, tributes, anniversaries etc.) may be hosted by resident to honor or pay tribute only to Turkey Creek Forest residents. Written requests for reservations must be made in advance and be approved by the Social Chairman and shall not conflict with regularly scheduled TCF events. The event must be announced on the community bulletin board. TCF residents may not be excluded from use of the clubhouse during these events. Reservation forms are available in the TCF office.

3.) Occasional small group activities (e.g. TV watching, jigsaw puzzles, impromptu table games etc.) TCF residents and guests may use the clubhouse main room, game and arts and crafts rooms for small group activities on an as-desired basis, space available basis. While these activities need not be on the calendar or scheduled, residents are asked to work cooperatively with any scheduled activities.

H. **Rentals** For rules and regulations, refer to the TCOA Amended Declaration of Covenants, Conditions and Restrictions, Article II and TCFOA By-laws, Article XI.

#### I. Concerns Procedures

1. The concern should be typed or handwritten, signed and dated by the concerned resident. It should include as many details as possible to describe the concern. Concern forms are located on the bulletin board outside the office and also on the tcfoa.net website.

2. The concern should be dropped off at the office

3. The Secretary will notify the President or his/her designee

4. The President or designee will appoint the Rules & Regulations Chair to investigate and validate the concern and attempt to mediate it with the individual named. The violator will be notified of the concern by letter or by a phone call from the Rules and Regulations Chair. If resolved, the concerned resident will be advised of the action taken

5. If the concern cannot be resolved in the above manner, it will be referred to the full Board of Directors.

6. FL 720.305(2)b will be followed to resolve if the Board so chooses.

*FL 720.305(2)b A fine or suspension may not be imposed by the board of administration without at least 14 days' notice to the person 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, it 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 board of administration imposes a fine or suspension, 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.*

**J. Architectural Requests:** Architectural request procedures are outlined in Attachment I and are also available in the TCF office and online at [tcofa.net](http://tcofa.net).

**K. Miscellaneous**

1. Solicitors, vendors, peddlers and panhandlers shall not be permitted in Turkey Creek Forest.
2. Petitioning (gathering or requesting of signatures) is permitted only by TCF residents as part of our democratic process. Petitioning should be done in a non-harassing and non-intimidating manner.

**I. Home replacement Policy**

As recorded on Page one of the Amended Declaration of Covenants, Conditions and Restrictions for Turkey Creek Forest, A Planned Unit Development *proximity of houses, limited parking space, a lack of sidewalks, narrow streets, low speed limits one story buildings and central facilities located, constructed and adapted to accommodate the needs of older persons, and other significant facilities and services specially designed to meet the physical and social needs of older persons as required under Section 807(b)(2) of the Fair Housing Act, with a goal of providing housing for persons aged fifty-five (55) years or older.*

In keeping with this declaration, the following guidelines have been established for the replacement of homes in Turkey Creek Forest:

1. Architectural Committee review and Board approval are required.
2. Applications should contain complete, basic home plans, specification and site plans
3. Owner is responsible for all city permits as required
4. Rules for replacement will follow these guidelines:
  - a. Replacement must be new and a single story structure.
  - b. Replacement must meet setback requirements as established by the City of Gainesville and must coincide with neighboring structures.
  - c. New building must be either factory-built or on-site construction
  - d. No single-wide factory built home will be allowed
  - e. Site-built homes may not be replaced by manufactured homes.
  - f. Manufactured homes may be replaced by site-built homes or by new manufactured homes.





**Requests for Architectural Change forms must be submitted to the Architectural Committee between the 3<sup>rd</sup> and 4<sup>th</sup> Saturday of the month and committee recommendations must be considered at the next regularly scheduled Board meeting.**

TCFOA ARCHITECTURAL REQUEST FORM

LOT # \_\_\_\_\_ DATE \_\_\_\_\_

OWNER \_\_\_\_\_

PHONE \_\_\_\_\_

SCOPE OF WORK – On the back, use the grid to illustrate description of changes:

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**After completing this form, please fill out the attached page with details of your proposed project. Then submit via email to [skslater48@gmail.com](mailto:skslater48@gmail.com) or leave at the office between the 3<sup>rd</sup> and 4<sup>th</sup> Saturday of the month.**

Committee's Recommendation \_\_\_\_\_

BOARD APPROVAL: \_\_\_\_\_ YES \_\_\_\_\_ NO

Date: \_\_\_\_\_

## ARCHITECTURAL REQUEST DIAGRAM

LOT #

OWNER

What types of materials will be used?

What other pertinent information will help clarify the structure and changes to be made?

**Show complete diagram below:**

Draw Lot lines, house or yard measurements, and show where changes are to be made.

