

**RULES AND REGULATIONS
FOR
MILLPOND ESTATES SECTION FIVE
HOMEOWNERS ASSOCIATION, INC.
Adopted this 14th day of JUNE, 2022.**

- 1) **ADDITIONS:** Additions to existing structures shall be permitted provided they are constructed by a licensed contractor/s and in compliance with Pasco County Building Codes. Additions must be compatible with the existing structure and match the current style, finish, and color of the dwelling. The addition shall not encroach on any easements or setbacks. Addition plans require review and approval by the Architectural Committee prior to construction. An architectural application form may be obtained by contacting the Management Company.
- 2) **AIR CONDITIONERS/HEAT PUMPS:** Window or wall type air conditioning units are not permitted.
- 3) **ANIMALS/LIVESTOCK/POULTRY/REPTILES:** No horses, ponies, mules, donkeys, burros, cattle, sheep, goats, swine, exotic animals, rodents, reptiles, pigeons, pheasants, game birds, guineas, peacocks, etc. shall be kept, permitted, raised or maintained on any lot. Not more than two (2) dogs, two (2) cats, or six (6) birds may be kept on a single lot. Owners may not feed or house feral animals on their lot. Any animal that causes a nuisance within the community - i.e., excessive barking, displays of aggressive behavior, or damage to property shall be removed from the property upon demand by the Board of Directors.
- 4) **ANTENNAS/SATELLITE DISHES:** UHF/VHF and short-range HD antennas are permitted provided they are installed properly according to government and manufacturer's specifications. Decorated dishes are not permitted. Paint colors must be approved by the Architectural Committee.
- 5) **ARBORS:** Arbors are permitted provided they are constructed in compliance with Pasco County Building Codes and placed in the backyard.
- 6) **AWNINGS:** Certain types of awnings are permitted for use on the front of the dwelling. Approval of color, style and size is required by the Architectural Committee prior to awning installation.
- 7) **BARBEQUE EQUIPMENT:** Barbeque grills, smokers and turkey fryers may be used on the homeowner's driveway or backyard. The equipment must be placed in the garage, lanai, or in the backyard when not in use.
- 8) **BOATS/WATERCRAFT/ALL-TERRAIN VEHICLES/RECREATION VEHICLES:** Boats, boat trailers, wave runners, jet skis, all-terrain vehicles, trailers, commercial trailers, recreational vehicles, vehicle haulers etc. shall not be permitted to park on the grass, roadways, streets, common areas, or in the driveway or be stored on any portion of the exterior property of any dwelling in Section Five (5). Storage of any watercraft on the Section 5 pond is strictly prohibited.
- 9) **BUSINESS ACTIVITIES/IN-HOME BUSINESSES:** The business must conform to all zoning and licensing regulations. The business shall not in any way .constitute a nuisance or hazard or threaten the safety of any Section Five (5) property Owners or residents. No Lot shall be used solely or primarily for business purposes.
- 10) **CARPORTS and CAR COVERS:** No temporary or permanent carport shall be installed or constructed on any lot at any time in Section Five (5). Car, motorcycle, and truck covers are not permitted on vehicles parked on the driveway.
- 11) **CHILDREN'S PLAY STRUCTURES AND GAMES:** The structure or game shall be placed in the rear of the dwelling and in a fenced yard. No structure or game shall pose a nuisance or danger to any neighbor or resident or Section Five (5).
- 12) **CLOTHESLINES/UMBRELLA CLOTHESLINES and/or POLES:** Clothesline are permitted for drying clothes but shall not be visible from the roadways, streets or common areas and pond. Clotheslines may not exceed

six (6) feet in height. Items may not be left on the clothesline over night or for extended periods of time. Hanging clothes, towels, cleaning cloths, etc. in the front or sides of the dwelling on trees, bushes, plants, etc., is strictly prohibited.

- 13) **COMMERCIAL/SERVICE VEHICLES:** Overnight parking of Commercial and/or Service Vehicles in the homeowner's driveway or grass or on a roadway, street, of common area in Section Five (5) is strictly prohibited. Commercial vehicles may only be temporarily parked while providing services to the Lot.
- 14) **DOCKS:** Docks are not permitted and shall not be installed or constructed on any Lot at any time.
- 15) **DOCUMENTS.** Millpond Estates and Section Five (5) Restrictions and Rules Documents can be found online by visiting www.MillpondEstatesHOA.com.
- 16) **DOG CONTAINMENT/DOG HOUSES/DOG RUNS:** Dog houses and dog runs are permitted in fenced-in backyards only. Dogs shall not be tethered, fastened, chained, tied or restrained to the dwelling, trees, fences, garages, poles or other stationary object unless under direct supervision and in direct visible range of the owner. Dogs shall not be unattended or left outside overnight.
- 17) **PET/WALKING YOUR PETS:** Pets must be controlled on a leash not exceeding six (6) feet in Section Five (5). Pet dropping (waste) must be cleaned up immediately. No pet shall be allowed to run loose or become a nuisance or danger to the Millpond Community.
- 18) **DRAINAGE IMPROVMENTS:** No changes in property elevation and/or no drainage improvements can be made that will direct water in any other direction than was originally designed by the developer.
- 19) **DRIVEWAYS:** Driveway changes are permitted but require review and approval by the Architectural Committee prior to making the changes. Driveways may be enlarged by a maximum of twenty-four (24) inches on each side with the following approved materials: Concrete that matches the existing driveway, pavers in a color that matches the driveway, or pavers that complement the dwelling color. Driveways may be painted an Architectural Committee approved solid color from the garage door opening to the edge of the sidewalk. Homeowners are responsible for keeping their driveways clean and free of debris, dirt, mildew, mold, and stains.
- 20) **EXTERIOR LIGHTING:** Exterior lighting is permitted. No light fixtures shall be installed that may be or may become an annoyance or nuisance to any other homeowner or resident in Section Five (5).
- 21) **EXTERIOR PAINT COLORS:** Exterior paint colors that differ from the original or current color scheme require review and approval by the Architectural Committee prior to painting. The homeowner must submit an Architectural Review/Request Application and include paint color swatches. The application must state which color is to be used for the dwelling body, trim, gutters, soffit, garage door and exterior doors. Brick and stone must remain their natural colors and cannot be painted. If the dwelling is painted without color review and written approval by the Architectural Committee, it will be subject to repainting if the chosen colors are not approved. Colors must be harmonious with the Community standard. Bright pastels and psychedelic patterns or colors will not be approved
- 22) **EXTERIOR STORAGE:** One (1) small outdoor low-profile resin storage box is permitted on each lot in the areas indicated below. The box color shall be neutral and/or compliment the dwelling's exterior paint colors. The maximum dimensions for the box is sixty (60) inches in height x seventy-two (72) inches in length x sixty (60) inches in depth.
 - Pond Homes: The box must be placed directly against the inside wall or the rear wall of the dwelling and shall not encroach on any easements or setbacks.
 - Non-Pond Homes: The box shall not encroach on any easements or setbacks or be visible from roadways or streets.
- 23) **EXTERIOR STRUCTURE AND SURFACE MAINTENANCE:** Homeowners are obligated to maintain the exterior surface of their home, roof, driveway, fence, walkways, and sidewalks and keep their property clean, safe and in an attractive manner consistent with Millpond Estates Section Five (5) high standards. The exterior surface

(body) of the dwelling must be clean of dirt, mold, and mildew. If the paint surface of the house, gutters, soffit, etc. is weathered, faded, peeling, cracked, chipped, or washed away it shall be repaired and repainted. Rotten wood and siding, damaged or leaking gutters and downspouts must be repaired or replaced and painted. Paved or concrete areas (driveways, walkways, and sidewalks) must be kept free of dirt, mold, mildew, and stains.

24) **FENCES:**

The following Fence Architectural Guideline was adopted by the Section 5 Board on June 4, 2020. All Architectural Permits must adhere to these Guidelines:

No fence or gate shall be erected or installed without the review and approval of the Architectural Committee. When seeking approval provide a picture of the fence panel, site plans that show easements and setbacks as well as an accurate drawing that includes: 1) Outside dwelling dimensions 2) The fence location(s) and overall fence length per location 3) Gate location(s) and walk-through size. Fence and gate(s) must be in "compliance" with Pasco County Building and Zoning Codes/Regulations.

- Fences are not allowed in the front yard of any home
- Fencing shall start eight (8) feet back from the front corners of the house and may extend to the rear of the property line.
- Fences must be white PVC privacy panels only, and no higher than six (6) feet from the average ground level.
- The finished side of the fence and gate shall face the adjoining lot right-of-way.
- Fences cannot interfere with drainage or access to utilities.
- Fences shall not encroach on easements or setbacks.
- In order to maintain the aesthetics of Section Five (5) fence gate(s) should swing inward, to prevent it from traveling onto adjacent properties and to protect the lawn **in** front of the gate(s) from wearing out.
- Gate(s) must be kept closed except when access or activity requires it open.
- Fences must be kept in like-new condition and shall be subject to section Five (5) high maintenance standards.
- Fences are not allowed in the backyards of homes surrounding the Section V pond. Nor can a fence obstruct an adjacent neighbor's view of the pond.

If you have questions or concerns regarding fence installation permit requirements or zoning rules, please contact: The Pasco County Zoning Administration, 8731 Citizen Drive, Ste. 320 New Port Richey, Florida 34654 or directly by dialing: (727) 847-8140.

25) **FLAGPOLES:** Flagpoles are permitted but cannot exceed twenty (20) feet in height. Flagpole materials and installation must be in compliance with Pasco County Building and Zoning Codes. Wall mounted flagpoles are permitted on the front and rear of the house, only. Flag types permitted: The American Flag and those flags permitted by Florida Statute Section 720.304. According to the United States Flag Code, The American flag can be displayed twenty-four (24) hours a day if it is properly illuminated during the hours of darkness. Standing flagpole height and front yard placement require review and approval by the Architectural Committee prior to installation. No other flags shall be permitted to be displayed on any portion of the lot, or otherwise visible from the lot.

26) **FOUNTAINS:** Contact Pasco County to obtain water restrictions information. One fountain may be placed on the property in front of the house. Fountains may not exceed 36 inches **in** height and shall be appropriate for a family community. Fountains must be maintained, clean, and in working order. Fountains require an Architectural Permit including a picture of the proposed fountain, dimensions, and a diagram with intended placement. The Board and/or Architectural Committee reserves the right to deny fountains that are deemed to be unsightly or offensive in nature.

27) **GARAGE ENTRY DOORS:** Garage door replacements require a Pasco County Building Permit due to Florida State Building Codes. Garage Doors must be white or painted to match the dwelling body color or dwelling trim color. Garage doors with glass windows are permitted. Garage door placement requires review and approval by the Architectural Committee prior to installation.

- 28) **GARAGE SCREEN DOORS:** Garage screen doors are permitted.
- 29) **GARBAGE/RECYCLING CONTAINERS:** Garbage and recycling containers shall be maintained in a sanitary condition and kept indoors or on the side or rear of the dwelling. If stored on the side or rear of the dwelling, the container(s) shall be screened with adequate landscaping or white PVC fencing. Garbage and/or recycling containers shall be placed at the designated pick-up locations only on the designated pick-up days on the day before pick-up and shall be removed by the end of garbage and/or recycling pick-up day.
- 30) **GAZEBOS/PERGOLAS/GREENHOUSES:** Gazebos, pergolas and greenhouses are permitted but are not allowed in the backyard of homes surrounding the pond central to Section Five (5). Gazebos/Pergolas/Greenhouses shall be located in the rear of the dwelling and shall not encroach on any easements or setbacks or be visible for the roadways or streets. If any such structure will be visible from the backyard it must be approved by the Architectural Committee prior to installation.
- 31) **GENERATORS:** Portable generators are permitted for temporary use during or after a storm that caused an electrical power failure. Generators shall be properly stored when not in use.
- 32) **GUTTERS AND DOWNSPOUTS:** Gutters and downspouts are permitted provided they do not drain into adjacent properties other than the swale provided by the original grading by the developer. Gutters and downspouts shall be painted to match the dwelling body color or trim color or remain white.
- 33) **HOLIDAY DECORATIONS:** Holiday decorations are permitted. Decorations may go up thirty (30) days before a holiday and shall be removed not later than thirty (30) days after the holiday for which they were displayed. The Board reserves the right to demand the removal of any decoration that are determined, in the Board's sole discretion, to be noxious or offensive.
- 34) **HOUSE NUMBERS:** The assigned house number shall be visible from the roadway or street in the front of the house. The color of the number must contrast with its background. Numbers shall not be less than five (5) inches in height or greater than nine (9) inches in height.
- 35) **ITEMS IN PUBLIC VIEW:** it is the homeowner's responsibility to prevent the development of unsightly or unsafe conditions on their lot. The following items must be removed when not in use and placed out of sight: Barbeque grills, smokers, pool equipment, children's toys, bicycles, propane tanks, lawn equipment, yard tools, ladders, yard waste, debris, rubbish, construction materials, household goods, furniture, tires, car parts, portable fire-pits, animal cages, bird cages, or other miscellaneous items that the Architectural Committee deems a detraction from the overall scheme of Section Five (5) or that has the potential to become a nuisance or danger to the community.
- 36) **LANDSCAPE BEDS:** Landscape beds shall be kept weed free. Mulch beds, including fresh mulch, stones, pebbles, etc. shall be added as needed in order to maintain a manicured look. Flowers and plants, shrubs and trees in beds and in the yard must be healthy and living. Flowers, plants, shrubs and trees shall be trimmed in a neat manner and not block the view of house numbers.
- 37) **LANDSCAPE CURBING AND BORDERS:** Concrete curbing and landscape borders of rubber, plastic, metal, stone, concrete and bricks are permitted. Borders shall not encroach on any easements or setbacks. Borders must be maintained and edged to ensure manicured look.
- 38) **LAWN MAINTENANCE:** Routine lawn maintenance includes trimming and edging along the foundation of the home, driveways, sidewalks, walkways, street curbs, fences, trees and planting beds. Dead or brown spots must be promptly treated and/or replaced. Irrigation systems must be kept in good working order, and shall be subject to City or County watering restrictions.
- 39) **NUISANCE:** No illegal, noxious or offensive activity shall be permitted or carried on upon any part of the Subdivision, nor shall anything be permitted or done thereon which is or may become a nuisance or a source of

embarrassment, discomfort or annoyance to the neighborhood. No light, sound or odor shall be emitted from any dwelling or lot which is obnoxious, unsafe or offensive to Section Five (5) residents and the Millpond Estates Community. If an unlawful act is being committed, call 911. For non-emergency Complaints, contact the Pasco County Sheriff Administration number.

- 40) **PAVERS:** Use of pavers for driveways, walkways, patios, decks, planters, firepits, etc. is permitted. The homeowner must submit an Architectural Review/Request Application and include paver type, dimensions, shape, color and installation date for review and approval by the Architectural Committee.
- 41) **POND:** These rules are applicable to the Section 5 Pond.
 - I. No swimming
 - II. Fishing on the Section 5 Pond is limited to Section 5 residents
 - III. No seawalls, retention walls, dams, or other kinds of construction are permitted.
 - IV. No boats, sailboats, wave runners, jet skis, paddle boards, kayaks, canoes, floating rafts, or any other kind of watercraft is permitted on Section 5 Pond.
- 42) **PORTABLE STORAGE CONTAINERS (PODS):** PODS are permitted for a temporary period not to exceed fourteen (14) days and no more than two times per year. PODS shall only be permitted to be kept in the driveway.
- 43) **PORTALETS (PORTA-POTTIES):** Portalets (porta-potties) are strictly prohibited at all times unless required by County for construction.
- 44) **PRIVACY HEDGES:** Privacy hedges are permitted but may not obstruct the view of the pond or create a sight problem at intersections of streets driveways, or sidewalks. The hedge must not obstruct utility easements, setbacks, or hinder drainage. They are not permitted in the front yard. Homeowner shall maintain the hedges. Hedges shall be trimmed as often as needed and shall not exceed six (6) feet in height.
- 45) **PROPANE GAS TANK:** Propane gas tanks shall be stored in a safe manner when not in use.
- 46) **RENTALS:** A lot or dwelling Unit Owner may not enter into a lease/rental agreement of a Lot or Dwelling Unit until the Unit Owner has held an ownership interest in the Lot or Dwelling Unit for two (2) or more years. See Amendment to Declaration - Paragraph 27 of the Subdivision Restrictions Covering Millpond Estates Section 5.
- 47) **ROOFS:** All roof replacements require review and approval by the Architectural Committee prior to replacement. The homeowner must submit an Architectural Review/Request Application and include a color swatch or sample of the shingle or tile. Roofing materials and installation shall be in compliance with Pasco County and State of Florida Building Codes. Roof color shall compliment the color of the house.
- 48) **SECURITY BARS:** Security bars are not permitted and shall not be installed on any window or door, on any home in Section Five (5).
- 49) **SECURITY CAMERAS AND SECURITY DEVICES:** Security cameras and security devices are permitted provided they are in compliance with and conform to all State of Florida and Pasco County Laws and regulations regarding their use.
- 50) **SETBACKS AND PROPERTY LINES:** Setback and property lines are described on the Original Site Plan, the Declaration, and the Plat.
- 51) **SIDEWALKS:** Sidewalks must be kept free of debris, toys, bicycles, etc., dirt, mold mildew, and stains.
- 52) **SIGNS:** No signs are permitted on any Section Five (5) lot except for one FOR SALE sign.
- 53) **SOLAR COLLECTORS:** Solar panels are permitted by law but owners must obtain architectural approval prior to installation.

- 54) **SOLICITATION:** Mail, email and door-to-door solicitation (soliciting) of residents is prohibited within the Community.
- 55) **SPEED LIMIT:** The speed limit in Section Five (5) and Millpond Estates is thirty (30) miles per hour.
- 56) **SWIMMING POOL ENCLOSURES:** Swimming pool enclosure frames shall be white or painted the exterior dwelling body color. Fiberglass screen color shall charcoal, grey or black. Enclosure shall not encroach on any easements, setbacks or extend past the back corners of the house and must be in compliance with Pasco County Building Codes. Enclosure plans require review and approval by the Architectural Committee prior to installation. Enclosures must be kept in a neat and attractive condition and all ripped screens must be promptly repaired or replaced.
- Pools are to be in-ground, only. No above ground pools, easy set up pools, resin pools, etc. Kiddie pools with a maximum of six (6) feet in diameter and fifteen (15) inches in height are permitted on a temporary basis provided they are not visible from roadways, streets or common areas. Pools and/or spas shall not encroach on any easements, setbacks or extend past the back corners of the house. The pool or spa must be isolated by an enclosure that meets the pool barrier requirements of Florida Statutes. Pool and spa installation must be in compliance with Pasco County Building Codes and Permit requirements. Pools must be kept in a clean and sanitary condition at all times.
- 57) **SWIMMING POOLS EQUIPMENT:** Pool equipment shall be screened with adequate landscaping, a trellis like structure or lattice fencing construction of pressure treated wood or plastic painted to match the exterior dwelling body or trim color. White PVC fencing is also allowed. Pool equipment shall not be visible from adjacent properties, roadways, streets or common areas and shall not encroach on any easements or setbacks. Equipment enclosure plans require the review and approval of the Architectural Committee prior to installation.
- 58) **TREES:** Palm trees, shade trees, ornamental trees, evergreens and shrubs are permitted but cannot obstruct the view of the pond or create a sight problem at intersections, roadways, streets, driveways or sidewalks. Tree branches, limbs and palm fronds cannot obstruct the use of sidewalks or walking paths or create a danger during high winds. Each homeowner shall have the duty to maintain their trees and shrubs. Upon tree removal, tree stumps shall be ground and removed. Tree Removal: Pasco County Central Permitting Office must be contacted prior to any tree removal.
- 59) **TRELLIS STRUCTURE:** Trellis structures (lattice work) built to support climbing plants or used to screen A/C units, pool pumps, garbage cans, storage sheds, etc. shall be painted to conform with the exterior dwelling body color or finished in white. Architectural Committee review and approval is required prior to trellis structure installation.
- 60) **VEHICLE PARKING:** No vehicle shall be parked on any roadway or street in Section Five (5) from ten (10) PM to eight (8) AM and at no time across a public sidewalk or on another owner's lot without express permission.
- a. No vehicle shall be parked partially or entirely on the grassy areas on either side of a driveway or in front of, or on the side of any dwelling or on the common areas in Section Five (5).
 - b. All vehicles must be properly licensed with tags clearly displayed.
 - c. Vehicles that are inoperable shall not be allowed on the homeowner's property, unless it is kept in the garage.
 - d. Motor homes, campers, pop-up campers, recreational vehicles, watercraft, boats, boat trailers, commercial trailers, car haulers, etc. shall not be parked on the roadways, streets or in the driveway or stored on any portion of the exterior property.
 - e. Temporary parking for commercial and service vehicles is permitted while operator is rendering a service or making a delivery.

- 61) **VIOLATIONS:** The Board of Directors of Millpond Estates Section Five (5), its employees or agents may perform a monthly tour of the Section Five (5) Community. Owners of the properties on which restriction violations are found shall be sent a notice of deed restriction violation. Each notice of deed restriction violation shall contain a description of the violation and the contact information of an Association representative with whom the owner may discuss the violation. In addition, owners and tenants may report violations to the Association's property manager.

Upon a second observation of the same violation, a second notice of deed restriction violation shall be sent. The second notice shall be sent by certified mail and in addition to the information contained in the first notice will also advise the owner that he or she has 30 days from the date of the receipt of the notice to correct the violation or the matter will be referred to the Association attorney. If the violation cannot be corrected within 30 days, an owner can meet the requirements of this section by entering into a written agreement with the Association to correct the violation within a time certain. Depending on the nature and severity of the violation, the Board may demand remediation in less than 30 days, or may escalate the matter to the attorney without a second notice.

If legal action is necessary to enforce an owner's compliance with the Declaration of Covenants and Conditions for Millpond Estates Section Five and the subdivision restrictions for Millpond Estates Section Five, the Association shall be entitled to all costs and expenses of enforcement, including reasonable attorneys' fees and appellate attorney fees, whether or not suit is actually filed, and such attorney's fees and costs shall be a charge on the Lot and shall be a continuing lien.

- 62) **WELLS:** Wells are not permitted in Section Five (5). Sprinkler or irrigation systems that draw water from the ponds, lakes, canals, or other ground surface waters in Section Five (5) are strictly prohibited.
- 63) **WINDOW TREATMENTS AND COVERINGS:** Acceptable window treatments and coverings are those that are specifically designed, manufactured and sold for use as residential window covering. The use of sheets, blankets, flags, newspaper, drywall, plywood, aluminum foil, etc. is strictly prohibited.
- 64) **YARD ORNAMENTS:** Yard ornaments are permitted. They shall not be more than 36 inches in height and shall be Community family appropriate. The Board reserves the right to demand removal of any ornaments that are deemed to be unsightly or offensive in nature.