



# Loggers' Run, Inc.

Wednesday, January 1, 2020

**SUBJECT: REVISED AND UPDATED LOGGERS' RUN RULES & REGULATIONS**

The Board of Governor's intention in revising, and updating our Rules & Regulations over the last year is principally to make Loggers' Run a more desirable community.

Enclosed is your copy of the Loggers' Run 2020 Rules & Regulations which are effective from Wednesday, January 1, 2020. This document was approved by the Board of Governors at our meeting on Monday, October 28, 2019 and replaces the document dated February 1, 2017.

This 2020 version of the Loggers' Run Rules and Regulations is an online, searchable document which integrates the Architectural Control Committee (ACC) guidelines and is available on the Loggers' Run website, [loggersrun.com](http://loggersrun.com).

Please be sure to contact the Loggers Run Management office for guidance, if, or when, you anticipate making any exterior changes to your property, such as landscaping and fencing, repainting, or other renovations, such as roof replacement.

Ron Harp  
President, Loggers' Run Association

**Rules and Regulations of Loggers' Run, Inc.**  
**Effective January 1, 2020**

The Rules and Regulations contained herein have been adopted by the Loggers' Run, Inc. Board of Governors, pursuant to the Declaration of Protective Covenants and Restrictions and the Replat Declarations, the Articles of Incorporation and By-Laws of Loggers' Run, Inc.

Further, the Architectural Control Committee (ACC) guidelines incorporated herein, have also been adopted by the Loggers' Run, Inc. Board of Governors as well as the Architectural Control Committee, pursuant to the Declaration of Protective Covenants and Restrictions and the Replat Declarations, the Articles of Incorporation and Bylaws of Loggers' Run, Inc., as they may be amended from time to time. These amendments and new rules will be incorporated and are available online through the Loggers' Run website or the Loggers' Run management office.

The ACC Guidelines, as hereinafter referred, along with the Rules and Regulations will be maintained by the Association as changes are duly adopted, and shall also incorporate any existing ACC Guideline, including approved paint color palettes, which may have been previously adopted.

Residents of Loggers' Run are also directed to review the articles of incorporation, by-laws and/or replat declaration of the specific sub-division in which they reside as to additional restrictions to which they may be subject. Furthermore, the sub-divisions are not only subject to the Rules and Regulations of Loggers' Run, Inc., as they may be amended from time to time, but also the rules and regulations adopted by their respective board of directors and/or architectural control committees, if any.

Residents of Crystal Cove, pursuant to the agreement between Loggers' Run, Inc. and the Millard Company, are considered "Secondary Users" as defined in Article III, Section A of the Declaration of Protective Covenants and Restrictions. Therefore, residents of Crystal Cove, including family members, lessees, guests and invitees, shall be subject to the Rules and Regulations, as amended from time to time, that apply to "Secondary Users". As Secondary Users, said residents have the authority to use the Recreational Areas located throughout Loggers' Run, Inc. Therefore, all Rules and Regulations which pertain to the use of said Recreation Areas will be applicable to residents of Loggers' Run and residents of Crystal Cove. Violations of same, will subject said residents to the same remedies which the Association has available against residents of Loggers' Run, Inc., as well as their family members, guests and invitees.

**Definitions.** For purposes of these Rules and Regulations, the following definitions shall apply unless specifically provided to the contrary.

- a. **ACC** shall mean the Loggers' Run, Inc. Architectural Control Committee and shall not include any Sub-Association ACC.
- b. **Association and Master Association** shall mean Loggers' Run, Inc.
- c. **Board** shall mean the Loggers' Run, Inc. Board of Governors.
- d. **Common Property** shall mean all property owned by the Association as shown on any applicable Plat and/or Replat, including the Replat of the Loggers' Run Planned Unit Development as recorded in the Public Records of Palm Beach County, Florida.
- e. **Dwelling Unit** shall mean any residential dwelling unit intended as an abode for one family constructed in Loggers' Run.
- f. **Loggers' Run** shall mean all of the property as shown on the Plat of the Loggers' Run Planned Unit Development as recorded in the Public Records of Palm Beach County, Florida.
- g. **Loggers' Run Documents** shall mean the Declaration of Protective Covenants and Restrictions, the Replat Declarations, the Articles of Incorporation, the Bylaws and the Rules and Regulations of Loggers' Run, Inc., which Rules and Regulations shall include any and all ACC Guidelines along with any and all policies and procedures, all as amended from time to time.
- h. **Lot** shall mean a portion of a Replat upon which a Dwelling Unit is permitted to be erected.
- i. **Management Company** shall mean a property management company retained by the Loggers' Run, Inc. Board of Governors, from time to time, to manage the business of Loggers' Run, Inc.
- j. **Owner** shall mean the owner of a lot within the Loggers' Run Planned Unit Development as recorded in the Public Records of Palm Beach County, Florida.
- k. **Residence** shall mean the dwelling unit, and the lot where the dwelling unit is situated.
- l. **Residents** shall refer to people who live in a dwelling unit located in Loggers' Run.
- m. **Rules and Regulations** shall mean the Rules and Regulations adopted by the Board, and where applicable, the ACC.
- n. **Sub-Association** shall mean Island Lakes Section One Homeowners Association, Inc., Winding Lakes Section III Homeowners Association, Inc. (hereinafter known as Winding Lakes Estates), Timberwalk Association, Inc., or Timberwalk II Association, Inc., and Crystal Cove Estates, where applicable.

# Contents

1. Abusive Language or Actions .....	6
2. Air Conditioning Units .....	6
3. Animals and Pets.....	6
4. Antennae, Satellite Dishes and Ham Radio Equipment .....	7
5. Appliances – Exterior .....	9
6. Awnings/Canopies .....	9
7. Basketball Hoops.....	9
8. Car Covers .....	9
9. Carports .....	9
10. Cement Cones, Pyramids, etc .....	9
11. Clothes Drying Areas .....	9
12. Complaints.....	9
13. Dangerous Conditions .....	9
14. Driveways .....	10
15. Drones .....	11
16. Dumpsters/Pods .....	11
17. Duty to Obtain Loggers’ Run Governing Documents .....	11
18. Emergency ACC Application.....	11
19. Enforcement .....	12
20. Exterior Changes to Residence or Lot.....	12
21. Exterior Lights.....	17
22. Fencing .....	17
23. Fining and Suspension of Common Area Use Rights .....	20
24. Flags.....	20
25. Garage Sales and Yard Sales.....	21
26. General Nuisance.....	21
27. Generators.....	22
28. Hurricane Shutters.....	22
29. Increase in Insurance Rates .....	22
30. Landscape.....	23
31. Leasing of lots.....	23
32. Liability for Acts of Others .....	23

33. Light Posts.....	23
34. Mailboxes – Minimum Standards .....	23
35. Maintenance of Property.....	24
36. Master ACC Approval.....	24
37. Memorial Markers .....	25
38. Other Prohibited Activities .....	25
39. Outbuildings .....	25
40. Paint Colors.....	26
41. Park and Recreational Facilities.....	26
42. Parking.....	29
43. Patios .....	30
44. Pools .....	30
45. Privacy .....	30
46. Prohibition Against Commercial or Business Use of Residential Property.....	30
47. Prohibition Against Sub-leasing of Dwelling. ....	31
48. Property Access .....	32
49. Removal of sod and shrubbery; alteration of drainage .....	32
50. Recording of Loggers’ Run Board Meetings.....	32
51. Right of Residents to Speak at Loggers’ Run Board Meetings .....	32
52. Roofs.....	33
53. Screening.....	33
54. Setbacks.....	33
55. Signs.....	34
56. Solar Panel .....	34
57. Sports Equipment, Toys, and Other Personal Property.....	34
58. Temporary Buildings, Etc .....	35
59. Trash, Trash Containers, Recycling Containers and Waste Materials.....	35
60. Trees and Shrubs.....	35
61. Tree Removal .....	36
62. Vehicles.....	36
63. Water Supply .....	39
64. Windows / Sliding Glass Doors .....	39
65. Work Hours.....	39
66. Yard Waste.....	40

1. **Abusive Language or Actions.** Language or action considered to be abusive, whether in person, over the phone, the internet, or written towards the security company, management, employees, vendors, or directors of the Association, in the sole discretion of the Board and/or management, may be referred to the police for citation or fine.

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2. **Air Conditioning Units.** No window air conditioning units shall be installed at any time except in emergency with approval of management, and except on the rear of the dwelling, with prior ACC approval and in accordance with ACC Guidelines.

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3. **Animals and Pets.** The following rules and regulations shall apply to animals and pets.

a. **Types of Animals Permitted.** All animals must be licensed and current with health shots. Management, security, or a committee of the board, shall have the right on behalf of the Board, to require an Owner provide documentation that the animal is licensed and is current on its health shots/vaccinations. The Board shall have the authority to require such documentation as a condition of maintaining such pet on their Lots. Only common household pets may be kept on any lot or in any residence in Loggers' Run, but in no event for the purpose of breeding or for any commercial purpose whatsoever. No other animals, livestock or poultry of any kind shall be kept, raised, bred or maintained in Loggers' Run, Inc. except as may be required by law.

b. **Household Pets.** Household pets shall be defined as dogs, cats, birds in cages and fish. The term household pets may be extended by the Board to include additional animals at the Board's discretion and by resolution.

c. **Leashing.** Dogs must be leashed at all times unless confined within a fence portion of an Owner's property.

d. **Cleanup of Waste.** Residents must remove their dogs' or cats' (or other pets) waste. Failure to remove such waste may be deemed, in the sole discretion of the Board, acting through management, security and/or a committee, as a nuisance and therefore a violation of the Loggers' Run Governing Documents.

Any pet which is not cleaned up after, shall, with not less than ten (10) days prior written notice, be removed from the property. The Board, in its sole discretion, shall have the authority to provide one or more notices to the violating Owner/Resident prior to the ten (10) day letter for the purpose of removing the pet from the property, but said warnings are not required. The Board or its representatives, shall have the authority to request, contemporaneously to witnessing the violation, that the violating Owner/Resident remove the waste, and to request the name and address of the Owner/Resident. Failure by the Owner/Resident to remove the waste and to provide his/her name and address will give the authority to the Association to publish pictures of the violating Owner/Resident and pet in the Loggers' Run Outlook for the purposes of obtaining information as to the Owner's/Resident's identity.

- e. **Restricted Areas.** Pets are not allowed in the parks and play areas of Loggers' Run (Recreational Areas), unless otherwise required by law or otherwise permitted by the Board.
- f. **Indemnification of the Association.** Any resident who allows an animal of any kind to be brought into Loggers' Run agrees to indemnify the Association and to hold it harmless against loss or liability of any kind or character whatsoever arising from or growing out of the animal's actions in Loggers' Run.
- g. **Removal of Pets Which Create a Nuisance and/or Threat to the Residents.** No pet shall create a nuisance, which determination shall be in the sole discretion of the Board. The Association, acting through the Board, shall have the authority to remove pets which, in the sole discretion of the Board, are determined to create a nuisance on the property or a threat to the Residents, their guests, invitees, Association employees, vendors and other pets (such threat being deemed a threat to the Loggers' Run Community). A pet which, in the sole discretion of the board, creates a nuisance shall be removed upon notice. Said notice shall not be less than ten (10) days prior written notice. Nuisances shall include, but not limited to, pets which are, in the sole discretion of the Board, excessively noisy or create excessive odors, or where the pet's waste is not being removed.

**If any animal, in the sole discretion of the Board, demonstrates a threat or danger to the health, safety and welfare of the Loggers' Run Community, the Owner/Resident must remove said animal from the property within twenty-four (24) hours of receiving written notice from the Association. The Board shall have the sole authority to identify whether or not such attack is determinative, for the purpose of requiring immediate (24 hours) removal. In determining whether or not a pet demonstrate a threat or danger to the health, safety and welfare of the Loggers' Run Community, the Board may consider the nature of any attack whether to a resident, their guests, invitees, Association employees, vendors or other pets, as well as the frequency of attacks.**

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- 4. **Antennae, Satellite Dishes and Ham Radio Equipment.** Telecommunications equipment, including antennae and satellite dishes, are permitted in Loggers' Run if they are in accordance with the following guidelines:
  - a. Satellite dishes or antennae, shall be allowed without Architectural Control Committee (ACC) approval if they are attached to the sides, including the rear side of a dwelling, or with ACC approval as provided below. Satellite Dishes shall be limited to 2 per home.
  - b. Any dwelling unit located on a zero lot line, the satellite dish shall be prohibited on the zero lot line side (s).
  - c. **Timberwalk** and Timberwalk II communities, where dwelling units share a party wall, and a dwelling unit only has a front and rear side, the satellite dish or antenna, shall be placed on the rear side of the dwelling unit, or, the front or a unit with ACC approval as provided below.
  - d. No satellite dish or antenna shall be placed on any dwelling roofs.

- e. No satellite dish or antenna shall be placed on any portion of common property.
- f. No satellite dishes or antenna shall be installed on any front yard or on the front portion of any dwelling, except where placement at such location is the only way to receive video programming through an acceptable quality signal. If this is the case, an application for approval must be submitted to the ACC, which application must provide written verification from the proposed installer, in the form of an affidavit, swearing that the placement of the satellite dish or antenna on any front yard or front portion of a dwelling is the only way to receive video programming through an acceptable quality signal.
- g. If satellite dish or antenna is placed on any portion of the ground, on the side or the rear of a dwelling (or in front of a dwelling where necessary to require adequate signal), such satellite dish or antenna shall be hidden from view by a hedge or other landscaping or acceptable covering, which hedge, landscaping or covering must be approved, in advance of the installation of the satellite dish or antenna, by the Architectural Control Committee.
- h. All low voltage wiring at ground level must be encased in PVC or other wire protection and buried at least twelve (12) inches below the ground.
- i. All above ground low voltage wiring must be protected with PVC or other wire protection of the same color as fence or building at which it is located, and hidden where possible.
- j. Homeowner agrees to hold the Association and its directors harmless from any damage to the roofs, exterior walls, irrigation and other sub-systems and the installed unit itself, all of which potential responsibility is to be assumed by the homeowner. Additionally, the homeowner agrees to hold the Association harmless and to indemnify the Association of any claims, which may be asserted by any parties by virtue of the installation and use of a satellite dish and any accompanying hardware and wiring.
- k. If the installation cannot comply with these guidelines, because the installation would unreasonably delay, unreasonably increase the cost, or preclude reception of an acceptable quality signal, the installation location must be as close to a conforming or allowable location as possible.
- l. Satellite dishes, no matter where located, must be maintained in working order. Any satellite dish that is not in use, shall be removed. Additionally, the Association shall have the authority to require removal of a satellite dish that is not in working order or where it is not secured, and in the sole discretion of the Board or management acting on behalf of the Board, creates a dangerous condition, including a danger in hurricane or other casualty events.
- m. Ham radio equipment shall not be prohibited, as long as any antennas are concealed from view from any portion of the Common Areas, and must receive prior ACC approval. Further, the ACC shall have the authority to promulgate guidelines relative to required buffering and to limit any aesthetic impact on neighboring lots.



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5. **Appliances – Exterior.** All exterior appliances, including but not limited to electrical or plumbing connections, A/C units, pool heaters, pool pumps, generators, or irrigation systems, must be screened from the street and adjacent view. The screening must be to the top of the equipment, by use of opaque fence or wall, or hedges around the unit, and must have ACC approval.

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6. **Awnings/Canopies.** Not allowed.

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7. **Basketball Hoops.** Free standing or attached basketball hoops require prior approval from the ACC. Portable basketball hoops as well as approved free standing basketball hoops or attached basketball hoops can only be located on a Lot and must be in a proper state of repair, as determined in the sole discretion of the Board, the ACC or management, on behalf of the Board.

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8. **Car Covers.** Car covers must be custom to the make and model of the car. The car cover must be kept in good repair, not dirty, torn, faded, etc. The car cover must be secured to the car at all times

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9. **No Carports Allowed.**

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10. **Cement Cones, Pyramids, etc.** The use of cement pyramids, cones, coral rock, reflective sticks, or the like along lot perimeters boarding roads shall not be permitted. Any variation is subject to ACC approval.

The Only Loggers' Run approved reflectors allowed are Street Reflectors, which are attached directly to the street.

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11. **Clothes Drying Areas.** No portion of any lot shall be used as a drying or hanging area for laundry of any kind.

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12. **Complaints.** Complaints regarding the management of the common areas and any privately-owned lots or the actions of other Residents shall be made to the Board through the Management Company.

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13. **Dangerous Conditions.** No dangerous condition, whether naturally existing or man-made, shall be permitted to exist on any Lot within the Committed Property, which may endanger any portion of the Common Areas or any neighboring or other lot. For example, such dangerous conditions shall include,

but not limited to, any disease or infestation of any trees, grass or landscaping on an individual Lot, which may spread to a neighboring or other Lot, or to the Common Areas. A dangerous condition, in the sole discretion of the Board and/or management, can also include a tree or other vegetation which is not properly maintained, and becomes unsteady or otherwise creates a concern that it could cause damage to the Lot, the adjoining Lot (s) or the Common Areas or any structures thereon, during a casualty event, including, but not limited to a tropical storm and/or hurricane. The Owner of the Lot that contains such disease or infestation, or other dangerous condition, shall have the duty to immediately remove such dangerous condition from the Lot, at the Lot Owner's sole cost and expense. In the event that the Lot Owner fails to take such immediate remedial action, the Corporation shall have the authority, but not the obligation, to enter upon the Lot, whether in an emergency or non-emergency situation, to perform any work necessary to preserve the Lot and to prevent the spread of disease, infestation or other dangerous condition to a neighboring or other Lot, or to the Common Areas. The cost of such maintenance shall be the responsibility of the Owner of the Lot on which the required maintenance is to be performed, and shall be charged to the Lot as an assessment, with full enforcement and collection rights.

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**14. Driveways.** Must conform to guidelines set by the Architectural Control Committee as to color, material (Pavers, Blacktop, Cement, Stamped, Painted/stained), and intrusion into sidewalks.

- a. Driveway material cannot extend past the front corners of the garage structure.
  - b. All Loggers' Run driveways shall be kept in good repair. Driveway material such as, but not limited to, cement, blacktop, pavers, or painted driveways shall not be cracked, broken, raised to an uneven height, or stained.
  - c. If a cement, or blacktop driveway is stained or worn and cannot be cleaned, Loggers' Run requires the homeowner to refinish the driveway surface.
  - d. Flares/Aprons or returns must be separated by at least 5 feet. Palm Beach County Planning, Section 4. Driveway locations and Spacing, Par. B. mid-block lots. "Along local streets, driveways serving abutting lots shall be located such that flares or returns are separated by at least 5 feet."
  - e. The covenants and restrictions for Loggers' Run and all the subs are silent in regard to the sidewalk being part of the driveway or not. The sidewalks in the gated community are the responsibility of each homeowner. All other sidewalks in Loggers' run are owned and repaired by Palm Beach County. However the responsibility for cleaning ALL sidewalks (gated or not) is the homeowners.
  - f. A survey is required for any driveway application.
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**15. Drones.** A drone is a powered, aerial vehicle that does not carry a human operator, uses aerodynamic forces to provide vehicle lift, can fly autonomously or be piloted remotely and can be expendable or recoverable. Drones can also carry cameras or other recording devices. In recognition of the public concern of unwanted and unwarranted surveillance, the Florida legislature recently promulgated Florida Statutes Section 934.50, known as the Freedom from Unwarranted Surveillance Act, which allows the government to promulgate rules regulating drone use. The same concerns relate to the use of drones within a homeowners association. As such, any drone which flies above any lot or portion of the common areas, other than the drone owner's lot, shall be prohibited. Further, any drone that has a camera or other recording device shall not record or otherwise film or take pictures of any other lot or a portion of the common area, without the lot owner's permission (as it relates to the lot) and without the Association's permission (as it relates to the common areas). Finally, any device which allows one to see onto another's property without their prior notice or records whether through video recording, audio recording or otherwise, another person without their knowledge, shall also be considered a violation of this rule and shall be deemed a nuisance.

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**16. Dumpsters/Pods.** The Loggers' Run homeowner must contact the management office as to the reason and time frame (will be allowed up to 14 days), prior to the use of dumpsters or pods.

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**17. Duty to Obtain Loggers' Run Governing Documents.** Upon the sale of a residence, it is the Owner/seller's responsibility to furnish the buyer with a complete set of Loggers' Run Governing documents applicable to the subject property. If the Owner/seller fails to do so, it is the buyer's responsibility to obtain Loggers' Run Governing Documents. The Association may charge a reasonable fee to cover the cost of preparing copies of requested Loggers' Run Governing Documents.

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**18. Emergency ACC Application.** Emergency is defined as a serious, unexpected, and often dangerous situation requiring immediate action.

There are no stipulations in the covenants or documents for ACC emergency procedures.

If an emergency occurs during the time between the ACC meetings, the following procedure should be followed:

"In an emergency, in case of damage to a home that, in order to mitigate against further damage or liability (such as that mandated by the homeowners insurance company), the homeowner may proceed to make immediate repairs. However, be aware that the repair will be subject to approval of the ACC under the same rules and review as if submitted routinely under non-emergency regular order. Be aware, that the emergency repair is considered temporary until and unless it meets the usual criteria of the ACC. If the temporary repair does not meet the standards of the ACC approval, the temporary repair will need to be replaced on a timely manner by a repair that does meet ACC approval. Violation of these guidelines can result in a fine. (This entry was approved by Logger's Run HOA BOD on 08/28/17).

**19. Enforcement.** The Board has the authority to suspend rights of a member or a member's tenant, guests, invitees, to use common areas and facilities and may levy fines against any member for violating the Loggers' Run documents. A fine may be levied by the Board along with pursuing all available legal remedies, including suspension of common area use rights and fines as well as the initiation of legal action for violations of the Governing Documents (See Rule 10, 720.305, Fla. Stat. and Fining Schedule).

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**20. Exterior Changes to Residence or Lot.** No exterior change to a residence including, BUT NOT LIMITED TO, windows, doors, additions, screening, patios, addition of any kind, air-conditioning units, pools, hot tubs, fencing, roofs, roof patches, pool heaters, pool pumps, irrigation equipment, generators, driveways, ground cover, trees, shrubs, exterior repainting whether or not a color change, and landscaping, may be undertaken without the prior written approval of the ACC (additional approval may be required from the Sub-Association to which the property is subject). Resurfacing of existing rear patios within a screen enclosure shall not require submission for ACC approval. Notwithstanding anything to the contrary, ACC approval shall not be required for the planting of flowers, which planting does not necessitate the removal of any hedge, tree or sod.

**a. Pools.** A bond in the amount of \$1,000.00 shall be posted for any pool construction. Any construction work which requires access to a residence via any common area, is not permitted. A survey and blue prints and an ACC application are also required. Pool screen enclosure must be electrostatically painted bronze-tone or white-tone aluminum.

**b. Approval Procedure in Certain Sub-Associations.** The following procedures are to be followed by Sub-Associations whose Articles, By-Laws, or Replat Declaration contain the authority for an architectural control committee or whose Article, By-Laws or Replat Declaration require the approval of the Sub-Association Board of Directors:

**i.** An Owner shall first apply to the Owner's Sub-Association as required by the Sub-Association's governing documents.

**ii.** If the Sub-Association does not give final approval, the Master Association ACC shall not consider the application.

**iii.** Failure by a Sub-Association to address an application within the required time frame pursuant to a Replat Declaration may be considered approval of the application by the Sub Association, but shall not be deemed approval by the Master Association ACC. Therefore, while deemed approved by the Sub-Association, the application is required to be approved by the Master Association ACC. The time frame in which the Master Association is required to approve an application shall not commence until such time as the application is timely submitted to the Master Association ACC.

**iv.** If a Sub-Association reviewed an Owner's request, the Sub Association must forward the reviewed application to the Master Association ACC.

- v. If the Master Association ACC approves the request, it will issue final approval for the Owner.
- vi. If the Master Association ACC denies approval, the application is denied and the Owner may not proceed.
- vii. If the Master Association ACC denies the request, the Owner may appeal to the Board.
- viii. If the Board denies the request, the Owner may not proceed.

**c. Building Requirements for New Construction and Alterations.**

1. New Construction may result where a Lot has been cleared, by virtue of casualty or other loss, as differentiated from intentionally doing a Knockdown, or where a vacant lot has been cleared for the purpose of installing a new dwelling unit.
2. A “knockdown” shall be defined as the substantial tearing down or removal of an existing structure upon a Lot within Loggers’ Run, with the intent of rebuilding or replacing said structure. Any determination of whether a proposed construction project shall be considered a knockdown will be made in the sole discretion of the ACC and/or Board of Governors.
3. **All construction** shall be governed by the Declaration and other Association Documents, which shall include, but not limited to, the Declaration of Protective Covenants and Restrictions for Loggers’ Run, the Articles of Incorporation, Bylaws and Rules and Regulations of Loggers’ Run, Inc., as amended from time to time, as well as any and all Replat Declarations, Sub-Association Declarations, Articles of Incorporation, Bylaws and Rules and Regulations as amended from time to time, (hereinafter “Association documents”) applicable to the Lot.
4. **A Single-Family Residence.** Detached single-family homes (a “residence”) shall be the only “Dwelling Units” constructed on the subject property.
5. A Construction Deposit of \$ 5,000.00 may be required on each house before approval from the ACC will be granted the Construction Deposit may be increased from time to time by resolution of the Board of Governors). To satisfactorily complete, all of your approved plans must be followed. If any plan is not followed, including landscaping, work must cease and desist, and a new plan must be submitted and approved before any further work is done. Upon completion of the work, the Construction Deposit will be refunded less any fee to review plans, such as landscaping plans, any fee to enforce plans, such as attorney’s fees or survey fees, and any costs to maintain the appearance of the property. Such fees may include, but shall not be limited to, any fee to a licensed architect, engineer, including landscape engineer, or any other similar professional, as determined necessary by the ACC or Board of Governors. If your approved plan is not strictly adhere to, your Construction Deposit will not be refunded. In addition, the funds from the Construction Deposit may be used to offset the cost of any damage that occurs to the Common Areas or to another Lot as a result of your construction. This section shall not preclude any Sub-Association from having the authority to require that an additional Construction Deposit be issued.

6. Construction shall be in accordance with the time frame as determined by the ACC. Unless determined otherwise by the ACC, at the time of approval, construction must commence within three (3) months after approval by the ACC of the construction plans. In addition, all work must be completed within twelve (12) months of such commencement of the work. Any extension of these time frames may be considered, in the sole discretion of the ACC, on a case-by-case basis.
7. The construction site must be free of unsightly trash, weeds, underbrush and debris at all times. A dumpster is required. No trash may be burned at any time. While construction is in progress, the job site must be maintained. Dumpsters must be kept in a clean and neat condition and placed at a location approved by the ACC. Should any Owner not comply with this Section 5, the Association shall have the authority to enter upon a Lot which entry shall not be deemed a trespass and perform such maintenance in order to keep the construction site in a proper state of repair as provided in this Section 5, and the Association shall also have the authority to charge the Owner of said Lot for any costs necessary to perform such maintenance as an assessment against said Lot, or to deduct said charges from the Construction Deposit identified above.
8. Work hours are 8 A.M. to 6 P.M., Monday through Saturday.
9. Sign restrictions shall be enforced as per the Association Documents.
10. Parking regulations: No vehicles, except personal vehicles of an occupying Lot Owner, shall be left on job sites overnight. Notwithstanding same, any personal vehicles of an occupying Lot Owner shall otherwise comply with the remainder of the Association documents.
11. No animals will be allowed on construction sites, except for pets of an occupying Lot Owner. Notwithstanding same, any occupying Lot Owner's pets must otherwise conform to applicable requirements of the Association Documents.
12. Swale trees shall be trimmed at start of new construction.
13. Landscaping must meet ACC requirements.

#### **INITIAL SUBMITTALS**

A complete application will be required prior to reviewing any proposed knockdown. All plans and application must be submitted to the ACC prior to submission to the County for approval. An application will include, but is not limited to:

1. Application form along with Exhibit.
2. Site plans prepared by a licensed architect or registered land surveyor with a scale of not less than 1" = 20' showing all existing structures and trees and showing all proposed improvements including:

Buildings, fences, walls, pools, tennis courts, screening, decks, landscaping, drain fields. A/C equipment, pumps, lighting, etc.

The site plan must note setbacks, road elevations, swales, street trees, building elevations, and site topography.

3. One (1) complete set of building plans in substantially the same form as required by the Palm Beach County Building Department, signed and sealed by an appropriately licensed professional, showing all exterior materials and details, and indicating building square footage.
4. Exterior materials and colors list, one (1) copy, noting colors and details of all exterior surfaces (walls, doors, windows, trim lighting, roof, chimney, driveway, fences, screening) in order to correspond to the building plans and site plan.
5. One (1) set of landscape plans with scale not less than 1' = 20' showing all plant material and a corresponding plant list, noting the quantity, quality and price of each.
6. As part of the application to the ACC, the requesting Lot Owner must provide a copy of the general liability insurance coverage for the vendor or contractor performing the construction work. Such insurance policy must list the Association (Loggers' Run, Inc.) as an additional insured or loss payee. The requesting Lot Owner must provide a copy of the general liability insurance coverage for the vendor or contractor performing the construction work, for both demolition and construction. Such insurance policy (s) must identify the Association as an additional insured and must provide Certificates of Insurance showing same. Additionally, such contractors or vendors shall supply copies of licenses and certificates showing that they have worker's compensation insurance. Further, the Lot Owner shall provide proof of premise liability insurance.
7. The ACC reserves the right to require additional information prior to granting approval in order to assure plans and specifications comply with the intent of the Association Documents.
8. NO IMPROVEMENTS OR CHANGE OF PLAN OF ANY TYPE OR NATURE, WHATSOEVER, SHALL BE COMMENCED UNLESS AND UNTIL THE APPROVAL THEREOF SHALL BE OBTAINED IN WRITING FROM THE ACC.

### **PROPOSED CHANGES**

Any proposal changes of the plans or specifications approved by the ACC shall be resubmitted in accordance with the initial submittal procedure previously noted.

1. Application for, one (1) copy, noting proposed changes.
2. Items 2, 3, 4 and 5 showing proposed changes, as required.
3. An additional Construction Deposit is not required.

## **UPON COMPLETION**

Within thirty (30) days of written notice of completion of all of the improvements or construction, previously approved by the ACC, or its agent, the ACC will inspect the property, assure compliance with the plans as submitted and refund the balance of the Construction Deposit, if any.

## **VIOLATIONS**

Failure to comply with the intent of the Protective Covenants, the specific deed restriction and the policies of the Board of Governors, or the rules and regulations of the ACC, will cause a submittal to be disapproved.

Violations of the Association Documents or commencing construction of any improvement, whatsoever, without the prior written approval of the ACC will be cause for immediate action by the ACC, including but not limited to:

1. The halting of construction on the property.
2. Notification of violation to the Palm Beach County Building Dept.
3. Recording a notice of violation in the public records and advising required parties, including any mortgage or lenders.
4. Other actions as the ACC or the Board of Governors deem necessary to rectify the situation, including, but not limited to, forfeiture of the Construction Deposit and recovery of legal fees and costs incurred.
5. Any and all remedies available to the Association as provided in the Association Documents and as determined by the Board of Governors.

## **VARIANCES**

Neither the Board of Governors nor the ACC are responsible for prior actions by the Loggers' Run developer or others. The original recorded Association Documents and the guidelines have changed over the years, and possibly prior violations exist and/or variances may have been granted. They do not establish a precedent to further violate the present Association Documents.

## **GUIDELINES**

Must be in compliance with any and all Replat Declaration or Sub-Association Declarations, as well as any and all other Association Documents.

## **NOTE:**

Plans will be reviewed for the overall compatibility with the existing homes in Loggers' Run. They must conform to the Declaration, rules and Regulations and the policies of the board of Governors. No home or improvement constituting a knockdown will be permitted that may destroy or negatively affect the aesthetic value of the community.



## AGREEMENT TO COMPLY WITH KNOCKDOWN AND NEW CONSTRUCTION REQUIREMENTS

As a condition of approval by the ACC, each Lot Owner agrees and acknowledges that all of the requirements and restrictions relating to knockdown and new construction requirements shall be adhered to by all Lot Owners regardless of whether such requirements are independently provided for in any of the other Association Documents.

Except as provided herein, the Master Association ACC shall have final approval on all architectural matters governed by the Loggers' Run Protective Covenants and Restrictions.

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**21. Exterior Lights.** There shall be no holiday lights prior to Thanksgiving and all holiday lights must be removed no later than January 15<sup>th</sup> of the following year. Any other exterior lighting, including, but not limited to, decorative lighting, shall require prior ACC approval. Any lights, whether or not approved by the ACC, or whether or not requiring approval, must not be installed, and aimed in a direction which creates a nuisance on the property, in that they interfere with the quiet enjoyment of a neighboring lot. For purposes of example, but not to create a limitation, a light which would shine into another owner's home, shall be deemed a nuisance, and shall be prohibited, even when the light is approved by the ACC. In such circumstance, the light either will need to be removed on a permanent basis, or redirected as necessary.

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**22. Fencing.** The following rules and regulations shall apply to fencing:

**a. Prior Approval Required.**

No fence of any description may be erected anywhere within boundaries of Loggers' Run without the express written permission of the ACC. After ACC approval, owners must obtain a county permit prior to installing any fence material.

**b. Child Fencing Around Pools.** Fencing commonly known as child fencing, which may be further described in the ACC Guidelines, shall not require prior ACC approval, if installed immediately adjacent to the pool. Child fencing shall not include other pool type fencing, including but not limit to screen enclosures. The intent of this rule is not to create any delay in installing a proper child fence around a pool, in order to avoid any potential dangerous condition on an Owner's lot.

**c. Placement of Fence on Property.**

i. The ACC has the sole discretion of the placement of the fence.

ii. No fence in anyway shall affect the integrity of the area in which it appears, such as, but not limited to, easements, blocking vehicular or pedestrian traffic views, including sidewalks at or near street corners.

- iii. No fencing, including “invisible fencing”, is permitted beyond the front of any residence.
- iv. Side fencing including, but not limited to, solid plantings used as fencing must have a front setback at least equal to the front setback of the house.
- v. Side or rear fencing including, but not limited to, solid plantings used as fencing which run parallel to a sidewalk or bicycle path must be set back, at all times, at least five (5) feet from said sidewalk or bicycle path.
- vi. Solid plantings used as fencing which run parallel to a sidewalk or bicycle path must be maintained so as not to extend anywhere on the sidewalk or path.
- vii. All fencing must adhere to any utility easement restrictions.

**d. Types of Construction Permitted.**

- i. Fences may be constructed of wood, vinyl, masonry, hedging material, wrought iron, anodized aluminum, chain link, or a combination thereof or other material as may be approved by the ACC.
- ii. The finished side of wood, vinyl, and chain link fences must face the outside of the lot. The fences must be constructed such that the vertical posts are placed on the side of the fence facing the lot being enclosed.

**e. Color of Fencing.**

- i. All fence colors must be approved in advance by ACC, regardless of the type of material of the fence.

**f. Height Requirements.**

- i. Wood fences may not exceed six (6) feet in height.
- ii. Masonry fences may not exceed six (6) feet in height.
- iii. Fences comprised of hedging or solid plantings shall not exceed six (6) feet in height.
- iv. Wrought iron or anodized aluminum fences may not exceed six (6) feet in height.
- v. Chain link fences may not exceed five (5) feet in height, except tennis court fencing which shall not exceed 10 feet in height and pool enclosure fencing which shall have the 4 (four) feet minimum height, according to Palm Beach Building Division. Aluminum pool screen enclosure with self-closing latch shall be a minimum of 54” (fifty four) inches above the threshold. Chain link fencing, including poles, rails and gates must be vinyl coated. The color

of the fencing must be green, black or brown. The color of the vinyl coated chain link fencing must be approved by the ACC prior to installation.

- vi. Chain link fencing must face the outside of the lot (posts on the inside).
- vii. The master Association ACC may approve chain link fences in excess of the height requirements identified in these rules for fencing of parks, recreational facilities and common areas.
- viii. Hedging/natural plantings shall not exceed six (6) foot in height.
- ix. All gates are required to be the same height as the fence and posts.

**g. Landscaping of chain Link Fencing.**

The exterior of the chain link fence must be landscaped so that all vertical poles are completely hidden from view. The landscaping material must be at least three (3) feet high at the time of installation and must, within twenty four (24) months, achieve the required buffering such that all vertical poles will be completely hidden from view. If not compliant by that time, landscaping material shall be replaced so as to be compliant. Notwithstanding, any chain link fence installed or replaced on a Lot such that chain link fences that run along to or are parallel to a roadway, sidewalk, bike path or other right of way, must be landscaped so that fences are completely hidden from view.

**h. Tennis Court chain Link Fences.**

The exterior of the chain link fence shall be decoratively landscaped, at a minimum, in accordance with subsection f and h herein. Notwithstanding, ACC shall have the authority, but not be required, to approve alternative buffering on the exterior of tennis court chain link fences.

**i. Exterior Landscaping of Fences that Run Along or Parallel to Roadway, Sidewalk, Bike Path or Other Right of Way.**

The exterior of all fences, including, but not limited to, wood fences, which are installed or replaced on a Lot such that fences that run along to or are parallel to a roadway, sidewalk, bike path or other right of way, must be landscaped so that fences are completely hidden from view. The landscaping material (e.g. hedges) must be approved prior to installation, shall be a minimum of one half (1/2) the height of the fence at installation and must, within twenty four (24) months, achieve the required buffering such that all fences will be completely hidden from view. If not compliant by the time, landscaping material shall be replaced so as to be compliant. Further, all such fences, including the landscaping installed on the exterior, must comply with all setback requirements as provided in the Association governing documents and Bylaws, including these ACC Guidelines ("setback requirements"). Notwithstanding any existing setback requirements, any such fence must not be placed less than five (5) feet from the property line adjacent to any roadway, sidewalk, bike path or other right-of-way. Finally, any such fences, which comply with all of the existing setback requirements, and which are in existence as of the effective date of this rule, shall be grandfathered

in, but any and all replacements of such fences and newly constructed fences must be in compliance with this Rule. This rule shall not apply to any fence that is not in excess of twelve (12) feet in length and which is attached to a dwelling, including, but not limited to, any privacy walls.

**j. Maintenance of Fences in Proper State of Repair.**

All fences installed on an individual Lot must be kept in a proper state of repair at all times, as determined in the sole discretion of the board of Governors and/or ACC. Notwithstanding this general requirement that all fences be in a proper state of repair, any fence installed on an individual Lot, which is installed in such a way as to run along, be adjacent to or be parallel to a roadway, and which is not completely hidden from view by landscaping as required herein, must be repaired or replaced upon the determination of the Board of governors or ACC that such fence is not in a proper state of repair. In the event that any Lot Owner fails to keep such fence in a proper state of repair, the Corporation shall have the authority, but not the obligation to enter upon the Lot, whether in an emergency or non-emergency situation, to perform any work necessary to preserve the fence (s) in a proper state of repair, including, if determined by the Board of Governors, the installation of hedge material. The costs of any such maintenance and/or repair shall be the responsibility of the Owner of the Lot on which the required maintenance or repair is to be performed, and shall be charged to said Lot as an assessment, with full enforcement and collections rights.

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**23. Fining and Suspension of Common Area Use Rights.** Fining and suspension of common area use rights shall be in accordance with Section 720.305, Fla. Stat., as amended from time to time. Any and all procedures as well as any fining schedules, shall be as approved by the Board of Governors and incorporated herein.

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**24. Flags.** Any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag, in a respectful manner, not larger than 4 ½ feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association. 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 4 ½ 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, 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.

The American Flag under Article (4) of the United States Code, Section (6) states that the Flag should be flown from Sunrise to Sunset, however for those requiring a more Patriot feel, can do so by flying the American Flag so long as the Flag is illuminated with lighting, and specifically “Does Not Fall Into Darkness”. Is there a Civil Penalty for not properly illuminating the American Flag at night? Absolutely, under the Flag protection Act, failure to properly light a flag at night can result in a fine of up to \$100,000 or imprisonment of up to one year.

- a. Decorative Flags. Decorative flags and flag poles require ACC approval.
- b. Number of Flags Permitted. In addition to one (1) American flag, only one (1) additional flag per home/lot may be present.
- c. Size Limitations. Size limitation of 3' x 4' for all other approved flags.
- d. Flag Poles. Flag pole size shall not exceed twenty (20) feet in height.

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**25. Garage Sales and Yard Sales.** No garage sales or yard sales are permitted at any time in Loggers’ Run, Inc., except for those permitted by the Board of Governors (“Board”). The Board shall have the authority to allow for garage sales within Loggers’ Run, Inc., on one or more dates as determined by Resolution of the board and in accordance with any criteria as established by the Board. Please refer to Sub-Association Documents, including but not limited to Rules and Regulations of those Sub-Associations, for further restrictions. Any garage sale held in violation of this rule shall be subject to a fine of \$250.00 per day. Which fine must be noticed and approved in accordance with Chapter 720.305, Fla. Stat.

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**26. General Nuisance.** No one shall create a nuisance on the property, whether by virtue of the use of the Lot or otherwise by virtue of any activity within Loggers’ Run. Additionally, a nuisance shall be determined in the sole discretion of the Board, management acting on behalf of the Board, and/or security, acting on behalf of the Board. Loud music and/or noises permeating from a vehicle of a person residing in Loggers’ run or a guest or invitee of a person residing in Loggers’ Run may be deemed a nuisance, notwithstanding whether or not it is a violation of any County noise restrictions. Additionally, use of vulgarity, verbal abuse including verbal abuse to a domestic partner or otherwise, any noise aimed at affecting another’s peaceful enjoyment of the property or actions of that nature, as determined in the sole discretion of the Board and/or management acting on behalf of the Board, and/or security acting on behalf of the Board, shall also be considered a nuisance.

Loggers’ Run residents are encouraged to register their alarms with the Palm Beach County Sheriff’s Office, to assure that alarms do not go off, and remain on for extended periods of time. The failure of an alarm to be turned off timely shall be deemed a nuisance, and subject to up to \$250.00 fine per violation. It is the intent of this rule to assure that Owners alarms do not remain unattended for extended periods of time resulting in a nuisance to surrounding Lots. The determination as to an extended period of time may be further determined by the Board, but until that time, such determination shall be in the sole discretion of the Board, or management, on behalf of the Board.

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- 27. Generators.** All Loggers' Run ACC applications for generator installations must be in accordance with, but not limited to, the Palm Beach County Department of Planning, Zoning & Building, Building Division.

A site survey consisting of the location of the fuel tanks (consisting of the distances from the tanks to the property line and the house), generator, and electrical equipment is required. The generator and all the required equipment shall be screened from the street and adjacent property views. The screening must be to the top of the equipment, by use of opaque fence or wall or hedges around the unit, and must have ACC approval.

A shadowbox fence is NOT an opaque screen, and cannot be used as screening material.

Along with the site survey and the screening information, an application, a copy of the contractor's license and insurance, and a street view picture of the house are also required.

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- 28. Hurricane Shutters.** Only after the National Hurricane Service implements a hurricane watch for Palm Beach County may Owners and occupants install temporary hurricane shutters and close both temporary and permanent shutters. Within fifteen (15) days after the hurricane watch or warning for Palm Beach County (whichever occurs later) has been lifted, hurricane shutters on all dwelling units must be opened and if not permanently attached, removed and stored inside the dwelling unit or elsewhere outside Logger's Run. Any Owner desiring to install hurricane shutters containing components which will be permanently attached to the exterior of a dwelling unit, or which can be seen from the exterior of the dwelling, must apply for and receive prior written ACC approval. Any other hurricane protection, including, but not limited to, impact glass, shall be deemed an alteration and therefore ACC approval shall be required prior to any such installation (Please see ACC Guidelines for any other requirement regarding the installation of hurricane protection).

Notwithstanding anything to the contrary contained herein, the ACC shall have the authority, but not the obligation, to allow clear hurricane shutters to be installed and be closed prior to the National Hurricane Center implementing a hurricane watch for Broward and/or Palm Beach County and to remain closed for a period of time in excess of fifteen (15) days after a storm warning has been lifted, at the ACC's sole discretion, where the ACC has determined in its sole and absolute discretion that such clear hurricane shutters are unobtrusive, are aesthetically appropriate and pleasing, do not create an eyesore within the community, and otherwise have been approved by the ACC and comply with all other provisions of the Association governing documents, including, but not limited to, these Rules and Regulations and the Declaration of Protective Covenants and Restrictions for Loggers' Run. Further, the ACC shall have the sole discretion in determining the duration that the approved clear hurricane shutters may remain in the closed position as well as the type of clear hurricane shutters which may be approved.

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- 29. Increase in Insurance Rates.** No occupant of any residence may engage in any action on any portion of the property in Loggers' Run not owned or occupied by such person which may reasonably be expected to result in an increase in the rate of any insurance.
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**30. Landscape.**

- a. **Ground Cover.** The only Florida friendly ground cover or sod permitted in Loggers' Run is St. Augustine Turf.
- b. No tree or shrub with a trunk that exceeds two (2) inches in diameter and thirty (30) inches in height can be cut down without ACC approval.
- c. Any vegetation, including but not limited to trees, which are deemed by County Code or other County requirements, to be prohibited species, shall not be installed on any Lot. Additionally, any trees which may be prohibited pursuant to the ACC Guidelines, shall also not be installed on any Lot.
- d. **Mailbox Planting.** Mailbox plant material around the base must be maintained and trimmed no higher than the height of the bottom of the box, and cannot block the address numbers.

Borders around the base of the mailbox must be kept in good repair.

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**31. Leasing of lots,** shall be subject to the restrictions identified in the Loggers' Run Governing Documents, as well as any Replat Declarations, and Sub-Association Governing Documents, as any of those documents may be amended from time to time.

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**32. Liability for Acts of Others.** Owners and residents shall be held responsible for the actions of their animals, children, guests, invitees, tenants, employees and guests.

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**33. Light Posts.** Light posts as well as posts and frames for porch and pool screened enclosures are to be electrostatically painted bronze-tone or black-tone aluminum or such other materials and finishes as are otherwise permitted by the Committee.

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**34. Mailboxes – Minimum Standards.** The following rules and regulations shall apply to mailboxes:

- a. **Design and Construction.** Replacement mailboxes must be uniform throughout Loggers' Run except as herein provided. Mailbox design must be in accordance with the following guidelines and must receive ACC approval:
  - i. **Timberwalk and Timberwalk II.** In Timberwalk, color black, and Timberwalk II, color hunter green, there is one pre-approved mailbox. All mailboxes in these two subdivisions of Loggers' Run must be in conformance with the pre-approved mailbox. Design specifications of the pre-approved mailbox are on file at the management company and are available to all homeowners without charge.



- ii. **Island Lakes.** There are 2, white or black, pre-approved mailboxes by Island Lakes. All mailboxes in Island Lakes are the property and responsibility of the Island Lakes homeowners and must be in conformity with the pre-approved mailbox. Design specifications of the pre-approved mailbox are on file at the management company and are available to all homeowners without charge.

Gilbratar Mailbox – Stratford Decorative Plastic Mailbox Post Combination, black, Home Depot Part # SC000B01.

After a review of the association’s minutes from past years regarding the responsibility of mailboxes, it was determined by the association and legal counsel that the vote obtained had no legal merit and that the mailboxes are the responsibility of the homeowners. At the Board meeting on November 17, 2010 the Board of directors voted that the association will replace the remaining white boxes as they are needed. Once you have received a new black mailbox, you are responsible for maintenance and/or replacement.

- iii. **Winding Lake Estates:** each residence must have a free standing mailbox. Upgrades available to homeowners. Can view approved mailboxes in Management Office. All mailboxes shall be white, and purchased through Beautiful Mailbox and are limited to the following styles: TUSCANY 1-0-1, TUSCANY 1-4-1, SORRENTO 1-0-1, SORRENTO 1-4-1, REGENCY 1-0-1, REGENCY 1-4-1.
- iv. **Crystal Cove Estates:** each residence must have a free standing mailbox. All mailboxes shall be bronze, and purchased through Beautiful Mailbox and are limited to style FOX 242.
- v. **Upgraded Mailbox Design.** In all subdivisions of *Loggers’ Run other than Timberwalk, Timberwalk II, Crystal Cove and Island Lakes* upgraded mailbox designs will be considered by the ACC. An upgraded mailbox may not, however, be installed without the prior written approval of the ACC.
- b. **Color.** Mailbox unit (house and post) may be painted to match house color and/or house trim.
- c. **Display of Mailing Address.** The address number of the residence must be visibly displayed on every mailbox post, or on or beneath the mailbox itself, or if unable to do so, then visibly displayed on the residence.
- d. Mailbox replacement requires ACC approval. Installation does not require a licensed or insured contractor.

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35. **Maintenance of Property.** The maintenance of the landscaping, exterior house, windows, fence, pool, pool screen, grill, permitted exterior structures, and other exterior items shall be at a level of maintenance equivalent to that of the majority of similar items within their subdivision.

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36. **Master ACC Approval.** Except as may be provided herein, the Master Association ACC shall have final approval on all architectural matters governed by the *Loggers’ Run* governing documents, including the Protective Covenants and Restrictions.

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37. **Memorial Markers.** No memorial markers are allowed on Loggers' Run property or property maintained by Loggers' Run.
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38. **Other Prohibited Activities.**

- a. Solicitation within Loggers' Run is prohibited.
  - b. When not in use garage doors must be closed.
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39. **Outbuildings.** An outbuilding is defined as any structure that is not attached to the main structure (dwelling). The definition does not include additions to the main residence or a garage wherein an actual opening to the main structure exists (attached garages). It does include storage sheds, gazebos and playhouse/fort structures. Outbuildings in yards fully visible from a street or common area will be considered on a case by case basis by the ACC committee. In no event will an outbuilding constructed of plastic or metal be approved or considered. No portable storage sheds will be permitted.

The ACC will consider the following:

**1. Sheds/Storage Buildings:**

- a. The colors should match/blend with the predominant exterior color of the main residence.
- b. Materials should match those of the main residence; however the ACC may approve small prefabricated storage buildings providing the color blends with the main residence.
- c. It should have a peaked roof no higher than eight feet (8') from the ground to the highest point and a maximum of 10' x 12' floor space. Structure should be placed a minimum of eight feet (8') off rear property line and no less than five feet (5') from the side property line. It must be landscaped on three sides of the building and not visible from the street or common area.
- d. Prefabricated storage buildings must be on a concrete slab and properly secured to the concrete slab, meeting all Palm Beach County and Miami-Dade County windstorm requirements.
- e. No storage building can be built up against any side or rear wall of the residence unless its maximum height is less than six feet (6') and is not visible above the fence. It must also comply with all other requirements for proper construction, size, location and style and color of the house.

**2. Other Structures, but not limited to:**

- a. A playhouse/Fort, must be no taller than twelve feet (12') maximum at its peak. A platform can be no higher than fifty two inches (52") above ground and within the rear width of the house footprint in the back yard to protect the neighbor's privacy. It shall also be placed so as not to be visible from the street and a minimum of eight feet (8') from the perimeter of the lot line.

- b. Swing Sets/ Play Structures / Prefabricated Play Gyms, Playhouses will be permitted and the height shall not exceed twelve feet (12') at its peak and be located no less than eight feet (8') from the back of the lot line and no less than five feet (5') from the side lot line. Location will be considered for a neighbor's privacy. May not be visible from the street. Awnings covers are permitted providing they are kept in quality condition at all times such as no fraying, mold, mildew or fading.
- c. Should the Playhouse/Fort or Prefabricated Structure fall into disrepair, at the sole discretion of the management company, it must be removed by the owner.
- d. Gazebos (freestanding) will be reviewed on a case by case basis, with the maximum height at peak of twelve feet (12') and must be no less than eight feet (8') off the side and rear lot lines.
- e. Decks may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. A copy of the written consent must be attached to the application. Decks should not be situated on the lot so that they may pose a problem to the effective drainage of the lot or the neighboring lot. In general, decks shall be no less than five feet (5') on the side property lines and rear property lines. Paint or stain should match or complement the house colors.
- f. Dogs Runs and Pet Shelters may be constructed with a height not to exceed six feet (6'). May not be visible from the street and must be below the fence line. Where backyards are in full view of a street or common area, approval will be considered on an individual basis and may require landscaping to hide from view. If a concrete pad is to be poured for the dog run, it cannot encroach into any utility easement and no concrete pad shall be within three feet (3') of the side property line or five feet (5') within the rear property line.

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**40. Paint Colors.** The ACC Committee shall have the final approval as to all exterior color plans, which color plans must so be submitted to the ACC Committee for such approval and which must show the contemplated color of all exterior surfaces including, but not limited to, the roof. The ACC Committee shall consider the extent to which the color plan is consistent with the homes in the surrounding area and the extent to which the color plan conforms to the theme of the community.

The approved list of colors for the house, roof and driveway is available online at the Loggers' Run website, and the Loggers' Run management office.

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**41. Park and Recreational Facilities.** The parks shall only be used by the residents of Loggers' Run, Inc., as well as their guests and invitees, in accordance with this Rule 41.

- a. **Risk of Use.** The use of the parks and recreational facilities shall be at the risk of those involved and, not in any event, at the risk of the Master Association.

**b. Powderhorn Park Baseball Field, Soccer Field, Shelter Area; Windjammer Park Picnic Facilities and Play Area, Hitchin' Post, Heritage, Whispering Pines.**

- i. Parks and recreation facilities shall be used on a first come first served basis except that parks may be used by reservation for events or exclusive use, as solely determined by the Master Association, by a Loggers' Run Homeowner and their guests in accordance with the following guidelines.
- ii. Any event shall require prior application, reservation and approval and shall not be on a first come, first served basis.
  1. Reservations must be made through management, and an application must be submitted to management and approved by management, not less than five (5) business days prior to the event. If no reservation is obtained prior to the event, then the facilities cannot be used for any such recreational purpose.
  2. Reservations for events with bounce houses or other similar recreational items must be accompanied by a copy of insurance from the company supplying the bounce house.
  3. As a condition of placement of bounce houses or other similar recreational items at any event, the Master Association has the discretion, through management, to charge an advance security deposit in an amount as determined by the Master Association, but until the Master Association otherwise determines, the advance deposit shall be \$500.00 related to the use of the park or portion thereof. It shall be considered a refundable deposit to the extent that the Master Association does not use any portion of the deposit for the purpose of making any necessary repairs resulting from the use, which repairs shall be in the sole discretion of the Master Association's management acting on behalf of the Master Association. Additionally, there shall be a \$100 refundable cleanup fee, which shall also be required at the time of approval of a reservation, and shall only be used if management, on behalf of the Master Association, determines that the portion of the property was not properly cleaned after completion of the event.
- iii. **Exclusive Use.** Exclusive use shall require prior application, reservation and approval of Loggers' Run, Inc. (hereinafter the "Master Association") and shall not be on a first come, first served basis.
  1. Reservations must be made through management, and an application must be submitted to management and approved by management, not less than five (5) business days prior to the event. If no reservation is obtained prior to the event, then the facilities cannot be used for any such exclusive purpose. Such application must be accompanied by the requested documentation.

2. As a condition of any exclusive use of the entire facility, the Master Association has the discretion, through management, to charge an advance security deposit in an amount as determined by the Master Association, but until the Master Association otherwise determines, the advance deposit shall be \$500.00 related to the exclusive use of the park or portion thereof. It shall be considered a refundable deposit to the extent that the Master Association does not use any portion of the deposit for the purpose of making any necessary repairs resulting from the exclusive use, which repairs shall be in the sole discretion of the Master Association's management acting on behalf of the Master Association. Additionally, there shall be a \$100 refundable cleanup fee, which shall also be required at the time of approval of a reservation, and shall only be used if management, on behalf of the Master Association, determines that the property was not properly cleaned after completion of the event.
- iv. **Baseball Field, Soccer Field. Sports Groups.** All organized sports and sport groups must seek the prior written approval of the Master Association and submit the requisite application and related documentation prior to use of any portion of the park facilities:
1. All coaches or directors of organized sports and sport groups will have to submit to and pay for a Loggers' Run background check, if a current acceptable background check, such as Brown's or equivalent, cannot be provided to Loggers' Run management.
  2. All coaches or directors of organized sports and sport groups must attend an orientation meeting with representatives of the Master Association to review rules and regulations of the Master Association pertaining to the park facilities.
  3. At all times there must be a minimum of one Loggers' Run resident present during exclusive use of the park facilities by any such organized sports and sport groups.
- v. **Documentation required for exclusive use or sports groups.** An application submitted to either exclusive use or by sports groups should be accompanied by the following documentation:
1. Proof of general liability insurance with coverage in the minimum amount of \$1,000,000.00. A Certificate of Insurance shall be provided, as well as an endorsement from the insurance carrier naming the Master Association, and its officers, directors, agents, and employees, as an additional insured on all the liability policies.
  2. An indemnification/hold harmless agreement in the form provided by the Master Association providing that the Master Association will be held harmless by the group organizer in the event of any causes of action, suits, claims and demands whatsoever.
- c. Where a reservation is required for either exclusive use, an event with or without bounce houses or other recreational item, or both, failure to submit an application and obtain a reservation from management not less than five (5) business days prior to the event, will result in removal of the bounce house or similar recreational item. Further, security, acting on behalf of management, shall have the authority to require the removal of the bounce house or other recreational item, or otherwise shutting down the event where an application and prior reservation has not been

obtained as required herein. All members, their guests and invitees shall be required to remove the bounce house or other recreational item, immediately upon such demand.

- d. If the use is exclusive and includes the use of bounce houses or other similar recreational items, the application will only require one advanced cost deposit and one cleanup fee, as referenced above.
- e. A Resident may arrange through the Management Company to have the lights on the baseball field turned on during evening hours provided that said Resident pays a non-refundable fee in an amount as specified by the Board by check made payable to Loggers' Run, Inc. to help defray the cost of electricity and maintenance of the lighting system.
- f. Tennis courts and basketball courts may not be reserved and may be used only on a first come, first served basis.
- g. **Park Closing Times.** Whispering Pines Park, Heritage Park and Hitchin' Post Park close at sundown. Windjammer Park and Powderhorn Park close when the tennis and/or basketball court lights are extinguished at night or at 10:30 p.m. whichever occurs first, but in no event after 11:00 p.m.
- h. **Parking of Vehicles in Parks.** Vehicles may be parked only in the areas of the park designated for that purpose and may park there only when the driver of the vehicle is present in the park. In no case may vehicles be left in the park or recreation areas overnight. No parking is permitted on any grass areas at any time. Any vehicles left after a park closing may be towed at the vehicle owner's expense.
- i. **Alcoholic Beverages Prohibited.** No alcoholic beverages are permitted in Loggers' Run parks at any time.
- j. **Guests.** No guest or other non-Resident may use or be present in any park or recreational facility unless such person is accompanied by a Resident. Notwithstanding the foregoing, temporary guests residing with a Resident may use the parks or recreational facilities with prior notice to the Association. The Association's security company or other representative shall have the authority to require the unaccompanied person to leave. This restriction does not apply to persons who are members of an organized sports team when such team is using the park or facility with proper permission or reservation.
- k. No Loggers' Run Park Resources, such as, but not limited to, basketball courts, tennis courts, soccer field, baseball field, shall be used for personal profit.

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**42. Parking.** No vehicles may be parked on any grass areas at any time, except that, a vehicle may be parked on a temporary basis on the swale as long as no more than two (2) wheels are on the grassed portion, the owner abutting the swale approves of such parking, and the vehicle is parked in a manner which does not in any way impede upon emergency vehicle access. Further, any vehicle parked in such a manner must also be parked with the flow of traffic. Residents are responsible for, and the manner in

which, their guests' vehicles are parked. No vehicles may be parked on any sidewalks, and shall not be parked on a driveway in a manner that will block any portion of a sidewalk, which will remain free and clear for ingress and egress. No vehicles may be parked on the streets in a manner which will impede upon emergency vehicle access, which vehicles may be subject to tow. Temporary parking as identified above, shall be prohibited overnight, which shall be defined as the hours between 2:00 a.m. to 6:00 a.m. Further, any Sub-Association which has ownership and/or maintenance responsibilities regarding the streets may further restrict parking on the streets.

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**43. Patios.** Flat roof allowed only on rear porches. Porch enclosures must be electrostatically painted bronze-tone or white-tone aluminum. The color of all screening must be compatible with the frames and posts. For ACC approval, a survey is required with your application.

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**44. Pools.** A bond in the amount of \$1,000.00 shall be posted for any pool construction. Any construction work which requires access to a residence via any common area, is not permitted. A survey and blue prints and an ACC application are also required. Pool screen enclosure must be electrostatically painted bronze-tone or white-tone aluminum.

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**45. Privacy.** To protect the neighbor's privacy, any device, which allows one to see onto another's property, without their prior notice, or records whether through video recording, audio recording or otherwise, another person without their knowledge, is not allowed and shall be considered a violation. Further, no such device will be aimed/directed towards another owners property, including but not limited to the Lot and Dwelling, as residents have a right to privacy on their Lots and in their Dwellings.

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**46. Prohibition Against Commercial or Business Use of Residential Property.** No commercial or business use of any portion of the Residential Property, including, but not limited to, the Dwelling Units, shall be allowed except for home occupations, which shall be considered proper residential use of a Dwelling Unit, subject to the following conditions:

- a. Use of a Dwelling Unit for a home occupation approved by the Board shall not violate any of the Corporations' governing documents, including the Declaration, Articles of Incorporation, Bylaws or Rules and Regulations, as same may be amended from time to time.
- b. Use of a Dwelling Unit for home occupation shall be in accordance with all state and local laws and ordinances, including, but not limited to, the provisions of the Palm Beach County Unified Land Development Code (ULDC) relating to home occupations and commercial use of residential property.
- c. The activities of a home occupation shall occur entirely within the Dwelling Unit, excluding accessory structures such as garages, carports and sheds.
- d. Home occupations shall be conducted by members of the immediate family residing in the Dwelling Unit. A maximum of one (1) person who is not a member of the immediate family may

assist in the operation of the home occupation. In addition, only one (1) person outside of the home may be employed by the services provided by the home occupation.

- e. The floor area within a Dwelling Unit devoted to a home occupation shall not exceed twenty-five (25%) percent of the gross floor area of the Dwelling Unit, excluding porches, garages, carports and other areas which are not considered living areas.
- f. There shall be no external evidence of the existence of a home occupation within a Dwelling Unit. Signs, displays, off-street parking areas other than driveways normally required for residential use, or other advertising of any kind are prohibited. Further, all vehicles used in the operation of a home occupation shall conform with the Rules and Regulations of Loggers' Run governing Vehicles and Parking, as well any vehicle restriction in any Replat Declaration.
- g. No goods or services of any kind shall be sold or transferred to a customer, consumer or client on the premises of the home occupation, excluding facsimile machines, telephone and/or postal transactions.
- h. A home occupation shall not create noise, vibration, glare, fumes, odors, dust, smoke or electromagnetic disturbances. No equipment or processes shall be used which create visual or audible interference in any radio or television receiver located nearby. No chemicals or chemical equipment shall be used or stored, nor shall any harmful, dangerous or noxious material be used or stored on the site of the home occupation, including, but not limited to, paint, painting materials and roofing materials and accessories, except those that are used and temporarily stored for the purpose of work on the Dwelling Unit itself, and which shall be for domestic or household purposes only.
- i. No equipment or materials used in the home occupation shall be stored or displayed outside the Dwelling Unit, including driveways.
- j. Vehicular and pedestrian traffic shall not be generated by a home occupation in a greater volume or a different vehicle type than the traffic typical in a residential neighborhood.
- k. Deliveries of any kind required by and made to the premises of a home occupation shall not exceed one business delivery per day.
- l. Any home occupation that adheres to the provisions of this Resolution shall be deemed to be a proper residential use of a Dwelling Unit and shall not be deemed to a violation of Article III, Section A (1) of the Declaration.

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**47. Prohibition Against Sub-leasing of Dwelling.**

- a. There shall be no sub-leasing of any Dwelling Units.
- b. Only entire Dwelling Units may be leased by an Owner in Loggers' Run. No individual rooms,



portions of Dwelling Units, or any other percentage of a Dwelling Unit may be leased other than a Dwelling Unit in its entirety.

- c. The restriction set forth in Paragraph b of this Resolution shall only apply to those who intend to pay money to rent a portion of a Dwelling Unit. Au pairs, babysitters, resident nurses and all other necessary, non-paying occupants of a Dwelling Unit shall not be prohibited.
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**48. Property Access.** Access over any common property including, but not limited to, any bermed areas is not allowed. The common grounds of Loggers' Run shall not be used by any persons, general contractors, or service companies for the purpose of access to any residence of Loggers' Run without the express written permission of management. In no event shall permission be granted for continuous use by any service companies providing routine service for any residence.

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**49. Removal of sod and shrubbery; alteration of drainage.** No sod, topsoil, muck, trees, or shrubbery shall be removed from the committed property and no change in the condition of the soil or the level of the land of any committed property shall be made which results in any permanent change in the flow or drainage of surface water of or within Loggers' Run without the prior written consent of the ACC.

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**50. Recording of Loggers' Run Board Meetings [based on FL Statute 720.306 (10)]**

- a. Any request to record a Board meeting, using any recording method, including audio and/or video recording, must be presented to the President at least 72 hours before the scheduled Board meeting. The requestor must provide their name, full address, and contact information (e.g., phone number, email address), and recording method to be used.
  - b. After the Board meeting is officially opened, the President must state that the meeting is being recorded, the method of the recording, and the recorder's name and address.
  - c. This information must be included in the final written minutes of the meeting.
  - d. If the method of recording disturbs or interrupts the meeting, the chairperson of the meeting can require that the recording be stopped for the duration of the meeting.
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**51. Right of Residents to Speak at Loggers' Run Board Meetings [based on FL Statute 720.306 (6)]**

- a. The LR member may speak regarding their concern for no more than three minutes after the Board's agenda has been concluded. The President or chairperson of the Board meeting may terminate the discussion of the topic at his/her discretion. A member cannot interrupt the Board meeting.
- b. Only one member may speak at a time. If a member tries to dominate the discussion of their concern or in any other way disrupts the open discussion of the concern, the chairperson is allowed to warn the member that he/she will be asked to leave the meeting if their disruptive behavior continues after the warning. If the person continues to disrupt the discussion of the concern after the warning, the chairperson will ask them to leave the meeting.



**52. Roofs.** Roofing materials shall be limited to flat cement tile, barrel tile, wood shake (cedar), dimensional shingle, and metal roof, as may be approved by the Architectural Control Committee or such other materials as may be approved by the Committee with mansard roofs (Tamarron, Ponderosa, Winding Lakes I, Winding Lakes II, Winding Lakes Estates and Indianhead) to be used only where specifically approved by the ACC. The minimum pitch of roofs shall be 4/12. No built-up flat roofs shall be permitted except over rear porches. Cannot downgrade roofing material.

**a. Roof Replacement.** One of the purposes for which Loggers' Run, Inc. was formed was to preserve the values and amenities within the community. In order to preserve the values of the community, including individual lots, the ACC was established. The ACC has the authority to approve or disapprove any and all additions, modifications or changes to any improvements, structures, landscaping or planting. The ACC has the authority, in its sole discretion, to deny any proposed plans if the ACC deems that the proposed plans are not suitable or desirable. This includes the authority to approve or disapprove roof replacement and the materials to be used for said roof replacement.

In order to preserve the values of the individual lots, and the entire Loggers' Run community, any roof replacement which, in the sole discretion of the ACC, will result in the depreciation of the value of the dwelling unit or, more specifically, which would result in the use of a product which is considered a downgrade from the existing roofing material, shall not be permitted.

For example, a cement tile roof on an existing home may not be replaced with a shingle roof. This policy as it relates to roof replacement will be enforced in all of the sub-divisions at Loggers' Run, even if the roofing materials which are not approved because they are a downgrade, exist on other roofs within that sub-division.

**b. Roof Patching.** Loggers' Run allows roof patching under the following conditions:

1. The patching material must be the same color as the original cleaned roof.
2. The original area, or area of similar exposure, should be cleaned prior to patching.

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**53. Screening.** Loggers' Run requires all screening material be charcoal fiberglass, except for the lower sections which can be charcoal fiberglass pet screening or charcoal fiberglass waterproof screening. Screen frame enclosures shall be either white or bronze in color. All screen enclosures must be approved by the Loggers' Run ACC Committee.

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**54. Setbacks.** No residence or structure or improvement (other than driveway) can be constructed within forty (40) feet of the front line of the lot.

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55. **Signs.** Real estate signs are permitted if the Replat Declarations for the sub-division in which the property is located permits such a sign to be displayed provided, however, that such sign must be a professional sign not more than two feet by two feet, which shall not be placed higher than thirty-six (36") inches above ground (bottom of permitted sign), in size inclusive of riders, advertising that the lot or residence is for sale or rent. Absolutely no vendor/trade signs are permitted at any time. Notwithstanding the foregoing, one (1) sign not more than one (1) square foot in size stating that the property on which the sign is located is protected by a security system is permitted if the Replat Declaration for the sub-division in which the property is located does not prohibit such a sign to be displayed, which sign must be displayed no higher than twenty four (24) inches above ground.

The Association may immediately enter the property to remove any sign which the Association deems to be a hazard, whether in creating a visual obstruction for traffic or otherwise. In the case of any other unpermitted sign, the Association may enter the property and remove the sign if the Owner has failed to do so within 48 hours of receiving written notice demanding removal, which demand may be provided by hand delivery (email if email is provided by the Owners as a form of notice) or by regular mail. The Association may bill the Owner for the actual cost of labor for such removal and the Owner shall also be subject to any other available remedies provided for in the Loggers' Run documents and any replat or sub-association documents affecting said property, as well as fine (s) and suspensions. Additionally, all signs must be maintained in state of proper repair as determined in the sole discretion of the board and/or management. Any sign that is not in a proper state of repair shall be deemed an unpermitted sign, and subject to removal as referenced above.

Signs for posting of permits and/or other signs as required by a governmental agency shall not be prohibited, but must be removed when no longer required.

- a. **Open House Signs.** Open House signs can be displayed daily between 8:00am to 6:00pm, and must be removed at 6:00pm daily.

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56. **Solar Panel.** Loggers' Run may not prohibit or have the effect of prohibiting solar collectors, or other energy devices based on renewable resources from being installed on buildings erected on the lots or parcel covered by the deed restriction. Florida Statute title XI, Chapter 163, Section 04.

An application for the solar panel must still be submitted to the ACC Committee for review and approval.

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57. **Sports Equipment, Toys, and Other Personal Property.** Sports equipment, toys, bicycles or other similar items of personal property shall not be left in the front or side of the home where visible from the street, when not in use, and at no time overnight. Sports equipment, children's toys, bicycles or other similar items of personal property placed in the rear of the home or on the side, if completely hidden from view and not visible from the street, may be maintained but shall remain in a state of proper repair, as determined by the Board, and/or management.
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**58. Temporary Buildings, Etc.** No tents, trailers, sheds or other temporary buildings or structures shall be constructed or otherwise placed on any lot in Loggers' Run without the prior written consent of the ACC, and no temporary structure may be used as a residence. A shed may be installed as a non-attached permanent structure with ACC approval and in accordance with promulgated ACC Guidelines, unless specifically prohibited by any replat Declaration or the Governing Documents (including Rules and Regulations) of any Sub-Association, as they may be amended from time to time.

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**59. Trash, Trash Containers, Recycling Containers and Waste Materials.**

**a. Disposal of Trash**

- i. No dumping of garbage, trash, grass clippings, refuse or rubbish is permitted anywhere in Loggers' Run.
- ii. The dumpsters are for the exclusive use of the park and no dumping of any material from outside the park is permitted except as authorized by the Association.
- iii. No waste material such as paint, oil, antifreeze or the like may be dumped in the storm sewers in as much as the storm sewers are connected directly to the lakes and canals in Loggers' Run.

**b. Curbside Pickup.** Trash and recycling containers must be stored out of sight and may be placed at the curb for pickup no earlier than 5:00 p.m. the evening before the day of pickup and removed on the day of pickup. Trash, refuse, bulk items, and any other items left out for disposal which are not in a trash and/or recycling container, must adhere to this restriction as well, and shall not, at any time, be placed on the street.

**c.** Landscapers must remove all vegetation at the end of the work day, except they may leave landscaping out no earlier than 5:00 p.m. the night before curbside pickup of landscaping is schedule, but can only place landscaping from the individual lot, on the lot, and in front of the home, and not on the street.

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**60. Trees and Shrubs.** Each Owner is responsible for keeping the trees and shrubs on the Owner's property properly trimmed so that they do not block street signs or prevent street lights from providing maximum illuminations to the sidewalk and street areas. Each Owner must remove any dead trees and shrubs and replace them in accordance with the Replat of the sub-division in which the property is located. The respective board of directors of Timberwalk and Timberwalk II are similarly responsible for trees in each of these communities. All removal and replacement of trees requires ACC approval and must satisfy County Code requirements.

Any vegetation, including but not limited to trees, which are deemed by County Code or other County requirements to be prohibited species, shall not be installed on any Lot. Additionally, any trees which may be prohibited pursuant to the ACC Guidelines, shall also not be installed on any Lot.

**a. Trimming of Washingtonian Palms.** Any Washingtonian Palm under twenty-five (25) feet must be trimmed/removed of dead palm fronds. If trees are in a group, all Washingtonian Palms must be trimmed if any one of them is under the twenty-five (25) foot limit. Any Washingtonian Palm twenty-five (25) feet or taller need not be trimmed, except that any dead palm fronds which extend below twenty-five (25) feet must be trimmed/removed.

**b. Tree Plantings in Swales.** No trees may be planted in the swale areas in front, rear, or side of lots, in Loggers' Run.

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**61. Tree Removal.** In order to remove any tree from a property, the owner must apply and obtain a Tree Removal Permit from the Zoning division, Landscape Section, prior to the removal of the tree.

Any tree that is removed without a Palm Beach County Permit shall be subject to a fine based on the Unified Land Development Code (ULDC) Section, Article 7.H.3.

Any illegally removed tree the homeowner shall be assessed an amount equivalent to 3 times the permit fee.

Homeowners that are replacing any tree in Palm Beach County must follow the requirements on the Tree Replacement Table. Unified Land Development Code (ULDC) Article 7, Table 7.D.2.D-4.

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**62. Vehicles.** The following rules and regulations shall apply to vehicles:

**a. Certain vehicles Restricted.**

**i. Vehicle Restrictions.** Commercial vehicles of any kind shall not be parked or otherwise stored within Loggers' Run unless enclosed within a Residence ("garaged"), and except for temporary periods during which time lawful and permitted work associated therewith is being conducted (e.g., deliveries or repairs to a Residence). Non-commercial, 4-wheel passenger vehicles shall be allowed within Loggers' Run. Class 1 and Class 2 light duty trucks, including light duty pickup trucks, as those classifications are defined by the Department of Transportation's Federal Highway Administration, and which do not exceed 10,000 pounds maximum gross weight, shall be deemed to be non-commercial, 4-wheel passenger vehicles for purpose of this Rule. All such non-commercial, 4 wheel passenger vehicles, including such light duty trucks as identified above, shall further adhere to the following restrictions:

**A.** Non-commercial, 4-wheel passenger vehicles shall not contain any type of commercial lettering, commercial pictures and/or commercial insignias, which lettering, pictures or insignias indicate that the vehicle is being used for a business or commercial enterprise. Where any vehicle contains such commercial lettering, commercial pictures and/or commercial insignias, such vehicle shall be deemed to be a commercial vehicle. Standard size lettering identifying the manufacturer and model or type of vehicle shall not be considered commercial lettering. A vehicle shall also be deemed a commercial vehicle where it has agricultural, construction or industrial equipment either affixed to or maintained within or upon said vehicle. Further, a vehicle shall be deemed commercial where it has a platform rack or other similar apparatus designed for carrying property or cargo; a cargo box or similar device located outside of the bed portion of the vehicle; a cargo box or similar device where it is located within the bed portion of the vehicle but exceeds the height of the bed portion of the vehicle; or any motor vehicle equipped with a hoist or other similar mechanical equipment, whether affixed to or maintained within or upon said vehicle.

A vehicle shall also be deemed commercial where the vehicle shows evidence, as determined in the sole discretion of the Board or the ACC, that the vehicle is being used for commercial purposes. This may include, but shall not be limited to, paint, tar, debris, or similar substances, which are identified within or upon the vehicle, and which are normally associated with commercial use, as well as other criteria which the Board or the ACC deems appropriate in its sole discretion.

- B. A non-commercial, 4-wheel passenger vehicle shall not be parked or stored on the property if it exceeds the length of the driveway or available parking space in which it is parked. Oversized vehicles shall not be allowed to extend into sidewalk or Common Area swales and easements or to interfere with the U.S. Postal Service mail delivery, as such vehicles shall be deemed to create a dangerous condition on the property.
  - C. Non-commercial, 4-wheel passenger vehicles shall not have aftermarket modifications or accessories, unless approved by the ACC, in writing, and only where they are safety features and/or standard options. Said prohibition shall include, but shall not be limited to, bay racks, crash doors, lift kits, light racks, oversize tires and wheels beyond normal dealer options, all off-road packages, roll bars, commercial roof racks, toolboxes and winches. Standard passenger vehicles shall be maintained at all times in a proper state of repair, as determined in the sole discretion of the board and/or the ACC.
  - D. Any existing prohibition on “trucks” currently contained within any Rules and Regulations or Replat Declarations, shall no operate to prohibit light duty trucks or other non-commercial, 4-wheel passenger vehicles identified herein. Notwithstanding same, nothing in this Section 62.a.i. shall prohibit a Sub-Association Board of Directors from adopting more restrictive rules or from adopting amendments to a Sub-Association Replat Declaration, which would otherwise prohibit any of these non-commercial, 4-wheel passenger vehicles within their own respective Sub-Associations, nor shall this Section 62.a.i prohibit or prejudice any sub-Association Board of Directors from properly enforcing any existing provision of such Sub-Association’s governing documents, including that Sub-Association’s Replat Declaration or the Rules and Regulations of such Sub-Association.
  - E. The board and/or the ACC shall have the authority to promulgate additional rules and regulations as well as criteria that have not otherwise been addressed herein and which are not inconsistent with this Section 62.a.i.
  - F. Any trucks, including pickup trucks, that have been allowed pursuant to a community’s Replat Declaration or a community’s Rules and Regulations (i.e., Country Landing), which are not currently in violation but would otherwise be in violation of this section 62.a.i. However, any trucks brought within such Replat Community, and any replacement trucks for a previously existing truck must comply with all provisions of this Section 62.a.i.
- ii. **Exception for Certain Vans.** Vans which have passenger seats in the back, rear and side windows, and no commercial tags or lettering, and are not otherwise considered commercial vehicles pursuant

to paragraph (i) hereof, and are used for the primary purpose of transportation of passengers and their personal goods, shall not be considered trucks. Said vans shall be considered automobiles for purposes of the Loggers' Run Documents and shall not be subject to Section 62.a.i.

- iii. **Boats.** No gasoline or diesel powered boats are allowed on the lakes or canals of Loggers' Run, with the exception of those boats operated by management, approved vendors, or government entities.

No boats in Loggers' Run, including all the sub-associations, shall be stored on the shore line behind any home.

- iv. **Dirt Bikes, All-Terrain Cycles/Vehicles, Boats, Motorcycles, Motor Scooters, go-Karts, Go-Peds, Golf Carts, Trail Bikes, Motorized Scooters, Motor Bikes, Campers, Motor Homes, and/or similar vehicles.**

1. Boat, Motor Vehicles, Trailers, etc. Except as the Committee shall specifically approve, no boats, trailers, house trailers, motor homes, trucks, vans, motorcycles, motor scooters, go carts, golf carts, motor bikes, or other motor vehicles or trailers, whether of a recreational nature or otherwise, other than in connection with construction, development or sales activities permitted under the Declaration and other than four-wheel passenger automobiles, shall be placed, parked or stored on the Subject Property except within a Residence where same cannot be seen from any part of Loggers' Run and except for temporary periods during which time lawful and permitted work associated therewith is being conducted (e.g., deliveries or repairs to a residence) but in no event overnight. Except as the Committee shall specifically approve, no maintenance or repair shall be done upon or to any such boat, trailer, motorcycles, motor scooters, go carts, motor bikes or other motor vehicles (including, but not limited to, any permitted four-wheel passenger automobiles) except within a Residence and totally isolated from public view. Notwithstanding the foregoing, Campers and Motor Homes are permitted in Country Landing, including Country Landing I, Country Landing II, Country Landing III and Estates of Country Landing, but not for commercial purposes and must adhere to the restrictions identified in 62.a.i.B.
2. Dirt bikes, all-terrain cycles/vehicles, trail bikes, go-karts, go-peds, golf carts, motorized scooters and similar vehicles may not be ridden anywhere in Loggers' Run. Motorized scooters shall include gas powered scooters, including those with and without seats.
3. Any person identified riding any of the above referenced vehicles in Loggers' Run shall be considered in violation and subject to a fine. Proposed fines shall be considered approved by the Board upon identification by the Association through its security/management company or any other Association personnel. The violation will result in a fining letter being forwarded to the owner of a unit at which the violating person resides whether or not the violating person is the owner, his tenants, guests, invitees or family member. Any subsequent violation shall subject the owner to an additional fine per violation as a continuing violation, without the need for additional notice and hearing in front of the Fining Committee.



4. Electric powered motor scooters, which shall not be deemed motorized scooters for the purposes of the restrictions identified in Section 62.a.iv of the Rules and Regulations of Loggers' Run, Inc., and all other allowable vehicles, must be driven in a manner in which they do not create a dangerous condition on the property including, but not limited to, not driven in a manner which affects or impedes vehicular or pedestrian traffic, or the like. Further, electric powered motor scooters may not be considered motorized scooters if they adhere to the restrictions identified in the rule, but shall be prohibited from being kept on the property unless kept within a residence ("garage"), when not in use.
- b. **Repair Work on Premises.** Only minor repair work such as oil changes and the like to a Resident's personal vehicle may be done in a Resident's garage. No repair work of any kind is permitted in driveways, other parking areas, on grass areas or on the streets of Loggers' Run.
- c. **Use of Vehicles on Sidewalks, Jogging Trails, or Bicycle Pathways.** No motorbikes, motorcycles, or any other kind of motorized vehicles are permitted on the sidewalks, jogging trails, or bicycle pathways in Loggers' Run provided, however, that motorized wheelchairs and handicapped scooters are permitted.
- d. Non-prohibited vehicles identified in the Rules and Regulations, including but not limited to this Rule 62, and as may be authorized by the Loggers' Run Governing Documents, as well as any Replat Declarations or the Governing Documents for any Sub-Associations, shall only be allowed to be parked on the property if the non-prohibited vehicle is in a proper state of repair, as determined by the Board, and management acting on behalf of the Board. Vehicles which are unlicensed and unregistered shall be deemed vehicles which are "in disrepair," and shall be prohibited unless stored within an enclosed garage. Further, non-prohibited vehicles which are not in working order may not be stored on a Lot, and non-prohibited vehicles which leak oil or may otherwise damage a Lot or the roads, shall also be deemed "in disrepair" and prohibited from being kept and/or stored on the property, unless within an enclosed garage. The Association, acting through its agents, including but not limited to management and security, shall have the right to enter the property to determine whether or not a vehicle is in "disrepair," and as such, may enter a driveway for the purpose of determining same, including whether a non-prohibited vehicle is currently licensed and registered. Failure to adhere to these requirements shall deem such a vehicle as "prohibited" and subject to removal, fines, suspension of common area use rights and all other available legal remedies.

63. **Water Supply.** No wells or individual water supplies except for sprinkler systems which are required.

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64. **Windows / Sliding Glass Doors.** Shall be wood, harmoniously colored steel, electrostatically painted bronze-tone or white-tone aluminum or such other materials as shall be approved by the Committee.

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65. **Work Hours.** Whether related to Knockdowns, New Construction or Major Construction, or other work on the property, no vendors shall perform work on any Lot unless in an emergency as determined by

management other than between the hours of 8 A.M. and 6 P.M. Monday through Saturday. Owners performing work on their own Lots, including but not limited to landscaping, should be respectful of their neighbors, and to the extent possible, only perform work within the same time frames, although personal work on a Lot, including on Sundays, is not prohibited, but may be deemed, in the sole discretion of the Board, to be a nuisance.

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**66. Yard Waste.** SWA rules changes at times. The latest rules can be found on the Solid Waste Authority website, [swa.org](http://swa.org).

Yard waste includes debris from routine residential yard maintenance only. It does not include debris generated from land clearing or tree removal. All vegetation must be kept separate from other debris and dirt and be sand-free.

Yard waste is collected manually by a different truck than the garbage and is limited to 6 cubic yards per week (the equivalent of three standard refrigerators).

All yard waste, with the exception of tree branches and palm fronds, must be containerized in standard 32-50 gallon cans or sealed plastic bags.

Containers with contents cannot weight more than 50 pounds.

Branches must be 6 feet or less in length and 50 pounds less in weight.

Do not mix yard waste with garbage or any other debris. Your waste hauler is not required to collect any debris that does not meet the above guidelines. If your debris is considered non-conforming and is not collected, you may do one of the following:

Pay your hauler the current rate established by Solid Waste Authority per cubic yard, to pick it up as it is.

Correct the debris to meet required collection guidelines. Once corrected, it will be picked up on your next scheduled service day.

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**\*\*\* END OF LOGGERS' RUN RULES AND REGULATIONS \*\*\***