

# EXHIBIT H

## RULES AND REGULATIONS

### Harbor Place at Safety Harbor

The benefits of living in a condominium community are many – the wealth of amenities, the sheltered environment, a shared community spirit and camaraderie. The criteria outlined in these rules and regulations were created to capture and build on the shared community spirit; to assist each individual homeowner enjoy their homes in peaceful and amicable harmony with their neighbors. Such guidelines are key to preserving the value of every home and every collective amenity for the common good of all condominium members.

The following guidelines are the initial rules and regulations for the Units at Harbor Place at Safety Harbor. These may be amended and/or added to by the Board of Directors as needs warrant. Nothing contained in these initial rules and regulations will serve to take precedence over the condominium documents (Declaration of Condominium, Articles of Incorporation, and By-Laws), and the condominium documents take precedence over any contradictory or interpretive issues.

### PETS

Pets are important and beloved members of many families, and Harbor Place at Safety Harbor community does allow the keeping of certain pets. A vital element of sanctioning pet ownership in a condominium community is the establishment of firm guidelines to ensure that one homeowner's right to keep a pet does not infringe on other homeowners' rights for peaceful enjoyment of their homes. These standards also serve to protect and preserve the condominium property shared by all owners of Harbor Place at Safety Harbor.

1. Each unit owner or occupant may keep no more than three (3) household dog(s) or cat(s) in his or her unit, without any weight limitation, provided that no pets are kept, bred or maintained for commercial purposes and do not become a nuisance or annoyance to neighbors. The Board of Directors of the Association shall have the right to require removal of any pet that is deemed by the Board in its discretion to be a nuisance or annoyance. Dangerous breed dogs, as determined by the Association, including, but not limited to Pit Bulls, Dobermans, Chows or any dog bred with a dangerous breed as defined by The Board of Directors of the Association, shall not be allowed. No one other than the Unit Owner is permitted to keep any approved pets in or on the Condominium Property (including Units). Pets must be registered with the Association.
2. Fish and caged birds may be kept in a Unit provided that they are not kept on the Limited Common Elements and do not become a nuisance or annoyance to neighbors. No domestic bird of a variety which will emit sounds that can be heard in contiguous units may be kept by a Unit Owner in a Unit.
3. Dogs and cats shall not be permitted outside of the Owner's Unit unless attended by an adult and on a leash not more than six (6') feet long. Pet walk areas, if any, located in the boundary of the Condominium Property shall be as designated by the Board of Directors.
4. No reptiles or wildlife shall be kept in or on the Condominium Property (including Units).
5. Unit owners must pick up all solid wastes of their pets and dispose of such wastes appropriately.
6. No pets may be kept in or on terraces when the Owner is not in the Unit.

## COMMON ELEMENTS

This section refers to areas of Harbor Place at Safety Harbor, which are owned, and enjoyed, in common by all homeowners. The establishment of reasonable standards for use of common elements serves to preserve and protect those areas for the benefit of all condominium members.

1. The sidewalks, entrances, passages, lobbies and hallways and like portions of the Common Elements shall not be obstructed nor used for any purpose other than for ingress and egress to and from the Condominium Property; nor shall any carts, bicycles, carriages, chairs, tables or any other objects be stored therein, except in areas (if any) designated for such purposes.
2. The personal property of Unit Owners and occupants must be stored in their respective Units and Limited Common Elements appurtenant to their Units. Owners and occupants may display tasteful seasonal door wreaths on their Unit doors provided no nails, screws, or other fasteners, which would penetrate the door surface, are used.
3. All terraces must be kept neat and orderly, and each Unit Owner is responsible for the cleanliness of his/her terrace. Patio type furniture, plants, and folding chairs are permitted to be kept on the balcony. Live plants must either be in leak-proof containers or with waterproof saucers beneath. Owners and occupants may display tasteful, temporary holiday decorations. Any other items must have prior written approval of the Board of Directors.
4. No linens, clothes, clothing, curtains, rugs, mops, or laundry of any kind, or other articles, shall be shaken or hung from any of the windows, doors, balconies, or other portions of the Common Elements.
5. No gas or charcoal grills are permitted on balconies.
6. No Unit Owner or occupant shall permit anything to fall from a window or door of the Condominium Property, nor sweep or throw from the Condominium Property any dirt or other substance onto any of the balconies or elsewhere in the Building or upon the Common Elements.
7. No garbage, refuse, trash or rubbish shall be deposited except as permitted by the Association. The requirements from time to time of the company or agency providing trash removal services for disposal or collection shall be complied with. All equipment for storage or disposal of such material shall be kept in a clean and sanitary condition.
8. No repair of vehicles shall be made on the Condominium Property.
9. No Unit Owner or occupant shall make or permit any disturbing noises by himself or his family, servants, employees, agents, visitors or licensees, or pets, nor permit any conduct by such persons or pets that will interfere with the rights, comforts or conveniences of other Unit Owners or occupants. No Unit Owner or occupant shall play or permit to be played any musical instrument, nor operate or permit to be operated a stereo, television, radio or sound emitting device in his Unit or on his balcony in such a manner as to unreasonably disturb or annoy other residents.
10. No radio or television, mechanical or electronic installation may be permitted in any Unit which interferes with the television or radio reception of another Unit.

11. No sign, advertisement, notice or other graphics or lettering shall be exhibited, displayed, inscribed, painted or affixed in, on or upon any part of the Condominium Property, except signs used or approved by the Developer.
12. No flammable, combustible or explosive fluids, chemicals or substances shall be kept in any Unit, in any private garage, in any storage unit, on any balcony or on the Common Elements.
13. A Unit Owner or occupant who plans to be absent during the hurricane season must prepare his Unit prior to his departure by designating a responsible firm or individual to care for his Unit should a hurricane threaten the Unit or should the Unit suffer hurricane damage, and furnishing the Association with the name(s) of such firm or individual. Such firm or individual shall be subject to the approval of the Association.
14. A Unit Owner or occupant shall not cause anything to be affixed or attached to, hung, displayed or placed on the exterior walls, doors, balconies or windows of the Building. To insure a uniform appearance on the exterior of the Building, all window coverings, including, but not limited to verticals, shades, sheers, curtains, drapes, miniblinds and venetian blinds shall be faced on the exterior with white or neutral colored material approved by the Association. Notwithstanding the foregoing a Unit Owner may display one portable, removable United States flag in a respectful way and on Armed Forces Day, Memorial Day, Flag Day, Independence Day and Veterans Day, may display in a respectful way portable, removable official flags, not larger than 4 ½ feet by 6 feet, that represent the United States Army, Navy, Air Force, Marine Corps or Coast Guard and the Association may not refuse the request of a Unit Owner for a reasonable accommodation for the attachment on the mantle or frame of the door of the Unit Owner a religious object not to exceed 3" wide, 6" high, and 1.5" deep.
15. No air-conditioning units may be installed by Unit Owners or occupants. No Unit shall have any aluminum foil placed in any window or glass door or any reflective or tinted substance placed on any glass, unless approved, in advance by the Board of Directors in writing. No unsightly materials may be placed on any window or glass door or be visible through such window or glass door.
16. Children will be the direct responsibility of their parents or legal guardians, including full supervision of them while within the Condominium Property and including full compliance by them with these Rules and Regulations and all other rules and regulations of the Association. Loud noises will not be tolerated. All children under twelve (12) years of age must be accompanied by a responsible adult when entering and/or utilizing the recreational facilities.
17. Smoking is prohibited in all indoor areas of the Common Elements.
18. The equipment and furnishings of the Condominium have been provided for the use and enjoyment of all Owners and their guests. Please use and enjoy them in a responsible manner, and do not remove them from their designated areas.
19. Absolutely no feeding of birds is permitted anywhere on the Common Elements.

## **PARKING AREAS**

1. All moving and delivery trucks and vans must park on adjoining public streets and wheel furniture and deliveries through the garage to the garage elevator entrance located on the ground level.
2. Only one vehicle is allowed per parking space.
3. Motorcycles are considered recreational vehicles and will be considered on a case-by-case basis by the Board of Directors using the following guidelines.
  - Must be operational, in good condition, and have a current tag & registration.
  - No motorized dirt bikes or similar recreational motor bikes allowed.
  - Must be used for personal/family purposes.
  - Must have acceptable decibel level (no louder than passenger automobile) so as not to be disruptive to other residents.
  - Must be parked in Owner's assigned parking space.

## **FITNESS CENTER**

1. The Fitness Center and all equipment are for the use and enjoyment of all residents. Use standards have been established so that residents may safely share the facilities in cooperation with each other.
2. The Fitness Center will be available for use between the hours of 6:00 a.m. and 11:00 p.m.
3. Both gentlemen and ladies must wear tops and appropriate footwear when using the Fitness Center equipment.
4. Headphones will be required to be used with personal sound producing equipment brought into the Fitness Center should use of the equipment pose an annoyance to other users of the facilities or interfere with activities. Sound producing equipment supplied in the facility must be operated at a reasonable audio level.
5. Children between the ages of 12 and 16 may use the Fitness Center equipment only when accompanied and supervised by a responsible adult. Children under the age of 12 may not use the Fitness Center equipment at any time.

## **SWIMMING POOL AND SPA**

The Swimming Pool and Spa are subject to inspections and regulation by the local regulatory authority. All rules and regulations are established to maintain the pool and spa, and their use, in a safe and clean manner.

1. Hours of operation are 6:00 a.m. to 11:00 p.m. with short daily closures for routine cleaning and maintenance. Residents and their guests use the swimming pool at their own risk, as no lifeguard will be on duty.
2. Children under age 12 must be accompanied and supervised by a responsible adult at all times while in the pool or pool area.

3. No glass containers, food, or pets of any kind are permitted in the pool or on the pool decks. No food may be consumed in the pool or on the adjacent pool deck.
4. Headphones are required for radios or other sound producing equipment at the pool areas except during Association authorized scheduled activities.
5. No cut-off jeans or shorts may be substituted for swimwear.
6. No one is allowed in the pool with an open cut or skin infection.
7. Cover deck furniture with a towel when using suntan lotion or oil.
8. No substances such as soap, shampoo, etc., may be used in the spa or pool.
9. All persons must shower to remove all lotions, oils, and/or soap residue before entering the swimming pool or spa.
10. Please return deck furniture and umbrellas to their original positions after use. Deck furniture is not to be removed from the pool area. Deck furniture cannot be reserved.
11. Incontinent persons and children who are not toilet trained must wear tight fitting rubber briefs/pants, designed to protect against leakage while in the pool.
12. Bathing load as posted for the pool and spa must be observed.
13. No rafts or beach balls are allowed in the swimming pool, except if included in an Association authorized and sanctioned event. Floatation devices designed as swim aids are permitted. Swimmers are encouraged to use floatation devices in a courteous fashion so as not to infringe on use of pool by other swimmers.
14. Absolutely NO DIVING in the pool at any time.
15. No children under the age of 12 are permitted in the spa. Maximum water temperature: 105-degrees. Pregnant women are not to use the spa.

### **COMMUNITY ACCESS DEVICES**

Harbor Place at Safety Harbor is a private community. Regulations concerning access control are designed to protect and promote a private community environment. The management company is authorized to establish reasonable procedures for the administration of community access devices.

1. Access devices are for residents only and are not to be provided to residents' guests, friends, relatives, invitees, etc.
2. If an access device is lost or stolen, a replacement device may be purchased from the Association. The lost or stolen device will be deactivated in the systems and so it will no longer operate.

3. When a unit is rented, it is the responsibility of the Unit Owner to provide their tenant with the access device assigned to the Unit.

### ALTERATIONS

1. A great deal of time, effort and careful consideration was employed in designing and constructing Harbor Place at Safety Harbor. The architects and engineers studied and planned every detailed aspect of the building and homes contained therein. The Association, its Board of Directors, and all members have a vital stake in ensuring that the integrity of design and beauty of the community, and thus its value, is preserved. For these reasons, any proposed alteration to the Condominium or any of its Units must be carefully considered, and prior approval must be sought from the Association.
2. Any Unit Owner who desires to perform any alterations to their Unit must request and receive prior approval from the Association using the Association's request form. All required literature, specifications and pictures, as applicable, must accompany the approval request.
3. Unit Owners, who cause any alterations without the required approval, or installations contrary to any of the approved specifications, will be required to remove the alteration and restore the affected areas to their original condition.

Every Unit Owner and occupant shall comply with these Rules and Regulations as set forth herein, any and all rules and regulations which from time to time may be adopted, and the provisions of the Declaration, By-Laws and Articles of Incorporation of the Association, as amended from time to time. Failure of a Unit Owner or occupant to so comply shall be grounds for action which may include, without limitation, an action to recover sums due for damages, injunctive relief, or any combination thereof. In addition to all other remedies, in the sole discretion of the Board of Directors of the Association, a fine or fines may be imposed upon a Unit Owner for failure of a Unit Owner, his family, guests, invitees, lessees or employees, to comply with any covenant, restriction, rule or regulation herein or in the Declaration, Articles of Incorporation or By-Laws, provided the following procedures are adhered to:

**Notice:** The Association shall notify the Unit Owner or occupant of the infraction or infractions. Included in the notice shall be a date and time of a hearing at which time the Unit Owner or occupant shall present reasons why penalties should not be imposed.

**Hearing:** The non-compliance shall be presented to a committee of other Unit Owners appointed by the Board of Directors. If the committee does not agree with the fine it may not be levied.

**Fines:** The Board of Directors may impose fines against the applicable Unit Owner up to the maximum amount of \$100.00 (or such greater amount as may be permitted by law from time to time) per violation.

**Violations:** A fine may be levied on the basis of each day of a continuing violation, with a single notice and hearing, provided that no such fine shall in the aggregate exceed \$1,000.00.

**Payment of Fines:** Fines shall be paid not later than thirty (30) days after notice of the imposition thereof.

Application of Fines: All monies received from fines shall be allocated as directed by the Board of Directors.

Non-exclusive Remedy: These fines shall not be construed to be an exclusive remedy and shall exist in addition to all other rights and remedies to which the Association may be otherwise legally entitled; however, any penalty paid by the offending Unit Owner or occupant shall be deducted from or offset against any damages which the Association may otherwise be entitled to recover by law from such Unit Owner or occupant.

These Rules and Regulations shall be cumulative with the covenants, conditions and restrictions set forth in the Declaration of Condominium, provided that the provisions of the Declaration shall control over these Rules and Regulations in the event of a conflict or doubt as to whether a specific practice or activity is or is not permitted. All of these Rules and Regulations shall apply to all Residential Owners and occupants of Residential Units even if not specifically so stated in portions hereof. The Board of Directors shall be permitted (but not required) to grant relief to one or more Unit Owners from specific Rules and Regulations upon written request therefore, and good cause shown in the sole opinion of the Board.

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