



Wild Heron Property Owners Association, Inc.

WILD HERON OWNERS
RULES, REGULATIONS, AND POLICIES

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A. PROCEDURE AND SCOPE FOR THE ADOPTION AND AMENDMENT OF ASSOCIATION RULES AND REGULATIONS:

As provided in the Governing Documents, the Board may from time to time adopt certain reasonable rules and regulations (“Rules”) as may be necessary to facilitate the efficient operation of the Association. These Rules generally apply to the operation of the Association and its board of directors. These rules as they may be amended from time to time are referred to as the “Association Policies.”

1. **Administrative Rules.** The Board may adopt administrative rules regarding use of Common Area, board meeting procedures, etc. at any Board Meeting as provided in the Governing Documents without providing prior notice to Owners.
2. **Rules Governing Unit or Property Use.** A copy of any proposed Rules affecting the use of Lot or which shall govern use of a Unit within the Community shall be posted on the Association website and provided to all Owners by email, mail or hand delivery a minimum of fourteen (14) days before any Board Meeting at which such rules may be adopted.
3. **Posting of Rules.** All duly adopted Rules, including the effective date, shall be posted on the Association website and copies thereof shall be provided to all Owners, tenants and guests upon request.
4. **Scope.** These Association Policies are not an exhaustive list of rules, regulations, or policies regarding owners or the Wild Heron Community. These Rules are to be read and interpreted in connection with the applicable Florida laws, the Association’s Governing Documents, the Association’s Rules, and ARC.

B. GENERAL USE RESTRICTIONS

1. All Lots and building sites shall be maintained in a neat and orderly condition.
2. Lots shall be used for residential purposes only and no business or commercial enterprise shall be carried on within a Lot. No more than one room in a residential dwelling unit may be used as a home office for the owner, however, no employees, or customers or clients may work in or visit the dwelling.
3. Trash, garbage and other waste shall be kept in closed, sanitary containers. Trash cans must not be visible from the road.



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4. Lots and homes cannot be rented. Condominiums have their own rental regulations.
5. No signs of any type are permitted, including signs advertising the Lot or dwelling for sale, with the exception of ARB approved "Open House" signs on designated days.
6. Mail boxes must confirm to the ARB approved guidelines.
7. No structure of a temporary character, trailer, mobile home or recreational vehicle shall be permitted at any time within the Community (except when allowed during construction), nor shall any be used as a residence, either temporarily or permanently.
8. No animals, reptiles, wildlife, livestock or poultry can be raised, bred or kept on any Lot except household pets, provided they are not kept, bred or maintained for any commercial purpose and provided they do not become a nuisance or annoyance to any neighbor due to barking or otherwise. Owners must clean up pet excretions. Pets shall be kept on a leash in public areas.
9. No commercial vehicles, campers, mobile homes, motor homes, house trailers, jet skis or trailers of every other description, recreational vehicles, boats, boat trailers, horse trailers or commercial vans shall be permitted to be parked or stored at any place on the property except in enclosed garages.
10. Golf carts are permitted within the Property and their operation must conform with the provisions of the Florida Uniform Traffic Control Law applicable to golf carts on County roads, as well as section I of these Rules and Regulations. Children under the age of 14 are not allowed to drive carts on the Property. All carts must be registered in the POA office.
11. No clothing, laundry or wash shall be aired or dried on any portion of the Property unless it is completely screened from view.
12. Basketball goals and playground equipment are not to be seen from the street, adjacent homes or the Golf Course.
13. Grills, when not in use must be covered and in an unobtrusive place.
14. Vehicles may not be parked in the street, on curbs, sidewalks or on any unpaved portion of a lawn.



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15. All bicycles, toys, and children's play equipment shall be stored in a covered and unobtrusive place overnight and when not in active use.
16. Children under age 16 are not permitted in the Gym.
17. Children under age 16 are not permitted to be in the pool area without a supervising adult.
18. Children under age 12 are not permitted in the hot tub at any time.
19. A violation of these General Use Restrictions will result in the issuance of a citation. Failure to correct the violation within 24 hours of receipt of a citation may result in the assessment of a fine of \$100.00 per day that the violation continues, up to \$1,000.00 in the aggregate.
20. Direct Broadcast Satellite ("DBS") and Multi-Point Distribution Service ("MMDS") antennas/dishes that are one (1) meter (39" or less in diameter and for personal use of a homeowner may be installed. DBS and MMDS antennas/dishes larger than one (1) meter are prohibited. All antennas/dishes not covered by 47 CFR Section 1.4000 (the "FCC Rule") are prohibited. All antennas/dishes shall be installed with emphasis on being as unobtrusive as possible to the community. All antennas/dishes shall be screened from view from any street, golf course, lake or nearby lots to the maximum extent possible. It shall be the obligation of the Owner to show, to the satisfaction of the ARB, that a particular location will cause reception to be substantially degraded. (SEE ARC for additional information located on www.mywildheron.com).

C. POLICY ON OFFICIAL RECORDS REVIEW

1. The official records of the Association are available for review by Owners and include those documents defined in Section 720.303(5), *Florida Statutes*, as may be amended or superseded, and in the Association's possession.
2. Official Records do not include Association, Director, or committee member email correspondence.
3. An inquiry seeking to review or inspection official records must be in writing utilizing the form attached hereto, and be hand delivered or sent via certified mail to the management company or registered agent of the Association. An email request to review official records is not sufficient. The Association shall be under no legal obligation to respond to requests not sent in accordance with this provision.



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4. The requested records shall be made available for inspection to the Owner or his or her authorized representative on or before five (5) business days following the Association's receipt of the written request for inspection.
5. The Association shall notify the requesting Owner in writing of the time and place the records will be made available and shall attempt to make the records available at a mutually convenient time and date.
6. An Owner may appoint a representative to conduct an inspection of the official records on behalf of the owner upon written notice delivered to the Association twenty-four hours prior to the scheduled review time.
7. The request form must be filled out completely and must identify the exact records requested, including pertinent dates or time periods. An Owner must include enough detail to allow the Association to find and retrieve the records requested. No Owner may request to inspect "all official records" without designating or identifying the specific records being sought. Each request must specify the type of document being requested (i.e. letter, check, etc.) and the subject or topic area of that document (i.e. landscaping, financial services, the replacement of xyz, etc.). Each request is limited to ten items or categories.
8. The Association will produce the official records as they are kept in the ordinary course of business and the Association is under no obligation to segregate specific documents or compile, synthesize, or organize them in any way. The Association may, but is not required to, offer to make the records available electronically in a medium determined by the Association. If the requested records are available online, the Association will not additionally make such documents available for inspection or copying. All Owners may inspect, review, copy, and print all Association documents available online without notice to the Association.
9. The Association is only obligated to respond to one written inquiry per Parcel in any given thirty-day period. If more than one request per Parcel is made in any given thirty (30) day period, the additional requests are void. If an Owner is unable to inspect all records requested in a single visit (i.e. limitations in time), then the remaining records to be reviewed shall be considered an additional request and available during the subsequent thirty-day period and only upon an additional written request to continue the review/inspection. An



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Owner may schedule an inspection of official records to occur during regular business hours and for a time not to exceed four hours per inspection.

10. No more than one request per Parcel for inspection and/or copying of the same record may be submitted in any sixty-day period.
11. No more than one person (or two people if each is an owner of the Parcel) is permitted to inspect the official records at any one time, except that an attorney representing the requesting Owner may also attend the inspection.
12. An Owner shall pay twenty-five cents per page for any copies of the official records made on the Association's copy machine, on any copy machine owned by any management company hired by the Association. An Owner shall pay the anticipated costs of copies at the time the copies are requested and shall be refunded any overage or pay any additional for copies at the time the records are delivered. An Owner may use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records in lieu of the Association providing the Owner or his or her authorized representative with a copy of such records. The Association will not charge an Owner or his or her authorized representative for the use of a portable device. Official records may not be removed from the location in which the records are being maintained. An Owner is not permitted to take files apart or otherwise move or relocate any document or page of the official records.
13. During any official records inspection, an Owner is not permitted to ask any questions of the Association or any representative of the Association other than questions directly related to the location or copying of an official record. The person supervising the inspection on behalf of the Association shall only explain where records are located and is under no obligation to answer any additional questions.
14. All persons inspecting or copying records shall conduct themselves in a businesslike manner. In the event an Owner or their authorized representative fails to conduct themselves in such a manner, becomes hostile or continuously asks questions of the Association representative (other than the specific location of records), the Association's representative may immediately terminate the inspection. Any such terminated inspection will be counted as the one inspection for the purposes of section 8 and 9 above.



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15. These rules are effective for all requests to review/inspect official records received by the Association after the date provided below.
16. If any rule herein is to any extent ruled/held invalid, illegal, or incapable of being enforced, such rule shall be excluded to the extent of such invalidity, illegality, or unenforceability; all other rules hereof shall remain in full force and effect. All rules and resolutions in conflict herewith are repealed to the extent of such a conflict.

D. CAMPAIGN POLICY

1. Pursuant to the Bylaws, only Members who are in good standing with the Association, as may be determined in its sole and absolute discretion of the Board, may seek nomination to serve as a Director. To facilitate the nomination and election of qualified individuals and to encourage participation during Director Elections, the Board hereby adopts the following Rules which must be adhered to by any Member campaigning for election or nomination.
2. No Owner owing any amount past due to the Association may be nominated, elected, or may engage in any campaign activities.
3. No Owner seeking nomination or election to the board may send unsolicited emails to Owners. Violation of this provision will make the candidate not in good standing and as such ineligible for election.

E. MEETING RULES

1. **Notice.** Meetings of the Owners and the Board of Directors of the Association shall be called and noticed pursuant to the procedures set forth in the Governing Documents and as required by Florida law, as may be amended from time to time.
 - i. **Notice of Owner Meetings.** As provided in the Bylaws, notice of the annual meeting of the Members shall be provided by mail and posted conspicuously not less than fourteen (14) days nor more than thirty (30) days in advance of the date of the meeting. Notice of any other Owner meetings shall be mailed and conspicuously posted at least seven (7) days prior to each such meeting.



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- ii. **Notice of Board Meetings.** As provided in the Bylaws, regularly scheduled board meeting need not be noticed to the Owners. Notice of special meetings shall be provided to the directors at least two days before the meeting. Notice of the special meeting shall also be conspicuously posted at least two days prior to the meeting.
- iii. **Email Notice.** The primary notification method for all Association business is via email. The Association has requested that all Owners' provide at least one email address for the Association to send notice of all Owner meetings – by providing such email address, each Owner hereby consents to receiving notice by electronic transmission. The Association shall send notice to each Owner at the email address provided as soon as possible after notice is provided pursuant to the Bylaws.

F. GOLF CART USAGE.

Owners may drive personal golf carts within Association property only in conformity with the following rules:

1. All golf carts brought onto the Property for private use must be registered with the Association. Registration requirements include:
 - a) Completed registration form (must list all drivers);
 - b) Cart Owner information, name, address, phone;
 - c) Declaration of appropriate insurance;
 - d) Release of liability to Association;
 - e) Display of a Wild Heron numbered decal on front of cart.
 - f) Mounted RFID ingress/egress registration tag.
 - g) Drivers of golf carts must obey all posted signs.
2. Driving on the sidewalks, utility/access/drainage easements and common areas other than roadways and parking areas is prohibited.



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3. The number of persons riding in a golf cart shall not exceed the number of designated seats.
4. All golf cart passengers must remain seated while moving.
5. A golf cart may be operated as long as its operation within the road will not impede the safe and efficient flow of motor vehicular traffic.
6. Pedestrians and motor vehicles have the right of way.
7. A golf cart may be operated only during the hours between sunrise and sunset, unless the golf cart is equipped with operable headlights, brake lights, turn signals, and a windshield, then it may be operated during the hours between sunset and sunrise.
8. A golf cart may not be operated by any person under the age of 14.
9. Owners who are not members of *Sharks Tooth Golf Club* may not operate their carts on the golf course at any time.
10. Members of *Sharks Tooth Golf Club* may only operate approved and appropriately acquired golf carts on the golf course.

G. REAL ESTATE MARKETING:

Wild Heron policies for the marketing of real estate during the period the community continues to thrive until completely built out are broken into two distinct categories; those for homes that have been previously inhabited and those for model homes.

1. NO FOR SALE SIGNS WILL BE PLACED IN FRONT OF THE PROPERTY.
2. Guards may not pass out any Real Estate materials.
3. All signs, billboards, and advertising structures are prohibited on any lot except the ARB pre-approved builder's signs. No sign shall be nailed or attached to any tree.



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4. Only an approved standard construction sign showing the Builder, Owner and Architect will be allowed. Sign standards are available from the Association ARB Coordinator or Property Manager. No other signs will be allowed and all other documents and permits will be contained in a white document box attached to the rear of the approved builder signage.
5. Approved signs are allowed during open house hours only.
6. **Open House Hours.** – Open houses are only allowed during the hours specified below. All open house hours must be managed by a real estate agent. During all other times, prospective buyers must be escorted onto the property by a real estate agent.

1. **Previously inhabited homes** (including leaseback)

Saturday:

- 10 am – 5 pm during summer (CDT); and
- 10 am – 4 pm during winter (CST).

Sunday:

- 12 pm – 5 pm during summer (CDT); and
- 12 pm – 4 pm during winter (CST).

H. WILDLIFE.

The Wild Heron Community is home to many wild animals including alligators, bears, bobcats, coyotes, deer, and foxes, as well as a host of poisonous snakes, turtles and other wildlife. It is not uncommon to see wildlife throughout the community.

1. If you encounter any wildlife, please remember that they are dangerous animals. While attacks are not common, wildlife can easily be provoked.



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2. Please **do not touch, handle or attempt to feed the wildlife** or try to get in close range for a family photo. Not only is it dangerous, but in some instances, it is against the law.
3. If you feel the wildlife is a nuisance or a danger to others, please do not attempt to corral, capture or attempt to control the animal. Contact 9-1-1 immediately. The Bay County Sheriff's Office, Fire Dept. and other agencies have trained personnel that can assist and respond.

I. PARKING VIOLATIONS.

1. Pursuant to the Governing Documents, all Owner vehicles shall be parked in the Owner's garage or driveway only.
2. Public parking spaces are intended for temporary and visiting guest parking only.
3. Violations of these Rules will result in the issuance of a parking citation. Failure to correct the violation within 24 hours of receipt of a citation will result in the assessment of a fine of \$100.00 per day that the violation continues, up to \$1,000.00 in the aggregate.

J. SECURITY SURVEILLANCE POLICY

Purpose of Gate Ingress/Egress surveillance. This policy sets out the framework which the Association use for Gate Ingress/Egress surveillance. Such surveillance is used to enhance the safety of Owners, staff and property, while protecting the individuals' right to privacy.

The gate Ingress/Egress surveillance may consist of; cameras, license plate readers, electronic gate management systems, security offers and any other technologies that provide real-time surveillance. The primary use of gate ingress/egress surveillance is to discourage inappropriate and illegal behavior



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and to enhance the opportunity to apprehend offenders. Additionally, it can be of great value for emergency response or disaster management.

Gate Ingress/Egress surveillance will be limited to uses that do not violate individuals’ reasonable expectations of privacy, as defined by law. Information obtained will be used exclusively for law and/or policy enforcement, emergency response and/or disaster management.

1. **Signage.** The Association will post signs in relevant areas to read “Attention: This area is under video surveillance. All activity is recorded.”
2. **Camera Locations.** Surveillance cameras are positioned only to record those areas specified and approved by the Board which will complement other measures to maintain a safe and secure environment.

In general, cameras are located to view the Associations’ assets and common areas prone to vandalism or activity in violation law and/or Association governance documents. As of June 2016, camera installations view the following locations:

Exterior	Interior
Welcome Center	Fitness Center
Pool Areas	POA Management Offices
Boathouse areas	Outside Restrooms
Dock Area	Boardwalk
Fire Pit Areas	Gate House
Vacant	POA Grill

3. **Use/Disclosure/Retention of Surveillance Records:** Surveillance data is recorded and stored on secure digital equipment with onboard hard drive storage, E systems and in the cloud then automatically erased by recording over unless required for evidence. Records required for evidence are saved to



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CD/USB drive and stored in a secure environment. Such records will be destroyed when no longer required for evidence. Records are handled as follows:

1. Access Control Records. These consist of records pertaining to Owner, visitor, employee or contractor access to Wild Heron including, but not limited to, arrival/departure data (both gates), key assignment records, identification badge records, parking assignment records, network account and permission records, etc. RETENTION: 1 year
2. Surveillance Recordings. These consist of surveillance recordings created to monitor activities occurring inside and/or outside of Association/CDD buildings, on Association/CDD common areas and/or Association/CDD roadways.

As these recordings may play an integral part in prosecution or Association/CDD actions, access to camera monitoring is limited to only those authorized by the Board. Only the Board and a committee chair or manager designated in writing by the Board is authorized to operate the video security system.

Access to video records shall be limited to those authorized by the Board, who shall only access such records during their regular duties to:

- a. Identify the person or persons responsible for Association violations, criminal activity, or actions considered disruptive to Owners, management, employees and or contractors conducting normal Association operations; for which images shall be retained for further investigation.
- b. Assist law enforcement agencies in accordance with applicable state and federal laws upon receipt of a



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subpoena. The requirement of a subpoena may, however, be waived by the Board when appropriate.

Any such review of video recordings by other than those authorized above will be reported to by the as soon as is practical.

Only the Board shall be authorized to release any video record to any outside party including but not limited to; law enforcement personnel, media, patrons and other persons.

In all other respects, video recordings will be accorded the same level of confidentiality and protection provided by Florida State Law. RETENTION: 30 days.

3. Backups: Electronic/Digital Records. There is no retention schedule for backup tapes, disks, drives, or other forms of electronic/digital data backup. Backups are ***not intended to serve as the record copy or as a records retention tool.*** In the case of disaster, backups will be used to restore lost records; otherwise, Association records that have not met their retention should not be disposed of on the basis of the existence of a backup.

If for any reason (for instance, a disaster erases data/video on Association server) the only existing copy of an item that has not met its retention period is on a backup tape or drive, the Board or a committee chair or manager designated by the Board shall ensure that the record on the backup is maintained for the appropriate retention period. A backup containing record copies/only existing copies of items that have not passed their retention must be retained for the length of the longest unmet retention period. The records to be retained should be restored to the agency from the backup to ensure that the backup is not used as a records retention tool.



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4. Computer Logs. These records consist of firewall logs, system logs, network logs, or other logs used to maintain the integrity and security of the Association's surveillance and computer systems. The logs may record such information as: source and destination Internet Protocol (IP) addresses; user identification information; files, directories, and data that have been accessed; user rights; and running applications and databases. Since these logs may play an integral part in prosecution or disciplinary actions, the Board of Directors and a committee chair or manager designated, in writing, by the Board of Directors are responsible determining which logs or entries should be retained for further investigation.

RETENTION: 30 days or until review of logs is complete, whichever occurs first.

IN WITNESS WHEREOF, the undersigned certify that these Rules, Regulations, and Policies were adopted by the Board of Directors of the Association this 1st day of June, 2016.

Ken Buchholz, President

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