

Mandalay Homeowner's Association, Inc.

**RULES AND REGULATIONS FOR MANDALAY HOMEOWNERS**

Effective August 1, 2023

**Mandalay Rules & Regulations  
Effective August 1, 2023**

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# Mandalay Rules & Regulations

Effective August 1, 2023

## Purpose

The following Rules and Regulations (R&R) are established under the authority of the Declaration of Covenants, Conditions, and Restrictions (DCCR) For Mandalay, the By Laws and the Articles of Incorporation of Mandalay Homeowner's Association. The Board of Directors of the Homeowner's Association (HOA) for Mandalay approves the R&R.

The R&R in this document are revised to clarify, effectively organize and to include new and/or amended R&R for Mandalay. This document supplements the DCCR for Mandalay. The content of the DCCR is incorporated herein by reference. Adherence to these guidelines is imperative in preserving, protecting and enhancing the values and amenities of the Mandalay Community. (Article 4.08 of the DCCR)

## Introduction

Mandalay is a community that strives to maintain a unified look and to safeguard property values by adhering to agreed-upon rules, while encouraging residents' individual enjoyment of their property. This Rules & Regulations (R&R) is provided as a convenient reference for homeowners but the Association's governing documents are the final authority if there is a conflict in interpretation of wording. The three governing documents are the Declaration of Covenants, Conditions and Restrictions (DCCRs), By Laws and Articles of Incorporation.

The owner of a lot shall be responsible for making the residents, guests and tenants fully aware of and comply with all restrictions, articles, rules and regulations of Mandalay. Failure to comply by the owner or tenant will result in enforcement action by the Association as allowed by Florida statute.

Please note the Appendix provides detailed guidelines for driveway pavers and tree removal and replacement.

## Architectural Review Committee (ARC)

No building, wall, fence, gutter or other structural improvement or landscaping of any nature shall be erected, placed, or altered on any lot without the **prior** written approval of the ARC. Mandalay is a deed-restricted community. Each owner agreed at purchase to abide by this rule of requesting prior written approval by the ARC.

All additions, modifications, alterations or replacements of the exterior of structures or landscaping of any type on a member's lot must compliment and be consistent with the character, design and amenities of the Mandalay community. Additionally, the ARC shall apply all applicable criteria (from DCCR and R&R) in the approval or denial of an application. (Article 4.03 of the DCCR)

### Application procedure:

- Submit to the ARC an application form which is available from the Management Company or [www.Mandalayfl.com](http://www.Mandalayfl.com) along with detailed plans (including the plot plan for your property) for the desired change, specification of all materials and colors to be used, and/or specification of all plant and other material for landscaping and irrigation plans.
- Submit the materials at least 10 days in advance of the next ARC meeting.
- If all documents are complete with the submission, the plans shall be considered at the next scheduled monthly meeting of the ARC. You should schedule ARC review time into your planning estimate.
- It would be helpful if the applicant would plan to be available at the meeting when the plan is to be reviewed to answer any questions that may arise in order to expedite the decision.
- Certain projects such as pool installations may require a refundable \$500 security deposit, as detailed on the ARC form.

Rights of appeal for any person aggrieved by the decision of the ARC are detailed in Article 4.07 of the DCCR and will be adhered to by the ARC.

### **Use of Common Property**

The Common Property, including lakes, shall not be obstructed, littered, defaced, or misused in any manner. (Article 2.10 of the DCCR)

All fishing shall be done by line fishing and on a “catch & release” basis only. In addition, no nets are allowed. No one may fish from any homeowner’s lot without prior permission of the owner. (Article 2.14 of the DCCR)

No motorized water craft or jet skis shall be operated within the lakes, except as permitted by the Board. (Article 2.14 (a) and (b) of the DCCR)

The feeding of wildlife within the Community is prohibited except for small garden birds (e.g., cardinals, wrens, etc.). (Article 2.14 (c) of the DCCR)

### **Lots/Dwellings**

Garbage, Yard Waste and Trash Disposal Containers: These items must not be placed out for pick-up sooner than twelve (12) hours before the scheduled collection time (as early as 6 a.m.) and the containers must be removed and stored in the garage within twelve (12) hours after collection. Garbage and other refuse shall be placed only in designated areas. It is strongly recommended that cans be used for waste disposal. However, if owner uses plastic bags, then all precautionary measures must be taken to prevent animals from puncturing the bag and scattering waste over local sidewalks and streets. If this occurs, the owner of the lot is responsible for all cleanups. (Articles 5.18 (a) and 6.04 of the DCCR)

Windows and Shutters: No newspaper, aluminum foil, sheets or other temporary window treatments are permitted, except for periods not exceeding one (1) week after an owner first closes on a dwelling or when permanent window treatments are being cleaned or repaired. (Article 5.18 (c) of the DCCR)

No awnings, canopies, decorative shutters, or other projections shall be attached to, hung, or displayed in any manner on a lot unless approval is granted by the ARC.

No storm or hurricane shutters may be installed by an owner except for those that comply with specifications, design, color and style approved by the ARC.

Gutters: An owner may install gutters on their home with ARC approval. Gutters may only be white except those gutters inside a lanai that match the cage. No other color is allowed.

Driveways and Sidewalks: Driveways and sidewalks shall not be defaced, painted, removed or altered in any manner (e.g., no etched or stamped concrete). A damaged or cracked driveway or sidewalk may be replaced with like material or pavers subject to approval by the ARC. Guidelines for driveway repair or paver installation are included in the Appendix. (Articles 3.11 and 5.06 of the DCCR)

Fountains: Fountains are allowed in the front entry area of the home and the backyard. Fountains may not be installed in planting beds or front yards. Homeowners must submit an ARC form for approval to install a fountain. The request must include drawings detailing size, description of material and proposed installation location. Approval may be granted contingent on proper care and maintenance. Failure to maintain properly could be subject to fining.

Pools, Spas, Water Features: All water features in rear yards shall be in-ground, except spas, springs and fountains, which may be incorporated into appropriately designed and screened deck systems. All rear yard water features shall require ARC approval. Equipment for pools, spa, springs or fountains should be completely screened from adjoining properties and front and rear views. (Articles 5.07a and 6.15 of the DCCR)

Play Equipment: Permanent play equipment must be placed within the building setback lines at the rear of the property and when possible, camouflaged to help minimize the visual impact on adjacent property owners, and from the public street. Approval by the ARC is required. (Article 5.07 of the DCCR) Non-permanent play equipment must be removed from the front yard daily or a waiver must be requested of the ARC.

Swing sets and other play equipment should be kept within fifteen feet (15') of the rear of the house and should not exceed eight feet (8') in height. All equipment should be screened from neighbors' and public view where possible.

Bounce houses and water slides that are privately owned are allowed in the back yard of homeowner lots. They must be put away when not in use and put away before sunset. Inflatable pools and plastic wading pools are not allowed.

Commercial bounce houses and water slides intended to be used for 24 hours or less can be approved by request submitted to the Management Company. A request for longer than 24 hours requires approval by the ARC.

Basketball Hoops: These portable units must be stored out of sight when not in use. Permanent (affixed to house) basketball hoops are not permitted. (Article 5.07 of the DCCR)

Flags: Displaying the American flag or other flags allowed by Florida law is an owner's option. Brackets may be attached to the house or garage to support the flag and pole. The U.S. Flag must not be more than four and one-half feet (4' 6") by six feet (6'). U.S. Flags shall be maintained in good condition and should not be displayed during inclement weather. Proper lighting is required for nighttime display of the U.S. Flag. Sports flags are not allowed.

Storage of property: Each owner's personal property must be stored within the lot or designated storage areas. Hoses may be stored neatly at the back or side of the home and must be held by a hose reel or box. Hoses should be returned to the reel or box after use. (Article 5.18 (b) of the DCCR)

Birdhouse and Bird Feeders: Must be placed in the backyard, and they should not be visible from the street. Approval by the ARC is required.

Drying Clothing: Drying clothing is prohibited in any part of the yard. However, clothes may be dried in the lanai provided that the lanai is enclosed in screen and the clothes and lines are not visible from the street. (Article 5.11 of the DCCR)

Front Entry, Service, Patio and Garage Doors: Garage doors must be kept closed at all times except when in use and during reasonably limited periods when the garage is being cleaned or other activities are being conducted which require the doors to be left open. (Article 5.05 of the DCCR) Accordingly, no screen enclosures are allowed for the front entry area or garage vehicle door(s).

Signal Interference: No radio or television installation or other electronic equipment shall be permitted in or on any lot if it interferes with the television or radio reception of another lot. (Article 5.10 of the DCCR)

Generators: Generators should be used only in emergencies when commercial electrical power is not available. Generators may be operated once per week for

testing and maintenance purposes but not for longer than fifteen (15) minutes between the hours of 10:00 am and 2:00 pm. The test must be performed in an area of the lot where the impact of noise and nuisance is minimum to neighbors on adjacent properties. (Article 6.05 of the DCCR)

Exterior Paint Colors: All exterior colors shall follow the approved color listing for Mandalay, unless the ARC has approved the homeowner's request for a color not on the approved list. Additionally, no two houses next to each other, across or diagonally across from each other are to be the same color. The color choices need to be different enough to easily distinguish between the houses. A binder with approved colors can be borrowed from the Management Company.

House Numbers: House numbers must match the existing color, size and location of original house numbers placed by the developer, which are 5 inches tall and black numerals. Decorative tiles or any other display of house numbers are not allowed.

Mailboxes: Mailboxes and posts are property of the Association and it is responsible for maintenance and routine repair or replacement.

### **Responsibilities of Pet Owners**

Owners, their guests and tenants must comply with Article 6.08 of the DCCR for animals and pets.

Additionally, no pets shall be permitted outside of its owner's lot unless attended by a responsible person, and the pet must be on a leash not more than six feet (6') long. While outside the house, pets shall not be permitted to bark or otherwise become a nuisance or annoyance to neighbors. Pets are not permitted on any part of common property except when they are on a leash and being walked or transported directly off the property or directly to their owner's property. Pets should be under the direct control of the owner (or owner's designee) while on the owner's lot, on another owner's lot or on common property.

Pet owners are responsible for cleaning up any mess created by their pets within Mandalay. Excrement which is not picked up shall be deemed a nuisance hereunder.

Any pets, whether from number, disposition or otherwise, that cause, create or contribute to a nuisance or unreasonable disturbance or annoyance, may be required to be permanently removed from the community within ten (10) days of receipt of written notice from the Board to the owner or other person responsible for such pet. (Article 6.08 of the DCCR)

## Landscape Standards

### Introduction

Homeowners are required to maintain the landscaping of their lot in a manner that is in keeping with the standards of Mandalay. This maintenance includes irrigation, plantings, mowing of grass, edging, trimming, and fertilizing on a regular basis. Weed control and insecticide applications must be done as needed. Failure to maintain a healthy lawn may lead to requiring replacement with new sod. Homeowners must also maintain the “Adjacent Areas” as described in the DCCRs.

All additions, modifications, alterations or replacements of landscaping of any type on an owner’s lot must compliment and be consistent with the original character, design and amenities of the Mandalay community.

**Changes Requiring Review:** Unless specifically referenced and included in these Landscaping Standards, the Architectural Review Committee (ARC) must approve changes to the landscaping of a lot.

Here are a few examples of landscaping changes for which homeowners are required to submit an ARC request:

- Modifying the size or shape of an existing planting bed
- Creating a new planting bed
- Adding, replacing or cutting down any tree in the front yard
- Installation of hedges
- Converting mulch to gravel
- Changing gravel in an existing bed to a different color
- Planting or replacing a shrub other than in an existing bed
- Installation of trellises
- Planting ANY tree, front or back yard.

Homeowners are not required to submit an ARC request for any maintenance replanting, meaning that the landscaping materials to be installed are an exact replacement of those to be removed. However, owners are responsible for maintaining the replantings within the standards specified.

**Review Procedure:** ARC requests must include a completed ARC form and at least one complete set of plans and specifications for the proposed Improvements.

The Plans shall include, as appropriate to the proposed improvements:

- a site plan for the lot showing location and dimensions of all proposed and existing structures,
- pavement and landscaping to be installed or removed,
- specification of all materials to be used, including type, color, and nature,



- specification of plant and other materials proposed for landscaping,
- location, dimension, description, and specifications for any other proposed improvements,
- samples of material and proposed colors for external application.

The ARC request is submitted to the Management Company for completeness and preliminary compliance review with the DCCRs and Landscaping Standards. The homeowner may be requested to provide additional information and materials as may be reasonably required to evaluate the proposed improvements.

The ARC request will be discussed at a public meeting of the ARC Committee, which will either approve the request, deny it, or approve with conditions.

**Applicable Areas:** For purposes of these standards, the following terms are used to designate the areas of the lot that are not the enclosed living space of the home:

- Front entryway: the area immediately outside the front door, encompassing the paved area that is under roof; items placed in the front entryway that are not visible from the street or sidewalk are not subject to ARC Standards.
- Planting bed: the mulched/gravel area between the front entryway and the yard that typically contains hedges, ornamental shrubs, flowers, etc. Some yards may have more than one planting bed.
- Front yard: the planted area between the planting bed and the front property line that typically contains grass and trees. The front yard may have a planting bed within it.
- Back yard: the area between the rear of the house and the rear property line that may contain a fence, pool, lanai, planted area or trees.
- Side yard: the planted area on either side of the home between a forward corner of the home and a rear corner of the home that extends to the property line.

**Landscaping (General):**

The recommended landscape character should incorporate the use of Florida native plant materials. Front, side, and back yard plantings should be compatible to the overall neighborhood in form, texture, and simplicity of design.

The landscape surrounding each home should display an orderly, thoughtful attention to the natural beauty of the plantings by allowing for space or layering between plants, shrubs, and trees. This can be achieved by limiting the front yard planting to lawn, trees and layered foundation-planting beds.

Front yard plantings, excluding trees, must be trimmed or pruned to remain lower than the middle of the first-floor front window or not higher than six (6) feet above the ground.

Side yard plantings, excluding trees, must be trimmed or pruned to remain lower than the middle of the first-floor side window or not higher than six (6) feet above the

ground. This excludes landscaping used to screen mechanical equipment and grounded utilities from adjoining properties. In this case, landscaping used for screening must remain lower than the gutter line of the first floor of the house.

Backyard plantings, excluding trees, in homes with no lanai cage, must be trimmed or pruned to remain lower than the middle of the first floor back window or not higher than six (6) feet above the ground.

All plantings, including trees, must be neatly trimmed or pruned, well-maintained and appropriately shaped at all times, as determined by the ARC.

No plantings of any kind may grow on or attach to any part of the house or lanai cage structure.

All dead plantings, including trees, shall be removed and replaced as soon as possible. All parts of the lot must remain clear of debris, trimmings, clippings and yard waste.

**Irrigation:** All landscaped areas shall be irrigated by an automatic irrigation system. Homeowners are responsible for the efficient operation of their system such that it does not overspray the lot and that the irrigation controller does not malfunction. Positive drainage shall be provided in all areas and drainage onto neighbor's property shall be avoided.

Mandalay's main irrigation pumps and most Mandalay homes are equipped with a rain sensor that skips a watering cycle when one-quarter inch of rain has fallen in the prior 24 hours. Owners are responsible for providing irrigation to their yards, in accordance with Manatee County ordinances and restrictions and must follow the scheduled watering times.

**Odd** numbered addresses: Wednesdays and Saturdays

**Even** numbered addresses: Thursdays and Sundays

Newly-installed plants, sod or trees may require additional watering. Please contact the Management Company regarding any additional watering run times.

**Trees:** The following restrictions apply to trees:

- No trees may be anchored, supported or braced by attaching any rope/cord/wire/other apparatus from any area of the home to the tree, or other vegetation.
- Planting trees between houses or in side yards is not allowed.
- Trees must be planted 25 feet apart unless part of a decorative grouping as stipulated in the DCCRs.
- Trees should be maintained to prevent overhanging of neighboring lot.

The Tree Removal/Replacement Instructions adopted in March 2020 are in effect and included in the Appendix.

**Fruit Trees:** Fruit Trees must be 1.5 inches in diameter (caliper) at the time of planting as stipulated in the Tree/Removal/Replacement Instructions. The number of fruit trees on a property may not exceed 3. Allowed fruit trees include all citrus, mango, banana, avocado and papaya. Any other type requires consultation with ARC Committee.

All fruit trees must be maintained between 8-10 feet in height with no more than a 10-foot canopy (span). Banana trees must be maintained between 8-10 feet in height with each cluster no more than a 4-foot span. A banana tree cluster is considered as one tree, limited to 4 per clusters.

Fruit trees may not be planted in front yards. Fruit trees planted on amenity lots must be 22 feet from water. To avoid fruit rats, fruit trees should be isolated, not touching fences, overhead wires, or branches of other trees. Lower branches of the tree should not touch the ground. All fallen fruit should be removed as soon as it falls to the ground, in order to avoid fruit rats and other vermin.

**Street Trees & Canopy Trees:** Planting location requires ARC approval. Minimum Size Requirement at the time of planting is 10 feet high, 5 feet spread, 2.5-inch caliper, 4 feet clear trunk. Please see the Tree Removal/Replacement Instructions in the Appendix for additional details.

**Individual Shrubs and Hedges:** ARC approval is needed for installing a shrub or hedge in a previously unplanted space on the lot. Shrubs and hedges are not to extend or overhang onto neighboring properties. Shrubs must be maintained at a height of 4 feet or less and 6 feet on the sides of pool cages or when used for privacy.

**Gravel/Mulch:** Planting beds must have a sufficient layer of mulch at all times. A 3-inch layer of organic mulch is recommended for planting beds and around freestanding trees and shrubs, in order to reduce water loss, control weeds, and prevent runoff.

ARC approval is needed to install mulch or gravel where none has existed previously or to change the color of existing gravel. Approved colors for mulch and gravel are earth-tone colors meaning mainly light- to dark- brown tones or shades of reddish-brown. Approved mulch materials include cypress, pine bark, pine straw, eucalyptus and melaleuca. Lava rock may be used.

Rubber mulches, shells, stone (pebbles), pea gravel, colored mulch (other than Earth tone), and synthetic mulches are prohibited. White marble chips or white stones are not permitted as mulch.

**Edging:** Edging of planting beds must be properly installed and maintained. Edging must be natural in appearance, such as wood edging, paver edging or seamless concrete edging. Metal, plastic, or scalloped-top concrete edgings are prohibited in front yards.

Edging and decorative walls higher than six (6) inches above ground level require approval by the ARC.

**Trellis:** Trellis design must be compatible with the architectural style of the house. Trellises are allowed only in planting beds, and all trellises, including those with ground supports, must be attached to the body of the house. Footing and structural stability must be appropriate for plantings being supported and for resistance to wind experienced during severe weather.

A trellis may be made of colored aluminum, wrought iron or naturally weather-resistant woods such as cedar or redwood. No plastic material is allowed, unless painted the color of the house. The trellis may be painted either the house body or trim color or stained with a color compatible with the house colors.

Free-standing trellises are not allowed. Climbing plants or vines not attached to a trellis will not be permitted.

**Vegetable Gardens:** Vegetable gardens, English gardens, oriental gardens and cabbage palms are prohibited.

**Yard Sod:** St Augustine sod and Empire Zoysia sod are the approved grass varieties for Mandalay yards.

## **Parking**

All vehicles owned by residents must be parked in the garage, on the driveway or temporarily in the street as defined below. No vehicle shall be parked overnight in the street. Vehicles must never be parked in front of or near mailboxes to allow for delivery of mail (maintain 15' distance from vehicle to mailbox). Likewise, no vehicle shall be parked on the lawn or on the grass at curbside.

In all cases of parking on the driveway pad, vehicles must be parked in a side-by-side alignment perpendicular to the garage doors. In no instance may a vehicle be parked so as to block or obstruct the sidewalk.

Only four-wheeled passenger automobiles, trucks  $\frac{3}{4}$  tons and under, non-commercial vans, and motorcycles with 2 or 3 wheels may be parked upon Lots or on the common property. No trucks over  $\frac{3}{4}$  ton, commercial vehicles, recreation vehicles, motor homes, campers, trailers, boats, or canoes shall be parked on a lot for more than four (4) hours, and then, only for loading and unloading purposes. At no time, may any of the aforementioned block or obstruct any of the sidewalk or driveway apron. The four (4) hour time limit rule is waived when (1) the vehicles are parked within a building

where they are totally concealed from public view or (2) the vehicles are necessary in the actual construction or repair of a structure or are used in ground maintenance.

No construction, maintenance or repair of any motor vehicle or boat shall be performed on any lot except where it is in a building totally isolated from public view.

Street Parking: Vehicles shall be parked in the proper direction of traffic. Vehicles parked on opposite sides of street shall be parked a minimum of 25 feet apart to avoid blocking access down right-of-way.

Daytime Parking. Vehicles may temporarily be parked on the street. Damage or stain to the asphalt resulting from parking shall be the responsibility of the vehicle owner.

Overnight Parking: Vehicles shall not be parked on the street any time during the "overnight hours" defined by the HOA Board of Directors as the period from 2 a.m. to 6 a.m., without prior notice and approval of the Mandalay property management company. Any vehicle with one or more tires on the asphalt-paved HOA rights-of-way will be regarded as "street parked" during overnight hours.

Parking on Residential Lots: "Panel trucks" and "commercial vehicles" owned/used by a homeowner/guest/renter/lessee must be parked in the garage at all times with the garage door fully closed. Please see DCCR Section 6.06 for a complete definition of these types of vehicles.

All vehicles shall be kept in proper operating condition so as not to be a hazard or a nuisance by noise, exhaust emission, appearance or otherwise and shall be kept in conformity with community standards of appearance and operation.

Construction dumpsters, temporary waste and furniture storage containers (such as moving PODs, U-Haul, etc.) may be parked on owner's lot for one week, with advance notice to the property management company. Extensions beyond a week may be considered.

No one shall perform restorations of any motor vehicle, boat or other vehicle within the Community unless made within the garage and with the garage door closed. Disposal of drained automotive fluids is not allowed within the Community or the storm drains.

Vehicle owners shall maintain a current registration and all required insurance coverage for all vehicles parked within the Community.

The operation of golf carts, motorized scooters, go-carts and other non-licensed or non-registered vehicles shall be prohibited in the Community

when determined to be a nuisance by reason of noise, exhaust emission, appearance or otherwise.

### Florida Law In Effect

The following rules outlined in Florida law are in effect within the Community:

- Park no more than one foot away from the curb
- No double parking
- No parking over crosswalks or sidewalks
- No parking within intersections
- No parking within 15 feet of a fire hydrant
- No parking within 20 feet of an intersection

### **Hurricane Preparation**

No storm or hurricane shutters shall be lowered (or closed or affixed) except as needed for storm or hurricane protection or for maintenance and repair. (Article 3.11 of the DCCR)

An owner who plans to be absent during the hurricane season must make preparation for the lot prior to departure in the event of a severe tropical storm. The owner must identify a designated company/individual to install the shutters, make repairs, etc. and must provide the management company with the company/individual's name, address and phone number. No hurricane shutters shall be installed for more than one (1) week. (Article 3.11 of the DCCR)

### **Renting/Leasing Property**

The DCCR puts forth a vision of Mandalay as a single-family, residential community. Therefore, it is expected that the homeowner will occupy each home with a single family. Renting of individual rooms in a home is not allowed. (Article 2.03 of the DCCR)

Lots may be leased for periods of at least 6 months and no more than 3 times per year. Lots may not be advertised for lease for periods of less than 6 months. (Article 12 of the DCCR)

### **Noise and Vendor Access**

No owner shall make disturbing noises or permit family members, renters, employees, agents, visitors or licensees to do so. In particular, no owner shall play, or permit to be played, in or on his Lot or on the Common Property appurtenant to it, any musical instrument, television, radio or the like in a way that unreasonably disturbs or annoys other owners or occupants. (Article 6.05 of the DCCR)

Vendors hours are 8 a.m. to 5 p.m. Monday through Friday and 9 a.m. to 1 p.m. on Saturday. To ensure the peace of the neighborhood, noisy services such as lawn

services must follow a stop work time of 5 p.m. Monday through Friday and 1 p.m. on Saturday. During the rainy season, July-September, the stop work time is extended to 6 p.m. Monday through Friday and 2 p.m. on Saturday.

## **Signs**

The signs described below are the only sorts allowed to be posted on Lots. No other signs may be posted on Lots, homes or vehicles unless required by law. Homeowners may not post signs in common areas without Board approval.

Political Signs: Political signs advocating for a particular candidate or issue may be posted no more than 90 days before the election and must be removed within 15 days following, as provided in Section 5.12 of the DCCRs.

Realtor Signs. Homes may display one For Sale sign in the yard while the house is on the market, and may also display one Open House sign on the day of the open house. Directional signs are limited to 18 X 24 inches and can be posted from 1-4 p.m. on the day of the Open House. For Sale sign is limited to 24 X 36 inches. Open House signs are limited to 18 x 24 inches. For Sale sign on pole in front of house can include a hanging Open House sign and/or Information tube.

Security signs. A security sign is limited to one sign of 100 sq. inches on a post, of the size typically used by the company. It may be placed near the front entry or planting bed but not in the yard. A second sign is allowed at the back entrance but not in the yard. Window decals are allowed. ARC approval is required for security signs in excess of 100 sq. inches.

Special Occasion Signs. Signs to recognize graduation, birthdays or new births/adoptions are allowed. Signs for any other occasion require a request of the property management company. Special occasion signs are limited to 18 X 24 inches and can be posted 48 hours before and after the event.

Community Signs: Homeowners must obtain Board approval for signs of any type that are displayed for general view on common property. From time to time, the Board may place signs in common areas.

## **Safety**

The speed limit for Mandalay streets is 25 mph. Persons speeding or operating a vehicle in an unsafe manner are subject to fining.

## **Decorations**

Decorations: Decorations, lights, garden flags and other decorations customary for holidays and special events are welcome. They must be temporary in nature and can be regulated by the ARC as to quantity and how long they may be in place. Winter holiday decorations may be displayed from Thanksgiving Day until January 15.

All other holiday decorations may be displayed three weeks before the holiday and one week after the holiday.

Decorative Items: Decorative items may be placed without ARC approval if they are within the guidelines below for size and quantity. Any decorative items placed must be maintained in attractive condition.

- Three decorative items may be displayed in the planting bed. Groups of similar items can be considered one item if they are grouped together (example: groups of birds)
- A single decorative item may not be larger than 30" x 24".
- Two decorative pots for plants are permitted at the entry to the home or on the driveway. Each pot beyond two counts as one of the three decorative items allotted.
- Pots may not exceed 7 gallons, about 13" x 12".
- Garden flags may not be larger than 12.5" x 18" and are counted as a decorative item.
- Two shepherd's hooks with single or double hooks on each are permitted in the planting bed and do not count as a decorative item.

Back Yard Items: Accessory structures, sculptures and decorative objects such as bird baths, English globes and fountains are prohibited in the front yard and planting bed. Items hanging from trees such as hammocks, wind chimes, tire swings, swings, ropes, strappings of any kind may be placed on trees in back yards only and must not be visible from the street.

### **Solicitation**

Door-to-door solicitation or canvassing or campaigning by any person, including owners of lots, for any purpose whatsoever is not permitted without the specific consent of the Board of Directors in writing except where conducted under the mandate of an applicable statute.

### **Home for Sale**

The owner shall inform the management company immediately that the home is for sale whether it is with a broker or for sale by owner.

To assure that the new owner is informed of Mandalay's deed restrictions, the selling owner must provide a copy of the governing documents and Rules & Regulations. If the owner cannot locate a complete set of current documents, the management company can provide copies for a \$30.00 fee.

Upon receipt of a request for an estoppels letter for closing of the sale, the management company shall require completion of a Lot Transfer Application Form which will indicate that the new homeowner has received copies of the Association's governing documents and the Rules & Regulations.



## PROCEDURES/GUIDELINES FOR REPAIR OR REPLACEMENT OF

### DRIVEWAYS AND WALKWAYS IN MANDALAY

When proceeding to repair or replace any driveway or walkway in Mandalay, the applicant must adhere to the following procedures/guidelines:

1. The homeowner shall submit to the ARC for approval a completed application along with a sample pallet (minimum size 2ft. X 2ft.) of the selected pavers that will be installed.
2. When pavers or similar concrete materials are used to replace driveways in Mandalay, the pavers or similar concrete materials shall extend from the garage entrance to the curb of the road.
3. During the repair or replacement of driveways and walkways with similar concrete materials or with decorative pavers, the appearance, size and shape of the driveway or walkway shall not be altered in any manner.
4. No character designs of any type shall be built- in or stamped on the surface of driveways or on front walkway home entrances.
5. Driveways and walkways pavers and concrete shall be kept clean, free of damage and grass or weeds.
6. All homeowners installing pavers in driveways and walkways must obtain and store a supply of extra pavers to be used in replacing any broken paver that may occur in the future.
7. In order to prevent any distortions to the surface of installed pavers in driveways, all trees should maintain a setback of at least 5 feet or more from the edge of pavers.
8. To be consistent with the current rule governing variations in the color scheme of adjacent homes in Mandalay, the homeowners who install pavers on adjacent driveways likewise should consider not installing the same color pavers on both driveways.
9. The color of the paver that can be installed in driveways and walkways in Mandalay shall be selected by the homeowner using one of the following two options to choose the paver color: (1) select a color from the paver color chart or, (2) choose another color that bears a close color resemblance to one of the colors shown in the paver color chart. Before installing pavers, the homeowner is urged to inspect an actual piece of the selected paver to ensure that the paver color is consistent with the color shown in the paver color chart or the color you selected.

10. A paver color chart may be obtained from the HOA management co. or from the paver manufacturer.
11. When installing pavers, the homeowner may (a) use multi-colored pavers throughout in forming the pattern or (b), use a single-colored paver intermingled with other different single-colored pavers in formulating the pattern or (c), use a single-colored paver throughout the pattern.
12. The colors for pavers were selected based primarily on decorative features and on the extent to which they complement the different color combination of roof tile on homes in Mandalay.
13. All driveway pavers must be a minimum of two and three eighths of an inch thick and designed for driveway use.
14. The homeowner, assisted by the paver installer, shall choose from the manufacturer's standardized patterns, shapes and sizes of pavers to be installed. The ARC recommends that pavers not be installed on top of concrete in driveways.
15. The homeowner is responsible for choosing his/her own reputable paver installer. A reputable paver installer may be characterized as one who (1) is insured or bonded, (2) has no pending issues with the Better Business Bureau, (3) has successfully installed pavers for at least five years and (4), readily invites you to view previous paver work that he/she has performed, and etc.

# Tree Removal/Replacement Instructions — Mandalay HOA

3/25/2020

1.) Application materials. Materials include:

- a. Submit Architectural Review Form to property manager 30 days prior to work.
- b. Photo of existing tree, reason for removal and diameter at breast height (DBH).  
DBH is the diameter of the existing tree at 4.5feet above grade. Allowed reasons for approval are below.
- c. Tree replacement location/type and size of replacement tree. Replacement must be done within 30 days of tree removal.

2.) Standard Conditions for Approval

- a. Replacement trees shall be planted on a 1:1 ratio -or-

Existing Tree Size	Required Replacement Caliper (Minimum)	Ratio of Replacement Trees to Removed Trees
4"-15" DBH	3" caliper	1:1
16"-30" DBH	4" caliper	2:1
Over 30"	4" caliper	3:1

- b. Replacement **Canopy** trees shall be 2.5" caliper, 25-30 gallons, minimum height 10 feet
- c. Replacement **Understory** trees shall be 1.5" caliper, 25-30 gallon with a minimum height of 6 feet
- d. Replacement **Palms** shall be grouped minimum (2) palms with an overall height of 15 feet
- e. All trees must be graded Florida #1 as specified in the Florida Grades and Standards for Nursery Plants
- f. Installation and maintenance of landscape and irrigation shall be in accordance with Section 701.8 of the Manatee County Land Development Code.
- g. Tree removal includes the removal or grinding of stumps to at least 6" below grade.
- h. Trees shall be removed in a manner that soil erosion from wind and rain be kept to the absolute minimum level. The methodology used for sediment and erosion control shall avoid the creation of large areas of exposed soil.

**SUGGESTED TREE REPLACEMENT SPECIES:**

**Canopy Trees:** Are those that reach a height of 30 feet plus at maturity.

(replacement size: 2 ½ in. caliper, 25-50 gallon with a minimum height of 10 ft)

- |                    |                   |              |                     |
|--------------------|-------------------|--------------|---------------------|
| Black Gum Tupelo   | Hickory           | Live Oak     | Highrise Oak        |
| Cathedral Live Oak | Red Maple         | Loblolly Bay | Southern Magnolia   |
| Southern Red Cedar | Sweetbay Magnolia | Sweetgum     | Little Gem Magnolia |
| Sycamore           | Winged Elm        |              |                     |

**Understory Trees:** Are those that do not reach a height of 30 feet upon maturity (replacement trees: 1 ½ in. caliper, 25-30 gallon with a minimum height of 6 ft)

- a. Cherry Laurel
- b. Crepe Myrtle
- c. Eugenia — natives only
- d. Golden/Yellow Trumpet
- e. Holly — Eagleston
- f. Japanese Blueberry
- g. Japanese Privet (Ligustrum Japonica)
- h. Loquat
- i. Podocarpus — tree form only
- j. Queen's Crepe Myrtle
- k. Red Bay
- l. Shady Lady Black Olive
- m. Walters Viburnum — tree form only

**Palms:** (2 palms are required to replace one tree. Palms must have a minimum overall height of 15 feet at the time of planting)

- a. Bismarck Palm
- b. Canary Island Date Palm
- c. Chinese Fan Palm
- d. Needle Palm
- e. Ribbon Palm
- f. Sabai-Cabbage Palm
- g. Foxtail Palm

**ALLOWED REASONS FOR TREE REMOVAL:**

Tree is dead or diseased

Tree is causing problems with driveways, sidewalks, street lights or underground services (water supply, sewer, irrigation).