

Tarpon Landings Condominium Association

Guidelines, Rules and Regulations for The Architectural Review and Compliance Committee

I. PURPOSE

Pursuant to the Declaration of Condominium for Tarpon Landings, a Condominium, including any and all amendments thereto (the "Declaration"), the Tarpon Landings Condominium Association, Inc. (the "Association") is responsible for the management, maintenance, repair and replacement of the Common Elements, Condominium Property and certain Limited Common Elements as provided in the Declaration. In addition, the Association is responsible for ensuring that the Condominium Property and Units are maintained in accordance with Florida law and the governing documents. The Declaration grants the Association the right and authority to deny or approve and to oversee all alterations, additions, improvements and work that may be undertaken by the Owners, whether it relates to portions of the Condominium Property or the Units.

Section 12A.(f) of the Declaration gives the Association the right and "[t]he power to adopt and amend rules and regulations concerning the details of the operation and use of the Condominium Property." In order to carry out these duties and to further the best interests and health, safety and welfare of the community and Association members, the Association has created an Architectural Review and Compliance Committee ("ARC").

Article XIV of the Bylaws states that "[i]n addition to the rules and regulations set forth in the Declaration of Condominium the rules and regulations adopted and amended by the Board from time to time shall govern the use of the Units, Common Elements, Limited Common Elements, and any other Condominium Property, and also the conduct of all residents thereof. The Unit Owners shall, at all times, obey said rules and regulations and shall use their best efforts to see that they are faithfully observed by their families, guests, invitees, servants, lessees and persons over whom they exercise control and supervision. The ARC shall be governed by and operate in accordance with, these Guidelines, Rules and Regulations for the Architectural Review and Compliance Committee (the "Rules") and any resolutions that may be adopted by the Association, from time to time.

II. GUIDELINES, RULES AND REGULATIONS

1. Definitions. Any defined term used in these Rules shall have the same meaning and definition ascribed to it in the Association's governing documents, as amended from time to time.
2. ARC Members. The ARC shall be a standing committee. The ARC shall be made of three to five persons who must be a Unit Owner or a spouse of a Unit Owner and free of pecuniary interest. The ARC committee members shall be appointed by the Board of Directors and shall each serve a term of 2 years. The ARC shall have the right to appoint an Advisor to the committee who is a member of the Board of Directors or a member at large. In the event of any tie vote or deadlock in the ARC, the Advisor may vote on matters. There is no limit on the number of terms or consecutive terms that a Unit Owner may serve on the ARC. An ARC committee member may be removed from the ARC at any time, with or without cause, by a majority vote of the Board of Directors.
3. Meetings and Records. In performing its powers and duties, the ARC shall hold meetings and keep records in accordance with Article IV, Section 15 of the Bylaws. Meetings of the ARC shall be open to attendance by the members. Notice of all meetings, including an agenda, must

be posted conspicuously on the Condominium Property at least 48 continuous hours preceding the meeting, except in an emergency. However, notice of an ARC meeting shall only be required to be given directly to Unit Owners who may be affected by a decision of the ARC at that meeting or where otherwise required by the governing documents or Florida law. ARC committee members may participate in any ARC meeting, by means of a conference telephone call, video/web conference, or similar communicative equipment, whereby all persons present can hear and be heard by all other persons. Participation by that means is equivalent to presence in person at a meeting.

4. Quorum / Authority to Act. A quorum at meetings of the ARC shall be attained by the presence, either in person or by proxy, of two (2) members of the ARC. The acts or decisions approved by two (2) or more members of the ARC at a meeting where a quorum is present shall constitute the acts and decisions of the ARC.
5. ARC Powers and Duties. The ARC shall have the following powers and duties.
 - a. The ARC shall be responsible for overseeing Owner and third-party compliance with the provisions of the Declaration and governing documents concerning the Unit Owners obligations to maintain their Unit and any portions of the Condominium Property. This includes but is not limited to Section 10.C. of the Declaration which states:
 - b. To the Units. Except as otherwise reserved by the Developer, no Unit Owner shall make any alteration or improvement to such Unit Owner's Unit except in accordance with this Section 10.C. A Unit Owner may make alterations and improvements to a Unit so long as such alterations or improvements are not visible from the outside of the Unit, do not impair the structural integrity of the building in which such Unit is contained, do not otherwise violate the terms of this Declaration, and are in compliance with applicable building codes and laws. A Unit Owner may not expand, enlarge, or relocate the boundaries of such Owner's Unit. Other alterations or improvements to a Unit which are not discussed in this Declaration may be made only if prior approval in writing is obtained from the Board or a committee designated by the Board in accordance with the Bylaws. As a condition to approval, the Board may require the Unit Owner to submit plans and specifications and a time frame for the alterations or improvements. The Board may refuse to approve alterations or improvements based on, among other things, aesthetic considerations.
 - c. The ARC shall be responsible for reviewing, considering, and approving or denying all requests within 30 days to make alterations, additions, improvements and all work that may be undertaken by the Owners, whether it relates to portions of the Condominium Property or the Units. Subject to approval by the Board, the ARC may develop and adopt rules and procedures for this process, as it deems reasonable, from time to time.
 - d. The ARC shall carry out and enforce the Contractor/ Vendor Rules and Regulations (the "Contractor Rules"), as the same may be amended from time to time. The

Contractor Rules are attached hereto as Exhibit "A" and are incorporated by reference as if set forth herein.

- e. The ARC shall have the power and authority to require that Owners provide it with prior notice of any and all alterations, additions, improvements and all work that is to be undertaken by the Owners, whether it relates to portions of the Condominium Property or the Units, prior to any such alterations, additions, improvements or work commencing.
- f. The ARC shall have the power and authority to levy fines and/or issue suspensions for violations of the Association's Governing Documents, Florida law, or for a violation of any rules and regulations adopted by the Association or the ARC, as the same may be amended from time to time. The ARC shall levy fines and suspensions in accordance with Ch. 718, Fla. Stat., and the Bylaws.
- g. The ARC, and its individual members, shall have the power and authority to act, or to not act, in anticipation of and/or in any emergency. The provisions of Articles XVI of the Bylaws shall also apply to the ARC and the ARC shall therefore have the power and authority set forth therein.
- h. For purposes of the ARC only, an "emergency" shall also exist when any work is about to be commenced or has commenced on or in the Condominium Property, including the Units, that in the reasonable belief of any member of the ARC, may cause damage to the Condominium Property or the Units.
- i. In addition to these Rules, the ARC shall have all those powers and duties delegated to it by the Board of Directors for the Association, by resolution, from time to time.
- j. The Board may amend these Rules or supplement these Rules through a Board Resolution, as it deems reasonable, from time to time.

The foregoing Rules were adopted under the laws of the State of Florida on April 1st, 2021.