

RULES AND REGULATIONS

AS TO

2002 RESTRICTIVE COVENANTS

PROPERTY OWNERS ASSOCIATION OF SPANISH COVE, INC.

(Book Revised April 2011)

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Rules and Regulations as to
2008 POASC Restrictive Covenants

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Section 1.26
(Pertaining to RESTRICTIVE COVENANTS Article I)

Good Standing

Good standing shall mean that a member is current on all POASC fees and dues, with no outstanding fines, charges or warrants due to POASC.

Adopted 08/15/13

Section 1.41
(Pertaining to RESTRICTIVE COVENANTS Article I)

DEFINITION OF RECREATIONAL VEHICLE

Vans and Conversion Vans shall not be classified as Recreational Vehicles for the purposes of this Rule.

Board adoption - 6/11/92

Revision 1 - 2/22/96

Revision 2 – 3/28/02

Section 1.50

(Pertaining to RESTRICTIVE COVENANTS Article I)

DEFINITION OF VEHICLE

(a) – Vehicles operated in Spanish Cove, including Alabama Highway 99 between the Spanish Cove entrances, and not subject to Alabama DOT Regulations (such as golf carts, all Terrain vehicles, etc.,) must meet certain safety requirements.

These requirements include, but are not limited to, permanently mounted and operating head lights, mid lights and horn. The lights shall be halogen 12V or equal. Lights shall be required to Be turned “on” when vehicle is operated during dark hours, i.e. sunset to sunrise or during certain inclement weather conditions which deem their use prudent to safety.

(b) Non-motorized vehicles, such as bicycles, scooters, skate boards, etc.,
Are required to have portable lights (i.e. flashlights) and fixed reflectors.

Board Adoption: 4/19/07

Section 2.01

(Pertaining to RESTRICTIVE COVENANTS Article II)

QUIET HOURS

For the benefit of all residents of Spanish Cove, the hours between 10:00 p.m. and 7 a.m. are designated as “quiet hours”. Normal daily activity shall not take place during this time period. Failure to comply with this rule and regulation will result in a fine.

Board Adoption 11/15/18

Section 3.10

(Pertaining to RESTRICTIVE COVENANTS Article III)

ADMINISTRATIVE PROCEDURE

Appeal Process. The following procedures will apply in the event a violation or potential violation of any Restrictive Covenant, Bylaw, or Rules and Regulations is disputed by the property owner:

- a. The alleged violator may appeal to the Board of Directors. Written notice of such appeal must be filed within five (5) working days from the date of receipt of the Operations Manager notice.
- b. No more than two (2) working days after the receipt of the notice of appeal, the Operations Manager will notify the Board of Directors of the appeal. The Chairman of the Rules and Administrative Committee will be consulted to determine if the matter is an appealable issue and will so advise the Operations Manager within three (3) working days. If needed, the Rules Committee Chairman will consult with the Chairman of the Board of Directors and/or the Rules Committee members to further discuss the merits of the appeal. This process shall not take more than thirty (30) days.

If the appeal is determined to be inappropriate, the property owner will be notified to that effect. No more than five (5) working days after notice a valid appeal, the Chairman of the Board of Director shall designate an Appeal Board comprised of at least three (3) members of the Board of Directors. The Appeal Board will meet within five (5) working days of being notified by the Chairman. The Rules Committee Chairman and a Management representative shall be ex-officio members. The Appeal Board shall arrange a time and place for a hearing. The Appeal Board shall hear testimony, examine evidence and review all reports and records as appropriate. The Appeal Board Chairman may refer the appeal matter to the Board of Directors for further discussion. The final decision will be rendered by the Appeal Board.

The Appeal Hearing shall be recorded to ensure accuracy. At no time can the results of the appeal circumvent the Covenants or Bylaws. A final decision shall be rendered within three (3) working days of the hearing.

Revision 11/15/18

- 1) If the Appeals Board finds no violation has occurred, or a suitable remedy obtained, a summary of the Appeals Board decision shall be added to the record and the alleged violator/owner notified of the finding. A copy of the full record along with any recommendation shall be furnished to the Chairman of the Board.
- 2) If the Appeals Board upholds the finding of the Operation Manager that a violation has occurred, the Chairman of the Board of Directors shall be notified in writing. The penalty originally imposed by the Operations

Manager shall be upheld. The Operations Manager shall notify the violator/owner of the decision and penalties by certified mail within five (5) working days of the finding of the Appeals Board.

Board adoption 2/20/92

Revision 1 - 10/28/93

Revision 2 – 3/28/02

Revision 3 - 2/20/14

Section 3.10

(Pertaining to RESTRICTIVE COVENANTS Article III)

COMMERCIAL ANTENNAS

No commercial TV, radio cellular phone or microwave antenna or any other device designed to receive, transmit or otherwise function to modify air wave signals shall be erected in or on any property in Spanish Cove without express written approval of the POASC Board of Directors. Any such approval shall be granted when a device is for the benefit of POASC members or residents.

Structure shall be properly maintained.

Exclusions should be made for temporary emergency electronic devices.

Board Adoption 10/23/97

Revised 3/28/02

Section 3.10
(Pertaining to Restrictive Covenants Article III)

LOT CLEARING – UNDEVELOPED LOTS

When a member desires to clear an undeveloped lot, not in contemplation of (association with) construction on that lot, prior approval and the issuance (issuing) of a permit is required (requested). Disposal of refuse and erosion control on the cleared lot must be assured and landscaping or ditching to prevent excessive water runoff onto adjacent properties may be required as a condition of the permit. Where an outside contractor and/or the use of heavy equipment is planned, a performance bond and/or liability insurance certificate shall be required.

Board adoption - 2/11/93

Revision 1 – 3/28/02

Section 4.05

(Pertaining to RESTRICTIVE COVENANTS Article IV)

BUILDING PERMITS

Members are required to secure a permit for certain activities in the Spanish Cove Development as specified in the Bylaws of the Association. The Building Permit form (Form 1 101-94A BPR) may be secured from the Operations Manager or Building Coordinator, and must be completed and signed before any permit will be issued.

Prior to any permit being issued, the applicant may be required to show evidence of liability insurance in an amount determined by the Operations Manager or Building Coordinator to be sufficient to compensate POASC for any damages caused to POASC property and/or to compensate any other member of the Association for damages to his or her property as a result of such activity.

In addition to the foregoing requirement, each contractor engaged to perform the work for which the permit is required, or the owner/builder if no outside contractor is involved, shall be required to furnish a performance bond or a cash bond in the amount of \$1,000.00 to assure compliance with POASC COVENANTS, BYLAWS, or any RULES & REGULATIONS pertaining to the activity for which the permit is requested. Performance Bonds shall be forfeited wholly for damages or expenses incurred by POASC if they have not been satisfactorily resolved within ten (10) days of the time of completion of the project.

Board adoption 3/25/93

Revision 1 – 3/28/02

Revision 2 - 8/20/21

Section 4.05
(Pertaining to *RESTRICTIVE COVENANTS Article IV*)

PERMITS

All permits are the responsibility of the Board of Directors.

All permits for buildings and construction will be authorized and issued through the office of the Operations Manager, based upon compliance with any recorded restrictions or regulations in force at the time of issuance.

When an interpretation of a restriction or regulation is in question, a ruling may be requested from the Chairman of the Board of Directors.

Permits for activities other than for buildings and construction may be granted only by the Board of Directors, unless specifically directed otherwise.

ALSO SEE Variances, Section 4.09 of this document.

Board Adoption 8/12/93

Revised 3/28/02

REVIEW BOARD FOR PERMITS

An appeal from the decision of the Operations Manager or his agent, on any matter in which he has authority to grant or deny a permit, other than those matters which can be resolved by a variance appeal, may be made in the following manner:

- a) Upon request by the member/applicant to the Rules Committee within thirty (30) days after the decision of the Operations Manager or his agent, the Chairman of the Committee shall, within fifteen (15) days, appoint an ad hoc review board, to be comprised of two (2) Committee members and three (3) POASC members in good standing who shall reside in the same geographic area as the member/applicant (i.e. Bayside, Land Harbor, Perdido Pines, Spanish Oaks). No Director on the POASC Board shall sit on such ad hoc review board.
- b) The review board shall arrange a time and place for a hearing, at which time it shall hear testimony, examine evidence, and review all reports and records as appropriate. The Operations Manager or his agent shall receive notice of and shall attend the hearing by such review board. The member/applicant shall receive notice of the hearing by such review board and may attend if he wishes. A full and complete record shall be kept of such hearing. The decision of a majority of the review board shall be rendered to the Committee, in writing, within two days after the hearing.
- c) The Rules Committee Chairman shall then notify the Chairman of the Board that a recommendation is ready to be made to the Board and request a Special Meeting be convened for that purpose if a Regular Meeting is not to be held within a week. Once the Board has made its decision, the Secretary of the Board shall notify the member/applicant by certified mail, return receipt requested, with a copy of the letter to be sent to the Operations Manager.

Board Adoption 2/8/96

Revision 1 - 2/28/96

Section 4.09

(Pertaining to RESTRICTIVE COVENANTS Article IV)

VARIANCE

Any member desiring a variance, as permitted in Section 4.09 of the DECLARATION OF RESTRICTIVE COVENANTS as amended and restated from time to time (COVENANTS), shall initially make a request to the Operations Manager or his designee. The property owner shall be provided with POASC Request for Variance Form OM-2, POASC Variance Notification Form OM-2A and a “Variance Request” sign, and a copy of this rule (Section 4.09)

1. POASC Form OM-2, “Request for Variance”, shall be completed and signed by the applicant prior to initiating any unapproved activity.
2. The POASC staff shall forward to the Chairman of the Rules Committee, a copy of the completed POASC Form OM-2 for verification that the request is non-conforming as to the Covenants and that it does require a variance. The Rules Committee Chairman will return this form with notations as to specific Covenants involved to the Operations Manager within thirty (30) days.
3. The POASC staff shall then forward the completed POASC Form OM-2, any other necessary documents and/or drawings to the Plans, Development and Maintenance Committee Chairman, who will set a date, time and place for a variance hearing.
4. The “Variance Request” sign shall be displayed in the front of the lot upon which the variance is requested, viewable from the road for the duration of the variance process.
5. The POASC Form OM-2A shall be distributed by certified mail, return receipt requested, to each lot owner within 300 feet radius of the property lines upon which the variance is requested. Any additional documents and/or drawings applicable to the variance may be reviewed at the POASC office during regular business hours. Persons wishing to give testimony, for or against, the requested variance may do so in person at the designated hearing or in writing to the Chairman of the Plans Development and Maintenance Committee up to the close of business hours of the last business day prior to the hearing.
6. The Chairman of the Plans, Development and Maintenance Committee shall invite the applicant to appear at the hearing to explain the proposed variance, give reasons for request and supply any additional information pertinent to a recommendation. The applicant is not required to attend the hearing.
7. The Plans, Development and Maintenance Committee shall compile a “finding of facts” list based on supplied information and on the standards in paragraph #8. The committee shall formulate its recommendation(s) to the Board of Directors for their disposition.
8. A favorable recommendation for a variance shall be determined only if the “finding of facts” support the following standards:
 - A. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the COVENANTS.
 - B. That the plight of the owner is due to unique circumstances.
 - C. That the Variance, if granted, will not alter the essential character of the area.
 - D. For the purpose of supplementing the above Standards, the Plans, Development and Maintenance Committee in determining that there are particular difficulties or

particular hardships, shall also take into consideration the extent to which the following facts, favorable to the applicant, have been established.

- 1) That the particular surrounding and topographical conditions of the specific property involved will bring hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the COVENANTS were to be carried out.
 - 2) That the condition upon which the Variance is based would not be applicable generally to other property in the same area.
 - 3) That the purpose of the Variance is not based exclusively upon a desire to receive greater economic return.
 - 4) That the alleged difficulty or hardship had not been created by any person currently having an interest in the property.
 - 5) That the granting of the Variance will not be detrimental to the public welfare or unduly injurious to other property or improvements in the area in which the property is located.
 - 6) That the proposed Variance will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values in the area.
9. All effected parties shall be notified in writing of the disposition of the Request for Variance.
 10. The applicant shall be responsible for the cost of all mailings, as well as, any and all legal fees incurred in processing the variance. (Authorized by Resolution 98-98)

Board adoption 6/4/92

Revision 1-12/10/92

Revision 2-1/28/93

Revision 3-9/24/98

Revision 4-7/26/01

Revision 5-3/28/02

Revision 6-12/13/12

Section 8.06

(Pertaining to RESTRICTIVE COVENANTS Article VIII Parking)

COMMERCIAL VEHICLES:

A commercial vehicle is any vehicle used in a commercial application. School buses and church vans shall be considered commercial vehicles.

Specifically excluded are: Passenger-sized Government, Police, Rescue (LASAR, American Red Cross, etc.), and Fire Department vehicles

MULTI-USE VEHICLES:

Multi-use vehicles primarily used for private travel, but, may also be used in a private business application. These vehicles will be further identified by marking or signage somewhere on the vehicle.

Owners/Users of same shall be required to park these vehicles in an inconspicuous setting, preferably covered, or in a garage or similar enclosure.

The BOD shall have the final authority whether a particular vehicle meets the esthetic requirements of these community standards. The BOD's investigation will commence upon the receipt of a written complaint from a resident owning an abutting property. Abutting is amended to include up to 3 properties, across the street, and facing the property in question. Rear properties are not considered to be abutting, for purposes of these rules.

The decision of the BOD is final.

Board adoption - 2003

JUNK VEHICLES:

A junk vehicle is defined as any discarded, ruined, wrecked or dismantled vehicle, including component parts, which is not operable. A junk vehicle may also include one in such a state of disrepair that, in the judgment of the Operations Manager, it constitutes a nuisance or an unkempt, unsafe or unsuitable situation.

Board adoption - 2011

PARKING:

Where there is insufficient space in the front area of a dwelling to allow parking within the confines of the interior of the Lot on a driveway as required by Covenant **Section 8.06**, vehicle parking may extend into the unimproved Private Roadway area with permission of POASC, but vehicles may not be parked any closer than three (3) feet from the POASC maintained asphalt roadway. Parking in the unimproved Private Roadway area does not extend to RV's, boats or utility trailers. Those items must be parked within the confines of the interior of the Lot.

Board adoption – 2013

Temporary parking is allowed on the grass easement along the right of way during the following events:

- a. Social events at a private residence.
- b. Construction vehicles at a property owners home (orange cones are required).
- c. Emergency and utility vehicles.
- d. A funeral being conducted at either of the cemeteries.
- e. Large Item delivery trucks or vans with caution (orange) cones.
- f. Advanced permission to park overnight in the Cove and RV Clubhouse parking lots. Security will be notified.
- g. Cove authorized Activities i.e. the Annual Yard Sale(s) and Moving/Estate sales.

Board Adoption 5/20/21

Section 8.07

(Pertaining to RESTRICTIVE COVENANTS Article VIII Common Property)

COMMON PROPERTY

Any person who disturbs another person through obnoxious, offensive, illegal or disruptive activity upon the Common Property of POASC shall be deemed a nuisance and shall be subject to penalties as set forth in Covenants Section 8.07 and Operating Procedures Section 3, subsection 3.7

Board adoption – 11/15/18

Section 8.10

(Pertaining to RESTRICTIVE COVENANTS Article VIII Tree Preservation)

CUTTING AND REMOVAL OF TREES

Any member who removes any tree(s) as defined in Section 8.10 of the RESTRICTIVE COVENANTS without a permit will be required to replace the trees removed in kind or with tree(s) compatible with that area. If the tree(s) is not replaced within a reasonable time, an assessment up to \$1,000 per tree will be levied on the lot owner for this replacement.

Board adoption - 6/4/92

Revision 1 – 3/28/02

Section 8.11
(Pertaining to RESTRICTIVE COVENANTS Article VIII)

ANIMALS

Horses are not permitted on any roads or any area of Spanish Cove Subdivision.

Board Adoption 9/23/93

Revised 3/28/02

Property Owners are responsible to ensure that their pets (and pets of guests) do not constitute an annoyance or nuisance. Pets are not permitted to run free. Tethered animals on private lots shall not be permitted within ten (10) feet of any POASC maintained private roadway. Pets are not allowed in the Clubhouses, Office Building, Exercise Facility, fenced pool area, fenced tennis court, pier or beach areas. Incessant dog barking will not be tolerated regardless of the hour. Pet owners are responsible for the feces “droppings” of their pets and must clean up after them.

Service Animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or task include guiding people who are blind, alerting people who are deaf, pulling a wheel chair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person’s disability. Dogs whose sole function is to provide comfort or emotional support **do not** qualify as Service Animals under ADA Regulations.

Note: The above wording is set forth in ADA Regulation: How “Service Animal” is defined.

Violators of these Rules and Regulations are subject to fines as set forth in Operating Procedures Section 3.

Revised 6/21/18

Revised 7/19/18

MANAGEMENT OF FERAL AND COMMUNITY CAT POPULATIONS

The POASC utilizes the Trap-Neuter-Return management/caregiving program of humanely trapping, sterilizing, vaccinating for rabies, ear tipping, and returning feral and community cats to their original location. The POASC establishes and maintains designated colony areas for feral and community cats in the Spanish Cove Subdivision after coordination and communication with the property owners in those areas.

For purposes of this Section, the following terms shall have the following meanings:

The term “feral cat” describes an animal in a wild state especially after escape from captivity or domestication. A feral cat may be an individual domesticated animal who is no longer in a domesticated environment, or one of their descendants.

The term “community cat” is a member of the domestic species *Felis Catus* and shall mean a free-roaming cat who may be cared for by one or more residents of the immediate area who is/are known or unknown; a community cat may or may not be a “feral cat”. Community cats are not wildlife.

Community Cat Caregiver is a person who, in accordance with and pursuant to a policy of Trap-Neuter-Return, provides care, including, food, shelter or medical care to a feral or community cat, while not being considered the owner, harbinger, controller, or keeper of a feral or community cat.

Ear tipping is the removal of the distal one-quarter of a cat’s left ear, which is approximately 3/8-inch, or 1 cm, in an adult and proportionally smaller in a kitten. This procedure is performed under sterile conditions while the cat is under anesthesia, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian. Ear tips are designed to identify a cat as being sterilized and lawfully vaccinated for rabies.

The following actions shall be permitted in Spanish Cove as part of Trap-Neuter-Return:

- Trapping, for the sole purpose of sterilizing, vaccinating for rabies, and ear tipping feral and community cats, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian.
- An ear tipped cat will be returned to the location where trapped unless veterinary care is required. A trapped ear tipped cat will be released on site unless veterinary care is required.
- Community cat caregivers are empowered to reclaim impounded cats without proof of ownership solely for the purpose of carrying out Trap-Neuter-Return and/or returning ear tipped cats to their original locations.
- A Community cat caregiver who returns a cat to its original location while conducting Trap-Neuter-Return is not deemed to have abandoned the cat.
- If a property owner requests that a trapped cat not be released back on their property, it can be relocated to one of the POASC designated colony areas.

Feeding or other care of feral and community cats, outside of POASC designated TNR program and colony areas is prohibited.

The abandonment of domesticated cats in Spanish Cove is prohibited and a class III felony under animal cruelty laws in the State of Alabama. Those found in violation are subject to enforcement under applicable Alabama law.

Board Adoption 2/22/2024

Section 8.12

(Pertaining to RESTRICTIVE COVENANTS Article VIII)

APPROVED SIGN REGULATIONS

The sign regulations in effect in the Spanish Cove Subdivision are as follows:

1. DEFINITIONS:

- a. Sign Face Area: Board Height by Board Width.
- b. Visibility: As viewed from the roadway or neighboring lots.

Revised 3/17/22

2. STANDARDS FOR ALL SIGNS:

- a. Sign face area size cannot exceed 24" Board Height x 30" Board Width.
- b. Installed sign cannot exceed 4 feet overall height from grade.
- c. Sign must be placed such that the edge of the sign closest to the road will be no closer than 3 feet from the paved road surface.
- d. Signs must be maintained in a neat and orderly condition.
- e. Sign size, placement, or condition cannot cause a safety hazard.

Revised 3/17/22

3. FOR SALE SIGNS:

- a. One (1) for sale sign shall be allowed per property owner.
- b. Directional arrows will be permitted on POASC right-of-way only with the approval of the Operations Manager.

Revised 3/17/22

4. ANNOUNCEMENT SIGNS:

- a. One (1) announcement sign shall be allowed per property owner.
- b. Sign must be removed within 48 hours after the Event being announced.
- c. Signs of this type may be permitted on the Common areas when approved by the Operations Manager.

Revised 3/17/22

5. ADVERTISING SIGNS:

- a. One (1) advertising sign shall be permitted on an owner's property that is having work done on their home.
- b. Sign may be displayed at the start of the job and must be removed upon job completion.

Revised 3/17/22

6. POLITICAL SIGNS:

- a. Political Signs shall be permitted. Permitted signs are signs in support of a political candidate or political group. Signs against individuals or groups are considered negative and offensive and therefore NOT PERMITTED.
- b. One (1) Political Sign shall be allowed per property owner.
- c. Political Flag, Banner or Pennant in lieu of a sign is NOT PERMITTED.
- d. Electronic Device which serves as Political Advertisement/Announcement/Sign is NOT PERMITTED.
- e. A Political Sign may be placed no earlier than 60 days prior to the Primary Election and must be removed within 48 hours after the Primary Election. A Political Sign may

be placed no earlier than 60 days prior to the General Election and must be removed within 48 hours after the General Election. A Political Sign may be placed no earlier than 60 days prior to a run-off election and must be removed within 48 hours after the run-off election.

f. No Political Sign shall be displayed on POASC common areas.

Revised 3/17/22

Revised 6/20/2024

7. FLAGS, BANNERS or PENNANTS

- a. Political Flags, Banners or Pennants are NOT PERMITTED.
- b. Flags, Banners or Pennants against individuals or groups are considered negative or offensive and therefore NOT PERMITTED.

Board adopted 3/17/22

8. NO TRESPASSING SIGNS: One (1) No Trespassing sign shall be allowed on an owner's property.

Board Adopted 4/17/25

Section 8.19

(Pertaining to RESTRICTIVE COVENANTS Article VIII)

IRRIGATION WELLS

Irrigation wells will be permitted with the following conditions:

1. Wells will be installed by a licensed driller. The driller must supply and file the intent forms to ADEM. Copy to be returned to Building Coordinator.
2. Wells will be a minimum of twenty-five (25) feet and not to exceed one hundred (100) feet in depth and may be either 2" or 4" diameter casing.
3. Cross-connection between the irrigation well and the water utility potable water supply is prohibited. Violators will have their well disabled and be fined up to \$15,000 by the POASC Operations Manager. (Federal fines of \$250,000 and water shutoff could be levied for contamination of the drinking water system.)
4. Pump houses must observe standard setback regulations and shall not exceed 4' x 4' x 3' tall. It may be larger if constructed as the one shed or accessory building of that residence.
5. All subterranean connections will be inspected and approved by the POASC Building Coordinator (both well to pump and pump to irrigation system if installed by different contractors) prior to back filling.
6. Subject to random inspection.
7. Removal of pump and accessory equipment from the lot will require the well to be capped.
8. Purchaser of any lot with an existing well must apply for a new permit for the use of that well.
9. Federal, state or county laws now in effect or enacted at any later date will be applicable.
10. THERE WILL BE NO EXCEPTIONS TO THESE RULES.

Board adoption 12/10/92

102-92A WPR, Rev. 1-2/28/92

Revision 2- 3/28/02

Section 8.21

(Pertaining to RESTRICTIVE COVENANTS Article VIII)

FIREWORKS

1. The term “fireworks” shall be deemed to include any explosive composition or any substance or combination of substance, or article prepared for the purpose of producing an audible effect by explosion, deflagration or detonation, and shall include blank cartridges, toy cannons, in which explosives are used, the type of balloons, firecrackers, sparklers, torpedoes, sky rockets, roman candles, bombs, or other fireworks containing any explosive compound, or any tablets or other devices containing any explosive substances; provided, however, that the term “fireworks” shall not include:

Pistol caps containing twenty-five hundredths (25/100) or less of explosive compound, toy pistols, toy canes, toy guns, or other devices in which paper caps containing twenty-five hundredths (25/100) grains or less of explosives compound are used, providing they are so constructed that the hand cannot come in contact with the cap when in place of the explosion.
2. This Section shall not apply to the possession or use of sparklers and dipped sticks, when the total pyrotechnic composition does not exceed one hundred (100) grams each in weight and when the pyrotechnic composition, containing any chlorate and per chlorate, does not exceed five (5) grams.
3. Nothing herein shall prevent the POASC Board of Directors from approving possession and explosion of fireworks for public display under such rules and regulations as may from time to time be established.

Board adoption 5/28/92

Revised 3/28/02

Section 8.23

(Pertaining to RESTRICTIVE COVENANTS Section II-S)

CONSTRUCTION CLEAN-UP

Any Contractor that does not cause a daily clean-up of its construction site, as determined by the Operations Manager, (Management), will forfeit its (their) Performance Bond.

Board adoption - 6/4/92

Revised 3/28/02

Section 8.25**PLACEMENT OF BALDWINCOUNTY-APPROVED SOLID WASTE GARBAGE
CONTAINERS**

Baldwin County-approved Solid Waste Containers do not need to be screened if they are kept within 5 feet of the residence, accessory structure or in a carport. No container may remain in view except as above for more than a total of 24 hours during the period before and after the scheduled garbage collection.

Board adoption – 10/16/14

Section 8.27

(Pertaining to RESTRICTIVE COVENANTS Section VIII)

Open Burning

Open burning suitable container shall be as follows:

1. Temporary fire pit: A metal tub (pit)with a metal mesh screen cover, a minimum of 6” off the ground with brick, concrete, slate or gravel surface beneath the tub.
2. Fixed fire box: Constructed of cement block sides with a metal shelf for burning material, a metal mesh screen cover, a minimum of 6” above ground level with brick, concrete, slate or gravel surface beneath.

Board adoption 6/21/18

Section 8.34

(Pertaining to RESTRICTIVE COVENANTS Article VIII)

TEMPORARY OCCUPANCY OF RECREATIONAL VEHICLE **RESIDENTIAL SECTION**

Temporary occupancy of a Recreational Vehicle parked in accordance with all restriction of Section 8.36 on an occupied lot requires notification to the POASC office for security purposes either in person or by phone. This temporary occupancy can be for a period of up to fifteen (15) days at a time. Re-notification will then be required for an additional fifteen (15) days. A maximum of thirty (30) days of consecutive occupancy is allowed. A maximum of sixty (60) days of temporary occupancy in any one calendar year is permitted. No compensation may be charged by the lot owner for allowing this temporary occupancy.

Violation of this regulation either in failing to notify security or the office or for permitting occupancy beyond the period specified or by charging for the temporary occupancy will result in an assessment of \$100 per violation.

Board adoption - 6/11/92

Revision 1 - 5/11/93

Revision 2 - 2/22/96

Revision 3 - 3/28/02

Section 8.38

(Pertaining to RESTRICTIVE COVENANTS Article VIII)

TEMPORARY OCCUPANCY OF RECREATIONAL VEHICLE-RV SECTION

Temporary occupancy of a Recreational Vehicle stored under the provisions of Section 8.38 requires notification to the POASC office for security purposes either in person or by phone. This temporary occupancy can be for a period of up to fifteen (15) days at a time. Re-notification will then be required for an additional fifteen (15) days. A maximum of thirty (30) days of consecutive occupancy is allowed. A maximum of sixty (60) days of temporary occupancy in any one calendar year is permitted. No compensation may be charged by the lot owner for allowing this temporary occupancy.

Violation of this regulation either in failing to notify the POASC office or a security officer, or by permitting occupancy beyond the period specified will result in an assessment of \$100 for the first violation. Subsequent violations or charging rent for the occupancy of a recreational vehicle on a lot for which no assessment is paid, shall immediately result in the lot status changing to that of a fully assessed lot.

Board adoption - 6/11/92

Revision 1 - 5/11/93

Revision 2 - 2/22/96

Revision 3 - 3/28/02

Section 8.42

(Pertaining to RESTRICTIVE COVENANTS Article VIII)

TEMPORARY OCCUPANCY OF RECREATIONAL VEHICLE **MOBILE HOME SECTION**

Temporary occupancy of a Recreational Vehicle parked in accordance with all restriction of Section 8.42 on an occupied lot requires notification to the POASC office for security purposes either in person or by phone. This temporary occupancy can be for a period of up to fifteen (15) days at a time. Re-notification will then be required for an additional fifteen (15) days. A maximum of thirty (30) days of consecutive occupancy is allowed. A maximum of sixty (60) days of temporary occupancy in any one calendar year is permitted. No compensation may be charged by the lot owner for allowing this temporary occupancy.

Violation of this regulation either in failing to notify security or the office or for permitting occupancy beyond the period specified or by charging for the temporary occupancy will result in an assessment of \$100 per violation.

Board adoption - 6/11/92

Revision 1 - 5/11/93

Revision 3 - 3/28/02

Section 10.04

(Pertaining to RESTRICTIVE COVENANTS Article X)

1. Yard Sales:

Garage sales, yard sales, auctions, flea markets, and similar activities are prohibited except that the Operations Manager may grant a one-time exception due to: death, bankruptcy, foreclosure or similar circumstances. The POASC Activities Committee is authorized to conduct annual Cove-wide yard sales.

Board Adoption 6/18/92

Revised 3/28/02

Revised 7/19/12

Revised 6/17/21

2. Cove and Land Harbor Clubhouses:

Clubhouses may be used only by Spanish Cove Members in good standing. A schedule of user fees and deposits to provide for clean-up costs and/or cover inordinate wear will be posted and a contract shall be filled out prior to use. This may be accomplished at the activities office at the Cove Club. Use of either Clubhouse shall be restricted to activities sponsored and attended by the Association Member seeking its use.

No wheeled vehicles are permitted in these areas except as required by handicapped persons.

No tobacco products may be used inside POASC facilities - including smoking products (cigarettes, e-cigarettes, vapor products, cigars, pipes, roll your own, etc.), and chewing products (moist snuff, pack, pouches, loose leaf, plug, twist, dry snuff, dissoluble, snuff pouch, dry dental snuff, water pipes and tea bags, etc.).

Board Adoption 6/18/92

Revision 1 - 7/25/96

Revision 2 - 10/23/97

Revision 3 - 2/26/98

Revision 4 - 12/8/16

3. Motorized Vehicles on POASC Property:

- a. No person under the age of 16 is permitted to operate a motorized vehicle meant for personal conveyance on POASC property.
- b. Motorized vehicle meant for personal conveyance are restricted to use on paved surfaces only unless otherwise specifically authorized.
- c. Handicapped persons and their vehicles, Golf Carts and Motorized wheel chairs are exempt from the paved surface rule.
- d. All vehicles, including automobiles, pick-up trucks, vans, conversion vans, motor homes, motorcycles, scooters, mopeds, motorized bicycles, golf carts, off road vehicles, ATV's of persons residing in Spanish Cove for a period of more than 14 days shall be required to display a POASC Vehicle Sticker. Said sticker to be affixed to the rear window driver's side or absent a rear window, to the rear portion of the vehicle, and shall be clearly visible to POASC Security for purposes of identifying Spanish Cove residents. To obtain a Vehicle sticker, your Vehicle Registration must be provided to POASC office or Security personnel. Owners of vehicles used by Spanish Cove residents must register their vehicles by April 1, 2005. Residents arriving after this date must register upon arrival at Spanish Cove. Those who do not display the appropriate Vehicle Sticker after April 1, 2005 are in violation of this regulation and will be given a warning citation. Failure to comply with this warning within 15 days will result in a fine.

Board Adoption 11/15/01

Revision 3-15-18

Revision 8-15-19

4. Pier, Playground and Beach:

Includes picnic area, walkways to the pier and surrounding grounds.

- a. No diving or swimming from the pier.
- b. No pets permitted on the pier.
- c. No wheeled vehicles are permitted, except as required by handicapped persons.
- d. Golf carts may be driven to the pier by handicapped persons, but are not allowed on it.
- e. No roller skating, skateboarding or in-line skating is permitted on the pier.
- f. Boats are not permitted to be secured to the pier.
- g. No cleaning of fish is permitted.
- h. Users are responsible for any damage to equipment or facilities.
- i. No Fires or cooking grills permitted on pier. App. 9/07
- j. No open burning is permitted on any Spanish Cove grounds without specific permission of the Operations Manager.
- k. All litter must be disposed of properly.

Board Adoption – 6/25/96

Revision 1 – 7/25/96

Revision 2 – 10/23/97

5. Roads:

- a. Speed limit in Spanish Cove is 25 MPH or as posted.
- b. No parking is permitted on any roads.
- c. “No overnight parking on private (POASC) roads and/or road right-of-ways shall be permitted unless specifically approved by the Operations Manager. This does not apply to emergency or utility vehicles in use in the area.

Board Adoption 6/18/92

Revision 1 - 7/25/96

6. Skateboards/Skates:

No roller skating, skateboarding or in-line skating will be permitted on the Spanish Cove pier, tennis or shuffleboard courts, walkways, clubhouses, culverts or other drainage structures.

Board Adoption - 10/23/97

7. Swimming Pool:

- a. Pool maintenance personnel are not qualified lifeguards. Any use of the swimming pool and the associated facilities is at the user’s own risk.
- b. Swimming pool may not be reserved for exclusive or excluding usage by anyone or any party.
- c. Pool maintenance personnel are authorized to intervene in the event of rule violations. Maintenance personnel are in contact with Spanish Cove Security and will request assistance as necessary. Violations of pool rules can result in removal from pool and loss of pool privileges.
- d. No wheeled vehicles are permitted in this area, except as required by handicapped persons.
- e. POOL RULES

**NOTICE: No Lifeguard on Duty. All persons using pool do so at your own risk.
POASC is not responsible for accidents or injuries.**

1. No children under 16 years of age are allowed in pool area unless accompanied by a responsible adult.
2. Children in diapers must wear swimmers in pool.
3. No running or diving allowed.

4. No glass containers permitted inside the pool area
5. No tobacco products to include e-cigarettes are permitted inside the pool area.
6. Bathers with diarrhea, skin diseases, open lesions, etc. shall be excluded from the pool.
7. No persons intoxicated or under the influence of drugs are allowed in the pool area.
8. Rinse beach sand off person prior to entering pool area.
9. In the event of thunder, the pool area will be closed for at least 30 minutes.
10. No eating in pool area within four feet of the water.

Revision 5/15/25

Revision 6/19/25

NOTE: Pool area is defined as everything inside the pool fence including bathrooms, upper deck, pool deck and pool water. POASC Management and Security reserve the right to ask violators to leave the pool area.

SEE SOMETHING, SAY SOMETHING

POASC Security – (251) 747-4435

Board Adoption 6/18/92

Revision 1 - 10/23/97

Revision 2 – 8/19/10

Revision 3 – 10/20/11

Revision 4 – 07/16/15

Revision 5 – 08/20/15

Revision 6 – 07/21/16

Revision 7 – 08/15/19

8. Tennis and Shuffleboard Courts

- a) Courts are for the enjoyment of members and their guests.
- b) Tennis shoes are required on the tennis courts.
- c) No wheeled vehicles are permitted except as required by handicapped persons.
- d) No roller skating, skateboarding or in-line skating is permitted on the courts.

Revision – 10/23/97

9. Wilderness Areas:

Clearing, altering, or cutting of any Wilderness Areas - Recreational Areas - Drainage Areas - Buffer Zones is prohibited without a permit from the POASC Office.

Board Adoption 6/18/92

Revision 1 – 7/25/96

10. Soliciting:

- a) In an effort to provide the citizens of Spanish Cove with the privacy they desire and expect, as well as for the peaceful and quiet enjoyment of their homes and the prevention of crime and fraud on the residents of Spanish Cove, any and all types of solicitation within the Spanish Cove subdivision is hereby prohibited.
- b) Any and all solicitors, peddlers, hawkers, itinerant merchants and transit vendors of merchandise, who have not been specifically requested or invited by the owners of private residences - for the purpose of soliciting

orders for the sale of goods or otherwise – are declared a nuisance and are prohibited. Also prohibited by this section are all solicitations by charitable, not-for-profit organizations and/or political solicitations, irrespective of the organization, group or person for which the solicitation is being conducted.

- c) 1. As used in this section, prohibited forms of solicitation include, among others, the following actions:
 - i. Door-to-Door sales and/or solicitations.
 - ii. Pamphleting
 - iii. The placing of flyers, brochures, pamphlets, business cards, or other material on the residence, automobile, mailbox (unless properly sent through U.S. Postal Service), or porch of residents.
- 2. As used in this section, prohibited forms of solicitation do not include the following actions:
 - i. Petitioning allowed by POASC members in good standing in Section 13.02 of the Rules pertaining to the Covenants,
 - ii. Petitioning allowed by POASC members in good standing in Section 14.4 of the Rules pertaining to the Bylaws,
 - iii. Petitioning allowed by POASC members in good standing in Section 6.6 of the Bylaws, and
 - iv. Any other petitioning specifically allowed by the Covenants or Bylaw POASC members in good standing directly related to the operation of the POASC.
- d) Any resident who receives a solicitation that is prohibited under this section should immediately contact the Spanish Cove office and inform them of the solicitation and provide them with as much information as possible regarding the solicitor so that the Board demand they cease any further solicitations.
- e) Except as provided for in Section 13.02 Rules pertaining to Covenants and Section 14.4 Rules pertaining to By-Laws “petitioning”.

11. POASC Records Access

- 1. Access will be limited to individual property owners only.
- 2. Fees will be assessed to assemble or review information. The first ½ hour will be at no charge; subsequent time at \$50.00/hour or portion thereof.
- 3. No copying of information is permitted, other than information pertaining directly to the individual making the request or data that is normally disseminated to property owners.
- 4. The property owner is required to sign a statement that information will not be given to any unauthorized third party. Fines will be assessed for violations.

Revised 5/16/24

See POASC Bylaws Section 13.1 and the Alabama Nonprofit Corporation Act for additional information.

Board Adoption 2/18/10

*Revision – 3/24/10
Revision 8/21/25*

12. Alcohol Policy:

“POASC or POASC committees shall not provide alcoholic beverages at Cove sponsored events. Members may bring any beverages of their choice including alcohol”.

(Pertaining to RESTRICTIVE COVENANTS Article XI)

COVENANT FOR MAINTENANCE ASSESSMENTS

When these designated undeveloped lots are sold individually (Lot singular) they are to be assessed, not sections sold from one developer to another.

Board adoption – 02/18/16

(Pertaining to RESTRICTIVE COVENANTS Article XII)

DESTROYED STRUCTURE

The POASC Board of Directors may extend the 30-day time limit upon written request of the member. If no action has been taken within the 30-day period, the member will be given written notice to clean up his damaged or destroyed structure. If this restoration is not completed by the end of the second 30-day notice, then the POASC reserve the right to make this restoration and charge the owner for such work.

Board adoption - 6/4/92

Revision 1 – 3/28/02

Section 13.02

(Pertaining to RESTRICTIVE COVENANTS)

COVENANTS AMENDMENTS PROCEDURES

REGISTERING

1. To register a proposed change at the Spanish Cove Office, the Originator must be a POASC Member in good standing.
2. The Proposed Change should include adequate details for discussion, including naming the Article and Section number/s to which this Proposal pertains, if applicable.
3. After registering, copies of the Proposal will be given to the Board of Directors.
4. The Chairman of the Board of Directors will contact the petitioners within seven days of the registration, to arrange a meeting with the Board and/or the Rules Committee to see if the proposed change is feasible.

RULES COMMITTEE

1. After the proposed change is registered, The Rules Committee at the next meeting or at a special meeting shall review the change/s requested. The Chairman of the Rules Committee shall request the Originator of the proposal to meet with the Rules Committee to explain the intent of the change/s. The Committee will report its recommendations at the next Board meeting.
2. If the Rules Committee accepts the requested change/s in principal, it will give a positive recommendation to the Board. A period of up to 30 calendar days is permitted for negotiations between the Rules Committee and the Originator to arrive at agreeable change/s. If the Rules Committee and the Originator cannot agree on acceptable change/s, the Rules Committee chairman shall submit a short summary of the basis for the Committee's rejection to the Board of Directors and so advise the Originator.
3. Regardless of the recommendation of the Rules Committee, the Board must vote to accept or reject the Committee report of the change/s requested in the proposal. If accepted, the Rules Committee shall submit a final draft of the amendment to the Board within 60 calendar days. If rejected the originator of the proposal has the right to file a petition. (See petition filing Section)
4. The Board of Directors may require the Rules Committee to draft proposed change/s to any affected POASC Rule, Regulation or By-Law, if applicable, incorporating the change/s requested by the Originator.
5. If no agreement is possible, the originator may file a proposed petition with the exact wording that will appear on each page of the Proposed Petition, this will include naming the Article and Section number/s to which this Proposal pertains, if applicable.

PETITION FILING

1. In order to file a petition, the Originator must be a POASC Member in good standing.
2. The petition must be in the exact wording that will appear on each page of the petition, and shall include the Article and Sections number/s to which this Petition pertains, if applicable.

Section 13.02

(Pertaining to RESTRICTIVE COVENANTS)

3. The Board Chairman will request publication of the proposed petition in the next issue of the UPDATE. The Originator of the Petition may submit a short (less than 400 words) rationale to be published with the proposed Petition so the membership may be aware of the nature of the Petition. The Board of Directors may submit opposing views (less than 400 words) with this publication. All submissions for publication must refer only to the change/s or the subject of the proposed Petition. Every effort will be made to assure equal coverage from the proponents and opponents in subsequent issues of the UPDATE.
4. The POASC Office will provide a letter of acceptance to the petitioners within 7 calendar days of filing. The letter will include the number of signatures required to represent twenty percent of the POASC assessments. This letter may be duplicated as a form of identification. (A copy of these rules and regulations for filing petitions will be included with the letter.)
5. All petitions must be terminated in 120 calendar days from the date of the letter of acceptance to gather signatures. If additional time is needed, due to intervening holidays, or other circumstances during the soliciting time, the Petitioners may make a request for an extension of up to 30 calendar days. Approval by the Manager will be required.

PETITION CIRCULATION

1. Signers of the Petition must be members in good standing as of the date the completed petition is submitted to the Board for approval.
2. Only one signature is permitted for each full assessment.
3. Names must be clearly printed and signed and must indicate the Lot Number.
4. The signature of the person circulating the page, and the date completed must appear at the bottom of each page.
5. Canvassers for signatures are required to wear nametags.

POST-SUBMISSION ACTIVITIES

1. Signed Petitions must be submitted to the Chairman of the Board of Directors no later than the next Board Meeting after the period of circulation has expired. Failure to submit the Petition within the time frame allowed will automatically negate the Petition unless prior extension of the signing period has been obtained.
2. The Secretary of the Board of Directors shall publicly count the number of pages submitted and acknowledge, for the record, acceptance of the Petition and the number of pages received.
3. The Board Chairman shall submit a copy of the Petition, as it was circulated, to the Chairman of the Rules Committee. The Rules Committee shall advise the Board of any additional changes to Covenants, By-Laws, or POASC Rules and Regulations which may be required if the petition is approved. No changes may be made to the Petition language.

Section 13.02

(Pertaining to RESTRICTIVE COVENANTS)

4. The Secretary of the Board shall forward all of the originals and one copy to the Chairman of the Nominations and Elections Committee for validation and counting of signatures

NOMINATION AND ELECTION COMMITTEE

1. The Nominations and Election Committee has 14 calendar days to complete the validation procedure. The Chairman of the Nominations and Elections Committee shall notify the petitioners of the date of validation so a representative may be present.
2. The Chairman of the Nominations and Elections Committee will transmit to the Secretary of the Board the number of valid signatures, the number of invalid signatures, and the number of pages counted.
3. If fewer valid signatures are contained on the petition than required, the Secretary of the Board shall notify the Originator, and no further action by the Board is required. If a sufficient number of signatures are verified, the Board will proceed as required by By-Laws, Article XIV, Section 14.2.

RULES FOR PETITIONS REGARDING MATTERS OTHER THAN BY-LAWS AND COVENANTS

1. All Petitions must be registered at the POASC office.
2. All POASC petitions will be terminated in 120 calendar days of registration.
3. Petitions concerning non-POASC matters must be registered at the POASC Office and will receive a letter of acceptance, and a copy of the Petition will be sent to the Board.
4. All non-POASC petition permits will be terminated in 90 calendar days.

Board adoption - 5/25/95

Revision 1 - 3/28/02

Revision 2 – 2/27/03

Section 15.02
(Pertaining to RESTRICTIVE COVENANTS)

RENTAL/LEASE REGULATIONS

1. The Property Owner must have completed the Request Authorization to Rent/Lease Owned Property Form 6.1.2 office on R/L Form 2.

Failure to do so will result in a fine of \$500.00.

2. Rental/Lease Agreements may only be entered into with single-family renters/lessee.
3. Any renter/lessee registered on the lease must complete the Prospective Renter Declarations Form 6.1.3 after the effective date of this provision will have the use of Spanish Cove amenities.
4. Sub-leasing is not permitted.
5. The renter/lessee (occupant) shall not use this property for any purpose other than a dwelling.
6. Absolutely no short-term rentals allowed: including but not limited to VRBO and AirBNB as examples. This is a non-warning violation. If the property is found to be offered for short-term/vacation rental on any site, app, or paper distribution, this will result in a \$500.00 fine plus \$100.00 per day after owner contact until the listing is removed.

Revision 4/17/25

Renter/Lessee is **RESPONSIBLE FOR:**

A – Adhering to POASC’s Rules and Regulations.

B – Parking or storing of any vehicles, boats, trailers, etc., and the operation of same on POASC property.

Property Owner is **RESPONSIBLE FOR:**

A – Informing the renter/lessee of all applicable Spanish Cove (POASC) regulations to which they must adhere while under this Rental/Lease Agreement.

B – The actions of the renters/lessee while in Spanish Cove.

C – Any damages to POASC property caused by the renters/lessee.

D – Care and upkeep of the exterior of the dwelling and related property.

The Property Owner **SHALL NOT:**

- A. Permit any persons, other than those listed on the Lease Agreement or Prospective Renter Declarations, to reside on the rental property for a period exceeding seven (7) consecutive days without obtaining written approval from POASC.

FAILURE TO ADHERE to the R/L Agreement will result in fines. The Operations Manager will assess fines per Operating Procedures Section III.

Revised 9/18/2025

To ensure the enforcement of this agreement, POASC Management has the right to demand the Property Owner evict said renter/lessee, and/or take eviction proceedings against the renter/lessee as necessary. s against the renter/lessee as necessary.

Revision 2/20/20

Section 15.02

(Pertaining to RESTRICTIVE COVENANTS)

LEASING

Occupancy with respect to 15.02 #2, page 50, requires the owner to continuously occupy and homestead the property (residence) for a minimum of 2 years preceding rental/lease, except for extenuating circumstances as approved by the Board.

Board adoption - 11/19/15

Revision 12/10/20

Section 15.2.1
(Pertaining to RESTRICTIVE COVENANTS)

RENTAL/LEASE REGULATIONS

Effective April 1, 2013 property may be rented or leased exclusively by “Owners” as defined in Section 15.02 of the Covenants and no others. The lessor of any real property subject to these covenants shall be a member in good standing of the Property Owners Association of Spanish Cove. The lessee of such property shall be only a natural person, and an eligible renter as described below. The lease of any property must be memorialized and set forth in a writing conforming to the Alabama Uniform Residential Landlord Tenant Act. Any and all restrictions, terms and conditions set forth herein shall be included in any document memorializing any lease. Any and all leases must be negotiated for determinable and valuable consideration, in an amount reflecting the reasonable market value of the lease of the property. Accepted Rental Properties

Revised 9/18/2025

Acceptable rental property includes but is not limited to site built dwellings, modular homes, prefabricated homes, manufactured homes and mobile homes popularly known as “park models.” Other acceptable property includes recreational vehicles sited for long term use and Developed Lots in Land Harbor.

Eligible Renters

Subject to the terms of these Rules and Regulations and the Declaration, any person able to contract in the state of Alabama is eligible to act as a lessee of property subject to these Rules and Regulations, Covenants and Restrictions. Lessees or occupants under the terms of any lease, shall not be; persons convicted of or under sentence for any felony within the five years immediately preceding the execution of the lease or persons required to register as a sex offender under Alabama law.

Family Exclusions

Family members (defined as those related to the Owner as parents, issue, grandparents and siblings or spouse of any of the foregoing) of any natural person defined as an Owner of property subject to these Covenants and Restrictions and Rules and Regulations shall be eligible to be granted use of no more than one property per owner, provided that the family member granted use of the property grants no consideration to the Owner of the property.

Permanent Resident Exclusion

Non-family members (defined as friends or acquaintances) of any natural person defined as an owner of property subject to these Covenants and Restrictions and Rules and Regulations shall be eligible to be granted use of no more than one (1) property per owner, provided that the said Permanent Resident granted use of the property **grants no consideration** to the owner of the property. Further, the property owner shall complete Form 6.2.2, and such Permanent Resident shall be provided a guest/parking pass obtained by the property owner pursuant to POASC Operating Procedures Section 6.2.

Adopted 4/22/21

15.2.2 Implementation – Owner Restrictions

For every property leased under the terms of the Covenants and Restrictions and Rules and Regulations, an application must be completed providing all such reasonable information to the Association concerning the lease as the Association may require.

Section 15.2.2

(Pertaining to RESTRICTIVE COVENANTS)

The application can be pre-approved prior to the lease. The approval or denial shall be no more than two working days from the time the application is received.

A \$25.00 non-refundable fee for the inspection of the property is required (see Operating Procedures Section 6.1.A). This fee is payable with each subsequent rental of the property. The inspection of property is for appearance and rules compliance only. It does not include structural soundness, compliance with codes, standards or any similar or dissimilar factors and any utilities supplied to the property.

An annual fee of \$300.00, payable quarterly (\$75.00), to defray the expense managing and enforcing the additional regulations imposed on rental property shall be paid to the Association according to the fee schedule (Operating Procedures Section 6.1.B) including amounts to be paid to the association by Lessor and due dates of these payments. The fee schedule shall be set by the Board of Directors and amended from time to time commensurate with the expense of managing and enforcing rental regulations as set by the Board.

Board adoption – 03/21/13

Revision 5-17-18

An annual fee, to defray the expense managing and enforcing the additional regulations imposed on rental property shall be paid to the Association according to a fee schedule including amounts to be paid to the Association by Lessor and due dates of these payments. The schedule shall be set and approved by the board of directors, and amended by the board from time to time commensurate with the expense of managing and enforcing rental regulations as set by the board.

Failure to comply with the regulations concerning leases on property subject to those rules shall result in fines as set by the board from time to time pursuant to Section 3.5 and 3.6 of the Operating Procedures of the Association.

The term of any lease of property shall be no less or no more than one year in duration. Lease of property shall not automatically renew in a fashion which causes any lease to run for a time period longer than one year without renegotiation and execution of a new lease document.

Revision 4-17-25

Fines and Fee

Fines and fees shall be established, subject to periodic amendment by the Board of Directors. The amount and terms of fines and fees shall be set out in the POASC Operating Procedures, Section 3.

15.2.3 Occupancy Limitations on Accepted Rental Property

The number of occupants of a rental unit shall be limited as follows:

Number of Bedrooms	Maximum Occupancy
1	3
2	4
3	6
4	8
5	10
6	12

No more than four persons are allowed to occupy any recreational vehicle of any type.

APPENDIX A

Permit# _____

Lot # _____

PROPERTY OWNER'S LAND USE PERMIT

POASC PERMIT MUST BE OBTAINED BEFORE APPLYING FOR BALDWIN COUNTY PERMIT

APPLICATION & REQUIREMENT FOR BUILDING PERMIT

NAME OF OWNER _____

PHONE # _____

MAILING ADDRESS _____

CONTRACTOR _____

CONTRACTOR'S PHONE # _____

PROJECT DESCRIPTION FOR SINGLE FAMILY

LOT SIZE DIMENSION _____ X _____

(CHECK ALL THAT APPLY)

- ☐ New Construction (home)
- ☐ New Manufactured Home
- ☐ New Carport
- ☐ New Garage
- ☐ New Shed
- ☐ New Fence
- ☐ New Deck
- ☐ New Pier/Boat House
- ☐ New Porch
- ☐ Alterations/Repairs
- ☐ Demolition
- ☐ Other (Explain) _____

NOTE: It is the property owner's responsibility to contact Baldwin County for any additional building permits they may require for any of the above listed construction. Also, it is the property owner's responsibility to contact the Baldwin County Land Use office regarding obtaining a land use certificate and building permit and additional permits for any marine construction, bulk head, sea walls, piers, etc.

Avoidance of changing the existing natural drainage into or from neighboring building sites is solely the responsibility of the applicant. Issuance of a Building Permit by POASC does not assume any responsibility by POASC for drainage problems.

When an application for Building Permit is for construction of, or an addition to a building, upon completion of staked layout of foundation work is started, a survey of the lot for a verification of correct setback allowances shall be made by a licensed Alabama surveyor. Proof of such survey shall be presented

to the Operations Manager or his agent. HOWEVER, if the permit requested is for an accessory building or an addition to an existing building, the Operation Manager, within his discretion, may waive need for a survey as required by this paragraph.

All permits for demolition of house, mobile home, and accessory buildings will be authorized and issued through the office of the Operations Manager, based upon compliance with any recorded restrictions or regulations in force at the time of issuance. *Added 4/17/2025*

A \$1,000 cash performance bond is required from the contractor for the job. See POASC Rules and Regulations Article IV. Section 4.05 (page 6), Revised March 25, 2002 and Revised August 19, 2021. Refer to Appendix A for specific requirements. See Covenants R&R Section 8.23-Construction cleanup requirements. *Added 11/15/18 and Revised 8-19-21*

A \$200 Residential Building Fee is due and payable at the time of Permit issuance. (Applies to new residences on lots purchased after March 1, 1996-adopted by POASC Board on February 11, 1996).

I, property owner/agent, acknowledge I have read, understand, and agree to abide by and assume all responsibility for compliance with all POASC Restrictive Covenants and Rules & Regulations in effect on this date.

Any property owner/agent who violates (or ignores) POASC restrictions/regulations will be required to remove or modify the existing construction to comply with the Building Permit as approved. The owner may be assessed fines and charges.

Contractors must be registered and on file with the POASC office. Contractor vehicles are required to obey speed limits, stop signs and parking regulations within Spanish Cove. Daily cleanup of construction site will be enforced.

Some POASC Restrictive Covenants and/or Rules and Regulations may vary, depending upon where (in which section of Spanish Cove) the property for which you are seeking a permit is located. Be certain you read and understand all restrictions applicable to your site location.

Fences are required to be built within owners property lines. A survey should be obtained if you cannot locate the survey pins. POASC is not responsible for locating property lines

Exterior construction and lot cleanup must be completed in six months. If this cannot be done due to extenuating circumstances, you must receive an extension, in writing, from the Operations Manager. Daily cleanup of the construction site is required pursuant to Covenants R&R Section 8.23. Failure to provide daily cleanup will result in a commercial dumpster being required. *Added 11/15/18*

Property Owners of Spanish Cove are required to contact the Property Inspector when a new Mobile Home or Prefab Structure is being transported into Spanish Cove. Any New Mobile Home or Prefab Structure transported into Spanish Cove must be done Monday through Thursday (8 am to 4 pm), and Friday (8 am to 11am) no weekend days allowed. Property Owner is required to inform the Property Inspector the date and time of transportation/delivery 24 hours in advance. This requirement allows for an escort by a Security Officer and the Property Inspector to the Lot. *Added 1/20/22*

*****All applications for Building Permit must have a detailed, to scale drawing of work to be performed, attached to the application*****

Remarks _____

Property Owner's Signature/Agent Date

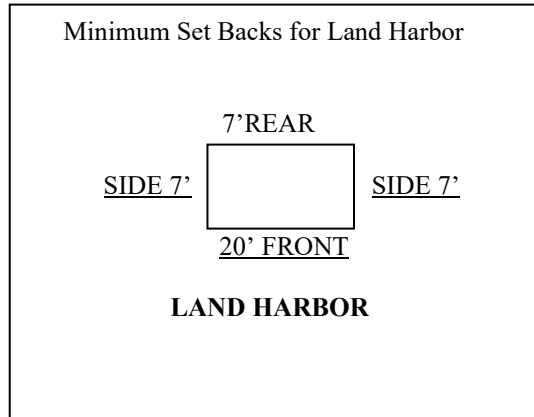
POASC Building Coordinator Date

APPLICATION: _____ Granted _____ Disapproved

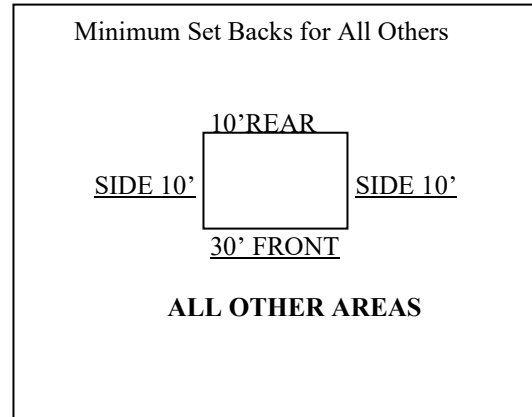
POASC Operations Manager Date

DESCRIPTION OF WORK & PROPOSED USE: _____

FEET



FEET



This Permit is valid for a 6 month period after the date of issuance. I hereby certify that the information stated on and submitted with this application is true and accurate. I also understand that the submission of incorrect information will result in the revocation of this permit and any work performed will be at the risk of the applicant.

Property Owner's Signature:

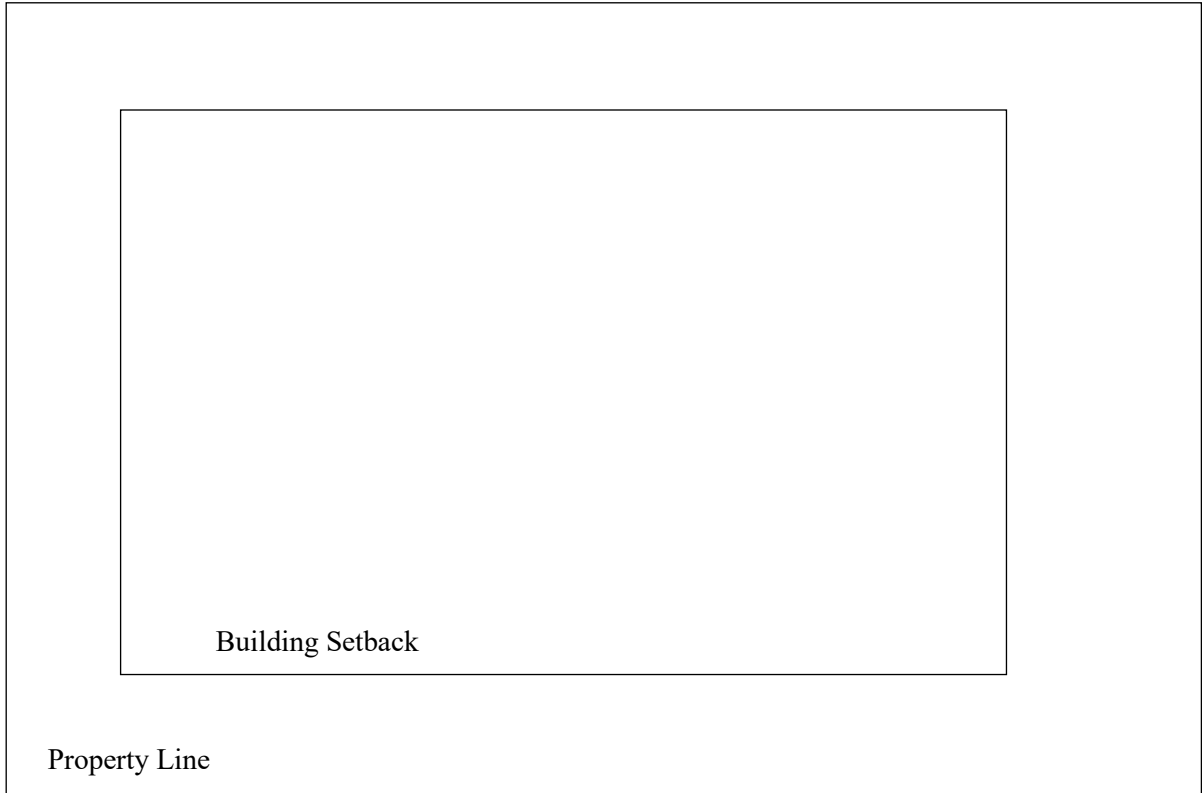
Date:

Revised 4/17/2025

Construction New/Add-on Agreement

General Description of Work: _____

Diagram



Revised 4/17/25

The above diagram represents the construction or add-on requested on your permit. Any deviation requires you to re-apply before you do the work.

I understand that P.O.A.S.C. may require the removal of all or any part of the structure if it does not comply with the permit.

Property Owner's Signature

Property Inspector

Date

Completion Review

The structure is in compliance with the permit as issued.

Property Inspector

Operations Manager