

**JONATHAN'S COVE ASSOCIATION, INC.**  
**RULE AND REGULATION NO. 1 —**  
**OWNER/OCCUPANT/GUEST PARKING IN COMMUNITY 1**

1. Purpose: Jonathan's Cove Association, Inc. (hereinafter, "Association"), by and through its Board of Directors (hereinafter, "BOD"), is charged with the maintenance, upkeep, appearance, safety and welfare of Jonathan's Cove (hereinafter, "Community"). The Association, by and through its BOD, is required to enforce and comply with all statutes, laws, ordinances, rules and regulations imposed upon the Association and Community by federal, State and local governmental authorities, as well as the Association's governing documents. In addition, the Association, by and through its BOD, is charged with the maintenance, upkeep and appearance of the COMMON AREAS of the Community, as defined by the Association's governing documents. COMMON AREAS include, but are not limited to, such areas in the Community as roads, parking areas and open areas (*See* Section 1.8, Common Areas, Declaration of Covenants and Restrictions of Jonathan's Cove). In order to control the flow of traffic in the Community, to preserve the Community's limited guest parking spaces to the maximum extent practicable, to protect the integrity and appearance of the Association's COMMON AREA property, to reduce COMMON AREA maintenance costs, as well as to promote the safety and welfare of the Association's members, owners, tenants and guests, the BOD hereby adopts this rule and regulation regarding Owner, Occupant and Guest Parking within the Community.

2. Legal Authority: Section 720.303(1), Florida Statutes; Section 617.0302(15), Florida Statutes; Section 7.31, Rules and Regulations, Declaration of Covenants and Restrictions of Jonathan's Cove; Sections 3.2.3 and 3.2.4, Powers and Duties, Articles of Incorporation of Jonathan's Cove Association, Inc.; and, Section 5.19, Powers and Duties, Bylaws of Jonathan's Cove Association, Inc.

3. Scope. This Rule and Regulation No. 1 — Owner/Occupant/Guest Parking in Community — clarifies and further supplements Section 7, USE RESTRICTIONS, Paragraph 7.2, Automobiles, Vehicles and Boats, Declaration of Covenants and Restrictions of Jonathan's Cove.

a. Two (2) Vehicle Maximum for Unit Owners and Tenants. A Unit owner or tenant may not keep more than two (2) vehicles within the Community on a permanent basis at any time without the prior written approval of the Association. Due to the design of the Community, its roads and parking areas, the Association is not approving any unit owner or tenant to have more than two permanent vehicles on the property. A Unit owner or tenant must ensure that the unit's two vehicles are properly registered with the Association's property management company. A Unit owner or tenant must park the unit's registered vehicle(s) at or in the unit owner's or tenant's garage, driveway or designated parking space(s), and not at or in another unit's garage, driveway or designated parking space(s). Moreover, for the safety and protection of the Unit's own registered vehicles, and other vehicles and pedestrians using the Association's roads, the Unit's vehicle(s) must properly park and fit within the confines of a Unit's garage, driveway or designated parking space(s), and not intrude, impede, extend into, or block, to any degree, the Association's roads. Also, a Unit's failure to register its one or two vehicles with the Association's property

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1 This Rule and Regulation No. 1 replaces and supersedes existing Rule and Regulation No. 1, which was previously adopted by the Board on November 18, 2013. A copy of this updated Rule and Regulation No. 1 is maintained by the Association's property management company in accordance with the Association's governing documents and Florida's Homeowner's Association Act.

management company will result in sanctions against the unit in accordance with Paragraph 4 below, and all other sanctions contained in the Association's governing documents.

b. Overnight Parking on Community's Streets Strictly Prohibited. No overnight parking by any owner, occupant, tenant or guest is permitted on any streets, lawns, or areas other than driveways, garages, and any paved portion of the COMMON AREAS intended for parking. Any owner, occupant, tenant or guest vehicle must be removed from the Community's streets (Palmbrooke Circle and Palmbrooke Terrace) between the hours of 1:00 A.M. to 7:00 A.M., and parked in an authorized parking area, such as a driveway, garage or designated paved parking space. This overnight parking restriction applies every day of the year, without exception.

c. Vehicular Parking on Sidewalks, Lawns and Grassy Areas Strictly Prohibited. Vehicle parking in the Community is only permitted in driveways, garages, designated paved parking spaces or Community streets (parking on Community streets is subject to the time restriction in Section 3b above). No vehicle of any kind may be parked on sidewalks, on or above lawns or on or above any grassy areas of the Community at any time, including grassy areas between individual unit driveways/entrances. This restriction includes any person attempting to park a vehicle on the Community's street curb areas and/or the Community's sidewalk areas over and above any lawn or grassy area. In order to prevent damage to the Community's lawns, grassy areas and underground watering system, this restriction applies to any owner, occupant, tenant, commercial, delivery or guest vehicle.

d. Parking of Commercial Vehicles Overnight in Community Strictly Prohibited. Parking of any commercial vehicle, delivery vehicle, panel van, personal vehicle converted for commercial purposes, or other service vehicle overnight is strictly prohibited. This overnight parking restriction applies to all parking areas in the Community, such as a driveway, garage, designated paved parking space(s), and guest parking areas. This overnight parking restriction applies every day of the year, without exception. This restriction shall not be deemed to prohibit the temporary parking of commercial, delivery or service vehicles while making delivery to or from, or while used in connection with providing services to the Association and/or a Unit address in the Community.

e. Guest Parking. Guest parking is at a premium in this Community. The limited number of guest parking spaces at the Community's Clubhouse and in other COMMON AREAS of the Community are designed and designated for guest vehicles only.

- (1) A "Guest," and any accompanying "Guest Vehicle," are defined as a non-permanent person and/or vehicle temporarily visiting a unit owner or tenant in the Community for a period of short duration (i.e., several hours in one day or for several days in a row). The maximum period of time that a Guest and/or Guest Vehicle can remain visiting an owner or tenant in the Community is up to fourteen (14) consecutive calendar days. Any person and vehicle that exceeds this 14-day rule is both an illegal occupant of the unit and an illegal and unauthorized vehicle in the Community, subject to any and all sanctions outlined in Paragraph 4 below, and all other sanctions contained in the Association's governing documents. It is also in contravention of this restriction for any Guest/Guest Vehicle to visit for 14 consecutive days, leave the Community for a short period of time/day(s), and then visit a unit for another 14 consecutive day period. Any unit owner or tenant that allows such illegal and prohibited activity is subject to any and all sanctions outlined in Paragraph

4 below, and all other sanctions contained in the Association's governing documents.

- (2) When visiting a unit, a Guest must park their Guest Vehicle in a guest parking space or the unit's driveway/unit's designated parking space(s) being visited. To maintain ease of traffic flow on the Community's streets, a Guest may only park a Guest Vehicle on the street in front of the unit being visited as a last resort (i.e., when all of the Community's guest parking spaces are fully occupied and when the unit's driveway/unit's designated parking space(s) are fully occupied). A Guest Vehicle is prohibited from parking in another unit's garage, driveway or designated parking space(s). The parking of a Guest Vehicle is subject to all of the other restrictions and limitations outlined in this Rule and Regulation No. 1.
- (3) The Community's Guest Parking spaces are not to be used by any owner, tenant or occupant as a convenience or expedient measure for not parking an owner's, tenant's or occupant's vehicle(s) in the owner's or occupant's garage, driveway or parking space.
- (4) Guest Parking violations will be processed in accordance with the attached Addendum, "Guest Parking Violation Notice and Towing Protocol Addendum," which is hereby incorporated into this Rule and Regulation No. 1.

f. Parking on City of West Palm Beach Service Access Road Strictly Prohibited. No vehicle shall park on or otherwise block the City of West Palm Beach Service Access Road on the West side of the Community. The City of West Palm Beach must have complete and unobstructed access to the Service Access Road at all times (24 hours a day, 7 days a week). Vehicles parked on or otherwise blocking the Service Access Road will be immediately towed.

g. Opposite Side of Street Parking Strictly Prohibited. No vehicle shall park directly across the street of another parked vehicle on any part of Palmbrooke Circle or Palmbrooke Terrace. Given the narrowness and design of the Community's streets, to allow continuous flow of vehicular traffic on the Community's streets, and to allow emergency vehicles unobstructed access to the Community, an owner, tenant, guest or other vehicle may not park on the opposite side of the street directly across from another parked vehicle. If you come upon a vehicle already parked in the street, and you wish to park on the opposite side of the street, you must move your vehicle forward or rearward of the parked vehicle so as to not be directly across from a vehicle parked on the opposite side of the street. A vehicle may not be parked on the street which inhibits or prevents another Unit's ingress to or egress from a Unit's driveway or designated parking space(s).

h. Parking In/Around Community's Circle Areas/Roundabouts Strictly Prohibited. No vehicle shall park in or around the Community's North Circle Area/Roundabout or the Community's South Circle Area/Roundabout. This restriction includes the prohibition of parking on or over the grassy areas of both Circle Areas/Roundabouts and on or over the sidewalk areas of both Circle Areas/Roundabouts. To maintain proper vehicular ingress, egress and traffic flow through the Circle Areas/Roundabouts, vehicles are strictly prohibited from parking on the street and in the areas directly leading into and out of the Circle Areas/Roundabouts, which includes parking on the streets/areas in front of the homes most closely adjacent to the Circle Areas/Roundabouts.

i. Affected Vehicles. Vehicles impacted and affected by this Rule and Regulation No. 1, include, but are not limited to, cars, vans, pick-up trucks, sport utility vehicles (SUVs), crossover utility vehicles (CUVs), all-terrain vehicles (ATVs), motorcycles, mopeds, commercial vehicles, panel vans, personal vehicles converted for commercial purposes, moving trucks of any size/type, delivery vehicles, service vehicles, recreational vehicles, campers, trailers, and boats. This vehicle list is not meant to be an exhaustive list of vehicles affected by this Rule and Regulation No. 1, and the BOD reserves the right to further define Affected Vehicles, as needed.

4. Enforcement of Violations. Any vehicle parked in violation of Paragraph 7.2, Automobiles, Vehicles and Boats, Declaration of Covenants and Restrictions of Jonathan's Cove, and this Rule and Regulation No. 1, will be subject to sanctions, including, but not limited to, being stickered for towing, towing the violating vehicle at vehicle owner's expense, permanent removal and ban of an offending vehicle from the Community, violation and fining notices, fining, suspension of Community privileges, tenant eviction, and any other legal action authorized and permitted under the Association's governing documents and Florida law. The Association always reserves the right to immediately tow and permanently remove an offending vehicle, without notice to the vehicle's owner, in any area of the Community, that jeopardizes or threatens the health, safety and welfare of the Community, its property and its residents.

5. Conflicts. In the event of any conflict, the Declaration of Covenants and Restrictions of Jonathan's Cove, the Articles of Incorporation of Jonathan's Cove Association, Inc., the Bylaws of Jonathan's Cove Association, Inc., and this Rule & Regulation No. 1, Owner/Occupant/Guest Parking in Community, shall govern in that order.

6. BOD Adoption. The BOD approved and adopted this revised and updated Rule and Regulation No. 1 at its regularly-scheduled BOD meeting on October 26, 2021.<sup>2</sup> By adopting this revised and updated Rule and Regulation No. 1, the BOD hereby directs its property management company to mail or electronically deliver a copy of this revised and updated Rule and Regulation No. 1, along with the Guest Parking Violation Notice and Towing Protocol Addendum, to all current owner's and occupant's addresses on record with the Association.

7. Binding Effect and Amendment. This Rule and Regulation No. 1 shall apply to and bind all current and future owners, tenants and occupants of the Community. This Rule and Regulation No. 1 may only be modified or amended in writing by the Association's BOD, and duly approved and adopted by the BOD of the Association. The Community's owners, tenants and occupants will be notified of any future amendments or modifications to this Rule and Regulation No. 1 in writing.

8. Questions. If any Community owner, tenant or occupant has any questions about this Rule and Regulation No. 1, please contact the Association's property management company.

Rule and Regulation No. 1, which replaces and supersedes prior Rule and Regulation No. 1 dated November 18, 2013, was duly approved and adopted by the BOD on October 26, 2021.

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<sup>2</sup> The official minutes of the October 26, 2021, BOD meeting approving and adopting this revised and updated Rule and Regulation No. 1, are maintained at the Association's property management company in accordance with Section 720.303(4)(f), Florida Statutes, Section 4.10, Minutes, Bylaws of Jonathan's Cove Association, Inc.

## **Guest Parking Violation Notice and Towing Protocol Addendum**

This Guest Parking Violation Notice and Towing Protocol Addendum ("Addendum") is hereby incorporated into Jonathan's Cove Association, Inc.'s, Rule and Regulation No. 1, Owner/Occupant/Guest Parking in Community ("R&R No. 1"), and further supplements both R&R No. 1 and Section 3(e)(4) of R&R No. 1 as follows:

1. This violation notice and towing process shall apply to the following vehicle restrictions pursuant to R&R No. 1: (a) any vehicle parked in the Community's street(s) overnight in violation of Section 3(b) of R&R No. 1; (b) any vehicle parked on/over Community's sidewalks, lawns or grassy areas in violation of Section 3(c) of R&R No. 1; (c) any commercial vehicle parked in violation of Section 3(d) of R&R No. 1; (d) any vehicle parked in violation of the opposite side of street parking restrictions of Section 3(g) of R&R No. 1; and, (e) any vehicle parked in violation of the Circle/Roundabout restrictions of Section 3(h) of R&R No. 1 - First Violation (placement of a parking violation notice on the offending vehicle); Second Violation (placement of a parking violation notice on the offending vehicle and towing the offending vehicle). This process applies to both resident (owner, tenant) and non-resident (visiting) vehicles.

2. For parking on the City of West Palm Beach Service Access Road in violation of Section 3(f) of R&R No. 1 – Any Violation at any time (placement of a parking violation notice of the offending vehicle and towing of the offending vehicle). Offending vehicles shall be towed 24/7/365. This process applies to both resident (owner, tenant) and non-resident (visiting) vehicles.

3. Guest Parking violations of Section 3(e) of R&R No. 1 - Non-Resident (visiting) vehicles:

a. First violation – placement of a Guest Parking Courtesy Notice on the offending vehicle (inform Association's property management company of the date/time of placement on the offending vehicle with license plate and vehicle description). A sample Guest Parking Courtesy Notice is attached to this Addendum and incorporated herein.

b. Second violation – placement of a parking violation notice on the offending vehicle.

c. Third violation – placement of a parking violation notice on the offending vehicle and towing of the offending vehicle.

4. Guest Parking violations of Section 3(e) of R&R No. 1 - Resident (owner, tenant) vehicles:

a. First violation - placement a Guest Parking Courtesy Notice on the offending vehicle (inform Association's property management company of the date/time of placement on the offending vehicle with vehicle description and barcode decal number).

b. Second violation – placement of a parking violation notice on the offending vehicle.

c. Third violation – placement of a parking violation notice on the offending vehicle. Inform the Association's property management company to place a courtesy call to the unit (based upon the barcode decal number) to inform the unit that the offending vehicle will be towed within twelve (12) hours of the property management company's call to the unit (the property management company shall document actually reaching the unit or leaving the unit a voicemail at the unit's last known telephone number on record with the Association). If no response from the vehicle's owner that the vehicle has been/will be moved within the twelve (12) hours, the vehicle will be towed.

5. Only designated personnel of the Association's property management company, Board members of the Association, or members of the Association's/Board's regulatory committees may issue a Guest Parking Courtesy Notice, a parking violation notice, or authorize the towing of an offending vehicle.

6. Towing of an offending Resident (owner, tenant) vehicle or Non-Resident (visiting) vehicle shall always be at the offending vehicle's owner's expense.

7. Pursuant to the Declaration of Covenants and Restrictions of Jonathan's Cove, Rule and Regulation No. 1, and other governing documents of the Association, the Association reserves the right to immediately tow an offending vehicle (whether Resident vehicle or Non-Resident vehicle) which threatens the safety, health or welfare of the Community's residents or Community's property, for any type of parking violation outlined in Rule and Regulation No. 1, and this Addendum.