

JONATHAN'S COVE ASSOCIATION, INC.
RULE AND REGULATION NO. 2 –
GARBAGE, TRASH AND RECYCLING AT JONATHAN'S COVE¹

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. During the 1st Quarter of calendar year 2008, the City of West Palm Beach implemented the Automated Garbage System (hereinafter "AGS") for trash collection at the Community. In addition, the Solid Waste Authority of Palm Beach County (hereinafter "SWA") provides recycling services to the Community. In order to comply with the City of West Palm Beach's AGS and the SWA's recycling rules and regulations, to protect the integrity and appearance of the Community, and provide for the safety and welfare of the Community's owners, occupants, guests and visitors, the BOD hereby adopts this rule and regulation regarding Garbage, Trash and Recycling at Jonathan's Cove.

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. 2 – Garbage, Trash and Recycling at Jonathan's Cove, clarifies and further supplements Section 7, USE RESTRICTIONS, Paragraph 7.13, Garbage and Trash, Declaration of Covenants and Restrictions of Jonathan's Cove.

a. Community's Garbage, Trash and Recycling Collection days. Currently, our Community's garbage, trash and recycling collection days are as follows:

- (i) Garbage/Trash: Monday and Thursday of each week.
- (ii) Bulk Items: Thursday of each week.
- (iii) Recycling: Thursday of each week.
- (iv) Yard/Vegetative: Thursday of each week.

b. Placement and Retrieval of AGS-Compliant Garbage/Trash Cans and SWA Recycling Bins. All Community owners and occupants must place garbage/trash cans (for Monday and Thursday collection) and recycling bins (for Thursday collection) out for collection after 5:00 P.M. on Sunday and Wednesday nights (which are the nights before the collection

¹ A copy of this Rule and Regulation No. 2 is maintained at the Association's property management company in accordance with Section 720.303(4)(e), Florida Statutes, and Section 1.5, Inspection of Books and Records, Bylaws of Jonathan's Cove Association, Inc.

days). All Community owners and occupants must immediately retrieve and store garbage/trash cans and recycling bins on the day of collection, but no later than 11:59 P.M. on the day of collection.

c. Placement of Bulk Items and Yard/Vegetative Waste. Since the Community's current Bulk Items and Yard/Vegetative waste collection day is Thursday, all Community owners and occupants must only place these items out for collection after 5:00 P.M. on Wednesday night (the night before collection day). Bulk Items and Yard/Vegetative Waste must be placed AWAY FROM the AGS-Compliant Garbage/Trash Can.

d. Storage of AGS-Compliant Garbage/Trash Cans and SWA Recycling Bins.

(i) Garaged Units. All owners and occupants of garaged Units in the Community must store their AGS-Compliant Garbage/Trash Can and SWA recycling bins in the following permitted areas:

- (a) Inside the Unit; or,
- (b) Inside the Unit's Garage.

(ii) Non-Garaged Units. All owners and occupants of non-garaged Units in the Community must store their AGS-Compliant Garbage/Trash Can and SWA recycling bins in the following permitted areas:

- (a) Inside the Unit; or,
- (b) On the Unit's Patio Area; or,
- (c) Inside the Unit's Patio Storage Closet.

(iii) Storage Rules applicable to both Garaged and Non-Garaged Units. AGS-Compliant Garbage/Trash Cans and SWA recycling bins must NOT be stored by any owner or occupant of a Unit in the following areas:

- (a) In front of any Unit or in front of any Unit's garage;
- (b) On the grass areas surrounding any Unit's Patio area;
- (c) At the side of any building where a UNIT is located;
- (d) On any Common Areas of the Community or any property contiguous to the Community, including, but not limited to, the Community's streets, parking areas, sidewalks, and grass/tree/bush/shrubbery areas.

e. Compliance with City of West Palm Beach's AGS is mandatory. Each Unit must have a City of West Palm Beach issued or approved garbage can serviceable by the AGS equipment. Each Unit was issued a 95 gallon trash can at the inception of the AGS at the

Community. If any owner or occupant of a Unit privately purchases a trash can of different size, the trash can must meet the requirements of the City of West Palm Beach and be serviceable by the AGS equipment. Only one (1) trash can is permitted per Unit. Any garbage can provided by the City of West Palm Beach is, and remains, the property of the City of West Palm Beach, and cannot be kept as a spare trash can or taken by any Unit owner or occupant upon leaving the Community.

(i) All Units: each Unit's AGS-Compliant trash can must be kept and maintained in good condition and serviceable order. No trash can may omit noxious or offensive odors.

(ii) All Units: each Unit's AGS-Compliant trash can must be labeled with the Unit's street address number.

(iii) All Units: on garbage collection days, the trash can must be located at least five (5) feet away from trees, recycle bins, bulk items or any other structure. Unit owners and occupants must also place trash cans away from vehicles, as vehicles and the other items previously listed cannot interfere with the AGS equipment. Place your Unit's trash can in the curb area next to your driveway or in the curb area in front of your Unit's parking space or other curb areas near your Unit, leaving enough space between the trash can and your vehicle, so your Unit's trash can may be serviced by the AGS equipment. No vehicle is allowed to block or otherwise obstruct the trash can from AGS service. The Association is NOT responsible for damage caused by AGS equipment to any owner or occupant personal property, including vehicles.

(iv) All Units: the lids of a Unit's trash can CANNOT be tied or bungeed, and the bar of the trash can MUST be facing the street, with the wheels of the trash can facing the Unit.

(v) All Units: all waste and trash bags MUST be placed INSIDE the Unit's trash can for collection. No free-standing trash bags are allowed to be placed out for collection. No trash bags on top or along the side of the trash can is permitted. Waste cannot be placed in the trash can in such a way as to prevent it from falling out into the AGS truck when being serviced by the AGS equipment.

(vi) All Units: on collection days, each Unit owner and occupant is responsible for leaving enough distance between the Unit's trash can and other Unit owner and occupant's trash cans so every trash can placed out for collection may be serviced by AGS equipment. In other words, be neighborly and considerate of other owner and occupants in the Community.

(vii) Non-Garaged Units: DO NOT place trash cans on the small grassy areas between parking spaces for collection, as the AGS equipment cannot retrieve trash cans in these areas. You MAY place trash cans IN FRONT OF the small grassy areas for collection. DO NOT place trash cans on the Community's sidewalks for collection, as the AGS equipment needs ample space and easy access to pick up and place down the trash can.

(viii) Garaged Units: DO NOT place trash cans adjacent to any vehicle parked in your Unit's driveway, on the grass or on the Community's sidewalks, as the AGS equipment needs ample space and easy access to pick up and place down the trash can.

f. Recycling Facilities. The Community encourages recycling to the maximum extent practicable by Unit owners and occupants. In addition to the aforementioned rules and regulations regarding recycling, the following provisions also apply to ALL Units in the Community:

(i) On the Community's recycling day, place your Unit's recycling bins at least five (5) feet away from your Unit's AGS-Compliant trash can, so that both your trash can and recycling bins can be serviced by the City of West Palm Beach and the SWA, respectively.

(ii) Yellow Recycling Bins: acceptable items include newspaper, brown paper grocery bags, magazines, catalogs, and corrugated cardboard.

(iii) Blue Recycling Bins: acceptable items include drink boxes, milk and juice cartons, aluminum cans, aluminum foil and pie plates, glass bottles and jars (all colors-lids and caps removed), and all plastic containers (except Styrofoam). Unacceptable (non-recyclable) items include tissue boxes, plastic bags, light bulbs, mirrors or plate glass, plastic wrap, steel or tin cans, and Styrofoam. These unacceptable items must not be placed in your Unit's blue recycling bin, but should be placed in your AGS-Compliant trash can.

(iv) In addition to the use of the SWA's yellow and blue recycling bins by a Unit owner or occupant, corrugated cardboard is to be recycled. The owner or occupant of a Unit must flatten cardboard pieces to no larger than 36 X 36 inches maximum, and place the cardboard pieces in the yellow recycling bin or between the yellow and blue recycling bins for collection. No packing materials are to be placed in recycling bins. Each Unit owner or occupant must secure packing materials, such as packing peanuts and Styrofoam, in trash bags and place these materials in the Unit's trash can for collection. Super-size boxes (i.e., from appliances, cabinets, televisions and other furniture) must be cut down to the 36 X 36 inch size maximum for recycling collection day, or the Unit owner or occupant must take the super-size box to the nearest SWA Public Drop-Off collection site. For the nearest SWA Public Drop-Off collection site to the Community, please visit www.swa.org.

g. Bulk Items Collection. The City of West Palm Beach will provide the service of removing bulk items such as chairs, tables, televisions, computers, mattresses, box springs, grills, washers, dryers, other furniture, etc., on the Community's yard waste collection day only (currently, Thursday of each week).

(i) A Unit owner or occupant may only place Bulk Items out for collection on Wednesday of each week, after 5:00 P.M. Bulk Items may not be placed out for collection on any other day. REMEMBER, Bulk Items must be placed AWAY FROM the AGS-Compliant Garbage/Trash cans. A Unit owner or occupant that misses Bulk Item collection day for any week will be required to retrieve any Bulk Item(s), and keep the Bulk Item(s) inside the Unit until the following week's Bulk Items collection day.

(ii) Large quantities of boxes (i.e., from a move in) will be removed as bulk on the Community's yard waste collection day (again, currently Thursday of each week). Placement restrictions of these large quantities of boxes for collection are the same as Paragraph 3g(i) above. The pile of boxes must be as compact as possible, and the boxes must be empty (no peanuts, Styrofoam or other packing materials). As the City of West Palm Beach considers this type of collection a non-routine pick-up, THE UNIT OWNER OR OCCUPANT IS RESPONSIBLE FOR CONTACTING THE CITY OF WEST PALM BEACH AHEAD OF TIME FOR COLLECTION OF LARGE QUANTITIES OF BOXES. Therefore, the new owner or occupant must contact the City of West Palm Beach at 561-822-2075 no later than the Wednesday before the Community's Thursday Bulk Items collection day.

h. Freon-containing Items. Freon-containing items, such as refrigerators, freezers, air-conditioners, etc., must be placed out for collection for the Community's vegetative waste collection day. Vegetative waste day is currently Thursday of each week. A Unit owner or occupant may only place these items out for collection on Wednesday of each week, after 5:00 P.M. These items may not be placed out for collection on any other day. Like Bulk Items, these items must be placed AWAY FROM the AGS-Compliant Garbage/Trash cans. A Unit owner or occupant that misses collection day for these items for any week will be required to retrieve these items, and keep these items inside the Unit until the following week's collection day.

i. Construction Materials. NO CONSTRUCTION MATERIALS OF ANY KIND WILL BE SERVICED at the Community. Examples of construction material include, but are not limited to, such items as cabinets, sinks, toilets, pipes, roofing, flooring, flooring materials, fencing, wood, concrete, drywall, etc. All construction material generated by a contractor at a Unit or at the Community must be disposed of by that contractor. All construction material generated by a Unit owner or occupant by a do-it-yourself type project at a Unit must be disposed of by the owner or occupant by delivering such construction materials to the local SWA site. Contact the City of West Palm Beach at 561-822-2075, the SWA at 561-697-2700, or visit www.swa.org, for more information on how to properly dispose of construction materials.

j. Special Pick-Up Requests. Should any Unit owner or occupant need a special pick-up of waste from the City of West Palm Beach (i.e., for waste quantities that exceed regular Bulk Items collection or for items not allowed by the AGS), the Unit owner or occupant must contact the City of West Palm Beach directly at 561-822-2056. The City of West Palm Beach charges a fee for special pick-ups, and the Unit owner or occupant is responsible for paying this fee.

k. Hazardous Materials. NO HAZARDOUS MATERIALS OF ANY KIND ARE TO BE PLACED OUT FOR TRASH COLLECTION BY ANY UNIT OWNER OR OCCUPANT IN THE COMMUNITY. No Unit owner or occupant shall place or dump any hazardous materials on any portion of the Community, including any Common Areas of the Community, or on any property contiguous to the Community. Hazardous materials include, but are not limited to, such items as paint, solvents, pesticides, oil, batteries, vehicle parts and propane tanks. A Unit owner or occupant must contact the City of West Palm Beach at 561-822-2075 and/or the SWA at 561-640-4000 for instructions on disposing of hazardous materials.

4. Enforcement of Violations. Any Unit, Unit owner or Unit occupant in violation of Paragraph 7.13, Garbage and Trash, Declaration of Covenants and Restrictions of Jonathan's Cove, and this Rule and Regulation No. 2, will be subject to sanctions, including, but not limited to, fining, suspension of Community privileges, tenant eviction and any other legal action authorized and permitted under the Association's governing documents and Florida law.

5. BOD Adoption. The BOD approved and adopted this Rule and Regulation No. 2 at its regularly-scheduled monthly BOD meeting on August 12, 2008.² By adopting this Rule and Regulation No. 2, the BOD hereby directs its property management company, C.A.S. Realty Management, LLC, to mail a copy of this Rule and Regulation No. 2 to all current owner's and occupant's addresses on record with the Association.

6. Binding Effect and Amendment. This Rule and Regulation No. 2 shall apply to and bind all current and future owners and occupants of the Community. This Rule and Regulation No. 2 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 and occupants will be notified of any future amendments or modifications to this Rule and Regulation No. 2 in writing.

7. Questions. If any Community owner or occupant has any questions about this Rule and Regulation No. 2, please contact the Association's property management company, C.A.S. Realty Management, LLC, 1901 S. Congress Avenue, Suite 480, Boynton Beach, Florida 33426, phone number 561-994-1788.

Rule and Regulation No. 2 duly approved and adopted by the BOD on August 12, 2008.

² The official minutes of the August 12, 2008 BOD meeting approving and adopting this Rule and Regulation No. 2 are maintained at the Association's property management company in accordance with Section 720.303(4)(f), Florida Statutes, and Section 4.10, Minutes, Bylaws of Jonathan's Cove Association, Inc.