CHESTNUT CREEK MASTER ASSOCIATION, INC.
RULES AND REGULATIONS
[Substantial rewording of the Lakes Policies and Procedures,
Rule and Regulation additions and changes are marked.]

Table of Contents

1. Rules

1.1 Administrative

1.1.1 Financial

Assuming using Generally Accepted Accounting Principles as stated in the Bylaws, the following provide specific rules for CCMA to follow.

1.1.1.1 *Billing and Payment*

A. All vendor payments must meet Florida's Prompt Payment Laws.

B. Once the Board approves a contract, work order or other expenditure, this expenditure does not have to be approved again by the Board unless the Committee or management company notifies the Treasurer/Board of a change, delay, stop or non-fulfillment of the contract; the Committee's approval of a related invoice or payment is adequate. These may be monthly or payments on completion of specified events or times (e.g., on Notice to Start, progress payments, etc.).
C. Two signatures are required for checks issued by the Treasurer; i.e., two Board members and/or a Board member and a management company representative. A reasonable number of Board members must be authorized to sign checks to ensure that at least one member is available at all times.

1.1.1.2 *Committee Authorizations*

Committee chairs can authorize expenditures of up to and including $500 if total expenditures do not result in exceeding the Committee's budget. These expenditures must be presented to the Board at the next Board meeting.

1.1.1.3 *Contracts*

A. Three bids should be presented to the Board along with the Committee's recommendation for contract approvals. This also applies to Work Orders that are not covered by a Master Contract (described in paragraph C). There are going to be situations, but not limited to, where there are a limited number of providers in the area or situations where only one bid is received. In these cases, Committees are to present the mitigating factors to the Board along with the contract for approval.

B. Contracts can be written for no more than three (3) years and with optional extensions of no more than two (2) additional years. The optional extensions minimize the overhead of rebidding contracts when there are few providers or situations where only one bid is received.

C. Master Contracts can be written for multiyear contracts to provide the terms and conditions for the work, and where specific Work Orders are written for tasks to be completed as needed. The Master Contract can be written to commit the work to a Contractor for a specific amount of time, but without a specific dollar amount, schedule or definition of the work to be completed.

D. Contract Termination
    a. Association may elect to terminate a Contract for convenience, in its entirety, by giving a thirty (30) day written Notice of Termination. All amounts owed for Work performed, up until the termination day shall be paid, as provided in the "Notice", unless there is a material breach of the Agreement and/or the subsequent Work Order(s) as they relate to this Agreement.
    b. The Contractor may elect to terminate a Contract by giving thirty (30) days written notice and provided no Active Work Order is in progress unless written and approved provisions for the Work Order completion and close-out have been supplied.

1.1.1.4 *License and Insurance Requirements*

All companies and contractors performing any work on Chestnut Creek Property must provide proof of all necessary County and State licenses, and the following insurance coverage:

Insurance	Minimum Coverage
General Liability	$1 million
Auto (does not need to be commercial)	$300, 000
Workers Comp	$1 million

1.1.1.4.1 Keys-Caldwell VIVE Registration

Keys-Caldwell, Inc. is contracted by the Chestnut Creek Master Association to provide management services. As a result, they are responsible for screening and tracking all companies and contractors performing any work on Chestnut Creek property. Due to the volume of companies and contractors, and level of review it takes to properly screen and track compliance, Keys-Caldwell outsources the vetting of their vendors to a third party specializing in vendor compliance, Vendor Information Verification Experts (VIVE).

All companies and contractors are required to register with VIVE providing business information, trade and license information, insurance documentation, completion of a W9, a vendor agreement, and payment of an annual fee.

1.1.2 Incorporated Neighborhood Agreements

This is a list of formal and informal agreements between CCMA and the Incorporated Neighborhoods. Refer to Figure 2 in Section 1.5.1 for a map showing the Lakes' locations and numbering. The following are assumed to have been all informal agreements except where specific references are made to the documents.

1.1.2.1 *The Isles*

As Lake 16B is landlocked in The Isles, CCMA and The Isles entered into the following agreements:

A. According to the *Amended and Restated Declaration of Maintenance and Land Use Provisions for Chestnut Creek*, CCMA should maintain the Bounded Common Area at the west end of Lake 16B; however, as it is landlocked The Isles has agreed to maintain this area. Maintenance is defined as lawn maintenance and landscape maintenance including, but not limited to, shrubbery, trees and other plantings.
B. When The Isles phase I was implemented, the developer installed a pump house and irrigation equipment in the southwest Bounded Common Area of Lake 16B. CCMA recognizes that to be the case, and that the ownership, control, repairs and maintenance thereof is The Isles responsibility.
C. Any erosion, washouts or detrimental effect to Lake 16B itself or the Bounded Common Area that is caused by, including but not limited to, the building, irrigation components or operation thereof is The Isles responsibility to mitigate the source and repair the damaged area.

As Lakes 16C and 16D are situated on the boundary between The Isles and the CCMA Common Area along East Venice Boulevard, the following specifies the lawn maintenance agreement:

A. CCMA maintains the eastern shoreline Bounded Common Area and The Isles maintains the western shoreline Bounded Common Area along Catalina Isles Circle and Bermuda Isles Circle.
B. The Isles further agrees to maintain the west Lakes 16C and 16D Bound Common Area along either side of The Isles of Chestnut Creek Boulevard and the roadway island up to the monuments. To clarify, The Isles will also maintain the triangular land behind 500 and 502 Catalina Isles Circle. As these areas are landlocked The Isles has agreed to maintain this area. Maintenance is defined as lawn maintenance and landscape maintenance including, but not limited to, lighting, shrubbery, trees and other plantings.
C. CCMA further agrees to maintain the Lake 16D southern Bound Common Area along the fence. The north end of Lake 16C is Common Area maintained by the Sugarwood Trail Owners.
D. The areas to the west of Lakes 16C and 16D between the lakes and Catalina Isles Circle are wholly within the boundary of The Isles and therefore, The Isles will provide all lawn maintenance and landscape maintenance including, but not limited to, lighting, shrubbery, trees and other plantings.

1.1.2.2 *The Patios*

As The Patios Irrigation Pump System is situated on CCMA Common Area, CCMA and The Patios entered into the following agreements:

A. When The Patios phase I was implemented, the developer installed a pump house and irrigation equipment in the north end of the Common Area of Lake 8 to the west of Harbor Town Drive.

CCMA recognizes that to be the case, and that the ownership, control, repairs and maintenance thereof is The Patios responsibility.

B. CCMA acknowledges that The Patios can extract water from this lake for the purpose of irrigation.
C. Any erosion, washouts or detrimental effect to Lake itself or the Common Area that is caused by, including but not limited to, the building, irrigation components or operation thereof is The Patios responsibility to mitigate the source and repair the damaged area

1.1.2.3 *The Villas*

As Lake 17 is landlocked in The Villas, CCMA and The Villas entered into the following agreements:

A. As the Bounded Common Area surrounding Lake 17 is landlocked, The Villas has agreed to maintain of these areas with the exception of the northeast portion of the Lake; this area contains the Preserve swale discharge and natural landscape. Maintenance is defined as, but not limited to, shrubbery, trees and other planting; control and repairs remain the responsibility of CCMA.
B. When The Villas was implemented, the developer installed the irrigation pump, equipment and distribution lines on the Bounded Common Area of Lake 17[1]. The ownership, control, repairs and maintenance thereof is The Villas responsibility.
C. CCMA acknowledges that The Villas will pump of well water into the lake and can extract of water from this lake for the purpose of irrigation.
D. The Villas received CCMA approval for storage of a small row boat to service the irrigation system with the understanding that it would be stored in an obscure location.
E. Any erosion, washouts or detrimental effect to Lake itself or the Bounded Common Area that is caused by, including but not limited to, irrigation components or operation thereof is The Villas responsibility to mitigate the source and repair the damaged area.
F. The Villas will confer with CCMA when it is necessary to repair or replace the water lines which pass through the riprap at the north end of the lake.

1.2 Delinquent Assessment Collection[2]

For the Chestnut Creek Master Association (CCMA) to efficiently and effectively perform its contractual duties and its statutory functions, it is imperative that Owners timely remit payment of all annual assessments and special assessments to CCMA: and

To provide the CCMA various collection rights and remedies to ensure that Owners timely remit payment, and the Board of Directors desires to adopt a clear collection policy so that its Owners will be encouraged to timely remit payment and provide remedies in the event an Owner fails to timely satisfy his or her financial obligations to CCMA; and

Whereas, Section 3 of The Amended and Restated Declaration of Maintenance and Land Use Provisions for Chestnut Creek Article, authorizes CCMA's Board of Directors to establish assessments.

[1] Chestnut Creek Architectural - Landscape Modification Request signed by Tom Meehan (ARB chair) and Harvey Marier (CCMA Board president) on. May 17, 2017.
[2] Approved Board of Directors Meeting June 19, 2024.

Whereas the Board of Directors of CCMA desires to adopt a uniform and systematic procedure to collect delinquent assessments and other charges of CCMA.

Therefore, CCMA's Board of Directors hereby approves and adopts the following **Delinquent Assessment Collection Policy** (Rule) and hereby directs its managers, attorneys, agents, representatives, and employees to comply with the following procedures to collect delinquent assessments and special assessments:

1.2.1 Due Date and Grace Period

The annual assessments shall be due and payable in one installment, due and payable on the first day of each year. Owners shall be provided a grace period of sixty (60) calendar days to pay their annual assessment to CCMA. Assessments and other charges not paid to CCMA on or before March 1 of each year, shall be considered past due and delinquent. Special assessments shall be due and payable according to Florida Statutes. CCMA shall send a reminder letter to the Owner and the letter shall include the amounts currently due. The letter will inform the owner that interest has been added.

1.2.2 Late Fees

Late fees have not been established.

1.2.3 Interest

If a payment is not received within sixty (60) days of the due date, CCMA shall also charge interest at the highest rate permitted by Florida Law. The interest is accrued from the due date.

1.2.4 Application of Payments

Any partial payment received by CCMA, or its agents will be applied to the Owner's account in the following order: (1) accrued interest, (2) late fees (if and when established), (3) costs of collection, (4) attorney fees incurred incident to collection, and then to the (5) oldest delinquent assessment.

1.2.5 No Restrictive Endorsements

The application of payment provision above is applicable notwithstanding any purported accord and satisfaction, or any restrictive endorsement, designation, or instruction tendered by the Owner and apply said payments to the Owner's account. If the account has been turned over to CCMA's lawyer, or collection agent, the manager or agent shall accept the payment and then promptly notify CCMA's attorney or collection agent of the date and amount of the payment.

1.2.6 90-day 2nd Notice

On or after ninety (90) days after the date the assessment is first due, CCMA or its agent will mail a 90-day reminder letter to each Owner whose assessment payment has not been timely received by CCMA. The letter will specify the amount due by category. The letter will specify the amount owed CCMA and provide the Owner an opportunity to pay the amount owed without the assessment of attorney fees or collection fees. The letter must be sent by first class United States mail to the Owner of record to the address on file. Notice is deemed to have been delivered upon mailing as required herein or Florida law.

RE: Chestnut Creek Master Association, Inc.

The following amounts are currently due on your account to Chestnut Creek Master Association, Inc. and must be paid within thirty (30) days of the date of this letter. This letter shall serve as CCMA's notice of its intent to proceed with further collection action against your property no sooner than thirty (30) days of the date of this letter, unless you pay in full the amounts set forth below:

Dues assessment (dates)	$_____
Late fee	$_____
Interest through (dates)	$_____
Total outstanding	$_____

*Interest accrues at the highest rate permitted under Florida law

The Owner will be responsible for all attorney and/or collection agency fees.

1.2.7 120-day Notice of Late Assessment

On or after one hundred and twenty (120) days after the assessment is first due, CCMA or its agent will mail a Notice of Late Assessment (NOLA) to each Owner whose assessment payment has not been received by CCMA. The NOLA letter must be in substantially the following form: A rebuttable presumption that CCMA mailed a notice in accordance with this subsection and Florida law is established if a Board member, officer, or agent of CCMA, or a manager licensed under part VIII of chapter 468, provides a sworn affidavit attesting to such mailing. A Notice of Intent to File a Lien will accompany this NOLA.

1.2.8 Legal Collection Efforts

Once an account is referred to the collection agency all correspondence, emails, letters, and other communications concerning collection of the delinquent account must be promptly referred to the agency for review and resolution. The Owner is responsible for all attorney and/or collection agency fees.

1.2.9 Foreclosure on Lien and Personal Money Judgment

Once the account is transferred to collections, the agency will attempt to collect all fees owed by the Owner, including collection costs. The Owner will receive a demand letter from the agency after the account is transferred.

If no payment is received on or about thirty (30) days after the account was transferred, the agency will file and record a lien on the property. If no payment has been received, on or about forty-five - sixty (45-60) days after the account was transferred, the agency will initiate foreclosure action.

1.2.10 Suspend Voting Rights

CCMA, at a properly noticed Board meeting, will suspend the voting rights of an Owner due to the nonpayment of any fee, fine, or other monetary obligation due to CCMA which is more than $1,000 and more than ninety (90) days delinquent. Proof of such obligation will be provided to the Owner thirty (30) days before such suspension takes effect. The suspension ends upon full payment of all obligations currently due or overdue to CCMA.

1.2.11 Suspend Common Element Use Rights

If an Owner is more than ninety (90) days delinquent in paying a fee, fine, or other monetary obligation due to CCMA, CCMA may suspend the right of the owner and/or the property occupant, licensee, or invitee to use common elements, common facilities, or any other Association property until the fee, fine, or other monetary obligation is paid in full. Upon approval, CCMA will notify the Owner and, if applicable, the occupant, licensee, or invitee by mail or hand delivery.

1.2.12 Director Disqualification

Any Owner who is delinquent in the payment of any fee, fine, or special or regular assessment is not eligible to be elected or appointed to the Board of Directors or to continue to serve on the Board of Directors.

1.2.13 Seize Rent and/or Disapproval of Tenants

If a lot is occupied by a tenant and the Owner is delinquent in paying any monetary obligation to CCMA, CCMA may demand that the tenant pay to CCMA the subsequent rental payments and continue to make such payments until all monetary obligations of the Owner related to the lot have been paid in full and CCMA releases the tenant or until the tenant discontinues tenancy in the lot. If an Owner is delinquent in the payment of an assessment at the time CCMA's approval of a lease is sought, CCMA may disapprove any proposed tenant.

1.2.14 Insufficient Funds Check

In the event that any payment by check made by an Owner is not honored by the Owner's bank, CCMA will charge the owner the maximum fee allowed by Florida Statutes. The amount of such fee will be added to any amounts due CCMA.

1.2.15 Settlement and Deviation

Based on good and sufficient cause presented by the Owner or the Owner's representative, CCMA's Board of Directors may elect to negotiate and settle any disputed collection matter on payment terms and with such written agreements as deemed reasonable and acceptable to CCMA; however, CCMA shall not waive assessments or fail to charge interest on delinquent assessments. CCMA may also deviate from the procedures contained in this Collection Policy as it determines to be appropriate and necessary based on the unique facts and circumstances of each collection matter.

1.2.16 Bankruptcy of Owner

Upon learning that an Owner has filed for or is in bankruptcy, CCMA shall immediately stop all collection activities and efforts against the Owner and/or the Owner's assets (for example, the

property). CCMA shall also immediately notify its manager, agents, representatives, employees and attorneys of the Owner's bankruptcy and advise them to stop all collection activities and efforts.

1.3 Perpetual Easement

On February 12, 1996 Chestnut Creek was granted a perpetual easement for ingress/egress to Center Road via the property owned at the time by Cimarron Properties under the following, among other, stipulations:

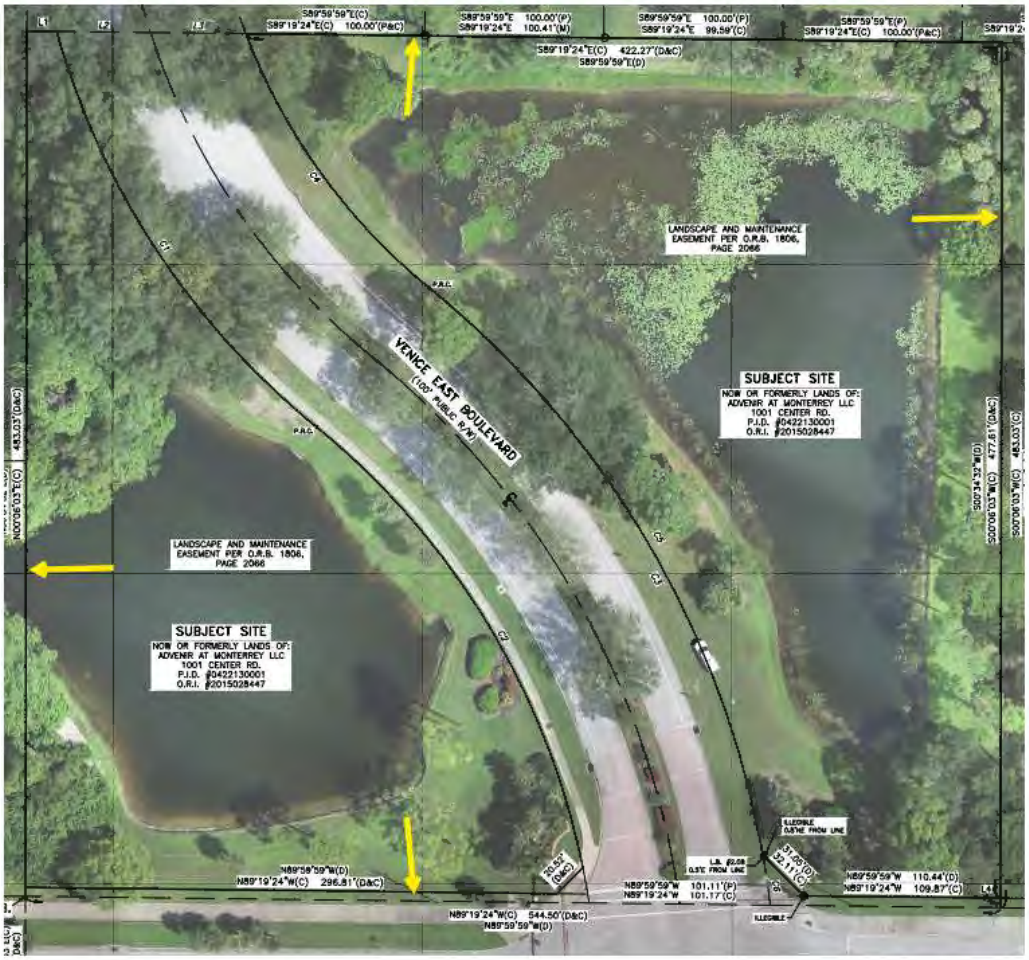
> *"….WHEREAS, GRANTEE desires to landscape and maintain a certain part of the lands of GRANTEE situated on each side of the roadway conveyed to Sarasota County, Florida, which roadway is to be known as Venice Boulevard East, which said road runs from Center Road to GRANTEE's property, and….."*
>
> *"….It is understood that GRANTOR, their heirs, successors and assigns will in no way be bound to improve, maintain, or keep in repair the herein described land; nor does GRANTOR, their heirs, successors or assigns, assume any liability or responsibility to GRANTEE, its successors or assigns, or any person using the herein described land by invitation, express or implied, or by reason of any business conducted with GRANTEE, its successors or assign…."*

As noted in the above excerpt, at that time CCMA assumed all maintenance and repairs associated with the easement area specified in that agreement while the Apartment Complex still retains ownership.

In 2022 a Special Easement search was undertaken and found that the easement was still in good standing. Subsequently, a survey was conducted to determine the precise area for which CCMA had responsibility. That boundary of the easement is denoted by the four arrows on

Figure 1.

Figure 1 - Perpetual Easement



1.4 Properties Abutting the Lake System

Ownership of properties abutting the Lake System not only has the benefit of enhanced property value, it also comes with the responsibility to help maintain the Common Area and/or Bounded Common Area between your home and the lake itself. The following rules, along with the deed restrictions stated in the Maintenance and Land Use Provisions identify those responsibilities.

1.4.1 Lake System Description

The Chestnut Creek Lake System is a series of interconnected stormwater ponds (aka, Lakes). According to SWFWMD[3], stormwater ponds play an important role:

- They impound and retain rainwater from roof drains, driveways and streets thereby decreasing the peak stream flow which reduces erosion and flooding in the downstream rivers and streams.
- By retaining and holding much of the stormwater, these ponds also allow nutrients and other chemicals contained in the runoff to be filtered from the water before it moves through the soil into an underlying aquifer or along the surface into our rivers, lakes, and estuaries.

[3] *Stormwater Ponds, A Citizen's Guide to Their Purpose and Management*", Southwest Florida Water Management District.

- Wildlife depends upon these ponds for food, shelter and breeding purposes. During the dry season, ponds act as reservoirs, providing much needed water for birds and wildlife.

In plain terms, they provide flood control, filtering for water quality and provide wildlife habitat. Stormwater ponds, or our "Lakes", will never be nor were they intended to be pristine swimming or fishing lakes clear of vegetation.

The Master Drainage Plan for the Chestnut Creek Lake System was designed and filed in 1984 to accommodate a 1:25 year storm: that is a 24 hour rainfall of nine (9) inches during a three day storm event. Most of the subdivisions around Chestnut Creek were designed to the new FEMA 1:100 year storm requirement for stormwater ponds; hence, the Chestnut Creek subdivision is lower than those subdivisions. In fact, the current FEMA flood map[4] shows many of our streets flooded for a 1:100 year storm event.

The Lake System consists of 23 ponds or lakes, a dry water pond, a Filter Lake, swales, channels, drain pipes, flow control structures, Head Walls (HWs), Mitered End Sections (MESs) and street catch basins. **Figure 2** shows the numbering of the lakes and water flow through the system. The Filter Lake and 17 lakes (5-16E) are owned and maintained by CCMA, four (3A-4) are owned and maintained by the Apartment Complex, and the Dry Pond (DP) is owned and maintained by Venetian Gardens. The two lakes (1, 2) at the entrance to Chestnut Creek are owned by the Apartment Complex; however, the eastern end of Lake 2 and Lake 1 are maintained and repaired by CCMA as defined in Section 1.3. All of the Lakes are fully interconnected via culverts or transfer tubes for balancing with the following exception; Lakes 16A, 16B and 16E are fully interconnected, but they discharge in the main system via a weir dam into Lake 16D.

[4] FEMA Flood Map Service Center: Search By Address: https://msc.fema.gov/portal/search

Figure 2: Lake Numbering and Flow

The Lake System provides stormwater Collection, Clarification and Discharge for the entire Chestnut Creek subdivision. The Collection function is fairly straight forward. The stormwater enters the system directly as rainfall, runoff from the lawns and from street drains (or catch basins).

- Street catch basins collect the water from the streets.
- The drains connect the catch basins to the Lakes, interconnect the Lakes as noted above and connects them to the flow control structures, such as weir dams. The drains discharge into or exit the lakes via MESs or headwalls.
- There are two pronounced swales in the system. The first starts behind 242/244 Woodingham Trail, runs behind the Woodingham Trail homes around to behind the Pendleton Drive homes, around Lake 17 where it discharges. This swale prevents Woodingham Trail from flooding; an easement was granted to Sarasota County for control and maintained thereof. The second, less obvious swale, runs behind 632 Sugarwood Court, around behind the homes on Sugarwood Trail to Lake 16C where it discharges. This swale is controlled and maintained by CCMA, and collects the runoff from the surrounding homes.

This area is the dividing line between the Myakka River, Lemon Bay and the Dona Bay watersheds; therefore, it also collects the stormwater from the Apartment Complex, Venetian Gardens, Center Road and a small portion of Good Shepard Episcopal Church and of the Venice Golf and Country Club preserves. The Lake System discharge is metered by a Filter Lake flow control structure, flows into Hatchet Creek via Buried Twin Culverts on the Jacaranda Brighton property (see Section 1.4.1.1), and then into Dona Bay via Roberts Bay. The arrows on **Figure 2** depict the outward flow of the stormwater through the Filter Lake and into Hatchett Creek.

What is not so obvious is the Lake System clarification or filtering function. There were two major components to this design; the Filter Lake and the littoral shelves or zones. The Filter Lake consists of aquatic plants in a wet/dry pond through which the stormwater flows to clarify it by sedimentation, oxygenation and reduction of nutrients before it is discharged through a Flow Control Structure, Twin Buried Culverts and into Hatchett Creek. In large storm events, the stormwater flows over the aquatic plants and directly into the Flow Control Structure. Littoral shelves or zones are…..

> "shallow areas that support aquatic (emergent) plants. Littoral has two meanings. The scientific meaning is any shallow area of a lake, pond, river or ocean. The second definition is legal. The Sarasota County and water district designate certain areas in our stormwater ponds as littoral zones. These areas are designed and excavated to be one to three feet deep. The littoral zones are required to be 100% planted with native plants.
>
> The purpose of a littoral zone is to purify the water and maintain balanced aquatic ecosystems. Plants in the littoral zone utilize some of the nutrients that wash into the ponds. They create quiet water so suspended material settles between their stems." [5]

The Chestnut Creek Lakes System was initially designed with littoral shelves in all of the Lakes. The County is unable to enforce the planting of the littoral shelves in those Lakes approved prior to fall of 1988; however, those areas are no longer functional and no longer contain any of the desired plants. The

[5] Source: http://www.beautifulponds.com/component/content/article/7-lakes/9-littoral-zones

County has asked the CCMA to plant 100% of the lake perimeters in any lake in which the original littoral shelf has not been properly maintained.

In1993 when The Isles Unit II was platted, Lakes 16D and 16E were engineered to have littoral shelves that are controlled by the County. As a result, these areas were heavily populated spike rush, and flowering arrow leaf and pickerel weed.

The following summarizes any regulatory or other obligations regarding the Lake System.

1. The Filter Lake was designed to the stormwater pond specifications in effect prior to October 1, 1984 and was expected to be maintained as such. CCMA can repair without approval or modify with approval of SWFWMD.
2. Lakes 16D and 16E were reengineered in the early 1990s and have littoral shelves that the County requires CCMA to properly maintain.
3. While the majority of the MESs and other associated structures are County assets, any erosion or undercutting of, or resulting damage to them is CCMA's responsibility.
4. The County has recommended the CCMA to plant 100% of the lake perimeters in any lake in which the original littoral shelf has not been properly maintained.
5. The Lake System is expected to discharge water into Hatchett Creek that meets the County's quality standard.

1.4.1.1 *Twin Buried Culverts Maintenance*

As previously described, the water flows out of the Filter Lake Flow Control Structure and through two 332 foot buried stormwater culverts (referred to as the Twin Buried Culverts) to the head of Hatchett Creek. These culverts are physically on the Brighton-Jacaranda property to the west of Chestnut Creek.

In 1974, an Easement[6] was granted to the Chestnut Creek developers by the previous owners of the Brighton-Jacaranda property. The intention of the easement was to allow the Chestnut Creek developers to install the Buried Twin Culverts and they, as well as the subsequent owners (i.e., the Chestnut Creek Master Association) to maintain them.

In 2023, Stantec (the infrastructure development company) found that the surveyor's easement location description was not over the Buried Twin Culverts, but 332 feet to the west over Hatchett Creek. Further, the easement only allowed for the installation of the culverts, but stated nothing about the maintenance thereof. Consequently, the Brighton-Jacaranda developers inherited the ownership and maintenance of the Buried Twin Culverts. In 2024, the Brighton-Jacaranda developer issued a consent/resolution[7] that clarified the ownership and maintenance as belonging to the Brighton-Jacaranda Homeowners Association.

1.4.2 Common Area and Bounded Area Maintenance

Several factors determine how the Owner or an Incorporated Neighborhood is to maintain this area, including but not limited to the following:

[6] County filing OR991-Page 875.
[7] e-STUDIO1208_20240819_115239.

- CCMA uses Lake Management companies to control algae and invasive plants in and around the lakes. As such, these companies use small 4-wheel vehicles to drive along the Lake System shorelines to see the water line to treat them and thus, need to be able see to minimize overspray.
- Currently, CCMA is using coir mat, riprap and GeoWeb to repair the Common and Lake System shorelines. Riprap consists of landscape fabric covered with stone or limestone/shell composite. GeoWeb consists of a robust three-dimensional structure housing a network of interconnected cells that confine and compact soil. As such, these areas can no longer be excavated without damaging the integrity of the repair.

The following Rules which apply equally to both Common Areas and Bounded Common Areas surrounding the Lakes System provide the specific rules related to the Owners and incorporated neighborhood maintenance of this area.

1.4.2.1 *Tree Trimming*

This Section to be completed with assistance of certified arborist.

1.4.2.2 *No Mow Zone*

The CCMA has established a No Mow Zone (NMZ) or green barrier along all the lake shorelines. The No Mow Zone serves several critical functions: it reduces the velocity of storm water as it drains from properties into the Lakes, protects the lake bank sod and helps protect the Lake bank from erosion, washouts and damage from mowers.

The *Amended and Restated Declaration of Maintenance and Land Use Provisions for Chestnut Creek* Article 2.9 specifies the deed restrictions for the Owners and Incorporated Neighborhoods for properties abutting the Lake System. In accordance with those deed restrictions, the following rules specify how the Owners and Incorporated Neighborhoods are to maintain the No Mow Zone:

a. The *Amended and Restated Declaration of Maintenance and Land Use Provisions for Chestnut Creek* Article 2.9.A specifies "*Unless delegated to a particular Incorporated Neighborhood, all Owners of property in Chestnut Creek whose Parcel abuts the Lake System shall maintain the lawn within the area bounded by the rear Parcel line and the mean high water mark*[8] *of the abutting water, and the lines formed by extension of the side Parcel lines to the water."* That said, all landscaper's contracts must require that they maintain the No Mow Zone as defined herein.
b. No Mow Zone is defined as the Common Area and Bounded Common Area lawn no less than three (3) feet and no more than four (4) feet from the High Water Mark as defined in the *Amended and Restated Declaration of Maintenance and Land Use Provisions for Chestnut Creek* Article 1.1. **Figure 3** diagrams are provided to assist in the interpretation.

[8] If there are any questions on where the High Water Mark is on your property contact the CCMA Lakes Committee.

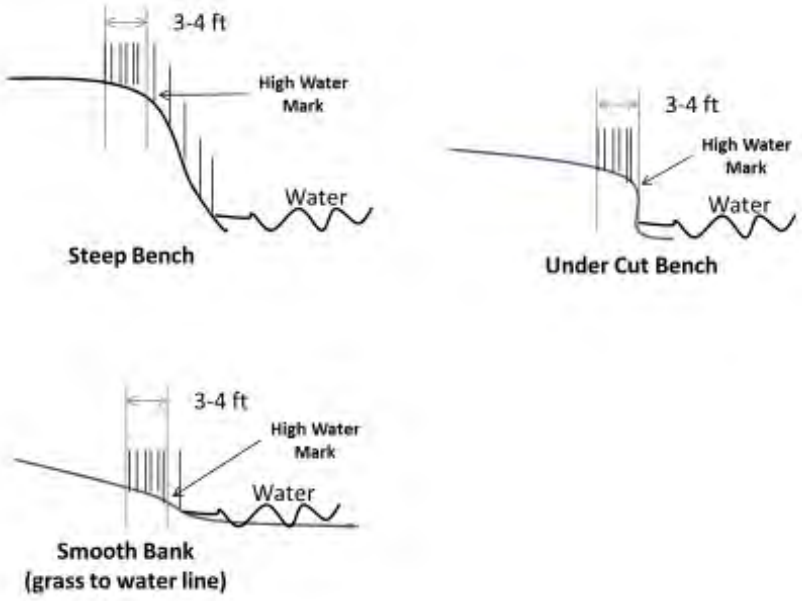


Figure 3 - Various Bench Diagrams

c. The No Mow Zone is not required or allowed when with riprap or a Mitered End Section (MES) present.

d. No riding OR hand lawn mowers are allowed in the No Mow Zone. This is to prevent the weight and vibration of the mowers from contributing to bank erosions, or causing bank failure in compromised areas or accidently going into the water.
No Mow Zone may consist of St. Augustine grass or Florida native plants:
   i. Grasses must be maintained by trimming to eight (8) to twelve (12) inches in height, and
   ii. Florida native plants to be left to their natural height up to a maximum of 20 inches.

Figure 4 shows photos of the two Buffer Area vegetation types described.

Figure 4 - Types of Buffer Area Vegetation

Grass No Mow Zone

Native Plant No Mow Zone

d. Trees, bushes and invasive species are not allowed on the No Mow Zone; it is the Owner's or Incorporated Neighborhood landscaper's responsibility to cut off at ground level any that grow in this area. It is important not to pull or dig out the roots as this will encourage erosion. If cases where you are not able to monitor this area all, IT IS IMPORTANT to keep it trimmed 3 to 4 feet wide and 8 to 12 inches in height.
e. The discharge on all mowers and trimmers must be up bank and not toward the water.

1.4.2.3 ***Buried Drains***

The *Amended and Restated Declaration of Maintenance and Land Use Provisions for Chestnut Creek* Article 2.2(F) states "No dumping or discharge of any material, other than natural surface drainage in accordance with drainage designs and plans approved by CCMA, may be made into the Lake System". To resolve the issue of existing buried surface or gutter downspout drains that discharge on the Common or Bounded Common Areas or into the Lakes System, and future situations demanding that resolution, and in the most prudent method that meets the needs of managing the lakes, and while it is a violation of the current *Amended and Restated Declaration of Maintenance and Land Use Provisions for Chestnut Creek*, CCMA will approve (on a case by case basis) the installation of Owner's buried drains (existing and new) that terminate in the Lakes as defined by the following specifications.

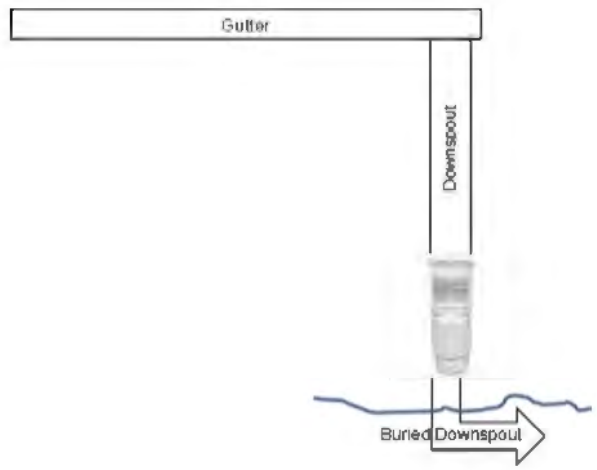
1.4.2.3.1 General Rules

1. As with all improvements on Common or Bounded Common Area, the Owner is required to obtain CCMA approval to install buried drains.
2. After installation, the Owner is responsible to ensure that the buried drains are kept clear of debris and operating properly.
3. In the event that a buried drain failure results in Common or Bounded Common Area erosion or other damage as a result of improper maintenance, the Owner is responsible for the repairs of that area. Repairs must be approved CCMA.

1.4.2.3.2 Downspout Filter

1. It is recommended that buried downspouts which drain into the Lake System, whether existing or new, install gutter caps or a downspout filter to reduce the possibility of leaves and other debris from clogging the buried drains. The following figures show:
   a. An example of an inexpensive filter which ejects the leaves and allows most of the water to continue in the pipe, and will require minimal~~, if any,~~ cleaning.

   b. An example of how the filter should be installed in the downspout.



1.4.2.3.3 Rigid Buried Drain Requirement

1.4.2.3.4 Existing Buried Drain Installations

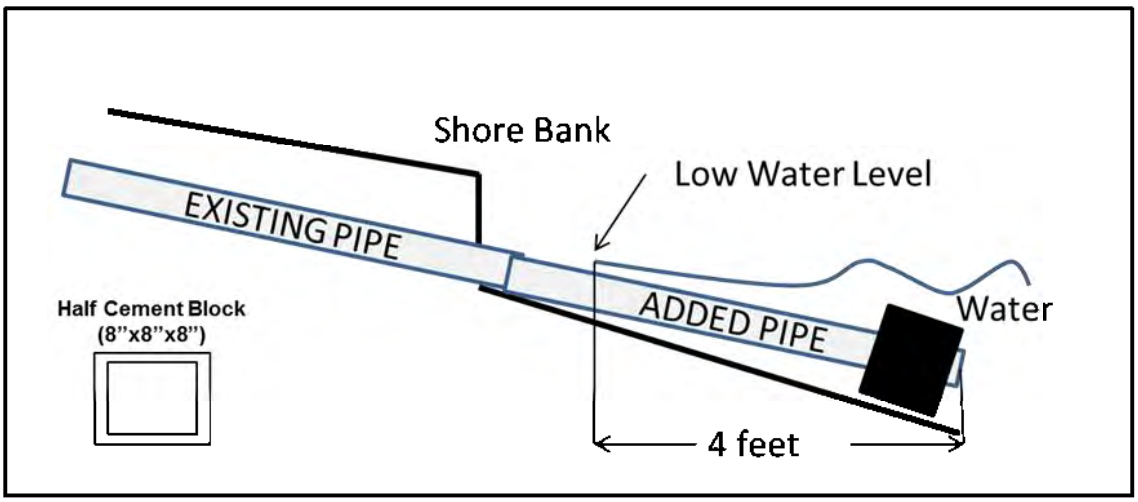
Existing installations may use corrugated black pipe on the Common or Bounded Common Area if they are in compliance with these Buried Drain Specifications and are not resulting in any adverse conditions, whether it be erosion or otherwise. However, before the shoreline is repaired with riprap, GeoWeb or other technology the Owner will be required to replace the last 9 feet of buried corrugated pipe traversing the Common or Bounded Common Area with 4 inch SDR-35 pipe at their cost.

Owners with existing buried drains that terminate on the Common Area or in the Lakes are required to bring the installation into compliance with specifications.

In any case, any eroded areas must be filled and re-sodded to prevent further erosion at the owner's cost. The CCMA Lakes Committee must be notified when the issue has been resolved for inspection.

1.4.2.3.4.1 Lake Discharge (Option 1)

1. The owner must be granted a CCMA specific exception to the Land Use Provisions to discharge the downspouts directly into the lake.
2. The drain pipe must be dropped to the low water level and extended at least four (4) feet past the low water level.
3. If the Owner has installed with corrugated black pipe, the end furthest into the water should be run through a half contract block (8"x8"x8") to hold the pipe on the bottom. These half blocks are available at building supplies stores such as Home Depot.
4. No perforated pipe should be used anywhere on or near the Common or Bounded Common Area.
5. Existing installations which terminate in the water as specified and are not causing erosion will be approved as is.
6. If rigid SDR-35 pipe is used the half concrete block is not used.



1.4.2.3.4.2 Abandon the Buried Drain (Option 2)

1. The owner can disconnect downspout or surface water drain, cut lake end back at least two (2) feet into the bank and cap both ends.
2. The owner must then provide some means of dissipating the water pressure and dispersing the water from the downspouts on their property with the use of rock gardens, or some other means to minimize erosion. The Lakes Committee is willing to assist with and review the design.

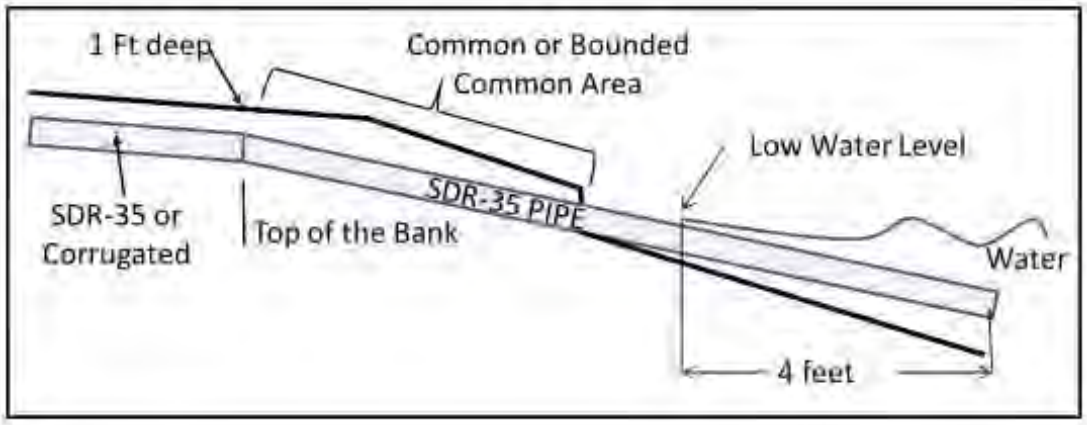
1.4.2.3.4.3 Owner Proposed Solutions (Option 3)

1. The owner can propose another solution that meets the needs of reducing erosion to be reviewed by the CCMA ARB and the Lakes Committee.

1.4.2.3.5 New Buried Drains

1. The owner must request and be granted a CCMA exception to the Land Use Provisions to discharge the downspout or surface water drains directly into the lake.
2. The following are the drain pipe installation specifications:
    a. All new buried drains are required be implemented using rigid 4 inch SDR-35 drain pipe to traverse the Common or Bounded Common Area. It is far less likely to plug up and less likely to require cleaning and maintenance, and is sturdier allowing the use of heavy equipment on the shorelines. While the Owner could use corrugated black pipe on their property, the light weight, rigid drain pipe is recommended.
    b. It must be buried deep enough to permit adequate soil above to sustain vegetation.
    c. It must be buried at least one foot deep at the top of the bank.
    d. The SDR-35 pipe must be at least nine (9) feet long before reaching the shoreline.
    e. The drain must be extended at least four (4) feet past the low water mark.
    f. All areas must be restored with fill and re-sodded to prevent further erosion.

The CCMA Lakes Committee must be notified when the issue has been resolved for inspection.



1.4.2.3.6 Shoreline Repair Consideration

Owners whose property abuts a Lake will be notified of shoreline repairs prior to starting the repairs. In the event of notification, the Owners will be required to meet these requirements.

1. The Owner should be aware that prior to construction the last nine (9) feet of buried drain(s) must use 4 inch SDR-35 PVC drain pipe; however, it needs only extend past the bench by one (1) foot (10 foot total).
2. The Owner should be aware that repairing the shoreline involves extending it to its original position. As a consequence, the Owners will bear the cost of extending the drain lines to accommodate new shoreline position.
3. After CCMA extends the buried drain as part of repairing the shorelines, CCMA is responsible to ensure that the drain extension is installed properly. Thereafter, the entire buried drain system is the responsibility of the Owner.

1.4.2.4 *Irrigation Systems*

Per the *Amended and Restated Declaration of Maintenance and Land Use Provisions for Chestnut Creek* Article 2.9(F), "No alterations, improvements or structures, including but not limited to irrigation systems and buried drains, shall be constructed on the Common Area or Bounded Common Areas unless approved by CCMA.". Any irrigation system component whether it is irrigation intake lines, heads or piping is considered to be an "improvement". To resolve the issue of existing irrigation systems on the Common or Bounded Common Areas, and future situations demanding that resolution, and in the most prudent method that meets the needs of managing the lakes, and while it is a violation on the current *Amended and Restated Declaration of Maintenance and Land Use Provisions for Chestnut Creek*, CCMA will inspect and approve (on a case by case basis) the installation of Owner's irrigation systems (existing and new).

1.4.2.4.1 Existing Irrigation System Compliance

1. All existing irrigation installations on the Common Area, including the water intake lines in the lakes, will be inspected by CCMA. Irrigation installations that are not properly functioning or that have caused erosion or damage must be repaired and the area restored.
2. Irrigation systems including underground sprinkler lines, all sprinkler heads and control valves should be regularly inspected by the Owner(s) or Incorporated Neighborhood to ensure there are no leaks.
3. After shorelines have been repaired with riprap, GeoWeb or other technology Owners with irrigation system intake lines will be charged for the cost of a "Do Not Dig" sign and they will be

responsible for the replacement cost of damaged or missing signs. These sign simply states that no is allowed digging within eight (8) feet of the water line.

4. Any irrigation leaks should be repaired immediately and if the caused Common or Bonded Common Area erosion CCMA should be contacted to determine what, if any, restoration must be made to it.

1.4.2.4.2 Replacing an Irrigation Intake Line

1) As with all improvements on Common or Bounded Common Area, the Owner is required to obtain CCMA approval to repair or replace any irrigation component including but not limited to irrigation heads, distribution lines, and intake lines.
2) Under no circumstance should unused irrigation intake lines be left or abandoned in the water. They must be removed.

1.4.2.4.3 Shoreline Repair Considerations

All Owners and Incorporated Neighborhood should be aware of the following considerations with respect to irrigation system components on Common and Bounded Common Area:

1. No digging is allowed on Common and Bounded Common Area after the shorelines have been repaired with riprap, GeoWeb or other technology, Therefore, all irrigation system intake lines drawing water from the Lake System will be required to install a four (4) inch schedule-40 PVC pipe sleeve over that line where it traverse the Common or Bounded Common Area.
2. After shorelines have been repaired with riprap, GeoWeb or other technologies, Owners, with irrigation system intake lines will be charged for the cost of a “Do Not Dig” sign and they will be responsible for the replacement cost of damaged or missing signs. These signs simply state that no digging is allowed within eight (8) feet of the water line.
3. It is strongly recommended that the Owner install a check valve and union at the lake end of the sleeve to facilitate maintaining the irrigation intake line that is in the water. The union allows the line in the water to be serviced without having to glue the pipe which will probably now be under the water, and the check valve allows the line in the water to be serviced without having to re-prime the pump.
4. Further, repairing the shoreline involves extending it to its original position. As a consequence, the Owner or sub-HOA will bear the cost of extending both the sleeve and the irrigation intake line to accommodate new shoreline position.

1.4.3 Damage Control of Lakes and Lake Banks

1. Owners and Incorporated Neighborhoods are responsible for notifying CCMA when they observe damage related to irrigation systems, surface water or any other drainage problems on the Common Area or Bounded Common Area around the Lakes. It is critically important to begin damage control as early as possible. Please note, that resulting loss of soil or soil movement on the Common Areas or Bounded Common Areas must be repaired; however, no specific actions should be taken on without prior approval of the CCMA.
2. In cases where there is insufficient distance between a water discharge source (be it gutter downspouts, gutter overflow, or roof or surface water runoff) and the Common Area or Bounded Common Area that may cause, or is causing, erosion the Owners are required to install a buried drain connecting to gutter downspout and/or surface drains, or another approved means of

dispersing and dissipating the water energy as shown in Section 1.6. The installation of buried downspouts must be according to the Buried Downspout Drain Specifications, Section 1.3.2.3.5.

3. In all cases for new or modified drains, CCMA approval must be obtained in advance.

1.4.4 Aquatic Plants

Per the *Amended and Restated Declaration of Maintenance and Land Use Provisions for Chestnut Creek* Article 2.2(C), CCMA will establish aquatic plants along selected shorelines and in littoral shelves to help control lake bank erosion from wave and wind action, and to clarify the water. The Lakes Committee will maintain a contract with a certified lake maintenance company to selectively spray for invasive plants and algae in such manner that promotes shoreline restoration and maintenance, algae control and a balanced wildlife habitat.

1.4.4.1 *Benefits of Aquatic Plants*

The following Sections provide the scientific overview and reasoning for the aquatic plant management policies.

1.4.4.1.1 Impact on Shoreline Erosion

Common causes of shoreline erosion include run-off during rain events, wave energy impacting the shoreline, and amount of nearby land use. As a shoreline erodes, particulates become re-suspended, causing turbidity to increase within a pond. Turbidity is a measurement of the total suspended solids within a lake. The higher the turbidity, the more suspended solids, the more murky or cloudy the water is.

The suspended solids causing the turbidity also absorb heat from solar radiation. This increases the water temperature. Warmer water holds less oxygen, indicating that turbid water correlates to a low oxygen environment and these environments are optimum for organisms such as anaerobic bacteria, cyanobacteria, and filamentous algae. When these conditions become extreme it results in low biodiversity, unpleasant smells, and poor aesthetic appeal.

A turbid lake negatively impacts the fish population and is more stratified than a pond with low turbidity. The turbid water makes it difficult for the fish to find their food, clogs their gills (stunting growth), and can smother eggs and larvae.

Aquatic Plants also interrupt wave energy resulting in less shoreline impact and less sediment re-suspension, and their roots hold the shoreline sediment, decreasing the amount of erosion. In addition, they also slow run-off into the pond. The run-off carries particulate matter resulting in accretion or sediment deposition which in turn produces a shoreline stabilizing effect.

1.4.4.1.2 Impact on Water Quality

Like all organisms, aquatic plants are composed of elements, such as Nitrogen and Phosphorous. These same
two elements can cause water quality issues within stormwater retention ponds if found in excessive bioavailable quantities. Degradation of organisms releases the nutrients as bioavailable. Aquatic plants compete for and uptake these elements when released in forms such as Nitrate or Phosphate. This uptake reduces the amount of Phosphorous and Nitrogen in the water column.

In addition to up taking nutrients, the plants shade the bottom of the pond from sunlight. This reduces the amount of solar radiation absorbed, suggesting that the water near plants may be cooler. Cooler water

holds more oxygen than warmer water. Also, during the day, the plants produce oxygen through photosynthesis, indicating they may add oxygen to the pond.

Oxygen acts as a catalyst for numerous beneficial reactions in pond ecology. For example, aerobic bacteria consumes decaying material significantly faster than anaerobic. It also does not have the byproduct hydrogen sulfide which can cause the pond to have a rotten egg smell.

1.4.4.1.3 Impact on Wildlife

Native aquatic plants participate in the same evolutionary time line as the native fauna within the ecosystem. This means that the plants evolved with the birds, fish, insects, and other animals in the area. This results in codependent relationships between the species. For example, the native birds have adapted to eating the native plant's seeds or using their stems for nesting material. Similarly, insects use the nectar of plants for food source. In exchange, the plant relies on native birds for seed dispersal and insects for reproduction. For reasons such as these, the native biodiversity of a community is impacted by native aquatic plants. Without these plants, food webs are disrupted, and reproduction is impeded or not feasible.

Aquatic plants harbor aquatic insects which birds, fish, and other aquatic insectivores rely on for nourishment. Without native aquatic plants, the abundance, diversity, richness, and biomass of aquatic insectivore birds will be far less. In addition to contributing to the food web and reproduction, aquatic plants provide protection from prey. Without aquatic plants to provide cover, birds, alligators, otters or other predators will easily catch the fish or insects they target. This suggests that without aquatic plants the animal population within a pond may decline. This disrupts the natural ecosystem and may contribute to unhealthy water quality. Insects, for example, eat filamentous algae, indicating that without aquatic plants, the pond may experience more algal blooms.

1.4.4.2 ***Recommended Aquatic Plants***

Areas of a stormwater retention pond that can harbor aquatic plants are deemed littoral zones. Littoral zones include perimeter shorelines and shallow regions. There are three main types of aquatic plants (emergent, submersed, and floating/floating leafed) that grow in littoral zones and the impact they have on wildlife, water quality, and erosion in stormwater retention ponds. The following Sections define the three types and the specific recommended native plants in each by the County, University of Florida and lake maintenance companies.

1.4.4.2.1 Emergent Aquatic Plants

Emergent aquatic plants need sediment to root but have varying tolerances to water depths. The most common examples of native emergent plants in the Venice, FL area include Pickerelweed, Duck Potato, Spike rush, and Golden Canna.

1.4.4.2.2 Submersed Aquatic Plants

Submersed aquatic plants predominantly grow beneath the water's surface. Common examples of native submersed species in the Venice, FL area include Chara and Eelgrass.

1.4.4.2.3 Floating and Floating Leafed Plants

Floating aquatic plants are plants that do not need to root into the sediment to absorb nutrients. A common native example of this is Watermeal the world's smallest flowering plant. It's green and forms dense mats that grow across the surface. It prefers stagnant water.

Floating leaf aquatic plants root into the bottom sediment and have long stolons with leaves attached that float on the water's surface. Common native examples of these include Spatterdock and White-Water Lilies. Spatterdock has large heart shaped leaves with yellow flowers. White Water-Lilies have round, bright green leaves with white flowers Damage Control of Lakes and Lake Banks

1.4.5 General Surface and Rain Water Management

1.4.5.1 *Downspouts on the Front of the House*

1. All downspouts and gutters at the front of the home should drain toward the street, preferably, or into the natural swale between adjacent properties as conditions dictate.
2. The flow into a swale between homes should be controlled to restrict and disperse the water flow by an approved means described in Section 1.6.3. The CCMA is willing to work with the Owners and Incorporated Neighborhoods to develop specific control methods which are both effective and cost effective on a case by case basis

1.4.5.2 *Herbicide Application Restriction*

Per the *Amended and Restated Declaration of Maintenance and Land Use Provisions for Chestnut Creek* Article IV, Section 2.9 stated earlier, any Owner or Incorporated Neighborhood whose property abuts the Lakes Common Area or Bounded Common Area is responsible to maintenance of the Common Area or Bounded Common Area, respectively. Consistent with the County's ordinance of prohibiting fertilizer within ten (10) feet of the water, CCMA further states:

1. CCMA further requires that no herbicides are to be used within fifteen (15) feet of the water.
2. The Owner or Incorporated Neighborhood is responsible for the restoration of any Common Area or Bounded Common Area or aquatic plants, respectively, if there is any vegetation damage due to accidental overspray or runoff.

1.4.5.3 *Water Flow Restriction and Disbursement*

1.4.5.3.1 Downspout Splashguards

Downspout splashguards are minimally accepted means of dispersing and dissipating the water energy if are installed with the blunt end toward the lake and conditions permit. For example, if the distance is too short to the top of bank or they result in erosion, they are not permitted.

1.4.5.3.2 Popup Emitters

A popup emitter can be used were a Owner wishes to bury their downspouts or drains on their property. This device is added to the end of a buried pipe that pops up or opens when there is sufficient water pressure dispersing the water flow and pressure in all directions.

1.4.5.3.3 Rain or Rock Gardens

Rain or rock gardens consisting of decorative stones are areas placed in front of a water flow caused by downspouts, drains or any source. Plants or shrubbery can be added to absorb some of the water and to add beauty and color. Permeable landscape fabric can be installed under the stones to prevent the rocks from sinking into the soil.

1.4.5.3.4 Ground Cover

In denuded areas or areas where the grass may not thrive such as in shade or under trees, ground cover may be used. For example, Dwarf Jasmine is a hardy variety that can be mowed and walked on, and frogfruit and mimosa are native grond covers that can be mowed.

1.5 Properties Abutting the Preserves

The CCMA, and by extension all residents and contractors, are responsible for following State and County regulations governing the Wetlands and Preserves. In particular:

- The *Homeowner's Guide to Wetlands, Florida Department of Environmental Protection* stipulates that "*Debris from lawns and from maintenance such as pruned branches or leaves should not be deposited in wetland preserve areas and should be appropriately disposed of or r*ecycled…"
- The *Homeowner's Guide to Sarasota County Codes* states that "*All activities involving filling, excavation, or disturbance of native vegetation or storage of materials are prohibited within wetlands or conservation areas in a subdivision or neighborhood*…" This also prohibits placing potted plants, mulch, bird feeders, or lawn ornaments in preserve areas.

1.6 Swimming Pool, Hot Tub and Spa Discharge

The *Amended and Restated Declaration of Maintenance and Land Use Provisions for Chestnut Creek* Article II, Section 2.2(F) states that "No dumping or discharge of any material, other than natural surface drainage in accordance with drainage designs and plans approved by CCMA, may be made into the Lake System.".

The term "Swimming Pool" in the following subsections, while not specifically stated, applies to Hot Tubs and Spas.

According to the local, state and federal regulations, NO swimming pool water can be discharged into our Lakes System; specifically, back flush discharge or discharge as a result of pool draining. To resolve the issue of existing swimming pool overflow drains that discharge on the Common Area or into the Lakes, and future situations demanding that resolution, and in the most prudent method that meets the needs of managing the lakes, and while it is a violation on the current Chestnut Creek Master Association Land Use provisions, CCMA will approve (on a case by case basis) the installation of Owners swimming pool overflow discharges (existing and new) that terminate in the Lakes as defined below.

The following rules are specified for each type of discharge. Note that these apply to all three Incorporated Neighborhoods as well as the Owners; and must be included in all swimming pool maintenance and repair contracts.

1.6.1 Swimming Pool Overflow Discharges

1. Swimming pool overflow discharges are primarily due to rain which dilutes the chlorine in the water. These discharges can safely be made onto the ground or into the Lake System with the following stipulations:

1.6.1.1 *Discharging on the Ground*

1. The pool overflow can be discharged on the owner's property as long as there is sufficient distance from the Common or Bounded Common Areas so as not to cause erosion thereof.
2. The discharge directly onto the Common or Bounded Common Areas or directly into the Lake System is prohibited except as stated in Section 1.5.1.2.

1.6.1.2 *Discharging into the Lake Water*

The pool overflow can be discharged directly into the lake water; however, the discharge pipe must be four (4) feet past the low water point so as not to cause lake bottom or shoreline erosion. In this case, the lake water will create resistance to slow up the discharge flow to minimize erosion.

1.6.2 Swimming Pool Back Flush Discharges

Swimming pool back flush discharges must follow the Sarasota County's Recommended Minimum Pollution Prevention Best Management Practices (BMPs); that is; back flush discharge must be through an air gap to the sanitary sewer. It is highly recommended that a professional plumber be used to connect the backwash discharge into the sanitary sewer system.

1.6.3 Draining the Pool

In the event that a chlorine or saltwater pool has to be drained, the water must be de-chlorinated by a professional before it is discharged directly into the street drains.

1.6.4 Acid Wash Discharge

Discharge of a swimming pool acid wash is never to be discharged directly onto the ground or into the lakes as the acid can kill frogs, fish and plants. It must be diluted to at least 5:1 with water, and then it can be discharged into the street gutter or street catch basin through a Hay Bale filter.

1.7 Fertilizer

These rules are in addition to corresponding the County Code, Section 2.1.2, and must be included in all landscape maintenance contracts.

1.7.1 Fertilizer Usage

1. The amount (or quantity) of fertilizer applied on Chestnut Creek lawns is to be half of the manufacture's recommended amount on the bag unless a low number N-P-K (e.g., 10-5-5 or less) is used.
2. The fertilizer must contain at least 50% slow release nitrogen.

1.7.2 Fertilizer Application

1. While the County Regulations specify keeping the fertilizer at least 10 feet away from waterways, Chestnut Creek requires keeping it at least 15 feet away from waterways.
2. No fertilizer is to be applied on the Sugarwood Trail Swale located between Sugarwood Trail and the Venice East Boulevard as it empties directly in Lake 16C.
3. No fertilizer is to be applied within the Filter Lake fence.
4. It is recommended no fertilizer be applied on the swales (the area) between houses as this water is concentrated and goes directly into the Lakes.

2. Regulations

2.1 County Codes and Restrictions

Sarasota County will on occasion revisit and rewrite these codes and restrictions, usually making them more restrictive. ***The counties most current codes and restrictions take precedence over this document***.

2.1.1 Canopy Road

Sarasota County has designated the section of Venice East Boulevard within Chestnut Creek as a Canopy Road, as such it is subject to Chapter 98, Article IV of the Sarasota County Code. CCMA and the Owners abutting designated area must refer to the See Article IV, Sec. 98-204 (Maintenance Standards) before performing maintenance.

2.1.2 Fertilizer Code

The county code may allow less restrictive use, but always follow the most restrictive use, whether that is called out by the County or Chestnut Creek in Section 1.6.

2.1.2.1 *SUMMER: June 1 - Sept. 30*

- Say no to nitrogen. Sarasota County prohibits the use of any fertilizer containing nitrogen or phosphorus from June 1 through Sept. 30.
- Green up with iron. Iron products with micro-nutrients keep lawns green through summer.
- Get better soil. Add compost to improve your soil and give your garden a boost.
- Use Florida-friendly plants. Plants adapted to Florida need less fertilizer, water, pesticides and overall care.
- Keep the clippings. Leave grass clippings on your lawn. Mow high for health. Mowing short stresses grass and makes it vulnerable to disease, pests and drought.

2.1.2.2 *WINTER: Oct. 1 - May 31*

- Watch the weather. Rainstorms don't help fertilizers soak in, they wash fertilizers away.
- Go slow by half. Sarasota County requires at least 50 percent slow-release nitrogen in lawn or landscape fertilizers.
- Blue not green. Keep fertilizer at least 10 feet[9] away from waterways.
- Skip the phosphorus. Sarasota County is naturally rich in phosphorus.
- On your guard. Use a spreader with a deflector shield or edge guard to spread fertilizer only where you need it.
- Test your turf. If the problem is a pH Imbalance, pest invasion or disease, then fertilizer is not going to help.

You will find the full code at Sarasota County's web site:
https://www.scgov.net/government/public-works/water-quality-for-bays-estuaries/fertilizer-management

[9] Bear in mind that the Chestnut Creeks restriction is 15 feet (section 1.6).

2.1.3 Watering Restrictions

All residents of unincorporated Sarasota County shall follow landscape and irrigation water restrictions. The year round restrictions apply to sources of water including well, pond, or utility system used for manual and automated irrigation systems except for low-volume Irrigation, spot treatment, residential drip lines, soaker hoses, and reclaimed water. Failure to comply with these restrictions may result in code enforcement action.

- Irrigation for sites with addresses that end in the numbers 0 or 1 may occur only on Monday.
- Irrigation for sites with addresses that end in the numbers 2 or 3 may occur only on Tuesday.
- Irrigation for sites with addresses that end in the numbers 4 or 5 may occur only on Wednesday.
- Irrigation for sites with addresses that end in the numbers 6 or 7 may occur only on Thursday.
- Irrigation for sites with addresses that end in the numbers 8 or 9 may occur only on Friday.
- Irrigation for sites with addresses that end in the letters A through Z and common area landscaping with no address assigned (i.e., entranceways to developments, median and roadside plantings, around clubhouses, and recreational elements) shall be irrigated only on Saturday.

The maximum amount of water applied is limited to three-quarters of an inch in each irrigation zone, on each allowable watering day.

Irrigation is prohibited between 10 a.m. and 4 p.m. on any allowable day.

Fountains and waterfalls may operate only eight hours per day.

No special watering allowances will be granted for veritcutting or over-seeding.

New or replacement lawns:

- Watering may occur on the first day of installation any time of any day of the week.
- After the first day, new lawns may be irrigated any day for another 29 days, before 10 a.m. and after 4 p.m.
- On days 31 through 60, new lawns may be irrigated up to three times a week, before 10 a.m. and after 4 p.m.

Rain sensor shut-off devices are required for automated irrigations.

It is important to check timers for proper settings after daylight savings and power outages and that rain sensor shut-off devices are still intact and properly functioning after a storm event.

You will find the current watering restrictions at Sarasota County's web site:
https://www.scgov.net/government/public-utilities-water/customer-services/water-restrictions

2.2 State Statutes, Regulations and Rules

2.2.1 Feeding Wildlife

Feeding Florida wildlife, of just about any kind, is against Florida's statues; the bottom line is **don't feed any wildlife**, including fish and birds.

Florida statute 372 states that no person shall intentionally feed, or entice with feed, any wild alligator or crocodile; and statutes s. 775.082 and s. 775.083 further state any person who violates this section is guilty of a misdemeanor of the second degree.