



# OLD FORT BAY PROPERTY OWNERS ASSOCIATION

## RULES & REGULATIONS

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## **OLD FORT BAY PROPERTY OWNERS ASSOCIATION**

Old Fort Bay Property Owners Association Limited (POA) was incorporated in 1991 to provide management to the communal areas of the 86 acre residential subdivision known at Old Fort Bay. The POA Articles of Association lays a road map to the way in which the POA is governed and gives powers to a democratically elected Board of Directors to manage the subdivision.

### **BOARD OF DIRECTORS**

The Board of Directors (BOD) consists of 5 members who are each able to serve on the Board for a period of 2 years before either, seeking re-election, or resigning. There is no limit to the number of terms that a Director is able to serve. The Board is governed by the “Old Fort Bay POA Board of Directors Governance Policy Document” which stipulates the full gamut of responsibilities, and behaviours acceptable for the BOD.

The BOD is able to create standing and ad-hoc committees based upon the needs of the community. Standing committees in OFB currently are:

- Home Owner Architectural Review Committee (HARC)
- Security Committee

Each committee is governed by its own Charter and in turn, each Charter is Governed by the OFB POA Procedural Guidelines document maintained by the BOD. All participating members of each committee is expected to behave in accordance with the Charters for that specific committee and to sign a Conflict of Interest Acknowledgement and Disclosure form.

### **HARC**

The purpose of the Home Owners Architectural Review Committee (HARC) is to provide assistance to the Old Fort Bay Property Owners Association Board of Directors (“the Board”) in establishing and overseeing community architectural and aesthetic standards in Old Fort Bay (OFB) and reviewing and deciding upon new construction, renovation and change requests while adhering to the Association’s architectural scheme.

HARC is charged with approving/disapproving/amending all proposed new structures and alterations within OFB. It is also charged with reviewing complaints and possible violations of all codes related to proposed, built, architectural or landscape structures and their immediate environment on a property, which includes but is not limited to grading, drainage, temporary residences, signs, fences, outdoor lighting, storage of vehicles, property repair, excavation, docks, decks, out houses, guest cottages and any other structure requiring amendment to the natural landscape of a property within OFB.

## **SECURITY COMMITTEE**

The purpose and objective of the Security Committee is to define and recommend policy and procedure to the POA BOD on any and all issues related to improving, establishing and enforcing Safety & Security for homeowners, visitors, and property of OFB. The Committee is to serve as the POA eyes and ears, working with homeowners and management to ensure the community's sense of safety & security through open access and communication. This Committee will also oversee the Management of the Security Department.

## **THE SECURITY DEPARTMENT**

The OFB POA Security Department consists of a compliment of 56 officers, supervisors, administrative and managerial staff who provide security services to OFB 24 hours per day, 365 days of the year. As well as manning the access points to OFB and vetting all those who enter or exit the community, officers are responsible for patrolling the roads and canals, acting as a first responders, and working as a team to make the community safe from crime. A Head of Security is appointed by the Security Committee to be responsible for the management, supervision, leadership, planning and assessment of all security, asset protection, and loss prevention programs for the provision of a safe and secure environment.

## **THE POA MANAGER**

The POA Manager functions as the general manager of all aspects of the OFB POA and acts as the liaison between its Board of Directors, members, guests, employees, community, government and industry. The Manager coordinates and administers the Association's policies as defined by its Board of Directors, develops operating policies and procedures and directs the work of all department managers except for the Security Manager who is directed by the Security Committee. A priority is oversight of financial management that develops, implements, and monitors the budget and programs to protect the OFB POA assets, including facilities and equipment. The POA Manager works out of the offices of the POA which are open to the public from 9am to 5pm on weekdays.

## **HOMEOWNER INFORMATION**

Owners are required to complete the Owner Information Form immediately following acquisition and purchase of a Lot, property or home. In instances of change of information, the form should be completed and re-submitted to Old Fort Bay POA office. Owners at the time of sale are required to ensure that purchasers provide the Owner Information Form.

Selling Owner(s) or their attorneys must submit written notice to the Old Fort Bay POA office of the sale of their lot, unit or property within twenty-one (21) days prior to closing. It is the responsibility of the owner to notify the Old Fort Bay POA regarding a transaction involving their lot, unit or property. The selling Owner(s) must inform the Purchaser that there is a Homeowner Association.

## ASSESSMENT FEES

Rentcharges are calculated annually from a Board approved budget based upon projected projects and expenses for the Association in any one year. The services provided for under this assessment include but are not limited to:

- 24 hour security patrol, emergency first respondents, access control, canal monitoring
- Security camera monitoring
- Transponder access to the community
- Construction site clearance daily
- Domestic and yard trash collection
- Canal and channel maintenance
- Road, bridge, playground and lighting maintenance
- Landscape and maintenance of communal areas
- Maintenance of entrance gates, walls and fences of OFB
- Office and security staff and management
- Architectural review and monitoring of construction in OFB
- Any special projects decided upon by the Board and voted upon by the Board

Rentcharges are billed annually (from January 1st to December 31st) in two invoices – January and July. Any late payments are billed an additional 1.5% monthly after 90 days of non payment.

The formula for calculating Old Fort Bay POA Rentcharges is as follows:

<b>CY 2021 Base Rentcharge Per Residential Lot (Vacant or Finished)</b>	<b>\$ 12,695.26</b>
<b>Lots 10,891 &lt; 21,780 sq. ft, ADD to base Rentcharge</b>	<b>8.3325%</b>
<b>For Lots 21,781 &lt; 32,670 sq. ft, ADD to base Rentcharge</b>	<b>16.6650%</b>
<b>For Lots 32,671 &lt; 43,560 sq. ft, ADD to base Rentcharge</b>	<b>24.9975%</b>
<b>For Lots 43,560+ sq. ft, ADD to base Rentcharge</b>	<b>33.3300%</b>

Example Rentcharge Calculations for CY 2021<sup>1</sup>:

Lot Size (Sq. Ft)	CY 2021 Base Charge	Proportional Charge	Total Rentcharge
10,000	\$12,695.26	\$ -	\$ 12,695.26
15,000	\$12,695.26	\$ 1,057.83	\$ 13,753.09
25000	\$12,695.26	\$ 2,115.66	\$ 14,810.92
35000	\$12,695.26	\$ 3,173.50	\$ 15,868.76
45000	\$12,695.26	\$ 4,231.33	\$ 16,926.59

All lots, whether developed or undeveloped are assessed on same basis.

## VISITORS

The property owner must notify Security before a visitor is scheduled to arrive or the visitor must be on the owner's permanent guest list maintained by Security. Any visitor arriving without owner notification or listed on the permanent guest list will be stopped at the gate until the owner is contacted and permission for access is obtained. If the owner does not respond, the visitor will be denied entry and turned away from the gate. Owners are required to update security with any change in contact numbers.

Service providers are treated as visitors and must either be on the owner's permanent guest list or the owner must notify security personnel that the service provider is expected. A service provider without owner approval will be denied entry and turned away from the gate. Owners are required to update security with any change in contact numbers.

## WORKER REGISTRATION

All owners are required to register and provide the requisite information to the Old Fort Bay POA and Security for all domestic workers including but not limited to housekeepers and Gardeners.

## ACCESS FOR SERVICE WORKERS

Service workers such as maids, cleaners, child-minders, gardeners & car washers may apply for an annual entry pass entitling them to access the Old Fort Bay if that request is supported, or initiated by a Homeowner for services at their own property. The entry pass is issued at the sole discretion of Security.

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<sup>1</sup> Plus any applicable taxes, levies and related charges.



## **RENTALS**

Owners are required to advise the Old Fort Bay POA office and the Old Fort Bay Security Office of all leases, including short term leases, by completing the requisite lease tenant information form. Failure to provide the information prior to the commencement of the lease will result in refusal of entry at the security both.

## **TRANSPONDERS**

Each property owner is entitled to one transponder for each vehicle registered with the Old Fort Bay POA and licensed with the Government of The Bahamas, inclusive of Golf Carts. Transponders are issued at the Security Office upon completion of requisite form and documentation. Additional transponders can be issued upon application to the Old Fort Bay POA and payment of the requisite fee. Transponders are vehicle specific and must be removed when vehicles are sold, traded or otherwise disposed of. In order to obtain a new transponder, the old transponder must be returned to the Old Fort Bay POA. Failure to return the old transponder may result in a fine. When adding a vehicle, you may obtain a transponder by filling out an application at the Security office. Unauthorized Use of Transponders to unauthorized users will be grounds for having transponders deactivated and access relative to that transponder denied with a reactivation fee. This includes property owners that give transponders to renters and/or tenants etc.

## **PROPERTY SALES**

Prospective buyers must be accompanied by real estate agent or as the guest of an owner. No real estate signs are permitted in front of or upon any property for sale. No open houses are permitted.

## **SIGNAGE**

No sign, billboard, hoarding or other advertising device of any kind shall be erected or displayed on or upon any Property.

## **TRANSFER OF PROPERTY**

Every deed or instrument transferring title to any property within Old Fort Bay shall include the Old Fort Bay POA. The Vendor seller of a Lot shall notify the Old Fort Bay POA and their attorneys of the name of the contract purchaser and the scheduled date of completion.

## **AMALGAMATION AND DIVISION OF LOTS**

No Owner shall seek to subdivide, amalgamate or alter boundary lines to any property without the prior written approval of the Old Fort Bay POA.

## **COMMON AREA USE**

No Common Area shall be obstructed. Any damage to buildings, recreational areas or equipment, or any other common area property caused by an owner, their family or guests, or employees, contractors shall be at the expense of the applicable owner.

Children ten (10) years and under must be accompanied by an adult when in the common areas and must be closely supervised at all times

Loitering is strictly prohibited. Never introduce glass or other potentially hazardous objects to any common area.

No Person shall obstruct any of the Common Area or otherwise impede the rightful access of any other person. No person shall place or cause or permit anything to be placed on or in any portion of the Common Area without the approval of the Old Fort Bay POA. Nothing shall be altered or constructed in or removed from the Common Area or Common Easement Areas except with the prior written approval of the Old Fort Bay POA.

## **COMPLIANCE WITH GOVERNMENT ORDERS OR LEGISLATION**

No improper, offensive or unlawful purpose shall be made of any property within Old Fort Bay or any part thereof, and all valid laws, zoning ordinances and regulations of all governmental agencies having jurisdiction shall be observed; provided, however, that the Old Fort Bay POA and the Board of Directors shall have the power but not the obligation to enforce such laws, ordinances and regulations, enforcement being the primary responsibility of government officials. All laws, orders, rules, regulations or requirements of any governmental agency having jurisdiction relating to any portion of Old Fort Bay shall be complied with, by and at the sole expense of the Owner.

## **NOISE**

No person shall cause any unreasonably loud noise, nor shall any person permit or engage in any activity, practice or behaviour that results in unreasonable annoyance, discomfort or disturbance.

## **DRONE USE**

The Ministry of Transport and Aviation of the Bahamas has regulations to control the use and operation of residential and commercial use drones. All drones operating within the Bahamas must be registered with the Ministry Transport and Aviation. Recreational use of drones is not permitted within Old Fort Bay. The operation of drones for a commercial purpose (e.g. a real estate agent photographing homes for sale) are required to obtain a temporary permit from Old Fort Bay POA. Application for a temporary permit can be made to the Old Fort Bay POA office by completing the required form and tendering the payment of \$200.00 per occurrence. A Old Fort Bay Security Officer must be present at all times during the commercial drone use. Companies issued with a temporary permit are required to comply with the Old Fort Bay POA rules and regulations for drone use along with laws of the Commonwealth of the Bahamas. Failure to obtain a permit for drone use will result in fines.

## **GOLF CART USE**

All residents who use golf carts in Old Fort Bay are asked to register their carts with the Old Fort Bay Security and the Old Fort Bay POA office. If a golf cart is reported missing, Security can locate a numbered vehicle more readily. Identifying numbers will be provided free at the Old Fort Bay Security office. Residents are reminded that motorized vehicles (golf carts, motorcycles, miniature cars etc.) are not to be operated on the roads of Old Fort Bay by anyone less than 18 years old or 16 with learners permit and travelling with a licensed adult. Golf Carts may only be operated on the paved roadways intended for vehicular use.

## **BOAT REGISTRATION**

Owners are required to register boats with the relevant government departments and with the Old Fort Bay POA.

## **DOCK REGISTRATION**

Owners are required to register all docks with the Port Department and pay the requisite annual government fee. At the time of registration, a sketch of the dock should be submitted with the requisite registration form including the length of the dock, width of the dock and the low water depth at the shoreline.

## **PROPERTY BOUNDARIES**

It is the responsibility of each owner to establish the boundary lines for their property. We recommend engaging the services of a surveyor to identify the boundary lines following the purchase of a property.

At the beginning of construction of a new building, the foundations for all proposed development within the Building Envelope Area must be staked and surveyed by a land surveyor qualified and registered to practice in the Bahamas. More specific details can be found in the construction guidelines.

Boundary disputes between neighbours should be resolved in the first instance between the affected parties. The Old Fort Bay POA should only be involved if the boundary dispute impacts common property.

## **SPEED**

Vehicle speed on roads within Old Fort Bay is of concern to all residents and speed limits are clearly marked. Enforcement of speed regulations is the responsibility of the Association along with the Security Department and the cooperation of property owners in this important community matter is required. The speed limit in Old Fort Bay is 15 mph. There is no speeding or reckless driving permitted within the community.

## **ANIMAL & DOG CONTROL POLICY**

Many residents have dogs and cats, and to ensure proper identification owners should register their pets with the Old Fort Bay POA and affix to each pet a pet identification tag. This tag should be attached to the animal's collar so it may be identified if found wandering in the Old Fort Bay area.

Barking can be a nuisance to neighbours and cooperation in this regard is requested. Owners are required to properly secure their pets within their property boundaries. This not only ensures the safety of the residents but, of the animals as well.

Owners must immediately remove faeces and possess a bag or container for waste removal at all times. Dogs are not permitted to defecate on neighbouring properties. All faeces must be collected and bagged immediately.

Outside of property boundary, dogs must be leashed, properly attended and under control. Pets are not permitted to roam freely or create a nuisance to other owners and neighbouring properties.

Dogs on beaches within Old Fort Bay must be leashed and under the watchful eyes of their owner. They are not permitted to cause a nuisance to other beach users. Owners of dogs that are considered to be aggressive or a threat and demonstrate aggressive behaviour will be asked to remove the aggressive dog forthwith and failure to do so will result in police involvement.

Owners are requested to ensure that persons walking dogs within the community are able to properly manage and control the dog(s). Special attention should be given to young children walking large or aggressive dogs and they must have the ability to control the dog if a situation arises.

An owner whose dog is unleashed cannot control the movements and reactions of their dog when interacting with other residents, the dogs of other residents, approaching vehicles or from trespass on private property. There are many young children in the community that play on the common areas.

The leash requirements are also outlined in Bahamian Legislation under The Animal Protection and Control Act 2010. In particular section 27 of the Act provides that all dogs must be controlled and failure to control dogs shall be an offence.

No person shall permit a dog to be taken into a public place unless the dog is on a leash, in a carrier or otherwise constrained

## **TENNIS COURT USE POLICY**

The use of the Tennis Courts is for the exclusive use of residents of Old Fort Bay. Non-residents of Old Fort Bay may only access and utilize the tennis courts when accompanied by a resident and booked in advance. Unaccompanied non-residents will be denied use and access to the Tennis Courts.

These courts are USTA approved court conditions. They require special care and are easily susceptible to damage due to improper use. In addition, we ask that you pay close attention to the additional rules as follows:

1. Tennis Court use must be booked through the booking system online: <http://www.fastcourts.com>; Contact the POA office to set you up in the system and from then on you can book your own courts.
2. The tennis courts will be open from 6:00 a.m. until 10:00 p.m.
3. The light switches for both courts are located on the exterior wall of the pavilion. Please note the lights can take up to 5-6 minutes to warm up, do not flick lights on and off.
4. Please turn off the lights when you finish playing tennis, unless another player is approaching the relevant court.
5. Residents may utilize a booked Tennis Court for a maximum of 2 hours playing time per day.

6. Residents are not permitted to book a Tennis Court for non-Old Fort Bay residents
7. Guests are only permitted to use the Tennis Courts when accompanied by an Old Fort Bay resident (and their residing family members)
8. Sneakers or tennis shoes only may be worn on the tennis courts.
9. Players are expected to wear appropriate attire. Shirts must be worn at all times. Bathing suits are not permitted.
10. Bicycles, rollerblades, skateboards and pets are not permitted on the courts. No ball playing of any kind other than tennis is permitted.
11. Tennis ball cans and other debris should be placed in the trash receptacles provided.
12. Sitting or leaning on the nets is damaging to the nets and net straps and is strictly prohibited.
13. OFB tennis members are allowed to organize tennis lessons, respecting above rules.
14. Please be courteous to your fellow playing members while entering and exiting a court.
15. Residents are to advise the POA manager of any damage or facility issues as soon as it is noticed.

The Security team are aware of the Tennis Court policies and the Tennis Courts will be monitored accordingly.

Use of the tennis courts, playground, pavilion and other Old Fort Bay common areas is at your own risk. By using the tennis courts, playground, pavilion and other Old Fort Bay common areas you agree to take them as you find them and you agree that you shall not have or make any claim for injury or damage against Old Fort Bay Property Owners Association Limited or any of their agents no matter how such injury and/or damage may be occasioned and whether or not such injury or damage is in any way whatsoever due to any negligent act, breach of duty, default and/or omission on the part of Old Fort Bay Property Owners Association Limited and/or any of their agents.

## **CANALS & WATERWAYS**

Rules concerning the use of canals and waterways are as follows:

1. All docks must conform to the Architectural Rules and Guidelines promulgated by the Association.
2. No refuelling of any sort may be carried on at any boat dock.
3. Boats and jet skis in the canals and waterways must be navigated at a no-wake speed to prevent damage to docked boats and prevent the washing away of seawalls and erosion within the waterways.
4. The Owner must ensure that Vessels are properly and currently registered and the license number clearly displayed in accordance with the laws of The Bahamas.
5. Only Vessels in seaworthy condition are permitted in the canals and waterways. Owners must ensure that the Vessel is insured for liability.

6. No person may at any time water-ski, boogie board or use any other similar equipment in the canals and waterways.
7. No bilge, sewage or other waste matter whatever shall be discharged or permitted to fall at any time into the said canals and waterways from any vessel or from the Owner's lot.
8. No cleaning of fish shall be carried out within the said canals and waterways.
9. Boats and vessels or other water devices shall not be used or positioned in such a way as to create an obstruction or a hazard.
10. No storage of fish of a quantity deemed for commercial use.
11. No person shall be permitted to fish from any docks within Old Fort Bay. No person shall dispose of fish, fish parts, or bait caught into the canals and waterways.
12. Water Skiing and Motor Boat Control Act, Section (3a) of Chapter 278, states that no person at any time may water ski within two hundred feet of the Shoreline (inclusive of the Canals) and Waterways.
13. Further Section 4 (1c) of the said act, states that no person should drive a motor boat or manipulate any water ski within the territorial waters of The Bahamas at a speed or in a manner likely to endanger life or limbs or to damage property or injure any person. Any person who contravenes these rules shall be guilty of an offence.
14. No person should drive a motor boat within two hundred feet of the shoreline except while approaching and leaving a marina, jetty and the speed should not exceed three knots and with due caution
15. Please contact security on channel V-HF16 10 minutes prior to arrival or departure. Also, provide security with the owner and vessel name for identification reasons.
16. In the event that a vessel sinks the owner must commence salvage activities within 24 hours that such sinking has taken place. Failure to commence such salvage action within the prescribed time shall give the Old Fort Bay POA the right to salvage the vessel and the Owner shall reimburse the Old Fort Bay POA for all expenses incurred in the salvage /attempted salvaging of the vessel. No sunk or hazardous boat or watercraft shall be kept within the canal and waterways.
17. In the event that an emergency has occurred during the owner's absence, Old Fort Bay POA reserves the right but not the responsibility to take such action as it deems necessary and prudent to safeguard a vessel or property within the canal and waterway. Any costs incurred by the Old Fort Bay POA shall be reimbursed to the Old Fort Bay POA for any and all costs it incurs on behalf of owner's vessel in emergency situations.
18. No part of the canal or waterways including but not limited to owner dock shall be used by an owner or a guest of an owner for any commercial, trade or business purpose. An owner must not carry on or permit to carry on any trade, profession or business.
19. The OFB Channel will be dredged by the POA at intervals as necessary to maintain sufficient depths to permit repass by boaters.

## **VESSELS DOCKED IN OLD FORT BAY**

1. The Owner is advised to check their Vessel regularly.
2. Discharge of sewerage of any kind into canals and waterways is strictly prohibited.

3. No bilges shall be pumped into the canals and waterways. All costs including but not limited to the clean-up shall be borne by the owner.
4. No major repair or major reconstruction work shall be performed on any vessel within Old Fort Bay.
5. No repairs or maintenance of a vessel shall be performed before 8:00am or after sunset except where emergency repairs are necessary to prevent the vessel from sinking and shall not in any circumstances create a nuisance.
6. Any contractor or contractors enlisted by the owner to perform authorized repairs or maintenance must comply with the safety and policies of Old Fort Bay. All contractors and workers must be registered with Old Fort Bay security.

## **WATER SKI AND MOTOR BOAT USE**

The water skiing and motor boat Control Act, Section (3a) of Chapter 278, provides that no person at any time may water ski within two hundred feet of the Shoreline (inclusive of the Canals) and Waterways. Also, no person should drive a motor boat within two hundred feet of the shoreline except while approaching and leaving a marina, jetty and the speed should not exceed three knots and with due caution:

Further Section 4 (1c) of the said act, states that no person should drive a motor boat or manipulate any water ski within the territorial waters of The Bahamas at a speed or in a manner likely to endanger life or limbs or to damage property or injure any person. Any person who contravenes these rules shall be guilty of an offence.

## **ARCHITECTURAL GUIDELINES**

Prior to commencing work on any lot part thereof (including without limitation improvements to existing structures) the owner shall submit a full set of Architectural Plans to The Homeowners Architectural Review (HARC) by way of application for review accompanied by payment of the Application Fee. Any proposed building or improvements contained in any Architectural Plans submitted to HARC in an application shall substantially conform in all aspects of size, scale, exterior building materials, colour schemes, finishes and architectural details as set forth in the Architectural Guidelines.

Please see the checklist below, which provides information on the steps needed to gain approval to begin construction, or landscaping projects, inside Old Fort Bay.  
HOMEOWNERS ARE URGED TO REVIEW THE CODES OF CONSTRUCTION and LANDSCAPING AS LAID OUT IN THE POA WEBSITE for each area of Old Fort Bay: <http://www.oldfortbaypoa.com>



1. Homeowners must be up to date with the payment of all fees, including Home Owner Assessment Fees and Construction Fees levied by the POA at the time plans are submitted for review.
2. Homeowner is to send preliminary drawings to the OFB POA Office for review. This will then be shared with the Homeowners Architectural Review Committee (HARC) for a basic assessment of the plans in alignment with community construction standards, continuity, complimentary neighborhood designs and our codes and specifications.
3. Once preliminary drawings are agreed upon, you will be required to submit the following digital documents to the POA Manager:
  - a. Site plan
  - b. Floor Plan
  - c. Elevations – with heights
  - d. Site Grading Plan showing elevations and the containment of water run off within the boundaries of the property
  - e. Colour schemes for exterior of structures
  - f. Roof materials
  - g. Detailed landscape plan in colour
  - h. External Lighting plan
4. There is a Review fee levied at the time of submission of plans of \$500 - DUE UPON PLAN SUBMISSION.
5. There is a Construction fee levied at the time of plan approval and beginning of construction which will be charged annually, unless your build is based upon minor renovations and not a complete construction of a home:
  - a. Year 1: \$500 per month
  - b. Year 2: \$1,000 per month
  - c. Year 3: \$2,000 per month
  - d. Year 4: \$5,000 per month
  - e. Year 5+: \$10,000 per month
6. The Construction fee ends on the last day of construction and so it is important to inform the POA office when your construction ends. Construction activity will not be considered to have ceased until all construction material and resources including heavy machinery, chain link fencing, construction sheds, port-a-potties, dumpsters have been removed from the said premises.
7. The Construction fee will be charged annually. Interest at a rate of 1.5% per month applies to unpaid fees and site access may be revoked due to non-payment of fees.
8. Any construction activity including exterior renovations and/or additions to the main or ancillary house, including but not limited to the building of docks, walls, carports, garages, pools, pool houses, sheds, cottages and/or major landscaping works will attract

the construction fee but will be prorated for each month of the year where construction is actively taking place on the premises.

9. Homeowners are required to erect a chain link fence around the property where there are not surrounding walls in place to protect neighbours and properties. The chain link fence is required to be no more than 8ft in height and no less than 6ft in height and to include a green screen.
10. Homeowner is to erect signage within POA specifications for erection at the site of construction.
11. Homeowners will be billed on a per diem basis for any extraneous reviews or significant changes.
12. HARC will review the initial plans within a 14 day period and provide a detailed written response.
13. HARC reserves the right to consult with neighboring properties at their discretion.
14. Responses and revisions will be returned within a 7 day turn around period dependent upon HARC Meeting times.
15. Approval is granted once all responses and revisions have been completed in the plans. An approval from HARC will expire two years from the approval letter date where substantial construction (which consists of a foundation for a main building) has not been started for the requisite property within the approval validity period.
16. If construction is to begin outside of the 2 year window, or where there are any alterations to the original construction plans other than what was approved, a new approval must be requested from HARC before development can proceed.
17. Homeowner is to submit plans, and the HARC approval letter to the Ministry of Works - Department of Town Planning for approval.
18. Upon approval from Dept of Town Planning, homeowner is to provide the building permit.
19. Homeowner to provide information on their chosen contractor.
20. Contractor to register for access to OFB inclusive of all workers at the Security Command Centre.
21. Construction to begin. Please equip your contractor with a copy of the "Construction Guidelines" for best practices and expectations of contractors in OFB.
22. Homeowners are to contact the POA office when construction is due to start to arrange for a site visit with our contracted Architect in order to establish the correct set backs and foundation laying.
23. Site visits will be conducted quarterly, unless otherwise requested, by the POA contracted Architect without warning to the homeowner. The Architect will present identification as required and will inspect the exterior of the construction to ensure it is compliant with the approved plans

24. Building construction concludes within 2-year period unless stated otherwise in your conveyance.
25. Occupancy certificate is granted by Ministry of Works and a copy is provided to the POA Office.

NOTE: Protected lots and areas: If any construction is planned in protected areas ie. Ocean Drive or Fincastle North, HARC will request an "Entrance Meeting" before the project breaks ground to be sure that the environmental laws of the land will be upheld. Special stipulations and protective measures may exist to protect mangroves, beaches, beach dunes and other environmental features within OFB.

No site preparation or construction activities (including without limitation improvements to existing strictures) shall commence on any lot or part thereof until Architectural Plans in respect thereof shall have been approved by HARC in the first instance and thereafter all relevant building permits and approvals have been obtained from the Ministry of Works and any other relevant Government Department.

In reviewing the Architectural Plans HARC shall consider the desirability of maintaining a uniform architectural scheme for the subdivision in accordance with the Architectural Guidelines. HARC may summarily disapprove an Application in respect of any construction or improvements intended on a lot insofar as the Architectural Plans submitted in any Application show any material deviation from the standard and design specifications set forth in the Architectural Guidelines. In any event HARC shall have the sole discretion to make the final conclusive and binding determinations on matters under its consideration based on aesthetic judgment and such determinations shall not be the subject of review so long as made in good faith.

HARC may either i) approve an Application with or without conditions or ii) approve a portion of an Application and disapprove other portions or iii) disapprove an Application

The approval of Architectural Plans containing elements of design and/or construction in any application deviating from the Architectural Guidelines shall not be considered as a precedent for the automatic approval by HARC of Architectural Plans containing similar elements later submitted by any other owner in any subsequent application.

HARC nor the Old Fort Bay POA nor any of their respective officers or directors nor any member of the HARC shall i) bear any responsibility for ensuring the structural integrity or soundness of approved construction or modifications or compliance with building codes or other governmental requirements ii) be held liable for the site conditions drainage or general site work or any defects in any Architectural Plans or an application relating thereto reviewed or approved by HARC or iii) otherwise be held liable for any construction or improvement taking place on a lot in the event that the same commences or is undertaken without HARC's prior

approval of an application in respect thereof and further any owner undertaking construction or improvements on any lot shall indemnify and keep HARC and the Old Fort Bay POA and all of their respective officers directors and all members of HARC (past present and future) fully and effectively indemnified again and all actions proceedings claims costs and demands arising in any manner out of any construction or improvements of such lot.

HARC shall not be bound to consider and shall not be required in any circumstances to approve Architectural Plans in an Application submitted by an owner who either i) is in breach of or (as appears from any Architectural Plans in any application submitted to the Old Fort Bay POA) may result in any breach of the restrictive covenants or other provisions of the Old Fort Bay at the time an Application is submitted or ii) fails to pay the Application Fee on submission of Architectural Plans to HARC for review iii) fees owing to the Old Fort Bay POA are in arrears and outstanding.

### Appeals

Any Homeowner not in agreement with the stipulations put forth by HARC in relation to their property build schemes, are able to contact the Board of Directors, in writing, and to be heard by the Board to review the decision by HARC. The Board of Directors will deliberate on the matter, vote on a position, and provide an answer to the disagreement within seven (7) working days.

### Construction Approval Validity

All HARC site and building plan approvals for projects in OFB expire two years from the approval letter date where substantial construction (which consists of a foundation for a main building) has not been started for the requisite property within the approval validity period. If construction is to begin outside of the 2 year window or where there are any alterations to the original construction plans other than what was approved, a new approval must be requested from HARC before development can proceed. This policy exists to ensure that current community standards are respected, to deal with material changes in project scope, scale or form, as well as to encourage timely and efficient construction of approved projects.

## **CONSTRUCTION GUIDELINES**

General Contractors and Landscape Contractors are responsible for communicating the rules and regulations to all persons employed by them and or subcontracted by them to perform duties related to the construction, renovation, repair and/or maintenance of properties in Old Fort Bay (OFB). (The afore-mentioned duties may be referred to as construction or landscape activity throughout the document)

All Contractors are responsible for ensuring their subcontractors and all employees understand, and abide by, these rules and regulations.

### OFB Service Access and Exit Gate

All persons who wish to access OFB for the purpose of providing a service and or for delivery purposes including but not limited to General Contractors, Sub Contractors, Utility Service Companies and construction workers will be required to enter and exit OFB through the Western Service Gate (Middle Gate). Persons providing a service or delivery to OFB homeowners will NOT be allowed to enter or exit through the Main Gate or the West (Islands of OFB) Gate.

### Identification Cards

All persons conducting construction activity on OFB Property, including but not limited to General Contractors, Subcontractors, Construction workers, Electricians, Plumbers, Landscapers etc. will be required to apply for an identification card and to show their identification card prior to being allowed access to OFB Property to conduct works. These cards can be applied for utilizing the form attached (one for each employee) and by submitting such to the Security Command Centre inside OFB.

Companies providing temporary, and/or sporadic short-term services (less than 5 days in total on property) to properties in OFB, i.e. Cable Bahamas, Batelco etc. will be required to show proof of identification (company or personal) and will need homeowner's permission to gain entrance to OFB. The Homeowner or Contractor and/or Owners Rep (if previously stipulated by homeowner) will be required to inform Security of the impending arrival of the person/and or company. Information given should entail name of company and/or company representative, expected date and time of arrival.

### Application For ID cards:

1. Applicants (i.e. Contractor) will need to submit the following to the Security Command Centre inside OFB prior to carrying out any works:
2. Name of Company with which the person is employed
3. Full Name of Applicant
4. Date of Birth
5. Government ID: passport, driver's license, NIB etc.
6. Valid Work Permit – *where applicable*
7. A Valid Police Certificate / Record – required for works lasting over one week in length
8. Address of Applicant
9. Location of site/s the applicant will be working on.
10. The length of time the person will be working on the said site/s
11. Applicant will be required to allow his/her picture taken for the identification card

### The Application Process:

General Contractors will be responsible for submitting the application form and necessary accompanying documents on behalf of his or her subcontractors, employees etc to the OFB Security Command Centre. Application and documents will be vetted by head of security and or assigned security person. A temporary pass will be submitted to applicants upon initial approval

of application. Each person will be required to have their photograph taken and an annually renewed photo identification will be recorded and distributed to the Contractor on behalf of his employees. A small fee is charged for each ID card.

ANY PERSON/WORKER WHO REFUSES TO SUBMIT ALL DOCUMENTATION AND/OR INFORMATION REQUIRED WILL BE DENIED ACCESS TO OFB PROPERTY.

#### Loss and/or misuse of Photo Identification Card and/or Temporary Pass

OFB Photo Identification cards and/or the OFB temporary pass and any other documentation which allows for access into OFB is to be considered the property of OFB Property Owners Association. The documents must be stored on the body of the person at all times when they are on OFB Property. The documentation should be stored safely when off property. Should any person be found misusing the identification, i.e. loss through neglect, forging or copying documents, allowing other persons to use identification will be refused further entry to OFB and may be reported to the Police. In the cases where identification is stolen, this must be reported to OFB Security immediately. Details including a police report will be required.

The Head of Security and or assigned security personnel has the right to inspect the identification card at any time while persons are on OFB Property. Any person who is found to be in possession of false documents, who does not have the identification on his person, and or who is unwilling to show their identification card will be escorted off OFB Property by Old Fort Security personnel, and denied further access.

#### Access RULES for the purpose of performing construction activity

Construction personnel will adhere to the following schedule for access to properties in Old Fort Bay:

- Monday through Friday: 7:00 a.m. to 5 p.m.
- All construction related vehicles and personnel must be off of OFB Property by 5:00 p.m.
- Saturday: (Restricted Work) 7:00 a.m. to 12:30 p.m.
- All construction related vehicles and personnel must be off of OFB Property by 1:00
- Sundays and Holidays: No work permitted

#### Restricted Work:

Construction activity and/or any other activity that generates loud noise are not permitted on Old Fort Property on Saturdays (Sundays and Holidays)

Heavy machinery, including but not limited to Dump Trucks, Crane Trucks, Concrete Trucks, Tractors, Bulldozers, Backhoes, will not be permitted access to OFB property on Saturdays (Sundays and Holidays).

Any Construction activity which generates loud noise will not be permitted on OFB Property on Saturdays (Sundays and Holidays), this includes, but is not limited to, the use of generators, jackhammers, electric saws.

#### **Acceptable Work:**

Acceptable work includes “quiet” work to be done to the interior and exterior of the property such as painting, electrical work, installation of pipes, pulling wire, and other such tasks.

Any contractor or construction personnel performing construction activity considered a nuisance and/or adversely affect the homeowners right to peace and privacy will be asked to cease and desist and may be asked to leave OFB Property.

#### **Concrete Trucks**

Concrete trucks will be NOT allowed access after 3:15 p.m. in the afternoon. As per the above stated rules and regulations, no concrete truck will be allowed access to OFB on Saturdays, Sundays and Government Holidays.

#### **Code of Conduct**

All personnel conducting construction, landscape and or providing services or delivering goods within the property boundaries of OFB are required to conduct themselves in a professional, responsible manner at all times. Any person conducting themselves in an offensive, unacceptable and/or unprofessional manner will be asked to cease and desist, and or may be escorted off of OFB Property immediately and may be denied further access to OFB.

#### **Unacceptable/Unprofessional/Offensive Behavior:**

- Use of lewd or rude language including but not limited to profanity, cat-calling, and or emitting of noise that would be considered sexually or otherwise harassing.
- Gesturing in an offensive manner
- Fighting
- Loud, verbal arguments
- Dumping garbage, refuse or debris on or around property in a manner which would jeopardize the environment on or around OFB.
- Urinating or defecating in any place other than a urinal or enclosed bathroom area.
- Use of loud music on site
- Washing cars
- Encroaching of personnel, vehicles or materials of any kind outside of the boundaries of the boundaries of the property under construction.
- No service workers, contractors, labourers or landscapers are permitted entry to OFB on foot, and are not permitted to travel through the community, from site to site, on foot.



### Access Zones

Construction personnel are not allowed outside of the zone for which they have received approval for accessing. Any person who has been approved for a specific zone, who is found in another zone without permission may be subject to penalties which may include removal off of OFB property and/or restricted access.

OFB SECURITY HAS THE RIGHT TO REMOVE AND/OR RESTRICT PERSONS ACCESSING THE PROPERTY AT THEIR DISCRETION, IN ACCORDANCE WITH GUIDELINES SET FORTH BY THE OFB PROPERTY OWNERS ASSOCIATION LTD.

### Site Appearance

The Construction Site must be kept in a manner that is considered safe for the community, and the site must look as neat and tidy as possible. Debris must be stored in accordance with OFB rules and regulations (see examples below). Materials such as wood, rebar, scaffolding, concrete blocks must be stacked in a neat, safe manner (not toppling).



Untidy site



Tidy Site

Materials must be stored in a responsible manner in order to maintain the security of homeowners and homeowner/community property. E.g. Tiles/wood must be contained in a manner which would not be considered hazardous in the event of high wind. Materials must be stored/contained in a manner which would prevent them from entering into the canal and/or adversely affecting the waterway system.

### Site Facilities

Every construction site must have the following facilities located on site:

#### Dumpster/Construction Debris

The dumpster must be in good condition with a cover to contain the debris stored within it. Debris must be removed on a timely basis. All garbage, including construction debris, green debris and any other garbage generated must be effectively contained in the dumpster.





Unacceptable use of dumpster



Unacceptable garbage



Unacceptable Site



Tidy Site

Contractors will be held responsible for the condition of their site. Written and verbal requests will be issued to contractors in violation of the rules and regulations. Should no action be taken to remedy the situation, the owner will be contacted and the situation reported. The OFB Property Owners Association has the right to close down a building site in contravention of the rules and regulations until the situation has been remedied.

### Portable Site Toilet

Every site must have on location, a working portable site toilet. Failure to have this facility will result in the closure of the site until the situation is remedied.

### Pest Control

Contractors must use a certified pest control company to ensure the site is kept free of pests, to the best of their ability. Pests include rodents, roaches, and other insects which would frequent a construction site. Proof of regularly monthly pest control schedule may be requested from the contractor intermittently. Failure to produce evidence (such as an invoice) showing upkeep of a monthly pest control regime could result in site closure.

### **Waste Management**

All construction Contractors / Companies are to have present on their construction sites two types of waste disposal bins; One large bin to hold construction waste (paper, plastic, etc.), a second bin to hold food products. This bin is necessary for pest control. The reduction of rodent colonies will be achieved if leftover food is not accessible. These bins are to be fully closed and secured to prevent rodent entry and feeding on leftover food. Please refer to photo below.



### **Damage to OFB Homeowners Property and or Common Property**

Contractors must carry out their construction activity in a responsible manner that will not damage common property and/or homeowners property. Should the contractor damage property they will be responsible for the repair and/or replacement of the said property at their cost., The OFB Property Owners Association Ltd has the right to shut down a job site should the contractor be unwilling to remedy damage done by his/her construction activity.

### **Trees and Landscaping**

Contractors will be required to conduct construction activity in a manner that will avoid damaging surrounding landscaping as much as possible. No tree with a trunk which is 6 inches or more in diameter will be removed from the site without prior approval of the OFB Property Owners Association Ltd. Should contractors receive approval to remove trees, the contractor will be required to replant material removed according to the instructions of the POA.

### **Operation of Vehicles**

Contractors and their employees must operate vehicles in a safe manner at all times while on the OFB Property. Failure to do so can result in your removal from the property and/or denial of further access.

### **Public Liability Insurance and Employee Liability Insurance**

All Contractors, subcontractors will be required to make available to Head of Security and /or an assigned representative, a copy of up to date business license, permit number and proof of public liability insurance and employee liability insurance.

### **Hurricane/Inclement Weather Approaching**

In the vent of forecasted inclement weather, contractors will be required to secure any construction material which would prove to be hazardous to the OFB Community or

homeowners person or property, within 24 hours of the forecasted arrival of the inclement weather

## **OWNER TO ENCLOSE AND LANDSCAPE LOT**

Each owner of a lot in the Old Fort Bay shall enclose landscape and maintain his lot in proper repair and condition regardless of whether or not a building or buildings (as the case may be) is/are placed thereon immediately or at all.

The Old Fort Bay POA may enter a lot in Old Fort Bay that has not been enclosed, landscaped or maintained to enclose, landscape, maintain, remove grass undergrowth weeds rubbish and any unsightly objects therefrom without becoming liable as a trespass. All costs incurred in such exercise shall be borne by the owner of the lot and added to the Old Fort Bay POA due in relation to such lot and shall be payable upon demand by the Old Fort Bay POA as the case may be.

The method to be used to enclose the lot of an owner must be in accordance with the Architectural Guidelines.

## **INAPPROPRIATE STORAGE ON COMMON AREA**

Please do not store anything in a common area unless in a designated space intended for that purpose. This includes vehicles, boats, trailers, items you no longer need. This requirement helps to preserve the integrity and appeal of the community.

## **WASTE DISPOSAL**

No burning of any trash and no accumulation or storage of litter, refuse, bulk materials, building materials (save during construction upon a Lot) or trash of any other kind shall be permitted on any Lot. Trash containers shall not be permitted to remain in a location visible from the neighbouring property except on days of trash collection. No incinerator shall be kept or maintained upon any Lot.

### **Green Waste**

The POA offers the following Green Waste collection service to all homeowners in OFB:

1. Green Waste will be collected daily from all areas of Old Fort Bay Community.
2. All smaller green waste items – mower clippings, leaves and smaller debris should be contained in reusable green waste bags and left on the side of your driveway in a neat manner. Reusable will be emptied and left in your driveway for re-use. If you are unable

to source reusable bags, please use the heavy biodegradable black yard bags available in most supermarkets on island.

3. Please place larger green waste items that cannot be placed in bags ie. Palm fronds, branches, woody stems, in a neat pile on your driveway.
4. Please ensure no more green waste is put out for collection from 1pm on Friday to 7.30am on Monday. This gives our contracted service provider time on Friday afternoon and Saturday morning to ensure that the community is free of green waste for the bulk of the weekend.
5. It may be preferable for you to allocate a day to house your green waste on your driveway to minimize the amount of time your driveway has the waste on it. If you choose to adopt this practice, please ensure that your green waste is put on your driveway by 7.30am. Of course, owners are also welcome to continue to utilize the services of their own contracted landscape company to remove their green waste if they cannot house the waste within their property, or on their driveway until collection.
6. Owners who are conducting special landscaping projects that create more green waste than is usual from a normal gardener providing maintenance services weekly, will provide their own dumpster for the removal of green waste. "Usual" green waste is constituted as landscaping cuttings, including grass and shrubbery, cuttings from other landscape specimens.
7. The amount of Green Waste that is considered "usual" should be able to be collected by hand, without the use of heavy machinery. That which is not able to be bagged (i.e. palm fronds) should be able to be collected within the grasp of an average sized man in two or three "armfuls".
8. No Household waste, cans, bottles, furniture items, plastic bags, electronics etc should be placed in the content of green waste.

## **ABANDONED VEHICLES**

Vehicles parked on common property are considered abandoned if they are either:

- Unlicensed;
- Not operational (i.e. not able to be driven under normal operation), or
- Derelict (e.g. flat tires, damaged bodywork).

Abandoned vehicles are subject to removal within 7 days of a warning notice being applied by Security Services.

## **PARKING & DRIVING**

Drivers should not park on private property without the owner's consent. If owners find unauthorized vehicles on their property and cannot resolve the matter, please inform Security Services. Vehicles must not be parked on the verges of Old Fort Bay.

## **COMMERCIAL VEHICLES**

Except in connection with construction no commercial vehicles (vehicles on which commercial lettering or equipment is visible, trailers, campers, bus, truck, recreational vehicles, boats and other large vehicles) may be parked or used on any Lot.

## **VEHICLE REPAIR**

No repairs or service to any vehicle are not permitted within Old Fort Bay; save for minor routine maintenance work on the owners' own vehicles or emergency service such as tire and battery repairs is permitted. Toxic fluids from vehicles, such as anti-freeze or oil, may not be discharged into the sewer or drainage systems.

## **LANDSCAPE AND PLANTING GUIDELINES**

### **Sustainable Principles**

Sustainable principles are the technical applications that are thought to be necessary to achieve a sustainable community. Below are the main factors that should be considered:

- Appropriate ratio of lawn to shrubs.
- Minimize lawn areas to reduce maintenance and irrigation requirements.
- Use locally available materials and/or material from within the same geographical region.
- Promote sustainable drainage techniques by using:
  - permeable paving and/or minimizing non-permeable paving;
  - appropriate placed swales and/or retention basins in order to slow down the direct drainage of water into the water table, deep wells or the sea.
- Protecting the local environment by implementing the existing site features and habitats into the design, where possible.
- Promote sustainable and healthy living (vegetable gardens / fruit trees etc.).
- Integrated Pest Management.
- Sustainable maintenance techniques.

### **New Private Gardens**

New Private Gardens are those that are built on a vacant lot and are effectively built from scratch. Vacant means without a home/building, but not necessarily devoid of trees and vegetation. All gardens should follow the local microclimate and complement the surrounding habitats. The following are some of the main requirements:

- Invasive vegetation should be identified and removed/destroyed.
- Existing native vegetation (trees or palms) is to be kept in place and/or transplanted/implemented into the design where possible.
- If any plant on the nationally protected species list (see Section 4) must be removed, it is required to replace them with an equivalent species in the ratio of 2:1.
- To reduce irrigation, fertilizer and pesticides run off and application, a maximum ratio of 60:40 of lawn to shrubs is encouraged.
- Native species should cover 30-50% of the garden's area.
- To manage storm water runoff the use of permeable paving (gravel, pavers with grass or mulch joints, etc.) is also highly recommended across the site. All surface water must be handled onsite and not redirected to drain into roadways, onto neighbouring properties or beach dunes.

### Renovation of Private Gardens

The renovation of Private Gardens is applied where an existing garden is to undergo a renovation of more than 1/3 of its existing material the same principles outlined for New Private Gardens apply. The Homeowners should confirm with the OFB POA at the onset of their project whether their renovations falls within this category.

### Public Road Verges

Public Road verges are the vegetated strip along the public roads between the road and the sidewalk. Maintenance will be by the OFB association. The space within 5ft of the road will be kept visually clear for pedestrian and vehicular safety. Here are the main considerations for road verges:

- Should be planted with natural lawn or low groundcover less than 1ft in height.
- No walls are allowed.
- Use of synthetic lawn is not allowed (unless specifically approved).
- Loose materials such as gravel and pebbles are not allowed unless as substitute for mulch or adequate retention is installed.
- Should be kept clean all the time.
- Inorganic materials such as concrete or asphalt are not allowed.
- Trees in the road verges must be approved by OFB POA.

### Vacant Lot

Vacant lots are those lot that are undeveloped and can be cleared or covered in existing vegetation. Due to their varying condition, it is difficult to identify a unified treatment, however the main considerations below intend to cover the different scenarios:

- All Vacant Lots should look clean and tidy at all times and cleaned of garbage to avoid becoming an eyesore.



- Cleared vacant lots with grassy areas should be regularly be mown or cut low, and where desired creative mowing could be applied to create aesthetically pleasing patterns.
- Vacant lots with existing coppice should be kept untouched until approved development as they are a haven for wildlife. Any garbage and litter should be removed regularly.
- If beautification is desired (i.e. to merge with the surrounding frontage properties) the owner of a vacant lot can plant a low hedge along the boundary line with exotic plant accents at a regular spacing. For example, a clusia hedge with accents of bougainvillea.
- Chain link fencing along frontage roads is not allowed unless during ongoing construction or development. Should the owner desire to fence off the property prior to development, fence type will need to meet requirements of community landscape guidelines and be pre-approved by HARC.
- Property owners should also ensure that excess storm water is contained on property and not diverted to run-off onto neighbouring properties.
- If desired prior to development, property owners are encouraged to plant palms or trees at a minimum of 25' spacing along boundary lines. Planting ahead of development will provide a head start on having mature vegetation for screening of eventual home.
- If vacant lots are used for the temporary storage of construction material, the materials should be put into a marginal location of the lot and kept tidy and properly screened. Approval from OFB POA must be obtained.

### Construction Lot

Construction lot are those lots where homes or gardens are being installed.

- Construction lots should be kept tidy throughout duration of construction. Contractors must ensure that no debris/material is spilling over into the nearby properties.
- If construction lot are next to existing residential properties a temporary visual screen of at least 8' high must be erected along frontage road.
- The owner should make arrangement with POA and nearby properties regarding the parking of construction vehicles throughout the construction period.
- While grades/elevations within a property can be altered, grading should merge with existing levels at property boundaries in such a way that does not cause excess storm water to flow onto neighbouring property.
- Dumpsters, porta potties, temporary construction offices, construction materials etc should be on site behind construction fencing/screening (i.e. not visible along road or from road).

### Private Gardens

Private gardens can be divided into the following distinct zones:

**a) Boundary buffer zones** are the areas within approximately 5'-8' feet of shared property boundary lines. The boundary buffer zones should be heavily vegetated to provide privacy and act as a green corridor for wildlife. Multilayer planting schemes with both canopy and shrub

layers are recommended to create dense buffers. The canopy layer can be achieved by groupings of palms and/or medium trees. A tree's mature canopy size should be taken into consideration when placed in the boundary buffer zone. Unless agreed upon by both properties, it is not recommended that a tree's canopy spreads into the neighbouring property. Along the perimeter it is recommended a minimum spacing of 25' ft. between trees. This is also dependent on tree size and species.

Suggested species for boundary treatment \*

Canopy		Mixed Shrub Screen		Exotic Accent	
Common Name	Botanical name	Common Name	Botanical name	Common Name	Botanical name
Sabal Palmetto Sabal	<i>Sabal palmetto</i>	Red Stopper	<i>Eugenia confusum</i>	Heliconia sp.	<i>Heliconia caribaea x bihai 'Jacquinii'</i>
Pigeon Plum	<i>Coccoloba diversifolia</i>	White Stopper	<i>Eugenia axillaris</i>	Red Shell Ginger	<i>Alpinia zerumbet</i>
Allspice	<i>Pimenta dioica</i>	Simpson stopper	<i>Myrcianthes fragrans</i>	Philodendron selloum	<i>Philodendron selloum</i>
Wild dilly	<i>Manilkara bahamensis</i>	Seven-year Apple	<i>Genipa/Casasia clusiifolia</i>	Oleander sp.	<i>Nerium sp.</i>
Five Finger	<i>Tabebuia Bahamensis</i>	Green Buttonwood	<i>Conocarpus erectus</i>	Crinum Lily	<i>Crinum asiaticum</i>
		Sea Grape	<i>Coccoloba uvifera</i>	Dwarf Pitch apple	<i>Clusia guttifera</i>
		Red tip cocoplum	<i>Chrysobalanus icaco var. pellocarpus 'Red Tip'</i>		
		Silver buttonwood	<i>Conocarpus erectus 'sericeus'</i>		
		Jamaican Caper	<i>Capparis cynophallophora</i>		
		Blollies sp.	<i>Guapira discolor</i>		

**b) Frontage zone** refers to the property boundary along the public road - specifically the greenspace between boundary wall/property line and the public road edge. The treatment along the frontage road must not interfere with the public utilities or pedestrian and vehicular circulation. Views must be kept sufficiently clear for cars entering and exiting driveways. To do so:



- A 4ft wide minimum strip of lawn or groundcover should run parallel to the road.
- Shrubs to be minimum 35% (by count) of native species.
- Trees to be minimum 50% (by count) of native species.
- Trees should be planted at a minimum spacing of 25' depending on species.
- Palms should be planted at a minimum spacing of 12' depending on species.
- Consideration should be given to merge planting with the neighbours frontage zone to allow for soft transitions between properties.
- For safety and visibility planting within 3ft of the driveway exit should be 4ft high.
- Consideration of site utilities: A representative from NPDCo should be contacted to ensure that the installation will not impede the function of any utilities.

**C) Shorelines and Beach dunes/zone** refer to the interface between private or communal properties and the public beach or shorelines. Along the shoreline, erosion from wind, waves and tides should be controlled using vegetation as much as possible. Dune plants are salt tolerant to salt spray, occasional high water and strong winds. The plant roots stabilize sandy soils, reducing the impact of wave and wind erosion. Once established, healthy dune ecosystems can be natural substitutes to hard engineering erosion controls such as seawalls. Using vegetation as opposed to more rigid engineered solutions allows for a more seamless transition between the beach/shorelines and private spaces. This planting specification would apply to Charlotte Island beach areas, and all areas that are not protected by a canal or sea wall, where a soft shoulder could erode into the canal due to boat traffic etc.

The planting principles for these zones are as follows:

- Planting of dunes must be combined with the use of an environmental erosion control mat made from natural and biodegradable material
- Planting should also be combined with temporary fencing (to remain on place for one year or less until plants are considered to be fully established) to protect dunes
- Use soft engineering (vegetation) when possible in place of hard engineering (sea walls etc).
- Temporary irrigation might be necessary for the establishment of new planting for the first several months until establishment.
- Planting specification should be a minimum of 1gallon for groundcover and 3gallon for shrubs.
- Use dunes/shoreline specific species.

These include but are not limited to:

Groundcover#1		Groundcover / Low Shrub		Shrub	
Common Name	Botanical name	Common Name	Botanical name	Common Name	Botanical name
Sea Coast Marsh elder	<i>Iva imbricata</i>	Salt Brush	<i>Borrichia dioica</i>	Sea grape	<i>Coccoloba uvifera</i>

Sea oats	<i>Uniola panicolata</i>	Beach sunflower	<i>Helianthus debilis</i>	Silver buttonwood	<i>Conocarpus erectus 'sericeus'</i>
Spider lily	<i>Hymenocallis littoralis</i>	Beach creeper	<i>Ernodea littoralis</i>	Green buttonwood	<i>Conocarpus erectus</i>
Native scaevola/inkberry	<i>Scaevola plumieri</i>	Sea lavender	<i>Argusia gnaphalodes</i>	Bay Cedar	<i>Suriana maritima</i>
Railroad vine	<i>Ipomoea pes-caprae</i>				

For Charlotte Island Lots 1-9 owners are responsible to create a berm parallel to the canal to collect rainwater and build a spillway along the west property line to the canal. A 2' wide stream bed using tabby rock is recommended.

**d) The Canal Front Zone** is the strip of land facing or running along the canals. Planting principles along the canal should include:

- Where a man-made beach is in place or where the property meets the canal edge as a soft edge (without retaining walls or barriers to reduce run off and erosion into the canal) the planting should follow those outlined in the beach dune planting.
- Drainage into the canal system is discouraged.
- Shrubs to be minimum 35% (by count) of native species.
- Trees to be minimum 50% (by count) of native species.

### Planting Recommendations

Native species should be promoted because they are often:

- Low maintenance.
- Resistant to the local environmental conditions.
- Salt and wind tolerant.
- Require less irrigation, pesticides and fertilizers.
- Attract wildlife (butterflies, birds etc).

Below are a list of recommended native species or species accepted as native after being introduced years ago and are considered naturalized. Non-native exotic plants are allowed if they are well suited to the local conditions and are non-invasive. Non-native invasive species are forbidden.

Palms:

Palms can be used singly, in symmetrical arrangements or grouped. When arranged in symmetry they create status and formality, planted singly they create focal points and in groups they can provide valuable canopy and roof screening.

Selected List of Palms \*

Native/Naturalized Palms:		Exotic Palms:	
Common Name	Botanical name	Common Name	Botanical name
Silver Thatch	<i>Coccothrinax sp</i>	Royal Palm	<i>Roystonea sp.</i>
Thatch Palm	<i>Thrinax morrisii.</i>	Copernicia Palms	<i>Copernicia sp.</i>
Buccaneer	<i>Pseudophoenix sargentii</i>	Bismark Palm	<i>Bismarkia nobilis</i>
Silver Saw Palmetto	<i>Serenoa repens</i>	Christmas Palm	<i>Veitchia merrillii</i>
Sabal Palm	Sabal palmetto	Copernicia Palms	<i>Copernicia sp.</i>
Everglades Palm	<i>Acoelorrhaphe wrightii</i>	Bismark Palm	<i>Bismarkia nobilis</i>
Coconut Palm	<i>Cocos nucifera</i>	Mongtomery Palm	<i>Veitchia montgomeryana</i>

Trees:

Trees can be categorized as shade, flowering or architectural. Shades tree are used mainly to provide microclimate, flowering to provide colours and interest and architectural to provide scale

and sense of place. Like palms, we have native/naturalized and exotic trees. Here, below, are those recommended, including a list of fruit trees. We recommend at least one fruit tree per project.

Select List of Trees\*

Native Trees:		Exotic Trees:		Fruit Trees:	
Common Name	Botanical name	Common Name	Botanical name	Common Name	Botanical name
Horseflesh	<i>Lysiloma sabiau</i>	Poinciana	<i>Delonix regia</i>	Mango	<i>Mangifera sp.</i>
Mahogany	<i>Swietenia mahogani</i>	Verawood	<i>Bulnesia arborea</i>	Avocado	<i>Persea americana</i>
Pitch Apple	<i>Clusia Rosea</i>	Pink Poui	<i>Tabebuia rosea</i>	Pomegranate	<i>Punica granatum</i>
Bursera simaruba	<i>Gumelemi</i>	Pink Cassia	<i>Cassia javanica</i>	Sapodilla	<i>Manilkara sapota</i>
Bearded Ficus	<i>Ficus citrifolia</i>	Brazilian Beauty	<i>Calophyllum brasiliense</i>	Soursop	<i>Annona muricata</i>
Strangler Fig	<i>Ficus aurea</i>	Frangipani	<i>Plumeria sp.</i>	Lime (local)	<i>Citrus sp.</i>
Pigeon Plum	<i>Coccoloba diversifolia</i>	Orchid Tree	<i>Bauhinia variegata</i>	Papaya	<i>Carica papaya</i>
Green Buttonwood	<i>Conocarpus erectus</i>	Japanese Tree Fern	<i>Filiceum decipens</i>	Moringa	<i>Moringa oleifera</i>
Silver Buttonwood	<i>Conocarpus erectus 'Silver'</i>			Fig	<i>Ficus carica</i>
Lignum Vitae	<i>Guaicum sanctum</i>			Guava	<i>Psidium guajava</i>

Geiger	<i>Cordia sebestena</i>			Starfruit	<i>Averrhoa carambola</i>
Five Finger	<i>Tabebuia Bahamensis</i>				

**Shrubs:**

Shrubs are all those plants that at mature size are between 3’ and below 18’. Some shrub species fall under the umbrella of both the shrub and small-tree and this is usually dependent on how they are pruned. Shrubs can be used for mixed screening, single species hedges, mass planting or as specimens. Typically, a single species hedge is not recommended as it is not as environmentally diverse. Below are some recommended shrubs:

Select List of Shrubs\*

Mass Planting Native		Mass Planting Exotic		Specimen/Accent Shrubs	
Common Name	Botanical name	Common Name	Botanical name	Common Name	Botanical name
Cordgrass	<i>Spartina Bakeri</i>	Macho Ferns	<i>Nephrolepis biserrata Macho’</i>	Bromeliads	<i>Aechmea sp.</i>
Florida grass	<i>Tripsacum floridana</i>	Philodendron Xanadu	<i>Philodendron Xanadu</i>	Sisal	<i>Agave sp.</i>
Sea oats	<i>Uniola paniculata</i>	Muhly grass	<i>Muhlenbergia capillaris</i>	Bougainvillea sp.	<i>Bougainvillea sp.</i>
Sea Lavender	<i>Argusia gnaphalodes</i>	Dwarf Oleander	<i>Nerium sp.</i>	Crinum	<i>Crinum asiaticum</i>
Croton linearis	<i>Croton linearis</i>	Hibiscus sp.	<i>Hibiscus sp.</i>	Philodendron selloum	<i>Philodendron selloum</i>
Spider lilies	<i>Hymenocallis latafolia</i>			Cardboard plant	<i>Zamia furfuracea</i>
Horizontal cocoplum	<i>Chrysobalanus icaco var. 'Horizontal'</i>			Contie	<i>Zamia pumila</i>
Broom brush	<i>Baccharis dioica</i>			<i>Thyrallis</i>	
Salt brush	<i>Baccharis halimifolia</i>				

**Groundcovers**

**Climbers:**

Groundcover shrub species are classified as those less than 3ft high. They blanket the ground and frame the middle and background shrub layers. Groundcover provides interest through their foliage, colour and texture. Climbing plants can be self-supportive or trellised.

Select List of Groundcover & Climber\*

Native Groundcover		Exotic Groundcover		Climbers	
Common Name	Botanical name	Common Name	Botanical name	Common Name	Botanical name
Beach Creeper	<i>Ernodea littoralis</i>	Philodendron Burle Marx	<i>Philodendron Burle Marx</i>	Yellow Allamanda	<i>Allamanda cathartica</i>
Iva imbricata	<i>Iva imbricata</i>	Wart Fern	<i>Microsorium scolopendria</i>	Pink Allamanda	<i>Mandavilla splendens</i>
Sea Purslane	<i>Sesuvium portulacastrum</i>	Purple Queen	<i>Setcreasea/ Tradescantia pallida 'Purpurea'</i>	Honeysuckle	<i>Tecomaria capensis</i>
Inkberry	<i>Scaevola plumieri</i>	Foxtail Fern	<i>Asparagus densiflorus Myers</i>	Sky Vine	<i>Thunburgia grandiflora</i>
Rat tail	<i>Stachytarpheta urticifolia</i>	Flax Lilies	<i>Dianella tasmanica</i>	Bougainvillea sp.	<i>Bougainvillea sp.</i>
Beach Sunflower	<i>Helianthus debilis</i>	Baby rubber plant	<i>Peperomia obtusifolia</i>		

#### Invasive Plants / do not plant plants

Invasive plants are non-native species that dominate ecosystems, often leading to monocultures lacking in biodiversity. If found onsite, the plants below are to be removed immediately:

- Australian Pine/Casuarina – *Casuarina equisetifolia* & *glauca*
- Sea Lettuce – *Scaevola taccada*
- Brazilian pepper – *Schinus terebinthifolius*
- Melaleuca – *Melaleuca quinquenervia*
- Jumbey – *Leucaena glauca*
- Wedelia – *Wedelia trilobata*

The following species are not recommended for planting in private gardens and not allowed in road verges:

- Umbrella tree – *Schefflera actinophylla*
- Yellow tabebuia – *Tabebuia aurea*
- Weeping fig – *Ficus benjamina*

#### Nationally Protected Species

By law the following species are protected in the Bahamas and their destruction or removal is prohibited:

- Beefwood, Pigeon Berry/Narrow Leaved Blolly - *Guapira discolor*
- Black Ebony/Bullwood - *Pera bumeliifolia*
- Brasiletto - *Caesalpinia vesicaria*
- Candlewood - *Gochnatia ilicifolia*
- Caribbean Pine - *Pinus caribaea* var. *bahamensis*

- Horseflesh - *Lysiloma sabiau* var. *bahamensis*
- Lignum Vitae - *Guaiacum sanctum*
- Mahogany (Madeira) - *Swietenia mahagoni*
- Rauwolfia - *Rauwolfia nitida*
- Red Cedar - *Juniperus bermudiana*
- Silk Cotton - *Ceiba pentandra*

#### Existing Mangroves

All mangrove areas must be kept. Occasional cut back is allowed but must be done progressively and not all at once. Owners must receive written approval from OHB before carrying out any cutting back. Boardwalks can be built within mangroves.

#### Planting Specifications

##### General

For new installations and for gardens to receive renovations of greater than 35% of the existing area landscape plans should be drawn by a landscape architect, a licensed landscape contractor or a horticulturist and submitted for approval to the POA who can then decide based on the scale of the proposal if further involvement of a landscape architect is necessary.

Accordingly, all plant species, size and quality should be indicated on such plans.

The contractor or homeowner is responsible for supplying the plant materials necessary to carry out the works following standard landscape procedures and practices.

The plants should be well-formed and shaped, true to type and free from disease, insects and defects such as knots, sun-scald, windburn, injuries, abrasion or disfigurement.

##### Size & Spacing

Size specification of plants depends on the species and projected size at maturity. Below are the general recommendations. Please see the extensive planting list and specification in the appendix for recommendation on a species-by-species basis.

- Large shade and flowering trees should be specified at minimum 45G/14-16' Overall height.
- Medium shade and flowering trees should be specified at minimum 25G/ 8-10' Overall height.
- Large palms should be specified at minimum 8'-10' Clear Trunk.
- Medium palms should be specified at minimum 4'-6' Clear Trunk.
- Small palms should be specified at minimum 25G.
- Hedges should be specified minimum 7G; 4' on centre.
- Specimen shrubs should be specified minimum 7G; 4' on centre.
- Mass shrubs should be planted at minimum 3G; 3' on centre.
- Groundcover should be planted at minimum 1G; 1'-2' on centre.

##### Topsoil

Topsoil for use in preparing soil for backfilling plant pits shall be fertile, friable, and of a loamy character, without mixture of subsoil materials, and obtained from a well-drained, arable site. Planting soil mix shall be at a minimum, a combination of acceptable topsoil, peat and sand and shall be clean and free of heavy clay, coarse sand, rocks, stones, lime, lumps, construction debris, plants, roots weeds, noxious pests and diseases or other foreign materials. It shall not contain toxic substances which may be harmful to plant growth. pH range shall be 5.0 to 7.6 inclusive.

### Fertilizer Recommendations

Fertilizer should be a granular slow-release type, in a dry pellet form with a balanced nutrient formula such as 6-6-6 or 10-10-10. It shall contain the following minimum percentages by weight of primary nutrients:

- Nitrogen (N): 6%
- Phosphorous (P): 6%
- Potassium (K): 6%
- Micronutrients must be present, including: Manganese, Chelated Iron, Magnesium Sulfate, Urea, Zinc and Copper.

The fertilizer should be applied at following rates, to planting beds and saucer area around each tree, palm and shrub:

- Trees: caliper 2-4": 3 lbs/inch of caliper.
- Palms: 1-lb./inch of palm trunk caliper
- Shrubs: 2-lbs/100 sf of area
- Ground covers: 2-lbs/100 sf of area.
- Grass Sod: 12-lbs/1000 s.f. of area.

### Top mulch (Recommended)

- Pine bark mulch.
- Other recommended mulches are cypresses and locally produced mulch.
- Processed specifically for use as top mulch around plant beds.
- Top mulch planting pits, trenches and shrub bed areas within two days after planting.
- Mulch full width of planting pit, tree pit, trenches, shrub bed, ground cover and vine bed and other planting areas evenly with 3" (minimum) depth of topquality specified mulch material, after settlement.
- All trees and palms planted in lawn areas shall receive a minimum of 3' diameter mulch ring at a depth of 3".

### Planting Installation (see appendix for typical details)

#### General

- Where shrub and groundcover plantings are shown as mass plantings beds, plants shall be placed on a triangular spacing configuration (staggered spacing). Plant centre to centre dimensions (on centre or o.c.) are listed on the plant list.
- Center plant in pit or trench. Trees and shrubs shall be set straight and at such a level that after settlement, the plant crown will stand one (1), to two (2) inches above grade.
- Care shall be taken not to break or disturb root ball of plants.
- Turn plant for best effect or as directed by the Landscape Architect.

#### Guying and staking of trees & palms

- Protect trunk and stake palms as shown on the Planting Detail Illustrations (see appendix). No nails, screws or wires shall penetrate the outer surface of trunks. All guying and staking shall be removed twelve (12) months after planting.
- Tree guying and bracing shall be installed to prevent newly planted trees from falling into neighbouring property, roadways or verges.

#### Pruning at planting

- Prune minimally to remove injured twigs and branches, dead wood and suckers.
- Pinch out tip growth at the terminal branch ends of shrubs, ground covers and vines.
- Trees shall be pruned to preserve the natural character of the plant as shown on the drawings, only if necessary. All soft wood or sucker growth and all broken or badly damaged branches shall be removed with a clean cut.
- All broken branches and clear trunk branches on street trees are to be pruned to ensure 5' min. height clearance to base of canopy.

#### Irrigation

- Where automatic irrigation systems are installed, a rain sensor must be installed to reduce standing water and excess runoff from lawns into canals and neighbouring properties.
- Rain switch should be located in an area that is free of falling leaves and will easily catch falling rain.
- The rain switch should be wired so that it interrupts the irrigation cycle when rain has provided sufficient water for plant material requirements.

#### Sprinklers:

- Should be installed to provide a minimum of 50% overlap between heads.
- Sprinklers heads should be always be arranged facing away from roads and path ways as not to spray in the road and where people walk.

#### Landscape Maintenance

Maintenance should ensure to provide a good appearance of the property throughout the year. The neat appearance of the landscape has a reflection on the perception of the community and has a positive psychological experience for the residents. The following maintenance guidelines



are aimed to create a minimum standard for weeding, removing dead plants and mowing regularity in order to avoid gardens becoming eyesores.

- Begin maintenance immediately after each item is planted.
- Maintain a healthy growing condition by watering, pruning, fertilizing, cultivating, spraying, weeding and other routine operations (such as re-staking or repairing guy supports).
- Keep water saucers around plants free of undesired vegetative growth.
- Herbicide weed control: all plant beds shall be kept free of noxious weeds.
- Remove and replace dead plants promptly.
- Mulch top ups are recommended every six months. The same style of mulch should be used throughout the garden for unity. Suitable mulch is pine bark, cypress and native mulch which can be locally supplied. For small areas pebbles can also be used.

Lawn:

- St Augustine Lawns: Mowed to a height of 3-4" (every 7-10 days).
- Zoysia Lawns: Mowed to height of 2-3" (every 7-10 days).
- Fungal treatment should be applied as soon as necessary.
- Weed and debris removal weekly.
- Where a lawn maintenance contractor is employed, the debris generated from each contractor should be hauled away when services are completed.

Shrubs:

- Pruning of shrubs and groundcover to maintain a neat appearance, and restrict growth from obstructing roadways, walkways or driveways.
- Maintain a dense hedge.
- Maintain or encourage a desired plant form or special garden forms.
- Remove dead or dying branches injured by disease, severe insect infestation, animals, storms, or other adverse mechanical damage.

Palms:

- Regular removal of dry, brown or damaged fronds and excess fruits and nuts.
- when removing fronds and excess fruits and nuts care should be taken to avoid damages to the shrubs and garden below.
- Regularly thin out multi-stem or cluster palms as necessary.

Trees:

- Regular removal of dead branches.
- Keep shape as per design intent.
- Remove and/or cut back climbing plants to prevent growth into the tree crown.
- Always ensure safety of workers and people when carrying out the works.
- See Hurricane preparation below for further information.

Pest Control Management:

Residents should instruct their landscape maintenance staff to follow the principles of Integrated Pest Management (IPM). The principles of IPM include:

- Identify pests, their hosts and beneficial organisms before taking action.
- Establish monitoring guidelines for each pest species.
- Establish an action threshold for the pest.
- Evaluate and implement control tactics.
- Monitor, evaluate and document the results.
- Where pesticide and chemical applications in the garden are needed, use products bearing the " warning or caution label " designation only. Chemicals bearing the "Danger " warning label are prohibited for landscape use in OFB.

We encourage the use of the following pet safe and environmentally friendly products when appropriate:

- Bonide snail bait - pet safe.
- Dipel (bacillus thuringiensis) where possible for sod webworm, caterpillars.
- Organocide pesticide / fungicide.
- Mosquito control / mosquito bits in bromeliads.
- We encourage the use of granular lawn pesticides as an alternative to liquid chemical sprays to reduce runoff and spray drift of water-soluble mixes. To reduce nitrates and other chemicals run off into the canal system, use slow release granular fertilizer only (i.e. 10-10-10, 16-4-8, not liquid feeds) on lawns and gardens.

Irrigation Maintenance:

It is the Homeowner's responsibility to maintain the system, repairing leaks and broken heads, flushing the system etc. in a timely and efficient manner.

## **LIGHTING GUIDELINES**

Old Fort Bay values the ability of its residents to enjoy their properties without interruption or interference from outdoor lighting from neighbouring properties. Old Fort Bay encourages the use of lighting fixtures that minimize light pollution.

Exterior lighting must be approved by Old Fort Bay POA. Applications for approval of construction plans must include:

1. Full details of proposed lighting including materials and height.
2. Catalogue sheets or photographs depicting the proposed light fixture.
3. Fixture locations must be shown on the elevation plans.

Applications submitted to Homeowners Architectural Review Committee ("HARC") for external mounted lighting will be considered and approved only in circumstances where the direction

and height of the lighting does not adversely impact or create a nuisance to neighbouring properties.

Old Fort Bay POA has standard rules for the type of lighting and fixtures homeowners can install on the exterior of their residences and property. Please note the following guidelines:

1. Flood lights are not permissible unless they are a canopy type light of an approved color that shields the light source and so long as the light is directed downward and the light does not escape beyond the property boundary.
2. Exterior lighting fixtures should be limited as far as possible to only those necessary for entries and wayfinding.
3. Lighting should have a concealed light source, as such the light bulb should not be visible from the sides of the light fixture. The opacity of the fixture shall be reviewed on a case by case basis.
4. Motion detectors may be utilized on the sides and rear of a structure. The automatic light duration must not exceed five minutes and the sensitivity of movement must be properly adjusted so as not to create a nuisance.
5. Lighting should minimize light pollution, glare, and trespass to neighboring properties.
6. All exterior lighting should be directed towards the property being served and not spill over onto neighboring properties or roads.
7. The amount of light produced should be designated to maintain a minimum comfort level necessary for safety and security purposes.
8. Lighting is not permitted on the eaves of a roof.
9. All lighting must be shielded so that emitted light is downcast with no direct light radiated towards the sky or towards other properties, communal waterways, communal roadways or adjacent properties.
10. Lighting at driveways and other entries should be limited to fixture types that are mounted low to the ground.
11. Landscape lighting may be placed no more than a 24" above the adjacent walking surface.
12. The lighting footprint must project downward and cannot project beyond or escape outside the property boundary.
13. Lighting must not be placed on poles or posts.
14. Solar lighting on posts is not permitted.
15. All lighting must be "warm white" – "day light" bulbs are not permitted inside OFB.
16. Only landscape low voltage light may be mounted on trees or at the base that point up.
17. The maximum number of light fixtures on gate walls facing the road equals: 24
  - a. 2 per 75ft or smaller lot frontage.
  - b. 3 per 100 ft. or smaller lot frontage

- c. 4 per 100 ft. or greater lot frontage

Any lighting fixture that fails to meet the above specification must be replaced. HARC may evaluate from time to time bright lights that create a nuisance to adjacent owners or upon receipt of a lighting complaint. Safety considerations will be balanced against aesthetic/nuisance considerations in applying these restrictions.

Owners of existing properties are encouraged to audit their current exterior lighting. It is recommended that existing owners utilize the resources available from The International Dark-Sky Association (IDA) which provides excellent information on how to reduce light pollution and light trespass while maintaining enough light to live, work, and see. Below are best practices:

To minimize the effects of light pollution, lighting should:

1. Only be on when needed
2. Only light the area that needs it
3. Be no brighter than necessary
4. Minimize blue light emissions
5. Be fully shielded (pointing downward)

A good place to start is by asking the following questions while evaluating or reviewing outdoor lighting.

1. Does the area really need to be lit? If so, for what purpose? At what brightness?
2. Do any of the fixtures emit light above 90 degrees?
3. Is light trespass (light falling where it is not intended, wanted, or needed) an issue?
4. Is glare (excessive brightness that causes visual discomfort or difficulty seeing) an issue?

Depending on the answers above, the following may apply:

1. Don't light an area if it's not needed.
2. Turn off the lights when not in use.
3. To save energy costs, don't use excessive amounts of illumination.
4. Use timers, dimmers, and motion sensors whenever possible.
5. Use only "full cut-off" or "fully shielded" lighting fixtures. That means no light above the 90-degree angle. Fully shielded lighting can be purchased and some existing fixtures may be retrofitted.
6. Use energy-efficient lighting sources and fixtures.
7. Only use lighting sources with correlated color temperature (CCT) "warm white" no higher than 3000K. Most lighting products provide this information on package labels.

These recommendations can improve the quality of outdoor lighting by minimizing glare, light trespass, skyglow and energy waste, while improving the efficiency and ambiance of outdoor lighting.

## **SOLAR INSTALLATION WITHIN OLD FORT BAY**

The Old Fort Bay POA supports the installation of alternative energy solutions within Old Fort Bay. In order to ensure uniformity of installation Old Fort Bay POA has established a set of rules and guidelines for Solar installation. In particular, the Old Fort Bay POA wish to protect the architectural, natural environment and property values from the potential adverse visual impact of Solar Panels and equipment through appropriate design and placement standards.

### **Procedure**

Application must be made to the Homeowners Architectural Review Committee (HARC) in advance of the installation of Solar Panels upon any property, building or otherwise within Old Fort Bay. Each application will be considered individually. The application must include the following:

- a) Name, address inclusive of Old Fort Bay lot number, and telephone number of applicant/s, and other agents or representatives
- b) Type of Solar Panels to be installed – make, model and serial number.
- c) Number of Solar Panels to be installed
- d) Surface area to be utilized specifically stating percentage of roof to be covered by Solar Panel as applicable.
- e) Plan showing specific location of the proposed Solar Panels, with accompanying detailed scaled drawings of the type, height and configuration of all Solar Panels, related support systems and accessory equipment to be located on the site, and their distance from property lines of the property in addition to a colour rendering showing colour of panels in relation to the colour of the roof.
- f) Visual impact analysis from which the residents/ public would typically view the site.

### **Installation Requirements**

- a) Low-profile Solar Panel shall be installed on roof/ building so that it is not visible or only minimally visible from the public view, for example, on a flat roof, perpendicular to the roadside and not on a public facing roof and set back to take advantage of a parapet or other roof feature to screen Solar Panels from view; or on a secondary slope of a roof, out of view from the public view. Panels should not be visible from canal/ocean side.
- b) Installing solar roof panels horizontally, flat or parallel to the roof, to reduce visibility.
- c) Solar Panels should be oriented along secondary roofs or recessed rooftop placement.
- d) No part of any Solar Panel or support structure, line, cable, equipment, wires or braces shall at any time extend across or over any part of any right of way, street, sidewalk or property line.

- e) Solar Panels must not be placed vertically where they are highly visible and will negatively impact general aesthetic of the building and area.
- f) The smallest and least visible Solar Panels feasible to accomplish the applicant's objectives in a reasonable manner shall be used. The POA expects high efficiency, smaller, solar panels to be used.
- g) Solar Panels shall be compatible in scale and integrated architecturally with the design of the home and the natural setting.
- h) When and where possible Solar Panels shall be incorporated and or blend into the roof structure.
- i) Solar Panels shall not be installed on the ground.
- j) Solar Panels shall not be illuminated in any way at night.
- k) All roof mounted Solar Panel's shall not project more than three (3) feet above the top of the roof line of the building.
- l) The installation of Solar Panels shall not breach any of the set-backs nor building height requirements.
- m) Solar Panel equipment should where appropriate be contained within concealment structures, including but not limited to, roof spaces, architectural panels, louvers, parapet extensions, that are compatible with the design and style of the existing building.
- n) Solar Panels shall be integrated architecturally with the style, colour and character of the structure or otherwise made as unobtrusive as possible.
- o) No Solar Panel shall be mounted on the facade of any residence nor on a prominent façade of the main building or other building on the property.
- p) No Solar Panel shall create a nuisance to other property owners (sun glare etc.)

### Government & Regulatory Approval

All Solar Panel Installation must comply with:

- all Legislation, government policy and rules and regulations governing the installation of Solar Panels and alternative energy to residential property.
- all building regulations.
- any requirement to obtain a building permit.

### Solar Panel Hurricane Preparedness

Solar Panels shall be removed by the Owner as and per manufacturer recommendations with respect to Tropical Storm and Hurricane force winds. It shall be incumbent on every owner to ensure that the Solar Panels do not create a risk to neighbouring properties.

## HURRICANE PREPARATION

Hurricane season commences on the 1<sup>st</sup> June and ends on the 30<sup>th</sup> November. All Owners should familiarize themselves with the hurricane preparedness guidelines for Old Fort Bay. If you are not ordinarily resident at your property in Old Fort Bay ensure that the necessary

arrangements for hurricane preparedness have been organized. In general, properly pruning trees and shrubs before a hurricane approaches can reduce the debris generated during a storm. Proper tree pruning also increases the likelihood that a tree can weather a storm. Once a hurricane warning is declared, preparations should focus on securing your home and property. Protect the areas where wind can enter. Secure windows and doors, preferably with permanent storm shutters. Bring in lawn furniture, garbage and other items that are not tied down and could become airborne. If you own a boat, use double lines at a secure marina or consider dry-dock storage. Monitor the storm's progress. Visit [www.bahamasweather.org](http://www.bahamasweather.org) for updates.

### If a Hurricane is Imminent

1. Take the hurricane warning seriously. The following is generally accepted advice although your own circumstances could be different. Keep one set of receivers tuned to local radio and television station for the latest national weather service advisories, as well as for special instructions from local government. Disconnect the rest.
2. Check that your battery-powered equipment is functioning properly. This includes laptops, mobiles, flashlights and portable radios. Buy spare batteries and make sure that these are fully charged.
3. Service stations may be inoperable after the storm has passed. Keep your car fully fuelled in the event you need to evacuate. Ensure the battery and lights are in good condition. Do not be tempted to fill containers with spare fuel.
4. Keep one vehicle parked outside the front door in case you need to leave suddenly. Pack it with emergency supplies including food and water. Park all other vehicles in the garage. Clear the carports.
5. The storm may contaminate or damage the water system. Store a week's supply of fresh drinking water in clean bathtubs, jugs and bottles. Check the sell-by date of your water purification tablets. Top up medical supplies.
6. Fasten your boat securely well in advance of the storm, or move it early to a designated safe area. We suggest tying an anchor into the middle of the canal for the bowline and another for the port in order to prevent the boat hitting the bulkheads or ending up on the bank. Do not stay onboard the boat.
7. Normally harmless items can become deadly missiles in hurricane-strength winds. Secure outdoor objects that could become debris. Tie down garbage cans, garden tools, toys, signs, porch furniture etc., or take them indoors.
8. Preparing a yard for a hurricane is the Owner's responsibility. Remove dead wood from trees, and branches and coconuts from coconut palms. Secure them so they cannot blow away. Store garden tools safely. Take down flags.

9. Contractors must remove loose construction material and debris from construction sites if possible. These can fly around and cause injury and even death. Cover dumpsters securely, if they are impossible to remove.
10. Tie waterproof cover over the swimming pool filter and all other outdoor electrical equipment. Immediately shut off water, electricity, and gas supplies when told to do so.
11. Ensure that pets are wearing collars with current ID's. If these are dated, write the details on adhesive tape with an indelible pen, and attach this to the pet's collar. Never leave pets outside or tied up during a hurricane.
12. When you judge the arrival is imminent, move the car outside the front door to the garage. Close all garage doors securely. Go inside the house with your family and pets. Secure doors and windows. Listen to the radio and television.
13. Flash floods brought on by torrential hurricane rains are dangerous. Although hurricanes weaken rapidly as they move inland, the remnants of a storm can still bring six to twelve inches of rainfall to the areas it crosses. Please take the necessary precautions.
14. Wind pressure and flying debris can break large windows, garage doors, and double-entry doors. Taping windows does not prevent the glass from breaking. It merely keeps the broken glass in a confined area. If desired, install hurricane shutters or window boards on all unprotected windows. These may prevent tree branches or debris from breaking glass.

### During a Hurricane

1. **TAKE COVER.** Remain indoors throughout the hurricane, without exception. Blowing debris can injure, maim and kill. Travel is extremely dangerous. Be especially aware of the "eye of the hurricane". If the storm eye passes directly overhead, there will be a lull in the wind lasting for a few minutes to a half hour or more. At the other side of the eye, the winds will increase rapidly to hurricane force again. This time, they will come from the opposite direction, and may catch you unawares.
2. **BE AWARE OF STORM SURGES.** A storm surge is a dome of water that can be fifty miles wide. The stronger the hurricane, the higher the storm surge will be. It sweeps across the coastline near where the eye of the hurricane makes landfall. A surge - aided by the hammering effect of breaking waves - is comparable to a giant bulldozer sweeping everything in its path. This is unquestionably the most dangerous part of any hurricane. Nine out of ten hurricane deaths are attributable to storm surges.
3. **WATCH OUT FOR FLOODING.** Flash floods and creeping flooding brought on by torrential hurricane rains are dangerous killers too. Although hurricanes weaken rapidly as they move inland, the remnants of these storms can still bring six to



twelve inches of rainfall to the areas they cross. Consequential floods like these can cause loss of life, and great damage too.

4. **BEWARE OF STRONG WINDS.** Hurricane winds may be as powerful as seventy-four miles per hour or more, and can be very dangerous. In some instances, this wind force is sufficient to destroy buildings. Wooden structures are particularly vulnerable to hurricane winds that spawn tornadoes. This can contribute to incredible destruction. The greatest threat of all from hurricane winds is their cargo of debris. This is a deadly barrage of flying missiles such as lawn furniture, signs, roofing, trees, and siding. This is why hurricane preparation is so important.
5. **REMAIN INSIDE.** After the storm has passed, avoid going outside unless you must. There may be a variety of pets and creatures living on their nerves. Much of the debris will be razor sharp and could hurt you easily. Stay inside your home listening to the radio. Follow the advice of the authorities.

## COMPLAINTS

Any complaints should be made in writing to the POA office and will be carefully considered and taken very seriously. In order to treat each situation fairly and openly, the following policy has been implemented for the treatment of complaints:

1. We will not investigate "anonymous" queries or complaints about construction on other owners properties
2. If a property owner wants a suspected non-compliance investigated, that they submit their request and reasoning in writing to the HARC.
3. If the HARC or the owner accused of impropriety incurs any actual paid expense to investigate or respond to a claim and the claim turns out to be false, then the complaining owner shall pay all of the costs incurred to disprove the claim by the HARC and the vindicated owner.
4. If the complaint turns out to be valid, the owner who breached protocols or requisite approvals shall pay all charges incurred.
5. If HARC approves of the deviation after it is brought to HARC's attention, the offending property owner shall pay all of the costs as in Point 4

The costs can be submitted to the HARC and included in a Special Assessment billed to the appropriate property owner as outlined above.

This policy will help to ensure that false or inaccurate claims are not made at the expense of an innocent party and property owners who violate known provisions that are then discovered are assigned the costs related to their misconduct.

## **CHANGES OF RULES & REGULATIONS**

The Old Fort Bay POA reserves the right to amend or make additions to or deletions to the Rules & Regulations from time to time.