

Delray Villas Plat 4/5 Homeowners Association, Inc.

Rules & Regulations

1. Introduction

Delray Villas Plat, 4/5 (the “Community”) is considered housing for older persons pursuant to the Fair Housing Act and The Housing for Older Persons Act of 1995. The Association has operated the Community as a “55-or-Older” community since January of 2004, including, by continuously publishing its intent to be a 55-or older community, and has adopted procedures to carry out its intention.

Delray Villas Plat 4-5 Homeowners Association, Inc. (the “Association”) is the entity responsible for the administration of the common affairs of the Community and to promote the health, safety and welfare of its members, which are defined in the Declaration of Covenants, Conditions and Restrictions as the legal title owners of Lots in the Community.

To promote the health, safety and welfare of the Members of the Community, the Board of Directors, after a duly notice hearing in accordance with Chapter 720, Florida Statutes, has adopted the following rules and regulations, which shall govern all members, their family members, guests, licensees, invitees and, if applicable, their lessees and their lessees’ family members, guests, licensees and invitees. All such categories of persons shall hereafter be referred to as “person” or “persons.”

11. Rules and Regulations

1. All persons shall abide by each and every term and provision of the Declaration of Covenants, Conditions and Restrictions, Articles of Incorporation, Bylaws, all amendments thereto, all resolutions previously adopted by the Board of Directors of the Association, and these Rules (collectively referred to as the “Governing Documents”).
2. Failure to comply with the Governing Documents, including these Rules may result in the levy of fines and any other remedies available to the Association under the Governing Documents, said remedies being cumulative.

3. All persons must observe and abide by all parking and traffic regulations set forth in the Governing Documents and those Rules. No continuous parking is permitted from dusk to dawn. Vehicles parked on the roadway must be parked in the direction of travel. Vehicles may not be parked in any manner to impede or restrict an Owner's ability of ingress or egress. Vehicles may not be parked in an manner to impede the use of a sidewalk. If any unregistered or inoperable vehicle is in violation of the Governing Documents for more than a forty-eight (48) hour period, it is subject to towing (48) hours after being tagged by the Association with no further notice.
4. No Solicitation of any kind, purpose or nature is allowed in the Association.
5. No person shall engage in behavior, which the Board of Directors, in its sole discretion and judgment constitutes a nuisance. "Nuisance," by way of example, but without limitations, includes:
 - a. Dogs barking continuously for at least five (5) minutes between the hours of 10:00 p.m. to 8 a.m. that results in a complaint from a resident.
 - b. Unsupervised pet or dog off leash.
 - c. Failure to pick up after your dog.
 - d. Obnoxious odors.
 - e. Use of chemicals or equipment that causes life or safety concerns.
 - f. Housekeeping that causes fire safety or health conditions (hoarding or over cluttered conditions that attracts vermin mold, etc.
 - g. Any conduct that would be a violation of zoning ordinance, state or local law.
 - h. Other activities that the Board deems to be a nuisance.
6. No person shall do or permit any assembling or disassembling of motor vehicles except within his\her garage. Each Lot Owner shall be required to clean his\her driveway of any oil or other fluid discharged thereon.
7. Members shall be jointly and severally liable with any other person within their household that may cause damage to the Common Areas of the Community, including the personal property and equipment of the Association, if applicable.

8. No signs of any kind may be posted on street light poles, street directional or stop sign poles or trees or anywhere on the Association Common areas and property, except for specifically designated bulletin boards, which may be provided by the Association for owner\resident use. No signs of any kind may be posted on or inside of any vehicle, including vehicle wraps, parked within the Association. Realtor open house or for sale signs may not be placed anywhere in the Community.
9. Garage sales, tag sales, rummage sales or any other type of sale advertised to the general public is strictly prohibited.
10. No permanent athletic devices or equipment shall be affixed to the front or rear of the Unit; portable athletic equipment shall not be placed on the Association common areas or roadways.
11. No bicycles, tricycles, scooters, baby strollers, or other similar vehicles or toys, are allowed to remain in the common areas. The walkways, sidewalks and streets shall not be obstructed.
12. All garbage and refuse from the Lots shall be deposited with care in each member's private garbage containers, which shall be placed so they are not visible from the roads or adjoining residences. No garbage or refuse shall be deposited in any Common Areas, the streets, or sidewalks for any reason, except on the correct days of the week for pickup and removal. No littering shall be done or permitted on the Association property. This includes any landscape debris unless performed by the Association's landscape contractor.
13. Large items for disposal such as carpet, appliances, water heaters, major collections of boxes, etc. shall not be placed at curbside until specific arrangements have been made with the trash pickup contractor.
14. No garage doors are permitted to remain open except for temporary purposes. A garage may not be converted into living quarters.
15. An Owner who intends or plans to be absent from his Residence during the Hurricane season (June 1 – November 30 of each year) shall prepare his residence prior to his departure by doing the following.
 1. Removing all items, including furniture, potted plants, and other movable objects from his\her yard, patio and deck;
 11. Making arrangements to have coconuts removed from palm trees on his lot;
 111. Designating a responsible person or firm to care for his Lot should it suffer hurricane damage.

- iv. Furnishing the Association with the name and contact information of the individual or firm that has been designated to care for his lot in accordance with this rule. Regardless of the Owner's absence, the Owner remains responsible to comply with the Governing Documents, including the installation and removal of hurricane shutters.
16. Except for seasonal Christmas \ Holiday decorative lights, which may only be displayed between December 1st and January 10th, all exterior lights and lighting fixtures must be approved by the ACC. Any seasonal decorations which include audible sound must be turned off by 10:00PM. Front door porch and garage lights must use clear light bulbs and must be replaced by the Owner as needed. No colored bulbs are allowed. Garage\carriage lights\lollipop lights must remain on from dusk to dawn. The minimum fine for not turning on one or both shall be \$100.00 Owners shall not tamper with, defeat or override automatic switches which control the focus \ point downward. No upward lighting on any landscaping is permitted.
17. No artificial vegetation shall be permitted on the exterior of any portion of the properties. Exterior sculpture, fountains, flags and similar items must be approved by the Architectural Control Committee ("ACC"). This provision is not intended to prohibit the use of US flags.
18. No trees shall be removed, except for diseased or dead trees and trees needing to be removed to promote the growth of other trees or for safety reasons, unless approved by the ACC, The minimum fine for performing outdoor work without first securing a No-Fee permit, shall be a \$250.00 fine. The minimum fine for hat racking a tree shall be \$500.00 or up to the amount the Association may be fined by Palm Beach County. There shall be no alteration of plantings maintained by the association in any common area.
19. All solar heating apparatus must conform to the standards set forth in the HUD Intermediate Minimum Property Standards Supplement, Solar Heating and domestic water Systems. No solar energy collector panels or attendant hardware or other energy conservation equipment shall be constructed or installed unless it is an integral and harmonious part of the architectural design of a structure as reasonably determined by the ACC. The ACC may require solar collectors to be installed on an Owner's roof south or within 45 degree east or west of due south, if such requirement does not impair the effective operation of the solar collectors. Solar collectors, vents, or other roof-mounted, energy savings devices shall be mounted in such a way so that they do not project above the surface of the roof of a residence any more than necessary to operate effectively (within manufacturers specifications and limits); and all such equipment, other than solar panels, shall be painted consistent with the color scheme of the portion of the property to which such equipment is installed. This provision is not intended to prohibit the use of solar energy devices.

20. All owners shall comply with the Use Restrictions as set forth in the Governing Documents and Amendments thereto.
21. Complaints regarding the management of the Association Property, or regarding the actions of other Owners, their families, guests, or tenants shall be made in writing to the Association care of the Secretary and shall be signed by the complaining Owner.
22. Any consent or approval given under the Rules and Regulations by the Association may be revoked or modified at any time by the Board.
23. These Rules and Regulations may be modified, added to, or repealed in accordance with the Bylaws.