

WESTCHESTER COUNTRY CLUB HOA, Inc.

Adopted

Starlight Cove



www.StarlightBoynton.com

- **RULES AND REGULATIONS (pages 1-3)**
- **ARCHITECTURAL GUIDELINES (pages 4-5)**

Rules and Regulations

The following is an abbreviated version of some of items in THE DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS OF WESTCHESTER COUNTRY CLUB HOMES. It is important that you review and understand this document well. The reference in this document "page number, section number" refers to where the subject matter can be found. The "regulation references" are the regulations that were made by the Board of Directors.

- 1. Owners Easements of Enjoyment and Owner's property rights.** The Association has the right to establish uniform rules and regulations pertaining to the use of the common properties, unit's improvements thereof. - Pg. 4, Article II, (b).

Every unit owner and their tenants, guests, invitees and agent shall comply with any and all rules as they exist and may be adopted in the future by the Board of Directors. See pg. 18, Article X, restriction on use of common property and Units.

- 2. Non-Compliance fines and penalties, Article XVI pg. 29 Section 1, 2, 3 pg. 29.** The Board may impose a fine upon a unit owner, for failure of the owner to comply with the rules and regulations. Enforcement shall be grounds for immediate action which may include, without limitation, an action to recover sums for damages, injunctive relief or any combination thereof.

The Board may impose a fine upon a unit holder for failure of the owner, his tenants, family members, guests, invitees, or employees to comply herewith.

The Fines Section, Article XVI, item #3 has been changed by State Statute that mandated that an impartial committee be established to conduct the hearing, rather than the Board of Directors. After holding the hearing, this committee issues a decision to waive or impose the proposed fine.

- 3. Use of the pavilion by an owner for a private event.** The recreation area is open from dawn to dusk except when being used by an Owner for a private event or for official association meetings. Owners are to make a reservation in advance. A \$50 refundable reservation deposit is required. The pavilion may be reserved either for a requested period of time in the day or evening, however, no event is to continue beyond 10:00 p.m. (Board regulation).

4. **No unit shall be used except for residential purposes. Pg. 18 Section 1, 2.** Commercial businesses are not allowed.
5. **Animal Restrictions** (page 19 - Section 4). No animals, livestock, reptiles, poultry of any kind shall be raised, bred, or kept in homes. Pets must be leashed or curbed and pet excretion must be cleaned up. Pets shall be limited to two per unit and such pet shall not weigh more than 50 pounds).

Board Regulation - Pets are not permitted on landscape common areas or the recreation area. Pets are not to be left unattended on porches, patios or vestibules. Pets are not permitted on your neighbor's property. The designated area for walking the dogs is along the sidewalks and street gutters.

Palm Beach County Ordinance Section 4 (Dog & Cat Control) A. Dogs

1. It shall be unlawful for any dog to be off the owner's property (which property is exclusive to the owner and does not include common areas) unless the dog is under the restraint or control of a person by means of a chain, leash or other device or is sufficiently near its handler to be under his direct control and is obedient to that handler's commands or is caged/crated.
 2. It shall be unlawful for an owner to tie, chain, tether or confine by electronic/radio device a dog on the owner's property within five (5) feet of public property, public access, easements, common grounds or the property of another without the consent of the owner of such property.
6. **Trash** (page 19, Section 6). Containers are to be placed on the street no earlier than the evening before pickup. This includes recyclables and garden waste. (Board Regulation) - "Evening" is defined as no earlier than 6:00 PM for trash (County regulation), and 4:00 PM for garden waste.

Pick up days: Tuesday --- Recyclables and Trash
Friday --- Yard Waste, Bulk Items and Trash

7. Parking restrictions

- a. (Page 29 Article VI, section 10) Parking is restricted to parking areas appurtenant (driveway) to each unit. Parking is not allowed on the streets at any time.

Delivery trucks, maintenance workers and visitors may park for a limited amount of time, but shall not park in any area of the street where they cause unsafe conditions for other vehicles. Parking is not allowed in the swale and vehicles parked in a driveway cannot block the sidewalk. - Not blocking sidewalks is a Palm Beach County Ordinance and a Board resolution.

(Page 20, Section 10 and page 21, Section 19) No owner shall park, store, or keep on any portion of Westchester County Country Club Homes any vehicles used for commercial purposes (for example, dump trucks, cement mixer trucks, oil or gas trucks, or pickup trucks used commercially, and the same shall be considered a nuisance if this provision is violated. This prohibition is not intended to exclude vehicles commonly known as vans, which are used for non-commercial purpose. Note: This means that all commercial vehicles, campers, motor homes are prohibited from being parked on any property, driveway, or enclosed garage.

Recreational vehicles, boats and motorcycles (“Vehicles”) are permitted provided such Vehicles shall be kept in the property owner’s garage where vehicles are fully covered or garage door kept closed.

See item 2. - Compliance /Noncompliance - concerning penalties for non-compliance/fines.

The Board's definition of a commercial vehicle is:

1. A vehicle used by a business for profit by a company, proprietor of a business or an employee.
2. A vehicle with lettering or equipped with racks and/or ladders, carrying supplies, tools, material or other equipment used for business.
3. Cargo vans with or without windows - not equipped with factory installed rear passenger seating.

8. **Repairs** or servicing of vehicles shall be restricted to garages only. (Board regulation).
9. **Antennae:** No short-wave radio operation of any kind is permitted. Page 19, Note: See ACC guidelines for satellite dishes.
10. **Signs:** No signs, posters, displays, billboard, or other advertising devices of any kind shall be displayed to public view. This includes for sale, for rent, lawn or garage sales. (Page 20, Section 11).
11. **Garage and Lawn Sales:** Garage, Lawn, Tag sales, etc. are not allowed in the community. Note: An automatic fine of \$25 a day will be imposed for violation of this regulation.
12. **Nuisances-** (page 19, Section 5) No nuisance or noxious or offensive activity shall be carried on in any part of Westchester Homes. The Board makes the decision as what constitutes a nuisance and the decision shall be final. Owners who want a clarification as to what constitutes a nuisance shall put their request in writing and send it to the Board.
13. **POOL RULES:**
 - The pool is opened from dawn to dusk.
 - Children and persons needing diapers must wear swim diapers or rubber/plastic leak-proof pants. No nude swimming is allowed.
 - Eating or smoking is not allowed poolside. Smoking is permitted in designated areas where ashtrays are provided on the wall of the cabana and pavilion.
 - An adult must accompany children under the age of thirteen (13).
 - Emergency safety equipment is not to be used as recreational flotation devices. Bathers may bring their own personal flotation devices to the pool.

PLEASE OBEY THE POOL RULES POSTED POOLSIDE THAT CONCERN HEALTH AND SAFETY PRECAUTIONS FOR THE USERS OF THE POOL AND COMMON AREA.

Starlight Cove Community Architectural Control Guidelines

- 1. Painting of Homes**– The painting of a home, home’s trim, or garage door requires an Architectural Review Board (ARB) application. Samples of approved colors are available on the community’s website and in the Starlight Cove paint color selection book. The book can be viewed and checked out at board meetings or by contacting the property manager. When approving painting ARC, the home’s base color cannot be duplicated with neighboring homes. There must be two houses between repeat base colors. This applies to side by side homes, not across the street.
- 2. Pools, Patios, Spas, Screen Enclosures**– Construction or installation of pools, outdoor spas, patios, and screen enclosures must be approved by submitting an ARB application for review by the Architectural Committee.
- 3. Storm Shutters**– Approved styles are accordion shutters, roll downs, and temporary removable panels. An ARB application is required before installation can be commenced. Clear shield panel shutters are permitted to be placed on a home during hurricane season, (June 1 – November 1). All other shutters may only be placed\closed during the threat of an impending storm, and must be removed from the home after the storm has passed.
- 4. Landscaping**– Revisions to landscaping (i.e. planting trees, shrubs, placing lawn ornaments, etc.) require the approval of an ARB application. Please submit a detailed explanation including a site survey, detailed drawing, and/or sketch of the planned revisions. The replanting of shrubbery and plants in previously approved garden areas does not require an ARB application. An example of a planting not requiring an ARB application would be the planting of annuals in an already approved\designated gardening area such as the area found in front of most homes where the palm trees are planted.
- 5. Care of Shrubs and Lawns**– Lawns are to be maintained by the homeowner. Grass should be cut on a regular consistent schedule. Dried, dead or insect infected lawns or shrubs must be revitalized or removed and replaced by the homeowner.
- 6. Fences, Gates, and Privacy Hedge**– An ornamental white or bronze painted aluminum fence and gate may be installed between homes. A privacy hedge may be installed between homes; however, any installation of a fence, gate, and or hedge requires the submission and the approval of an ARB form.
- 7. Driveways and Walkways**– The driveway and walkway are to be maintained by the homeowner. A textured, tiled, or paver top may be installed down to the edge of the driveway. The sidewalk and driveway apron however may not be changed. The submission and approval of an ARB application is needed before alterations to a driveway are commenced, including repainting.
- 8. Playground Equipment**– Playground equipment can be installed in the rear of the property. The equipment must be stored in threatening weather. Permanent basketball equipment is not to be erected on the property. Temporary basketball structures are allowed and must be stored in the garage, behind the home, and in all events out of view from the roadway when not in use. At no time should any equipment impede traffic. Play equipment, including without limitation, temporary basketball structures, shall not be used before 8:00 am nor after 8:00 pm. Any use of play equipment before 8:00 am or after 8:00 pm shall constitute a nuisance.
- 9. Air Conditioners**– Window or in wall air conditioners are not allowed.
- 10. House and Driveway cleaning**– Homes, driveways and aprons are to be cleaned by the homeowner. From time to time a homeowner should bleach\clean their homes, driveway, and aprons to remove dirt and\or mildew. An ARB application is not required for bleaching and cleaning. Please keep in mind that pressure cleaning of a house or painted driveway may strip the paint off of a painted surface. Small applications of touch up paint on homes and driveways do not require the submission of an ARB application, as long as the paint used is the same color. If pressuring cleaning leads to large portions of driveways or homes needing a new coat of paint, an ARB application should be submitted for the approval to repaint the home.

11. Rooftop Cleaning and Repair– Roofs are to be clean and repaired by the homeowner. The cleaning of a rooftop, the patching of a leaky roof, and the replacement of a small portion of cracked tiles does not require the approval of an ARB application. Major roof work and repairs such as re-roofing an entire roof or major section of a roof requires the approval of an ARB application. The primary roof tiles used in the community are terra cotta barrel tiles composed of either clay, concrete or metal. Wood and asphalt are not permitted. Any other variation would be subject to ARB approval.

Architectural Review Board (ARB) applications can be acquired at home owner meetings as well as downloaded from our community website: www.StarlightBoynton.com

Architectural applications can be submitted at home owner meetings or by mailing them to our property manager. Thank you.