

# **WINDJAMMER VILLAGE OF NAPLES, INC.**

## **RULES AND REGULATIONS**

ADOPTED: February 21, 2019

### **Preface**

The purpose of the Rules and Regulations is to promote the comfort, safety and welfare of the Residents of Windjammer Village of Naples, Inc. and to protect the investment of Shareholders and Homeowners. Rules and Regulations are distributed to all residents and are available on the Windjammer website. All Residents must sign the Rules and Regulation form to ensure that all Residents are aware of and agree to comply.

It must be noted there are (4) four documents concerning Windjammer Village of Naples, Inc. They include The Articles of Incorporation, The Maser Form Proprietary Lease, The Windjammer Village of Naples, Inc. Bylaws and the Rules and Regulations.

### **Definitions**

- A. "Corporation", also referred to as the "Village Management" means Windjammer Village of Naples Inc.
- B. "Shareholders" shall mean person/s owning a share or part of a share in Windjammer Village.
- C. "Homeowners" shall mean the person/s owning a home in the Village without owning the land portion.
- D. "Renter" shall mean the person/s who live/s in Windjammer more than (30) days per year.
- E. "Guest" shall mean the person/s who is visiting a Resident for thirty (30) days or less per calendar year.
- F. "Resident" Shall mean Shareholder/ Homeowner and Renter.
- G. "Village" shall mean Windjammer Village of Naples Inc.
- H. "Board" shall mean the Board of Directors of the Corporation.

### **1.0 Residents, Visitors and Guests**

- 1.1 Disputes between neighbors are not the concern of the Windjammer Board of Directors unless the Village as a whole is involved. Criminal activity should be reported to the Collier County Sheriff's Office at 239-774-4434. Civil issues should be settled through legal means with an attorney.
- 1.2 Windjammer Village is zoned for single family homes which are to be occupied only by the Shareholder(s) Homeowner(s) with the following exceptions:
  - A. When a home is owned by only one individual, an additional resident is permitted. (No renting rooms is permitted) The minimum age requirements of Windjammer Bylaw 2.3 apply, and the proper interview procedure is required to be completed.
  - B. Residents may occupy homes as covered in section 3.0 of the Rules and Regulations.
  - C. Renters may have guests for no more than (30) days per year per guest. Residents having overnight guests for more than (30) days per calendar year shall be required to go through the interview approval process.

- D. Hardship must be a medical condition of one of the two 55 and over residents and shareholder of the home. A letter must state the hardship, the time frame of the care and be signed by a medical doctor. Based on prior approval of the board before caregiver takes residency, this care can be up to one year.
- 1.3 Nuisances: No owner shall use his unit, or permit it to be used by a guest, invitee, or tenant in any manner which constitutes or causes an unreasonable amount of annoyance or nuisance to the occupant of another unit, or which would not be consistent with the maintenance of the highest standards for a First-Class residential neighborhood, nor permit the premises to be used in a disorderly or unlawful way. The use of each unit shall be consistent with existing laws and the cooperative documents, and occupants shall at all times conduct themselves in a peaceful and orderly manner.

## **2.0 Home and Lot Maintenance**

- 2.1 Rents and Maintenance fees are due on the first day of the month at the place designated by the Board of Directors. The fee is delinquent after the fifth day of the month, after which a late fee of \$25.00 is charged. This fee must accompany the monthly payment. Insufficient fund checks will incur a \$25.00 service charge and cash or money order will be the only acceptable means of payment for that check. Automatic bank transfer, when possible is encouraged but not mandated.
- 2.2 Residents must keep the exterior of their homes and accessories in good repair, clean, neat and orderly and their yard well groomed. The maintenance of all landscaping including weeding of individual yard/landscape areas and removal of dead or diseased trees, are the responsibility of the Shareholder/Homeowner. Windjammer Management provides lawn mowing and one (1) yearly trimming of palm trees. Periodic inspections are preformed throughout the community.
- 2.3 Prior to leaving the residence for more than thirty (30) days the Shareholder/Homeowner must deliver to the Management Company an updated Contact Information Sheet via email or mail, with the name and telephone number and email address of the contact person(s) responsible for taking care of the house and yard while away. All projectiles are to be removed from the exterior of the home before leaving from winter season and leaving during hurricane season.
- 2.3.1 As required by our By-Laws, Coach Lights are our street lights and are required and must be on from dusk till dawn at all times. Electricity to yard lights of homes must be left on at all times to help furnish after dark security. It is the responsibility of the resident to keep yard lights in good repair and replace bulbs as needed. Yard lights must be white in nature and a minimum 13W fluorescent/ 40W incandescent or LED equivalent. Solar lights are allowed if they have battery backups, and meet the 40W requirement.
- 2.4 No commercial business such as power washing, lawn care, roofers etc. will be allowed to operate in the Village on Sundays or holidays except in an emergency. Work is allowed Monday- Saturday from 7AM to dusk.
- 2.5 Any additions and/or modifications to the exterior of homes, including accessories, such as patios, carports, golf cart parking pads, driveways, storage sheds, etc. require

approval from the Board or Paint & Home Improvement Committee. The person requesting such approval is responsible for obtaining any necessary county permits. A copy of each permit shall be presented to the Board or Paint & Home Improvement Committee and shall be placed in the Shareholder/ Homeowners file at the Management company.

- 2.6 Painting of homes, driveways and accessories/trim or changing siding, is part of keeping a home in good repair. Every property owner must submit a color chip or paint sample to the Board or Paint and Home Improvement Committee for approval before painting, repainting or residing their home. Failure to do so may result in a fine and repainting to a color approved by the Board of Directors may be required. Repainting will be at the homeowner's expense. If the violation is not corrected, a fine of up to \$100 per violation may be imposed. A fine may be levied on the basis of each day of a continuing violation with a single notice and opportunity for a hearing. The fine may not, in the aggregate, exceed \$1,000.00 unless the Corporate Act is amended to permit a higher amount for a continuing violation. If the fine is not paid within (90) ninety days the matter will be referred to Windjammer's attorney for appropriate action.
- 2.7 No person or persons shall be allowed to attach anything on the perimeter fence, including but not limited to any decorations, painting, nailing or in any other way to change the appearance of said fence without written consent of the Board of Directors. No plantings of any kind will be allowed within 3' (three feet) of the fence, the only exception will be existing mature trees.

### **3.0 Renting Homes**

- 3.1 Renting homes is permitted. The renter(s) must receive and complete a Rental/ Lease Application located in the file in the Clubhouse, on the Windjammer website or at the management company. In addition, written approval of the Renter(s) must be obtained prior to the renter taking occupancy of the dwelling. Rentals must be for no less than 30 days, and no more than 364 days or one year. Only three (3) leases per year are allowed.
- 3.2 The Shareholder/ Homeowner must provide renters with the Rental/Lease Application from the Management Company for completion, and a copy of the Rules and Regulations prior to occupancy. Renters must abide by the Rules and Regulations. Rental of homes is limited to two (2) persons, one of which must be 55 years of age or older, and the other person a minimum of 45 years of age.
- 3.3 Subleasing a room is not allowed.
- 3.4 Subleasing by renters is not allowed.
- 3.5 No signs offering a home for rent shall be displayed upon the home. A dated notice may be placed upon the bulletin board provided for that purpose in the clubhouse, or the homeowner may use the services of a rental agency.
- 3.6 Shareholders who rent give up their right to use the common areas, pool, Clubhouse, compound etc. per Florida Statute 719.105.

#### **4.0 Selling Houses**

- 4.1 You may sell your home yourself, or through a real estate broker. Applications and required forms can be picked up at the office of the Management Company or on the Windjammer website.
- 4.2 Only one (1) For Sale sign per home is allowed. It shall not exceed 18' by 30'. For Sale signs must be paced so as not interfere with the lawn maintenance.

#### **5.0 Pets**

- 5.1 Pets are allowed in the homes in so far as they are not a nuisance or present a health hazard. No more than two (2) pets (dogs, birds and or cats only) per household will be allowed. All pets must have current rabies vaccinations and licenses per Collier County Regulations. This information must be made available on a yearly basis to WJV for the data base. There are 4 pet waste stations in the park for your convenience.
- 5.2 All pets must be on a hand held and secure leash at all times when outdoors. Collier County ordinance and Windjammer Village do not approve of electronic leashes. A pet may not be tethered outdoors, except when in range of a responsible party located outside with the pet. No dog houses, kennels or runs are allowed. You must be on the premise if your dog is secured outside or in the lanai.  
Shareholder/Homeowners are totally responsible for the behavior of their pets. All pets that create a nuisance or a dangerous situation should be reported to the Collier County Sheriff at 239-774-4434. To report stray animals, contact Domestic Services at 239-530-7387.
- 5.3 Pet owners are required to carry some type of container when walking their pet and to immediately clean up their feces.

#### **6.0 Parking and Traffic**

- 6.1 The speed limit in the Village is 17 miles per hour.
- 6.2 Only persons with a valid driver's licenses are allowed to operate any motor vehicles, the only exceptions are residents that have disabilities and use motorized vehicles to get around.
- 6.3 Parking on the grass is prohibited.
- 6.4 Parking on the street from midnight to 6:00 AM is not allowed. If you have an overnight guest your guest may, use the parking lot near the entrance.
- 6.5 Residents requiring extended parking of extra vehicle are to use the storage compound not clubhouse parking. You must register through the Compound Committee all vehicles, RV's boats etc. present license registration and insurance and pay a refundable deposit for a gate key for this area.
- 6.6 Do not park in your neighbor's driveway without their permission. Golf carts may be left on blocks or jacks only during extended absence of the Shareholder.
- 6.7 Boats, trailers of all sizes and kinds, motorhomes and/or campers are prohibited from parking in yards, streets, driveways and carports. Exceptions are for the purpose of

loading and unloading or cleaning. For these purposes the vehicles/trailers may be parked for no longer than twenty-four (24) hours, on nonconsecutive days.

- 6.8 No major repair work on cars, trucks, boat motors or other vehicles is allowed in the driveway. Typical automotive maintenance requiring less than a few hours will be allowed. All major repairs are to be done in the compound only.
- 6.9 All vehicles on Shareholders/Homeowners property must have current registration.

## **7.0 Facilities**

- 7.1 Recreational facilities such as common areas are for the exclusive use of Shareholder/Homeowners/ Renters and Guests who will be held responsible for damage caused by them or their guests.
- 7.2 A responsible adult must accompany any guest twelve (12) years of age or under while using the common areas listed above. Shareholder/Homeowners/Renters will be held responsible for their guest's behavior while in the village.
- 7.3 Priorities for use of the facilities are established as follows:
  - A. Regular and special meetings concerning the operation of the village.
  - B. Social events scheduled by the Windjammer Activity Committee.
  - C. Regularly scheduled activities such as bingo, card games, shuffleboard, pool exercises, tennis, bocce ball, etc. Regularly scheduled activities do not preclude other residents from sharing the clubhouse in a respectful manner.
  - D. Requests for the exclusive use of the Clubhouse must be made through the Windjammer Activity Committee for approval and does not include exclusive use of the pool/spa or Tiki Hut.
- 7.4 Exercise room rules are posted in the exercise room and must be followed.

## **8.0 Miscellaneous**

- 8.1 Only boats that are not gasoline powered are allowed on the Retention pond.
- 8.2 Soliciting or peddling of any nature is not permitted. Exceptions are food/toy drives that are recognized by the Village.
- 8.3 Signs on the Clubhouse bulletin board (items for sale, homes for rent, wanted to buy or sell, etc.) must be dated and posted on the appropriate bulletin boards and removed after 30 days.
- 8.4 Two (2) types of clotheslines (collapsible umbrella type and retractable) are permitted and must be retracted when not in use.
- 8.5 Waste Management containers (garbage/recycling/yard waste) must not be set out prior to 6:00 PM the night prior to pick up day and must be removed promptly following collection.

## **9.0 Pool and Spa Rules**

- 9.1 The pool/spa is open from 7:00 AM to 11:30 PM daily while lights are on. When the pool lights are not working after dusk there will be no swimming. (Collier County allows night swimming when lights are on) There is no lifeguard all residents and their guests must abide by all posted pool/spa signs.

- 9.2 All pool and spa users must wear proper swimming attire (no cut offs allowed). All diapers must be “leak proof swim” diapers.
- 9.3 No smoking within fifteen (15) feet of all the entrances to the Windjammer Clubhouse, or fenced enclosure around the pool. Cigarette smoking, including all electric cigarettes, will be allowed in the designated areas only. Smokers must use ashtrays and empty them in the provided receptacle prior to leaving the designated area. No electronic glass cigarette, pipe or smoking is permissible in any areas adjacent to the clubhouse to include the fenced area around the pool.
- 9.4 Trash must be disposed of properly.
- 9.5 Profane language and abusive or inconsiderate behaviors are prohibited. Loud radios, skateboards, roller skates, frisbees, balls, inflatable floats or other objectionable items are not allowed in the pool/spa/pavilion area.

#### **10.0 Posted Rules and Signs New Rule**

All rules on signs in common areas including speed limit sign are made part of these Rules and Regulation and are incorporated herein by reference.

#### **11.0 Enforcement of Rules Procedure**

Enforcement including but not limited to fining, suspension, and arbitration/litigation for violations shall be in accordance with the minimum requirements of the Windjammer Governing Documents and Florida law as amended from time to time.