

# Windchase Bay C.O.A. Rules & Regulations

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January 1, 2015

In accordance with the provisions of Windchase Bay Condominium documentation (Section XXIII), the Board approved the following fine guidelines and procedures for correcting the violations of the existing rules.

Those procedures are as follows:

Step (1) the owner/renter will be notified of the number of the violation by registered mail at which time the violation should be corrected within seven (7) working days.

Step (2) If the violation is not corrected a twenty-five dollar fine will be levied.

Step (3) Owner/renter may appeal the fine at ***a scheduled Fine Committee meeting.***

Step (4) Should the appeal be denied and the violation continue the fine will accrue at the rate of one hundred dollars per day until reaching a total of one thousand dollars at which time the owner/renter will be sued. (FL STATUTES 718).

The following rules were approved by the association and are now in effect.

## 100

### GENERAL

- 100.01 Owners are responsible for advising their tenants, guests, and visitors of applicable Rules and Regulations and ensuring that they are followed.
- 100.02 No additions, modifications, or other exterior alterations may be made to a building or unit, including patio/balcony, without prior approval by the Board of Directors.
- 100.03 All complaints shall be in writing to the Association through its managing agent.
- 100.04 Any consent or approval given by the Association under these Rules and Regulations shall be revocable at any time.
- 100.05 Each Windchase Bay unit will report tenant information to the management firm (by owner or owner's agent) within 14 days of occupancy of unit. Failure will result in a fine of \$50.00.
- 100.06 Units are restricted and are to be used for the sole purpose of residential single-family dwelling and for no other purposes. A unit may be leased provided that the Unit is used only as a residence; that the lease or rental period is for not less than seven consecutive months; that the Unit is occupied by one family having no more members that the Unit is designed to accommodate; and provided that such use by the tenant or tenants does not create a nuisance.
- 100.07 No solicitation or distribution of written materials is allowed on the premises of condominium complex. Violators should be reported to management.
- 100.08 During power outage, generator must be placed on the grounds, outside the patio or balcony. The generator should be operated between 6:00 a.m. and 11:00 p.m.***

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## 200

### DÉCOR

- 200.01 No professional, commercial, or other signs of any nature shall be erected or maintained on the condominium property without prior permission of the Association. Professionally made "For Rent" signs no larger than 3 square feet in size may be placed inside the window or glass door of the unit. In the event trees or shrubs obscure view of the window, the sign may be hung from, but not attached to the fence or balcony.
- 200.02 Each unit resident shall maintain appropriate drapes or window coverings for each window or sliding glass door. The backing of said coverings shall be white or off white in color.
- 200.03 One US or decorative flag may be displayed provided it doesn't violate your neighbors space.
- 200.04 Water hoses should be neatly displayed and not left on the grassy areas.

## 300

### PATIO/BALCONY/BREEZEWAY

- 300.01 All parts of the condominium shall be kept in a clean and sanitary condition. No rubbish, refuse, garbage, or fire hazard shall be allowed to accumulate in the unit's area including fences. (Note: In the past, some residents have placed bagged trash outside their doors for several hours until it was convenient to make the run to the dumpsite.)
- 300.02 No clothes, towels, clothesline or other similar personal items shall be placed on a balcony or patio fence for drying or any other purpose.
- 300.03 No unit resident shall permit bicycles, furniture, or similar equipment or materials to be stored or accumulate around the front door, breezeway or landing adjacent to the front door of any unit.
- 300.04 No item shall be hung/shaken/dropped from doors, balcony, window or patio. (Note: Permitted items for balcony/patio are plants, outdoor furniture, etc.). Please consider your neighbor when feeding birds or wild life as the hulls or residue may drop on the patio below. Sports items (bicycles, gym equipment, etc.) are to be stored inside the unit or storage room.
- 300.05 Balconies and breezeways located on the ends of the large buildings are permitted to have outdoor furniture provided entrances remain open for easy access.
- 300.06** *For additional Rules & Guidelines see attachment #1, dated August 2007.*
- 300.07** *Sunscreens are allowed to be placed on patios and balconies. For Rules & Guidelines, see attachment #2, dated August 2008.*

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## 400

### RECREATIONAL EQUIPMENT

- 400.01 Skates, skateboards, roller blades, etc. are not allowed to operate within the complex.
- 400.02 Bicycles are allowed on the streets within the complex provided they conform to the normal traffic rules.

## 500

### DISTURBANCES

- 500.01 No resident shall permit any noise to originate from his unit or vehicle that would be an annoyance disturbance to adjacent neighbors, including radios, stereos, musical instruments, singing, barking dogs, meowing cats, or fireworks. Violators of this rule could be referred to the Pensacola Police Department.
- 500.02 No immoral, improper, offensive, or unlawful use shall be made of the condominium property. No nuisances shall be permitted on the condominium property. (See 900)
- 500.03 Vehicle/House alarms should have an alternate means of being disabled on file with a neighbor in the event it is activated while you are out of the complex. If a vehicle alarm is activated and the owner can't be located, the police will be notified and the vehicle will be towed away at the owner's expense.

## 600

### FOOD

- 600.01 Due to our limited space food and beverages required by large gatherings may not be prepared / consumed on common property such as the pool, parking lots, and streets.

**600.02**        ***Electric grills only are allowed for cooking on patios or balconies (charcoal and gas are not allowed on patios or balconies.) Cooking with gas or charcoal must be a minimum of ten (10) feet from the building per Florida Statute.***

## 700

### PARKING/MOTOR VEHICLES

- 700.01 Each unit has been assigned two (2) parking spaces. No trailer, camper, boat, mobile home, house trailer, commercial truck or other commercial machine, or equipment shall be parked on the property (this includes any vehicle, regardless of size with any commercial type logo regardless of the logo being painted or attached magnetically). Vehicles not having a current license plate won't be permitted on the property. Special cases will be considered by the Board and a waiver may be granted. Unit residents are responsible for their guests.
- 700.02 Guest parking is available at the pool and Hyde Park Road, or arrangements may be made with a neighbor.
- 700.03 No parking of any vehicle on the yellow lines at any time. These areas are reserved for emergency vehicles. Illegally parked vehicles will be towed at owner's expense. The towing number is 932-2020.

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700.04 Moving vans are allowed in the designated unit parking spaces for no longer than 48 hours for the purpose of loading/unloading cargo.

700.05 Exceeding the posted speeds is hazardous. Remember children and pets reside in the complex.

## **800**

### **TRASH**

800.01 Trash is to be securely bagged and placed inside the dumpster, never on the outside.

800.02 No trash (boxes, bags, etc.) are to be placed on the balcony/patio. All boxes are to be flattened before placing in the dumpster, and only items which fit the dumpster should be placed inside. It is the residents' responsibility to dispose of over-sized items such as furniture, carpet/pads, etc.

## **900**

### **POOL**

900.01 The swimming pool is reserved only for the use of condominium owners, tenants, and their guests. Owners/tenants are responsible for the conduct of their guests.

900.02 Children under 12 are only permitted to use the pool under adult supervision. Babies with diapers are not allowed in the pool.

900.03 No pets are permitted inside the pool enclosure at any time.

900.04 No running, chasing, diving, or other unsafe or annoying behavior will be permitted at the pool.

900.05 Smokers are to use the ashtrays provided and not throw their expended matter about the pool areas. (Filters do not dissolve.)

900.06 Under no circumstances will glass containers of any kind be allowed inside the pool enclosure. Beverage cans or paper cups are acceptable to provide limited refreshment for swimmers. Snack-type cookies and chips are also acceptable provided all trash is placed in trashcans provided.

900.07 Entry is by key only and the gate should be latched after entry and exit.

900.08 Hours of operation are from 7 AM until 10 PM.

900.09 Safety equipment if for emergencies only.

900.10 Swimmers swim at their own risk.

## **1000**

### **RUMMAGE/GARAGE SALES**

1000.01 No rummage/garage sales are allowed without prior written consent of the board of Directors. (The Board may designate certain dates (Spring/Fall) to have a condominium-wide sale).

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## 1100

## PETS

Let's start with which animals are allowed in the city of Pensacola – Cats, dogs, and certain other domesticated animals. Currently, animals that may be considered livestock are not allowed in the city, this includes: horses, mules, donkeys, goats, sheep, hogs and cattle. Wild or ferocious animals are not allowed, except under the charge of an armed guard or securely caged.

1101.01 Only dogs, cats, and birds owned as personal pets shall be permitted on the condominium property. All pets should be walked on a leash and under the direct control of their owner. Pets may not be tied to other objects on the property. All pets must be walked in appropriate grassy areas away from buildings, flower beds, and walkways. Owners are responsible for cleaning up after their pets. (This is a Pensacola Law).

1100.02 Owners/tenants are cautioned that on a random basis, poison may be placed inside and outside trash collection points.

1100.03 Violators will be turned over to the local law enforcement agency (animal control).

1100.04 Only two animals are allowed per unit. When they are outside they must be on a leash and under supervision of a responsible person.

1100.05 Unlicensed animals are prohibited in the city limits. Licensure is determined by the presence of a license tag on the collar or harness of an animal. Lack of an approved license on the animal can be used as evidence the animal has not been licensed or vaccinated. Licenses are issued upon the inoculation of an animal against rabies. Animals three months of age or older are required to be vaccinated by a licensed veterinarian. The tags are provided by Escambia County and are to be attached to the collar or harness of the animal. The tags are valid for one year and must be worn by the animal at all times. No other tag is valid. Tags may not be transferred from one owner, to another, or from one animal to another. Any animal found without a vaccination tag will be presumed not inoculated until proven otherwise. No person, except the pet owner may remove any licensed animal.

1100.6 While we have our dogs out in public, we are responsible for the removal of any feces left by the dog on any yard, sidewalk, gutter, street, right-of-way, or other public or private place. Dog owners are required to have in their possession a plastic bag or "pooper scooper" or other such device for the removal of canine waste while in public.

1100.7 Pit Bulls, Hybrid Wolves, Doberman Pinchers, and Rottweiler's are not permitted on Windchase Bay Property.

## LATE ASSESSMENTS/INTEREST

Even though the number of delinquent accounts is relatively small, owners continue to be late paying their condo fees. (Late payments could result in the entire year's fees being due.) To remedy this, the administrative late fee is \$25.00. Interest at the rate of 1.5% per month will accrue on unpaid balances. Accounts will be turned over to an attorney for collection when they are sixty days past due and a lien against them will be filed. At ninety days foreclosure will be initiated. Any payment received by our Association shall be applied first to any interest, then to any administrative late fees, then to any costs and attorneys' fees incurred in collection, and then to the delinquent account. (FL STAT 718.116 (2f3))

**November, 2008**

**From:** Windchase Bay Condominium (WCBC) Board of Directors

**To:** All Owners of Windchase Bay Condominium Complex

**Subj:** **Rules and Guidelines Pertaining to Installation of Sunscreens In/On the Patios and Balconies of the Condominium Units at the Windchase Bay Condominium Complex.**

1. The purpose of this letter is to notify all owners of the current Rules & Guidelines, as they pertain to the installation of Sunscreens in/on the patios and balconies of the condominium units at the WCBC complex. Be advised that the current WCBC Complex Documents specify that "No Unit Owner shall paint, refurbish, alter, decorate, repair, replace or change the Common Elements or any outside or exterior portion of the Unit or Building maintained by the Association, **including the patios and balconies, doors, windows, etc., or install any exterior lighting fixtures, mail boxes, screening, screen doors, awnings, hardware** or similar items which are not consistent with the general architecture of the Condominium Buildings unless explicitly **approved in writing** by the WCBC Board of Directors, which approval the Board of Directors may withhold at its' sole and absolute discretion. **All owners, and their reality agents, where applicable, are responsible for advising their tenants of the WCBC Complex Rules & Regulations that all tenants are to comply with. Owners may be fined for infractions of the condominium Rules & Guidelines by their tenants.**

2. Also, please note that the subject of modifications to patios and balconies was previously addressed in paragraph (5) of an August 2007 letter to all unit owners regarding the Rules & Guidelines pertaining to the placement of objects, plants, furniture, etc. in the building breezeways. For reference purposes Paragraph (5) stated "**Please note that the WCBC Board of Directors must approve any and all modifications to balconies or patios in advance of their implementation. If implemented, and not approved, owners will be required to remove all changes and return the areas to their original state at their own expense.**"

3. An inspection of all units at the WCBC Complex has revealed that many units have installed sunscreens on their balconies/patios without the approval of the WCBC Board of Directors, as noted in the above paragraphs. These installations have a negative affect on the general appearance and value of the complex, in that they do not conform to/provide for any standard of appearance to the balconies/patios of the complex.

4. Accordingly, the WCBC Board of Directors has agreed to allow sunscreens at the complex **provided that they conform to the following guidelines:**

1. All Sunscreens must be fabric or synthetic fabric. (No plastic, bamboo or wood.)
2. All sunscreens shall only be green or green and white stripe in color.
3. All sunscreens must cover 90% of the opening, i.e. you cannot install a five (5) foot sunscreen in a ten (10) or twelve (12) foot opening.
4. Openings must be covered with one (1) continuous width sunscreen, not multiple units.
5. No sunscreens may be installed on the sides (ends) of the balconies/patios.
6. No sunscreens may be installed below the rails of the balcony.
7. **All installations must be submitted to the WCBC Board of Directors for review/approval prior to installation.**

All existing side sunscreens installed below the balcony rails and damaged/deteriorated sunscreens must be removed by January 30, 2009.

**All other existing sunscreens not in compliance with the above guidelines, with the exception of guidelines (1) & (2), must be removed or brought into compliance with the change of occupancy, i.e. sale or re-rental of the unit.**

August 2007

From: Windchase Bay Condominium (WCBC) Board of Directors  
To: All Owners of Windchase Bay Condominium Complex

Subj: Rules and Guidelines Pertaining to Placing Objects, Plants, Furniture and Decorative Items in the Open and Closed Breezeways and Installation of Light Bulbs in Patio/Entrance Door Lighting Fixtures at the Windchase Bay Condominium Complex

1. The purpose of this letter is to notify all owners of the current rules and guidelines, as they pertain to the placing of any items in the breezeways of the WCBC complex, and to establish new guidelines pertaining to the placement of items in the breezeways of the WCBC complex. Guidelines regarding the types and size of light bulbs to be installed in patio/entrance door lighting fixtures is also provided. Be advised that the current WCBC Complex Documents specify that no items are to be placed in the subject breezeways. All owners should note that the breezeways at the WCBC Complex are owned "in common" by all 176 owners. No owner has an exclusive right to the subject breezeways. The WCBC Board of Directors, in the past, however, has permitted the placement of a **reasonable** amount, and size, of plants and outdoor chairs/tables in the subject breezeways.

2. To clarify some of the misconceptions regarding the use of the subject breezeways and the type and number of items permitted on the breezeways, the following rules/guidelines are set forth and are to be placed in effect by **31 August 2007**.

A. **Open Breezeways** (These are located on the "ends" of some of the buildings where only two owners share the breezeway.) A maximum of **two** single patio chairs and one patio table, not to exceed **36** inches in size, and designed for outdoor use, are allowed on regular/permanent basis. Potted plants/flowers are limited to not more than **twelve** in number, with no more than **six** planters exceeding eighteen inches in width/diameter. A maximum of **three hanging plants** and **two wind chimes**, not to exceed two feet in length, are permitted, but are not to be attached to the breezeway ceilings. No feeders of any type shall be placed in the Open Breezeways. No items are to be attached to the building walls, other than a small decorative plaque or wreath, which may be attached near the doorway entrance. (**Note the above quantity**

B. **Closed Breezeways** (This is the area located "within" the buildings: the area outside the four entrance doors where four owners share the breezeway.) A patio table, not to exceed 18 inches in size, and designed for outdoor use is permitted. No chairs are allowed in Closed Breezeways on a regular/permanent basis. Potted plants/flowers are limited to not more than **two in number; the planters' pots may not exceed 18 inches in width/diameter.** **No hanging plants or objects, wind chimes and feeders of any type shall be placed in the Closed Breezeways.** No items are to be attached to the building walls, other than a small decorative plaque or wreath, which may be attached near the doorway entrance. **(Note the above quantity limitations apply to each unit owner/occupant.)**

3. Unlike the breezeways, the patios and balconies are areas that are for the owners/occupants exclusive use within the rules/guidelines noted in the WCBC Documents and guidelines set forth and approved by the WCBC Board of Directors. Only furniture designed for outdoor use is allowed in these areas. **Two** wind chimes, not to exceed two feet in length, are permitted as long as their sound does not annoy your neighbors. No bird or animal feeders are allowed. A maximum of **three** hanging flower/plant baskets or objects is allowed. Hanging plants/flowers are not to be attached to the balcony ceilings. **In no case will balconies or patios be used as animal pens, or for the storage of excess household appliances, furniture or misc. items.**

4. All light bulbs installed in the balcony, patio and unit entrance doors are to be **white in color; no colored bulbs (red, blue, etc.) are allowed.**

**For fire safety reasons, the maximum wattage of the light bulbs shall not exceed 60 watts.** Note that a florescent bulb rated at thirteen watts is equivalent to an incandescing bulb rated at sixty watts.

5. Please note that the WCBC Board of Directors must approve any and all modifications to balconies or patios in advance of their implementation. **If implemented, and not approved, owners will be required to remove all changes and return the areas to their original state at their own expense.**

Sincerely,

Windchase Bay Board of Directors