



OCEAN WATERWAY

OCEAN WATERWAY COOP INC.

RULES AND REGULATIONS

(For All Residents)

AS APPROVED BY THE BOARD OF DIRECTORS

ORIGINAL EFFECTIVE DATE: APRIL 13, 1992

REVISED JUNE 14, 1995

REVISED MARCH 14 1998

REVISED MARCH 9, 2007

REVISED NOVEMBER 16, 2013

REVISED JANUARY 12, 2022

Exhibits "14"

Our Residents were attracted to Ocean Waterway because of its appearance and environment. This good way of life did not just "happen" and each and every Resident, as well as Management, must work constantly to keep it that way. Therefore, a set of rules and regulations are necessary in order that everyone can enhance his investment and maintain the Park in the best possible condition.



All reasonable means have been taken to ensure that your residency here is safe, pleasant and enjoyable. Many of our rules and regulations are required by law; the remainders are published to protect life, property and privacy and may be amended from time to time to achieve this purpose.

PREAMBLE: The following Rules and Regulations apply to all Park residents, their families, guests as well invitees. These can only be amended by the Board of Directors with prior notice to Residents. Besides federal, state, county or city legal binging requirements, no provisions in this document shall be construed as prejudicing the right of the Board from exercising flexibility in their enforcement when confronted with exceptional circumstances and for which it deems appropriate to do so.

1. **PARK OFFICE:** The Park regular office hours are from 09:00 a.m. until 02:00 p.m., except as posted, which may change from time to time depending on the level of patronage. There are no office hours on Saturdays, Sundays and legal holidays. In case of an emergency, proper assistance can be obtained by dialing one of the telephone numbers listed on Clubhouse Bulletin Boards.
2. **DEFINITIONS:** For the purpose of this document;
 - A) **Board** refers in all cases to the Board of Directors of the Ocean Waterway Co-op;
 - B) **Co-op** refers in all cases to the Ocean Waterway Co-op Inc.;
 - C) **Management** refers in all cases to Park Manager and/or Board of Directors;
 - D) **Homeowner** refers in all cases to mobile home owners located within the Park;
 - E) **Manager or Assistant/Manager** refers in all cases to Ocean Waterway Park Manager or Assistant/Manager;
 - F) **Park** refers in all cases to the Ocean Waterway Mobile Home Park;

- G) **Residents** refers in all cases to Homeowners and Tenants;
- H) **Sub-renters, Renters or Tenants** refers in all cases to someone leasing a mobile home from one of the Homeowners.

3. **ABSENCE FROM THE PARK:** Prior to leaving the Park for more than three (3) days, **PLEASE** notify Park Office.

Mobile home main water valve must be shut off if home is left vacant for the summer period or more than two (2) weeks, failing which Management will take action deemed necessary to have water supply turned off at Owner's expense.

4. **RENT PAYMENT AND MAINTENACE FEES:** All rents and fees are due and payable at the Park office on the first (1) day of each month. If the rent and/or maintenance fees are not paid by the tenth (10) day of the month, the Homeowner will be charged a \$25.00 late charge. Failure to pay late charge constitutes a breach of these Rules.

The duty to pay the abovementioned rents and fees as well as those described in Section 3 and 7 of this document lies upon each Homeowner.

5. **PARK AGE / ADMISSION REQUIREMENTS:** Ocean Waterway is a **community of 55 years of age and older (Housing for older persons)**. Except if it is justified by particular circumstances, only older persons will be accepted as Homeowner. The Board of Directors reserves the right to refuse admittance into the community. *All Homeowners of the community* must have written approval from Management before moving into the community.

Anyone wishing to reside in Ocean Waterway Mobile Home Park must obtain prior permission from the Board of Directors.

Application forms are available at the Park office; application fee is \$100. USD.

References and photo/age verification will be required and checked before admittance.

- A. One (1) Resident in each mobile home must be fifty-five (55) years of age¹, or older, and the other Resident must be at least forty (40) years of age;
- B. No subletting will be permitted through a real estate agent, a company, a leasing company or any other corporation.

6. **OCCUPANCY:** Occupancy **is not** to exceed two (2) persons per mobile home unless prior written permission from the Board.

¹ Section 2.5 of Ocean Waterway Co-op By-laws allows for certain exceptions.

A. Immediate family:

1. Mothers, fathers, mothers-in-law and fathers-in-law may be in occupancy, with Resident present, for longer than the 15/30-day occupancy regulation. Notify the Park office if it's longer;
2. Upon application to, and written approval from Park Manager, a Resident's adult sons or daughters, with spouse and grandsons or granddaughters, may be granted occupancy without the Resident being present; however, they must follow the 15/30-day regulation and NO other guests or family shall be in occupancy during the same period.

B. Guests:

1. Occupancy by guests of the Resident will not exceed two consecutive fifteen (15) days or a total of thirty (30) days per year. Calendar year runs from October 1st to September 30th;
2. Although each guest must comply with the 15/30-day regulation, there is no limit on the number of guests a Resident may have in one year;
3. No guest shall occupy a mobile home unless one or more of the Residents is in occupancy.

All Residents will be held directly responsible for the actions of their guests, regardless of guests' age. The rules of each recreation activity are plainly and conspicuously posted, when required at the site.

7. **RENTING:** Subject to the terms and conditions hereinafter specified, the Park Management allows homeowners to rent their mobile home(s).

Homeowners can rent up to twice in any given year without exceeding a maximum of eight (8) months, combining both rental periods. Calendar year runs from October 1st to September 30th.

It is the Homeowners' responsibility to advise his/her Sub-renter of the Rules and Regulations and also ensure that they are understood and respected. It is also the Homeowners' responsibility to appoint someone to take care of his/her mobile home during the tenant's stay.

All applications for rental must have prior approval by Park office which shall enforce the rules. Rental application forms are available at the office, or the mail, fax and e-mail. Application forms must be submitted to the Park office by the Homeowner prior to the arrival of the tenants along with a check in the amount of \$100. USD, for the processing of the application. The check shall be made payable to OCEAN WATERWAY CO-OP INC.,

and is NON-REFUNDABLE.

In order to expedite the process, homeowners should give prior notice to Park office by fax or e-mail of their intention to rent. It is prohibited for the Homeowner to be present while the mobile home is rented.

The basic occupancy criterion for rental is 2 people per mobile home. Subject to an additional fee of \$50.USD, Sub-renters can have their children or grandchildren as guests for a maximum period of thirty days during the calendar year. The Sub-renter must be at least 55 years of age or older.

In addition, Sub-renters renting for three (3) months or more are also allowed to have two (2) guests for a maximum period of fourteen (14) days which period cannot be devised no more than twice. This privilege is subject to an additional fee of \$100. USD each time.

ALL TENANTS MUST REGISTER THEIR GUESTS AT THE PARK OFFICE UPON ARRIVAL AND PAY THE APPLICABLE ADMINISTRATION FEE IMMEDIATELY.

Failure by the Homeowner and/or Sub-renter to comply with these Rules and Regulations may result in losing their privilege for future rental opportunities for a period to be determined by the Board.

8. **PEDDLING, SOLICITING, COMMERCIAL ENTERPRISE:** No peddling, soliciting or commercially identified enterprise is allowed in the Park. Any Resident, however, may canvass other Residents as provided in Florida Statutes. All non-resident vendors wishing to do business within the Park must have permission in writing from Management and must exhibit such permission to the Residents.

9. **TRASH, REFUSE, DEBRIS:** The burning of trash is not permitted. No dumping of trash, garbage, gasoline, oil, brush and tree trimmings, etc., is permitted in vacant lots or other open areas. Refuse is picked up twice each week and is limited to two (2) containers which must be placed at the curb **after nine 09:00 O'clock p.m. the day before, or the day of collection.** (Use garbage can for food, if not, place the trash bag containing food, only the morning of the day of collection). To maintain the Park's beauty, lots must be free of debris.

The COOP also has a waste container located at the park entrance. Its use is reserved for park staff. However, in certain circumstances, it can be used by residents, BUT ONLY WITH PRIOR AUTHORIZATION FROM A REPRESENTATIVE OF THE ADMINISTRATION.

In any case, it is strictly forbidden to deposit garbage in the dumpster.

10. **FENCES:** No individual fences shall be permitted of any type within the Park's perimeter.
11. **RECREATION FACILITIES:** The recreational facilities are restricted to Park Residents and guests and are provided for Residents and their guests on a "use at your own risk" basis. The Co-op will not be liable for any accident or injury to life or property through the use of the recreational facilities or loss or damage caused by accident, fire, theft or act of God. Use of the facilities is subject to restriction and revocation, or either of them, and the Co-op reserves the right to revoke the privilege to use such facilities to any Resident or Resident's family or guest who abuses or misuses the facilities or who violates posted rules. Hours of operation of the various facilities shall be determined by the Co-op, in its sole discretion, and within its capacity to provide proper maintenance of the facilities.
 - A. While using the recreation facilities, guests must be accompanied by a Resident. *The Board reserves the right to implement an ID tag system, if necessary;*
 - B. *Observe pool Rules & Regulations as posted;*
 - C. No glass or glass containers will be allowed in the swimming pool area;
 - D. All persons must shower before entering the pool.
12. **IMPROVEMENTS:** No building, structure, installation or any other improvement shall be placed on any lot until plans have been approved by Management.
 - A. There shall be only one (1) driveway for each mobile home lot. The maximum width of said driveway shall not exceed ten feet, six inches (10' 6") and, in no event, shall the driveway, including the flare, encroach upon the abutting property. **Homeowners may not widen their driveway under any circumstances;**
 - B. Work must be done according to City and County regulations; *Homeowners must obtain the necessary permit;*
 - C. Plans may be disapproved solely on the basis of aesthetic standards established at the discretion of Management;
 - D. Contractors must respect existing applicable State, County or City Regulations and provide proof of liability insurance prior to commencement of any work or project;
 - E. Construction noise will only be tolerated between the hours of 08:30 a.m. and 04:40 p.m. Please respect your neighbors;
 - F. Carports must be A self-supporting structure directly adjacent to the home. They must be a rigid structure, no higher than the home itself and shall not exceed the front nor the back of the home.

13. **COMMUNITY APPEARANCE:** All mobile home areas are required to be maintained at high level of attractiveness. As a suggestion, an exterior paint colors palate is available at Park office. A Homeowner whose property is left unmaintained according to Park's standards of attractiveness will be advised to take corrective action, failing which said action will be taken by Management at Homeowner's expense.

- A. In the interest of safety, vehicular and otherwise, the Management retains rights and privileges to alter, trim or remove any tree, shrub, hedge or other appurtenance which it deems to present a danger to visibility of traffic vehicles, bicycles, pedestrians or others. Prompt remedy (complete correction/removal) of said item is the responsibility of the Homeowner on whose lot the item is located. The Homeowner shall take complete corrective action within ten (10) days of the date of receipt of a written notification from Park Management;
- B. Failure of a Homeowners to comply fully shall result with Management proceeding with the correction of said matter. ALL COSTS INCURRED TO CORRECT THE SITUATION WILL BE CHARGED TO THE HOMEOWNER RESPONSIBLE FOR THE MATTER. Said amount shall be paid to the Ocean Waterway Co-op, Inc., within thirty (30) days or a lien shall be placed on the mobile home. Additionally, the prevailing party in any proceeding to enforce this rule will be entitled to a reasonable attorney's fee and costs;
- C. Boxes and/or equipment of any kind are not permitted outside the mobile home or utility room; and,
- D. No permanent clothes lines and clothes poles used for drying of clothing shall be permitted outside the perimeter of the mobile home. Drying of laundry is permitted on home site, provided a retractable umbrella-type hanger is utilized and installed at the rear of the home and concealed from the street view. The umbrella type should be closed when not in use.

14. **LAWN MAINTENANCE, SPRINKLERS USAGE:** Homeowners are responsible for their landscaping, and also for maintaining their own flowers and shrubs. With regard to maintenance of/or trimming trees, under general law, Homeowners are responsible for maintaining the premises that they lease. This would include responsibility for the maintenance of the trees on the subject lot, with the exception of oak trees which are protected under state legislation. The Park is responsible for maintenance of the common areas and not the individual mobile home lots.

- A. The Co-op is responsible for the pruning of all oak trees located in the Park. Trees whose roots can cause damage to Park utilities and equipment, such as the water system, sewer system, roadways, etc., are not permitted. Before

purchasing or planting any tree, it is necessary to receive approval for both the planting and the type of tree;

- B. Excessive watering is not necessary and **WILL NOT BE TOLERATED.** Hand-held garden hose for watering plants and lawn is permitted at all time. However, State, County and City may edict stricter guidelines to which all Homeowners must adhere to;
- C. No stones or other aggregates, mulch, wood chips and/or bark will be permitted in lieu of grass. This shall include no concrete slabs, no asphalt other than the driveway. The use of synthetic turf must receive prior approval but will only be considered if all other natural solutions have failed.
- D. Residents using automatic sprinklers systems shall obtain a permit from the Park Administration. Sprinkler systems must operate only between 10:00 p.m. and 08:00 a.m. **NO SPRINKLERS SHALL BE IN OPERATION IF THE RESIDENCE IS UNOCCUPIED.**

Sprinkler systems shall have programmed watering devices or similar equipment, either installed or utilized, shall have a device incorporated in the system to prevent said system or equipment from watering while it is raining or watering within twelve hours after a rainfall. City and/or County Ordinances could override the above. Failure to comply with this rule will result in the installation of a water meter at Respondent's expenses.

**REMINDER: NO LAWN WATERING WITH SPRINKLERS FROM:
08:00 A.M. TO 10:00 P.M.**

WATER IS A VERY COMMODITY AND EXTREMELY COSTLY

15. VEHICLES:

- A. **Registration:** Motorcycles, mopeds, scooters must be approved according to the dispositions of Section 15 F) and bear identification sticker issued by the Park;
- B. **Speed limit:**
 - 1. All vehicles **MUST COME TO A FULL STOP AT EVERY STOP SIGN;** and,
 - 2. The speed limit within the Park is **TEN (10) MILES PER HOUR.** Violation of speed limit within the Park is a breach of the present rules and, thus, will be treated accordingly.
- C. **Parking:** All vehicles must be parked in Residents' respective driveway.

The maximum number of motor vehicles per home shall not exceed three (3), including motorcycles and shall be parked in the Resident's driveway. No parking is permitted on the streets or the lawns at any time. The streets must be kept clear for emergency vehicles. Visitors (if necessary) must use designated guest parking areas. Any vehicle using the Clubhouse parking lot must carry a sign on the dashboard with the lot number of the Resident. **Unauthorized vehicles will be towed at owner's expense;**

- D. Commercial vehicles, RV's, Boats and Trailers:** No recreational or commercial vehicles registered as such or small buses used to transport passengers shall be permitted to be parked at a mobile home property nor anywhere else in the Park.

A utility trailer is made available to all Residents at Park office. Special permission for trailers may also be granted to Residents renovating their home.

No guest recreational vehicle, trailer or boat may be parked or used at a mobile home space or anywhere in the Park overnight. However, special permissions may be granted for a maximum of three (3) days to Residents, upon their arrival or before leaving the Park for the season. In such case, the boat/trailer shall be parked at the furthest possible point at the back the Resident's driveway.

AT NO TIME MAY ANY VEHICLE BE USED FOR LIVING QUARTERS while on the premises;

- E. Bicycles:** Bicycles are permitted, but must be ridden with, not against, traffic and must have a light on the front after dark and a reflector at the rear. The operator must observe all traffic signs and bicyclists may not ride more than two (2) persons abreast and must ride single file when approaching vehicles within the Park;
- F. Motorcycles (3-wheels included, Mopeds, Mini-bikes and Scooters:** Motorcycles (3-wheels included), mopeds, mini-bikes, scooters are permitted for coming in and out of the Park ONLY. The maximum of these type of vehicles is two (2) motorcycles per home. Any Homeowner wishing to use this privilege must obtain prior permission from Park Management. Application forms are available at the Park office; the maximum application

fee is \$50. USD. Applications will be reviewed by Board appointed Committee to ensure compliance with standards;

- G. **Skateboards:** Skateboards are prohibited within the Park. *Roller skating is tolerated on the streets only;*
 - H. **Golf Carts:** Electric Golf carts are allowed in the Park but require special permission which will only be granted to residents with a serious mobility handicap must operate within the same rules as those listed above.
 - I. **Vehicle Maintenance:** Except for minor emergency repairs, no repairing or overhauling of vehicles is allowed anywhere in the Park. Cars may be washed in the driveway only. *No unlicensed or inoperative vehicle is permitted in any Resident home site, except for seasonal vehicle, and the Park office should be notified of such;*
 - J. **Licenses:** All motor vehicles operators within the Park must have valid driver's license.
 - K. **Vested Rights:** Residents owning a small recreational or commercial vehicle or a gas motored golf cart prior to the modifications listed above in this Section, will benefit from a grandfathering clause which will cease to exist on the day their vehicle is sold. Such right cannot be transferred.
16. **PETS:** Mobile homes are residences for human beings. Animals such as reptiles, rodents, rabbits, fowl (domestic or wild) are not permitted and are not to be cared for, bred or raised for any purpose or as pets or for food. The Co-op reserves the right to determine the acceptability as to the type of pets to be permitted in the Park, with the exception of small fish and small birds which are exempt.
- A. All Residents are required to register their pet with photo at the Park office;
 - B. No more than one (1) pet per mobile home;
 - C. Dog size is restricted to a minimum of fifteen (15) inches in height or twenty (20) pounds in weight, unless it meets the legal criteria for service animal;
 - D. Pets must be on leash at all times. When not inside a mobile home, pets are not allowed to run loose or to be tied unattended. Pets, including cats, found roaming loose constitute a violation by their owner;
 - E. Pets must not be allowed to create a nuisance, i.e., barking, growling and trespassing on neighbors' property;

- F. Pets are not allowed in recreational common areas;
- G. Pet owners and /or pet walkers have the responsibility to pick up and dispose of the animal excrements outside the Park or be bagged and placed in owner's trash;
- H. Feeding any animal other than your own (wild or other) is strictly prohibited and those infringing this rule will be charged with the cost.

All complaints will be investigated. Upon the first violation, Management will issue a written warning. In the case of a second violation, the pet's owner will be required to remove the animal from the Park.

17. **SALE OF A MOBILE HOME:** Homeowners may sell their home without the assistance or services of the Co-op. However, from time to time, the Co-op will make available a listing of the homes for sale. Hence, Homeowners must provide the information related to their home at the Park office.
- A. In the event that a private sale of the mobile home is conducted by the Homeowner, the buyer cannot be guaranteed a home site in the Park unless, the buyer meets all requirements and guidelines for admittance and residency as then established by the Co-op;
 - B. Only one "FOR SALE" sign may be displayed and it must be placed in the front window or screened porch;
 - C. The Co-op reserves the right of first refusal (ROFR²) in connection with the purchase or sale of any mobile home in the Park.
18. **TV ANTENNA - SATELLITE DISH:** Cable TV is available to Park Residents. Satellite dishes may not be placed on the ground in front of a mobile home or its adjoining patio. Antennas or satellite dishes must be placed at a minimum of four (4) feet from the ground affixed to the mobile home wall or may be placed anywhere on the roof. TV antennas must not exceed twenty (20) feet in height.
19. **COURTESY:** Be considerate of your neighbors when listening to TV, radio, stereo or musical instrument, or creating any other source of noise, especially between the hours of 11:00 p.m. and 8:00 a.m.
20. **PROSECUTION:** Serious violations or repetitive offenders are liable to prosecution as provided under Chapter 719.

² Right of first refusal (ROFR), is a contractual right the Co-op retains to enter into the sale of a mobile home before anyone else can.

