

# Bay Lakes Homeowners Association

## POLICIES AND PROCEDURES

*Please retain for your records*

Pursuant to Article IX, Section 1d of the Bay Lakes at Granada Homeowners Association By-laws, Declaration of Covenants and Restrictions for Bay Lakes at Granada, Orange County, Florida and Notice of Provisions for Bay Lakes Homeowners Association, Inc. The Board has the power to adopt and publish rules and regulations governing the use of the property & facilities and procedures. The Board of Directors will begin to actively enforce the attached Policies, Rules and Regulations for Bay Lakes thirty (30) days from the date of this Notice. 7-23-2014

Please review all of the Restrictions for Bay Lakes which are found in the Declaration as well as the Rules and Regulations for Bay Lakes, and take all action(s) necessary to ensure that your property is in compliance with same.

**Policies Adopted by the Bay Lakes HOA:** To clarify communication between property owners and our Homeowners Association. These are the policies we use with our Covenants, Conditions, & Restrictions (CCRs) to do Architectural Review Committee (ARC) review. This is all considered under Bay Lakes CCR VII.3 and others specified.

**BL CC&R VII.3.B:** No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become a nuisance to the neighborhood, or which tends to cause embarrassment, discomfort, or annoyance to the neighborhood. [There shall be no exterior clothes lines - this was knocked out by the energy conservation laws. If someone has a clothesline we don't bother, as long as it's in the back yard and not visible from the road.]

### **BAY LAKES GENERAL APPEARANCE AND MAINTENANCE POLICY:**

This is in keeping with the desire of the majority of the members of our Community to maintain an attractive appearance and keep our property values growing. It is the responsibility of each property owner to take care of those things that he does to his property that are not concealed from public view. This is ALL things visible from the roadway OR anything that may detract from the overall look and atmosphere of the neighborhood.

**This includes, but is not limited to, the following examples:** Boats, RV's, old appliances, dead plants, unsightly window coverings, unsightly moldy roofs, unsightly paint and rotten wood on house, garage doors falling apart, pickup trucks and commercial vehicles or any type of trailer with trash or refuse visible in the vehicle, garden hoses, bicycles, barbecue grills, toys, waste materials, garbage cans, sports equipment, unregistered junk vehicles etc. left lying outside when NOT in use. More specifically, described in ARC Review. Many of these are just further clarifications or explanations of Orange County Ordinances.

**BL CC&R VII. 3.F.** No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in clean and sanitary condition

**BL CCR VII.3.G.** There shall be a structural enclosure of at least thirty-six (36) inches in height, including a gate or door, for the placement of all trash and garbage cans. All exterior pumps, motors, air conditioning compressors, air conditioning equipment, storage tanks, and other mechanical features shall be screened from view either by a decorative structure 36 inches in height or landscaping material.

### **GARBAGE AND TRASH DISPOSAL**

**GARBAGE** is collected at resident's expense through the County, twice weekly, except for major holidays: New Year's Day, Memorial Day, the 4<sup>th</sup> of July, Labor Day, Thanksgiving, and Christmas. Garbage and trash must be placed in garbage containers, plastic bags or other appropriate containers, or in bundles, which meet the requirements of the contractor. Garbage is collected on Mondays and Thursdays except for major holidays. Large items will be picked up on Thursdays including two tires per house. Yard Waste is picked up on Wednesdays and Recycling is picked-up on Mondays. Containers or plastic bags should be placed on the cement driveway, not on the grass, by 6:00 AM on your collection day. Do not place trash outside before 6:00 PM on Sunday and Wednesday nights. Do *not* place yard waste (limbs, clippings, etc.) outside *before* 6:00 PM on Tuesday. Empty containers and uncollected refuse should be removed and put out of sight as soon as possible on collection days.

## **NOISE AND CONDUCT**

No Owner, Resident or Guest shall create any noise of such volume or duration that it will disturb others. Be considerate of your neighbor. No Owner, Resident or Guest shall operate any sound producing instrument between 10 PM and 9 AM (radios, TV's, stereo sets, organs, lawnmowers, motorized vehicles or devices, etc.) above conversational loudness since the sound may carry into adjacent homes. Each Property Owner and Resident is responsible for the conduct of his Guests, Tenants, Family Members, Children, or any Persons residing in or visiting his home or the Property. Any violation of these policies, by tenants or guests, shall be deemed a violation by the Owner whether or not such Owner is in fact in residence at the time.

**NOISE: Chapter 15, Article 5, Section 15-180** of the Codes for Orange County defines noise as any sound produced in such quantity and for such duration that it would annoy, disturb or may injure a reasonable man or woman of normal sensitivities. It is prohibited for any person or entity to produce any 'noise' within any private or public property, including right of way that can be heard beyond the property lines or right of way. 'Noise' emitted by lawn, garden, power tools or other such equipment is prohibited in residential areas between the hours of 10 PM and 7 AM. Please do *not* call the Board of Directors to report such violations. Enforcement will be by the Orange County Sheriff's Office at 407-836-HELP. Section 316.3045, Florida Statutes, regulates the operation of radios or other mechanical sound making devices or instruments from motor vehicles. Section (1) (a) amends the audible distance from 100 feet to 25 feet effective July 1, 2005.

## **PETS**

**PETS (BL CCR VII.3.C & ORANGE COUNTY ANIMAL ORDINANCE 95-32)**: No Owner, Resident or Guest shall permit, either willfully or through a failure to exercise due care and control, allow their animal to defecate within the common areas or on private property unless such person shall promptly remove and dispose of the excrement in a sanitary manner via a plastic bag deposited in the owners trash can. All animals and pets are to be kept on a leash no longer than five (5) feet long within the common areas of the Community and shall not be left unattended outdoors at any time. Notwithstanding any of the foregoing Rules, no Owner/Resident shall be entitled to maintain a pet causing or creating a nuisance within the community. Complaints should be filed with Orange County Animal Control at 3-1-1. Animal Services Complaint forms are available online. All animal complaints should be called into 3-1-1. <http://www.orangecountyfl.net/cms/sitemap/forms.htm>

### **Animal Nuisance shall mean:**

- (1) Any domestic animal that disturbs the peace and quiet of a neighboring resident by habitually and repeatedly barking, howling, crying, screaming, whining or making other bothersome noises; or
- (2) Any domestic animal that chases automobiles, other vehicles, livestock, or other domestic animals or runs at large; or acts in an aggressive manner; or
- (3) Any domestic animal that destroys or damages public or private property or causes a serious annoyance so as to interfere with the reasonable use and enjoyment of public or private property; or
- (4) Any domestic animal that urinates or defecates on public or private property without the property owner's consent;
- (5) Any domestic animal which is an unwelcome guest on private or public property.

## **TENNIS COURTS**

**TENNIS COURTS** are open from 8 AM to 11 PM: Registered Users of the tennis courts are expected to demonstrate proper tennis etiquette so as not to interfere with play on the adjoining court. Tennis courts are available only for the use of property owners, residents and their guests. Skates, skateboards, scooters, bicycles, and shoes (other than soft soled) are *not* allowed at any time. Pets are never allowed on tennis courts. Parents must accompany children. The tennis courts have rules posted on the court. You *must* register to use the tennis courts to get the combination so please email: [BayLakesHOA@aol.com](mailto:BayLakesHOA@aol.com), provide name, address, lot number, phone contact, and email address. You will *then* be sent the current combination.

## **SCREENING, FENCES, AND OPEN STORAGE**

**SCREENING (BL CCR VII.3.G)**: Air conditioning units, water conditioning units, pool equipment, gas bottles, trash/garbage cans, recycle bins, antennas, etc., which are visible from the street or adjoining properties must be screened from view; deteriorated A/C units must be replaced.

**FENCES (BL CCR VII.3.E)**: A wood fence and/or vinyl material of board on board, stockade, or box styles make the best screening material. All screening *must* be ARC approved *before* installation.

**OPEN STORAGE (BL CCR VII.3.F)**: Open storage of any materials, plants, pipes, wood or any lawn maintenance equipment around the house which is visible from the street or adjoining properties is not allowed. Confine all temporary storage to rear of lot not visible from road or to a neighbor.

## TREES

**TREES OVERHANGING ROADS and WALKWAY GUIDELINES:** Trees that overhang the sidewalk and/or roadway *must* be uniformly trimmed at the bottom to a minimum clearance of ten (10) feet above the sidewalk. Trees should be trimmed high enough over the roadway as to not obstruct the traffic lanes and to allow any type of vehicle to pass by your property within the proper traffic lane. All trees should also be trimmed and thinned regularly to prevent damage to adjacent properties during heavy windstorms. Be respectful of your neighbor's property. PREVENTION is the key.

**OVERGROWN TREES:** This is a 'civil issue' between property owners, *not* the County's responsibility *nor* the Homeowners Association's responsibility. Bay Lakes HOA does *not* get involved in neighbor to neighbor disputes; you must handle it yourself.

## BOATS, CARS, MOTOR VEHICLES, RECREATIONAL VEHICLES & TRAILERS

**BOATS, CARS, MOTOR VEHICLES, RECREATIONAL VEHICLES & TRAILERS, etc. (BLCCR VII.2.A):** Per Orange County Ordinances improperly parked or stored vehicles listed above apply here. Please do *not* use any Common Areas for parking. Vehicles parked on Common Areas or left unattended will be towed at the owner's expense. The Orange County Sheriffs Office will ticket parking violations. Please park *only* on an approved surface, cement, gravel, etc. Please do *not* park on the lawn; it is a fire hazard.

**Specifically, Orange County Ordinance 35-43 states parking is:**

- Prohibited in specified places; this ordinance governs illegally parked vehicles;
- Right hand wheels not parallel to the right hand curb or edge of roadway;
- Right hand wheels not within twelve (12) inches of the curb or edge of road;
- It is Illegal to STOP, STAND or PARK on the roadway side of any vehicle stopped or parked at the edge or curb of a street, on a sidewalk, within an intersection, on a Crosswalk, alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic, at any place where official traffic control devices prohibit stopping, standing or parking, in front of a public or private driveway, within 15 feet of a fire hydrant, within 20 feet of a crosswalk at an intersection, within 30 feet upon the approach to any flashing signal, stop signs, or traffic control signal located at the side of a roadway. Parking or storing a motor vehicle with dual rear wheels in any area of the unincorporated area of the County zoned for multiple-family dwellings and/or single family dwellings including streets and rights of ways. Your immediate attention in this matter is appreciated. Any further violation may result in a monetary fine as per Orange County Ordinance 35-43.

Many of the above are also violations of Orange County Zoning Code Ordinances and should be handled and reported first to 3-1-1 or the Orange County Sheriff's Office at 407-836-HELP.

## BLHA MEMBERSHIP & VOTING RIGHTS

**BL CCR III:** Every Owner of a Lot shall be a Member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Lot. Also, all Owners shall be entitled to one (1) vote for each Lot owned. When more than one Person holds an interest in any Lot, all such Persons shall be Members. The vote for such Lot shall be exercised by a majority of all such Members as they determine, but in no event shall more than one (1) vote be cast with respect to such a Lot. Notice of and the holding of annual meeting, special meetings and the voting requirements shall be in accordance with the By-Laws or Chapter 720 of the Florida Statutes.

## BAY LAKES HOA COMPLAINT POLICY

Complaints submitted to the Board of Directors *must* be in writing and sent to our legal address (Bay Lakes HOA; PO Box 690284; Orlando, FL 32869). You *must* state the circumstances, names and addresses of persons involved, date and time, and it *must* be signed by you and include the address of the person submitting the complaint. Appropriate action will be taken by the Architectural Review Committee (ARC) or the Board of Directors. Remember, we can't see everything. We cannot walk on a resident's property to look into backyards. The ARC Committee can only see what is *visible from the road* driving by. We depend on complaints by neighbors. No action will be taken in response to *anonymous* letters, emails or phone messages. The Board of Directors cannot get involved in Neighbor to Neighbor disputes. The Board of Directors will not be harassed; our lawyer will be sent all harassments.

**BAY LAKES HOA POLICY #1**  
**ASSESSMENT COLLECTION POLICY & PROCEDURE**

(revised 9-10-2013)

1. The Bay Lakes assessment invoices shall be mailed by December 10<sup>th</sup> of the preceding year.
2. The assessment is due and payable on Jan. 15<sup>th</sup> of the current year. Interest shall begin accruing at 18% if it is not paid by the due date.
3. On February 1<sup>st</sup> the assessment becomes delinquent. A PAST DUE NOTICE shall be sent by February 3<sup>rd</sup> stating the amount now due shall include the assessment, an administrative fee of \$10, and accrued interest from Jan. 15<sup>th</sup>.
4. If there is no response by March first the Association will send a DEMAND LETTER on MARCH 1<sup>st</sup> stating that the homeowner will have 10 (ten) days to pay the assessment, an additional administrative fee of \$15, postage and accrued interest from January 15<sup>th</sup>. The letter will state that if the homeowner does not pay within a 10 (ten) day period, the Association will file a lawsuit against the homeowner to collect the assessment. Any costs incurred in the collection, including attorney's fees, shall be the responsibility of the individual homeowner.
5. Returned checks will be assessed a \$25 administrative fee plus the current fee charged by the bank.
6. At closing a transfer fee of \$50 will be charged effective January 1, 2014.

**BAY LAKES HOA PROPERTY TRANSFER POLICY**

Per the Florida State disclosure laws property owners must let their Real Estate Agent know we are a *mandatory deed restricted* Association. At closing the title Company must know this information. The new owners will reimburse you a prorated amount of your annual assessment fee at closing. We will be sent a copy of the Warranty Deed and will be notified of the transfer of ownership for our records. Owners must notify Bay Lakes HOA one to two weeks prior to closing for bookkeeping purposes and preparation of estoppel papers. Send to **Bay Lakes HOA; PO Box 690284; Orlando, FL 32869** or fax to **407.876.7990** or email ***baylakeshoa@aol.com and baylksadmn@aol.com***.

**A \$50.00 transfer fee** will be charged to the seller through the title company for administrative bookkeeping purposes. New owners must fill out a Critical Information Form and return it to us.

**BAY LAKES HOA PROPERTY OWNERS RESPONSIBILITY POLICY**

It is the property owner of record's responsibility to provide our Homeowners Association with a correct current contact address, phone number, and email address. If the status of your property changes, if you change your billing address, if the property is listed For Sale, if it is SOLD, if the property is vacant, if it becomes a Rental Unit then it is critical and necessary for us to have current contact information for all time sensitive communication reasons: newsletters, special notices, important documents, Architectural Review (ARC) issues, and annual assessment invoices.

If your property becomes a rental/investment, then we will also need contact information for you, for your rental agent and for the tenants, name and phone of those living in the property. This is VITAL in case of a security problem at your property. If we are contacted by our Security Deputy or if there is a burglary, a fire, a damaging storm, water flowing out the garage or front door, a fallen tree doing damage or blocking the roadway, renters leaving in the middle of the night leaving residence wide open and unsecured, etc. then we need that information to contact the appropriate responsible person to fix the problem or to prevent further damage or do whatever is necessary. We CARE about what happens in our neighborhood, we expect and depend on everyone in the neighborhood to cooperate, be 'aware' and report any apparent problems to us immediately: **Please leave a message at 321-430-8580 or email baylakeshoa@gmail.com (24 hours a day).**

# Bay Lakes Homeowners Association

## POLICIES AND PROCEDURES - *continued*

### ARCHITECTURAL REVIEW COMMITTEE (ARC)

#### Community Wide Review

The Architectural Review Committee (ARC) will regularly conduct an audit of the complete development to assess maintenance issues and unapproved changes to property in the development. The review is continuous and ongoing. In addition, Property Owners will provide complaints and review information and other issues through phone messages and written correspondence. These will be taken into consideration.

Per Bay Lakes CCR Article VI ARCHITECTURAL CONTROL notices are sent to properties with these violations and others. The following is a partial list of items which are reviewed:

- **Paint fade and/or discoloration:** of stucco, masonite, T-111, partially painted homes, non-approved color schemes;
- **Wood Rot:** Wood at gable ends, roof fascia, or chimneys that are loose, warped, or deteriorated;
- **Garage Doors:** not painted one continuous color or of a color which has not been approved or the structure of which is loose, misaligned, or deteriorated;
- **All exterior changes** or modification including color change, must be submitted in writing four to six weeks ahead of expected construction for ARC approval to allow for meeting and review time.
- **Roof** discoloration due to fungus growth on the roof front, back, or sides. Roof clearly damaged and in need of replacement.
- **Poorly maintained grass and/or shrubbery:** Grass should *not* have bare areas or visible weeds; grass should be cut to a consistent height (4 to 5 inches or less) up to the shrubbery beds or house structure; there should be a definite edge between concrete walks, driveways, streets and the grass area; hedges should be trimmed to an even height, not overgrown, below the bottom of windows in the window areas; shrubbery areas should be free of weeds and well defined.
- **Trees** overhanging the sidewalk area should be cut to a minimum of ten (10) feet above the sidewalk; no shrubbery should block any use of the sidewalks.
- **Fences** which do *not* stand straight, are falling down or are down, warped, have missing or broken boards, have missing or crooked gates, are not consistent in height, have rotted fences, painted fences which need repainting; visible fences which are have not been approved. Please be aware that the painting of fences requires ARC approval. *All fences must be ARC approved.*
- **Visible Signage:** House numbers: For your safety *all* homes must have address numbers which are visible from the street (six inch maximum height). This is an Orange County Ordinance.
- **Security Signs and Security Window Labels:** As security is important to this community, one Security Sign is permitted on each Lot not to exceed 1 (one) square foot in size, and should be located close to the house structure by the front door (small 3"x5" maximum size). Security window labels are also permitted (one per window structure).
- **Rain Gutters** which do not match the exterior color of the fascia and down spouts which do not match the color of the body of the house on which they are in front.
- **Driveways and Sidewalks** which are stained, discolored or mildewed or in need of repair.
- **Mail Boxes** which are leaning, crooked, deteriorated, not consistent in height with other mailboxes, broken box doors, box doors which do not close, colors which are not appropriate and/or inconsistent within the development. The ARC requests that if you replace your mailbox that you use a color which is consistent with the house structure or brick consistent with the house brick color, etc.
- **A basketball goal** with a missing net or which is visibly broken or deteriorated or has structures in need of painting.
- **Garbage** stored in front yard consistently and not screened from view.

### RENTAL INVESTMENT PROPERTIES

The Property Owner is responsible for anything that is done by his tenants. Please familiarize yourself with the Florida Landlord Tenant Laws.

<http://www.coj.net/Departments/Neighborhoods/Consumer+Affairs/Floridas+landlord+tenant+rights.htm>

Bay Lakes is a single-family residential area, zoned as a PUD (planned unit development). Per state laws rooms in homes *cannot* be rented out. We are *not* zoned for vacation rentals.