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**CERTIFICATE OF FILING OF RULES AND REGULATIONS OF  
COUNTRY GREENS AT WESTCHESTER HOMEOWNERS ASSOCIATION, INC.**

THIS CERTIFICATE OF FILING OF RULES AND REGULATIONS is executed this 10<sup>th</sup> day of December, 2018 by Country Greens at Westchester Homeowners Association, Inc., a Florida corporation non-for-profit ("hereinafter referred to as the "Association").

**RECITALS**

**A.** The Association has been established for the operation of Country Greens at Westchester Homeowners Association, Inc., in accordance with the Declaration of Covenants, Restrictions and Easements for Country Greens at Westchester Homeowners Association, Inc. and related documents which were recorded on November 5, 1987 in Official Records Book 5476, at Page 951 of the Public Records of Palm Beach County, Florida, and as subsequently amended ("the Declaration").

**B.** The Board of Directors has the power to make reasonable rules and regulations governing the use of the common areas and all facilities situated thereon and to amend them from time to time.

**C.** Pursuant to Section 720, Florida Statutes, all owners were properly notified of a duly noticed meeting of the Board of Directors held on the 4th day of December, 2018 for the purpose of adopting Rules and Regulations.

**D.** A quorum of Directors was present at the duly noticed meeting of December 4, 2018 and all Directors present voted to adopt the Rules and Regulations attached hereto as Exhibit "A".

**E.** The attached Rules and Regulations in their adopted form have been delivered to the Members of the Association.

**NOW THEREFORE**, the Association does hereby state as follows:

- 1.** The above Recitals are true and correct and are incorporated herein by reference.
- 2.** The Rules and Regulations adopted by the Board of Directors on December 4, 2018 attached hereto as Exhibit "A" shall supersede and replace all prior Rules and Regulations, shall remain in full force and effect subject to any amendments which may be passed by the Board of Directors from time to time.

[SIGNATURES, WITNESSES AND NOTARY ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seal this 10<sup>th</sup> day of December 2018.

Harvey Brecher

Print Name: \_\_\_\_\_

Harvey Brecher

Print Name: SUSAN WEST

Susan West

Print Name: \_\_\_\_\_

**COUNTRY GREENS AT WESTCHESTER HOMEOWNERS ASSOCIATION, INC., A Florida not-for-profit corporation**

By: Marc Robert Freedman  
President

By: Theresa West  
Secretary

STATE OF FLORIDA)  
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of December, 2018 by **Marc Robert Freedman** as President and **Theresa West** as Secretary of **Country Greens at Westchester Homeowners Association, Inc.**, a Florida not-for-profit corporation, on behalf of the corporation. They (who are personally known to me)/(who have produced FLORIDA DRIVERS LICENSES as identification) and (did)/(did not) take an oath.

Notary Seal



Kaitlin R. Shanders  
Notary Signature  
KAITLIN R. SHANDERS  
Notary Print Name

**RULES AND REGULATIONS**  
**Country Greens @ Westchester HOA**  
**ADOPTED : December 4, 2018**

**1. Facilities** The clubhouse area includes a building, pool, courts for tennis, shuffleboard, bocce and pickle ball which are maintained for owners, residents and guests

1. Pets are prohibited from all these areas.
2. Children under the age 15 must be supervised by a responsible adult at least 18 years of age.
3. The use of these facilities may be temporarily suspended when being used by the board for meetings, an approved scheduled event, or a private party.
4. Bicycles are prohibited from these areas. Those using bicycles or similar vehicles must park in bike rack area provided.
5. One key will be issued to each unit which opens the pool gates and club house. It should be provided to new owners at closing and to guests or renters by the owner. Contact the management company or board representative if you need a replacement or additional key, which will be provided for a fee to be determined by the board.

**A. The clubhouse.**

1. Residents or a group of residents may use the clubhouse when it is not being used by the HOA, for an approved scheduled event or privately rented. A non-resident or outside organization may not rent the clubhouse.
2. A resident or group of residents wanting to use the clubhouse for gathering (s) must inform a board representative when they wish to use the clubhouse and file any necessary forms and agree to the procedures on the application, established on the application for approval. A resident who fails to obtain board approval, clean-up or keep order will be subject to having this right revoked or suspended. Those gathering may not deny use of the clubhouse to other residents or guests unless granted exclusive use by the board. More than one group may use the clubhouse at the same time.
3. The clubhouse and its facilities are available to owners and approved residents for private parties providing the following procedure is followed.
  - a. Board approval is obtained.
  - b. A \$50 facility fee paid in advance.
  - c. A \$200 damage and security deposit paid in advance. This is fully or partially refundable pending an inspection by a board representative.
  - d. Must submit a signed reservation application and to obey all regulations therein.
4. Smoking and the use of all tobacco products are prohibited
5. Alcoholic beverages are permitted when the clubhouse is being rented or used for an HOA approved activity. Use of the pool by attendees who have consumed alcohol is prohibited.
6. The clubhouse should be kept locked when not in use.

**B. Court Areas**

1. No food is allowed on the bocce court or inside the tennis court fence.
2. Alcoholic beverages are prohibited while on all courts.
3. Only water in plastic bottles allowed on the paved area inside the tennis court fence.
4. The necessary equipment to use the courts may be available in the storage cabinet inside the tennis court gate. Return them after use.
5. Use is on a first come, first serve basis, unless being used for a scheduled community activity.
6. Pets are not allowed on the courts.

*Exhibit "A"*

### **C. The swimming pool area**

1. A fenced, gated and locked swimming pool and deck will be provided and maintained.
2. There are no lifeguards on duty. All persons entering the pool area do so at their own risk.
3. Pool hours are dawn to dusk.
4. Only walking is permitted inside the pool fence perimeter.
5. All persons should take a shower before entering the pool.
6. Ball playing, skating and bicycle riding are not permitted.
7. Small floatation devices designed for individual use are permitted. No person using a floatation device may impede the progress of others.
8. Pool users must respect the presence of the other bathers.
9. Pets are prohibited within the fence perimeter.
10. Any person entering the pool must be continent. People who are not may enter the water if they are wearing swim diapers designed to prevent any leakage.
11. Food is not permitted in the pool area.
12. No diving or reckless jumping.
13. No glass containers are permitted. Drinks are allowed inside the fence perimeter, if they are in plastic, metal or cardboard containers.
14. No alcoholic beverages are permitted within 6 feet of the pool deck.
15. All trash must be placed in the garbage cans provided or removed from the pool area for proper disposal.
16. The pool gates must be locked at all times.
17. Towels or mats should be placed on chairs and lounges before use.
18. All lounges, chairs and umbrellas should be returned to original positions and locations.
19. No more than 29 persons are allowed in the water by Health Department regulations.
20. Bathing suits required, if entering the water
21. The shower is for rinsing off only. Use of shampoos and soaps are prohibited.

### **D. Bulletin Boards**

1. Mailbox Area
  - a. Only full time residents or owners may post in this location.
  - b. Personal services offered to residents, for sale or free posts only.
  - c. No commercial or solicitation posts.
  - d. Posting must be on 3x5 or 4x6 sized ads on index cards or paper.
  - e. Items for posting must be provided to the person(s) designated by board on a monthly basis beginning on the first of each month.
  - f. New postings have priority.
2. Clubhouse Area
  - Any resident may post 3x5 or 4x6 ads on index card or paper in designated area.
3. The board reserves the right to remove improper, inappropriate, or notices posted more than 30 days.
4. The board reserves the right to regulate the content of the HOA cable channel, website, newsletter and Facebook page.

## **2. Animals**

a. Animals may be walked in the street and on paved walks. Allowing an animal to excrete on the grass is discouraged especially in the plat of a unit. It is the walker's responsibility to pick it up and place it in a plastic bag immediately for proper disposal. Waste must not be put in storm drains, lakes or another owners' trash

b. In addition to permitted animals, fish in tanks properly cared are allowed inside the home.

c. Unit owners are responsible for any animal visiting or residing in or on their property. A resident may board an animal for no more than 2 week unless granted an extension by the board.

d. The HOA may seek documentation to determine if an animal visiting or residing in the community poses a threat to the property, health or safety of others.

e. Animals are prohibited from any HOA facility unless an accommodation for a disability or handicap has been approved. No animal is allowed in the pool.

f. All animals taken outside must be on a leash, in a carrier or, held and under the control of the walker at all times. No animal may be chained outside.

g. Any animal that habitually barks, whines howls or causes other objectionable noise, especially between 10 p.m. and 8 a.m. shall be deemed a nuisance.

h. Any animal in residence or boarded which is taken outside regularly must be registered with the HOA by providing a copy of its license, a photograph and proof of current inoculations as required by law.

i. Any animal that has bitten, threatened to bite or attack a human will be reported to animal control.

j. Any resident may seek an accommodation for a service, assistance or comfort animal for a physical or emotional disability in accordance with local, state and federal law. The resident must seek the approval of the HOA prior to bringing the animal into the community. This notice of intent must be provided in writing. The HOA may seek documentation to determine if the service, assistance or comfort animal will help alleviate one or more of the disabilities causing the request prior to its decision. The Association may also determine if this animal poses a threat to health and safety.

k. A unit owner, lessee or guest who is responsible for the presence of an animal in Country Greens must indemnify the HOA and hold it harmless of liability for any incident involving the animal for which they are responsible.

l. The feeding of all wildlife is prohibited.

### **3. Refuse**

- a. Garbage cans, recycle bins, trash, rubbish, vegetation or any waste materials shall only be placed at the curb for pick up no earlier than 5 p.m. the day before of its scheduled pick up. Blue recycle bins should be placed on top of the yellow.
- b. Trash cans and recycle bins must be returned and stored and remain at a location which cannot be seen from the road until the next collection time.
- c. Residents must obey all county, state and federal law and regulations when disposing of all refuse.
- d. All household garbage placed outside for collection must be placed in a tied plastic bag inside a closed covered garbage container which cannot be opened by an animal. Only county supplied bins should be used for recycling.
- e. Residents are responsible to clean up any refuse left in the street or ground in front of their unit.
- f. Littering or leaving trash on common property is prohibited.
- g. It is the responsibility of the homeowner to remove any trash created by remodeling, repair or any other work being done to their unit or grounds. Also to contact the Solid Waste Authority if necessary to have it removed.
- h. It is the responsibility of a homeowner to find an alternative, if the trash collector refuses to remove the trash or garbage.

### **4. Unit Fences**

- a. All new front fences must be wood painted white or white vinyl with flat post caps, unless adjacent to a fence already stained or painted. All existing fences will be allowed to remain provided they are properly maintained in good condition.
- b. Front privacy fences in front of a unit must be shadowbox style with a dog-eared top, similar to existing fencing. Adjoining fences must be made from the same material and similar in construction.
- c. All existing front privacy fences may be painted white, the color of the unit or stained clear with a preservative.
- d. No fence may be less than 5 or more than 6 feet tall. Width should be in 5-6 ft., where possible.
- e. All fences should be erected on the existing fence line (12 feet from front bedroom and the boundary line between adjacent units).
- f. A front fence may be removed provided a replacement landscaping plan has been approved.
- g. Plantings inside or adjacent to fence line are the responsibility of the homeowner.
- h. No fence may be erected on the side of a unit.
- i. A house may have an approved privacy fence extending eastward from the rear northeast corner not more than 12 feet.
- j. A unit with an HOA maintained fence in the rear must not allow vegetation or object to prevent easy access to any part of the fence.

## 5. Vehicles

- a. Non-motorized vehicles must be stored hidden from street view.
- b. The speed limit is 20m.p.h.
- c. A resident or guest may arrange parking on a residential driveway with permission of the unit owner.
- d. Any vehicle parking in a designated area between 10 pm an 8 am must display the parking pass issued to each unit in the front window of the vehicle.
- e. No vehicle may park in the street from 1-6 a.m.
- f. No vehicle parked in a way which blocks access to driveway or a sidewalk.
- g. No vehicle parked on a driveway may extend into the street.
- h. All motor vehicles are required to have a valid registration and proof of insurance. The HOA is entitled to a copy.
- i. Driveways may be use for basic maintenance and minor repair provided that any fluid spills are cleaned and damage to the driveway repaired.
- j. The HOA must be informed of any vehicle in the community for more than 2 days.

## 6. Owner Maintenance

- a. No alteration in unit structure, fences or landscaping will be made without board approval.
- b. No land belonging to a unit or adjacent common property may be modified without board approval.
- c. Cement surfaces must be maintained, repaired and cleaned.
  - 1. Tuff Top brand of paint Cement color or identified approved equivalent or superior must be used. Adding a non- skid material is encouraged.
  - 2. Walkways may be changed using cement and/ or approved pavers.
  - 3. No driveway may be more than 12 feet wide
- d. Extermination of rodents, insects and other pests inside or outside impacting the unit.
- e. Flammable, combustibile or explosive substances are not to be use or stored in a unit. Household chemicals are allowed in small quantity may to be stored in a garage.

## **7. Landscape**

a. Owners must submit an ARB form to the landscape committee for approval before making changes to any vegetation on their property. No vegetation may be planted on common property without approval by the board.

b. All property easements must be respected, no planting is allowed in utility, drainage or road easements.

c. A tree planted in a lawn area must be encircled by soil 24 inches in diameter.

d. Fruits and vegetables may not be planted in the ground. Climbing plants may not be planted adjacent to a unit.

e. Any vegetation prohibited by the county may not be planted.

f. No tree may be removed without approval of the HOA and the county. Root pruning may be an acceptable alternative to removal.

g. No tree will be considered for removal unless it is dead, impacts health and safety, designated by government as a nuisance tree, interferes directly with a drive way or underground pipes. The board reserves the right to remove any tree or vegetation detrimental to a structure or fence.

h. Vegetation planted by the developer is an HOA responsibility.

i. The maintaining of vegetation planted by the owner or a previous owner is the responsibility of the current owner.

j. A unit owner at their own expense may remove of tree from their own property at their own expense provided they obtain a permit from the county and board approval.

k. An owner at their own expense may request changes in the irrigation system on their property.

l. The HOA is not responsible for damage to lights or decoration placed in or near vegetation.

m. Do not communicate with the landscape workers to an extent which prohibits them from completing their responsibilities in a timely fashion.

n. A unit owner must inform the landscape committee that they want all or some their bushes, flowers other and decorative vegetation not be trimmed by the HOA provided landscaping company.

1. These areas must be marked by red reflectors clearly identifying the location of the area not to be maintained.

2. An owner refusing to allow the HOA to maintain their landscaping must maintain their bushes in a standard equal to that provided by the HOA.



## **8. Governance**

- a. A unit owner must provide a copy of the current declaration page of their homeowners' policy to the management company annually upon renewal or change.
- b. The annual maintenance fee must be paid on or before the 15<sup>th</sup> of each month. A late fee of \$25 will be charged for delinquent payments.
- c. Owners are financially responsible for damages or injuries caused by their tenants, guests or visitors.
- d. All owners must notify the residential screening committee or management when a person who will be living in their unit is seeking to establish permanent or temporary residence.
  - 1. Required to pay a \$100 application fee using a cashier's check or money order.
  - 2. Submit to a personal interview, orientation and pass a background check.
  - 3. All renters must remit a \$500 security deposit with their application to the HOA at least 10 days prior to lease commencement.

**9. Miscellaneous**

a. Personal Property must be stored inside the unit, not visible from the street or a neighbor's yard. Properly maintained grills, and patio furniture may be left outside for use in an in a neatly maintained area clearly within 10 feet of the unit.

b. No awning, canopy, exterior lighting, skylight, solar tube, signal receiver or other projection may be attached or added to a unit without HOA approval.

c. The discharge of firearms, pellet guns and fireworks are prohibited.

d. Cycles skateboards, scooters and skates must be used in a safe manner and must yield the right of way to pedestrians, registered motor vehicles and apparatus utilized by persons with a disability.

e. No electronic equipment which interferes with the television, radio, internet reception of another unit is allowed.

f. No person is permitted to create disturbing noises or conduct themselves in such a way which will interfere with the rights, comfort or conveniences of others. No person may operate a sound producing device in a disturbing or annoying way.

g. Any owner not in residence for more than 30 days must provide the contact information to the HOA of the person or company responsible for their property in their absence.

h. Flying of drones and radio activated flying objects are prohibited.

i. No signs may be posted within Country Greens, except by residents or the HOA in designated areas using proper procedures. A real estate open house sign may be placed on the entrance road before the first intersection or outside our walls. Open house directional and house identifying signs will be permitted for 1 hour before or after a sale open house. Failure to comply will result in having this privilege suspended. Home protection signs may be displayed in or on the house structure, such a sign may be displayed in a planting bed near the unit.

j. Solicitation or distribution of notices or materials by any person or group for any cause or purpose is prohibited unless specifically authorized by the board. This does not apply to the right of owners to solicit signatures in order to petition the HOA board.

k. A unit owner is permitted to have generator in order to have power for an emergency, if one of the following conditions are met.

1. A small easily portable generator is allowed provided if it is stored hidden from view.

2. With the approval of the Board larger permanents generators are allowed provided the unit owner obtains board approval, a permit from the county and follows all building and safety code.

**NOTE: The governing documents are the constitution of our community. All rules or actions of the board of directors must be consistent with its language. No owner, resident or visitor may disregard its content.**



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office with redactions, if any as required by law.

THIS 4 DAY OF December, 2018  
SHARON R. BOCK  
CLERK & COMPTROLLER

By [Signature]  
DEPUTY CLERK