



## RULES-AT-A-GLANCE

The following rules and regulations of the Delray Estuary Homeowners Association, Inc. are those of most frequent relevance to residents of our community and are presented in a user-friendly style for ease of reference. Where applicable, rules are a summary and cross-referenced to the Amended and Restated Declaration of Covenants (DC), the Architectural & Landscape Guidelines (ALG) or the By-Laws.

Reference to those documents is recommended, where applicable, for the precise wording of a particular regulation.

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## **A. GUESTS**

1. All guests are required to obtain and display a guest pass in their vehicles for each visit to the property.
2. A guest pass may be issued for a maximum of one week and can be renewed.
3. Any non-permanent residents, including family members, are considered guests and must obtain a guest pass.

## **B. PARKING (DC 8.4)**

1. Guest parking areas are only for guests, contractors and service providers.
2. Residents' pick-up or other trucks may only be parked in garages and must not be visible.
3. Vehicles are not to be parked on grass or sidewalks or block driveways.
4. No parking on streets between 2:00 a.m. and 6:00 a.m. (excluding guests in guest areas).
5. Residents' vehicles in violation of Association Parking Rules will have a violation notice placed on the vehicle window. Vehicles ticketed 3 times within a 60-day period will be towed without further notice at the vehicle owner's expense.
6. Any non-resident's vehicle in violation of any parking rules is subject to immediate towing.

## **C. VEHICLES**

1. Residents may obtain RFID Transponders for their vehicles to open the entrance gates. Vehicles must be registered in the Entry System, have the required Delray Estuary numbered ID Decal affixed to the vehicle and have the transponder installed by Gatehouse Staff.
2. Temporary transponders will be available for residents only for short-term rental vehicles.
3. Transponders are not issued to Guests including owners' relatives residing in the unit for extended periods.
4. All vehicles anywhere on community or residents' property must be in working order and display current license plates unless in the garage. (DC 8.4)
5. Changing of oil or other vehicle maintenance is not permitted within the community including garages. (DC 8.4)
6. Owners may wash their vehicles only in the unit's driveway and between 8:00 a.m. and 8:30 p.m. Hoses must be stored inside the garage, on the back patio or out of sight in the front entrance.
7. Car covers are prohibited except for up to one week for State declared Hurricane and Tropical Storm 'Watch'.
8. Tractor-trailer "semi" trucks are prohibited from entering the Estuary.

## **D. HOURS OF WORK (DC 7.5 /DC 8.4 – B.1)**

1. Owners, contractors, service providers are permitted to work only from 8:00 a.m. to 6:00 p.m. Monday through Saturday. No work is permitted on Sundays or the six major federal holidays, New Year's, Memorial Day, 4th of July, Labor Day, Thanksgiving & Christmas.
2. Moving vans and movers loading and unloading are permitted to work only from 8:00 a.m. to 9:00 p.m. Monday through Saturday.
3. Note that in an emergency (like a plumbing, electrical or air conditioning outage) the Declarations allow contractors to conduct work at any time.

**E. DUMPSTERS – PODS – PORTABLE CONTAINERS**

1. Dumpsters may be left in a driveway for up to two weeks and portable containers for up to one week with prior approval of the Board of Directors. They may not be placed on grass, swale areas or streets or block driveways.

**F. TRASH (DC 8.7)**

1. Trash receptacles may be placed in the front of the home no earlier than sundown the day before collection (Mondays and Thursdays) and must be removed and placed out of sight no later than sundown on the day of collection.
2. Trash receptacles must be stored in the garage.

**G. POOL AREA**

1. No lifeguard is on duty – use of the pool is at your own risk.
2. Children under the age of 13 are not permitted without adult supervision (age 18 and older).
3. Pool hours – sunrise to sunset under State of Florida law.
4. Pool toys limited to Styrofoam noodles & inflatables
5. All rules posted at the pool must also be observed.

**H. PETS (DC 8.3)**

1. Up to four cats and two dogs per household are permitted.
2. Residents walking pets are required to keep all pets on a leash and must clean up, collect and dispose of all pet waste.

**I. FEEDING OF BIRDS AND ANIMALS**

1. Leaving food out for birds or other animals is prohibited as rodents and unwanted wildlife are drawn into the area and may be encouraged to remain active around the homes.

**J. SALE OF UNITS (DC 8.10)**

1. Owners must submit the completed Transfer of Ownership form to the management company at least 15 days prior to closing. Other requirements also apply – see Section 8.10 of the Declaration.

**K. LEASING OF UNITS (DC 8.9)**

1. The minimum lease term is four months and only one lease is permitted in any 12 month period. Other requirements also apply – see Section 8.9 of the Declaration.

## **L. EXTERIOR OF YOUR PROPERTY (DC - ALC)**

1. Any changes to the outside of your home or property including landscaping and replacement of AC equipment on the roof must be approved in advance by the Architectural & Landscaping Committee (ALC) and accompanied by a refundable deposit as set out in the AL Guidelines. (ALG)
2. Only approved light fixtures can be used and garage carriage lights must be replaced in pairs.
3. All yard sculpture, ornaments, planters and other decorations may not be visible from the street or community sidewalk and require prior BOD approval for placement on a rear patio. (ALG)
4. Artificial, plastic or synthetic plants are not permitted if visible from the street. (DC 7.12)
5. All mechanical equipment, such as pool pumps and heaters, must be fully screened with landscaping. (ALG)
6. Unless approved by the BOD, property signs are limited to one security company sign of reasonable size and a single "open house" sign on the homeowner's property for no longer than 48 hours within a seven day period. (DC 7.11)
7. Satellite dishes/antennas must be installed only in the roof AC well. (DC 8.19)
8. Flags and flagpoles are restricted to those identified in (DC 7.9.)
9. All vines, including bougainvillea, jasmine, etc. must be trimmed by the homeowner so as not to cover garage light fixtures or house address number or encroach on a wall, tree or shrub. (DC 6.1 B.8 and ALG)
10. Vines may be attached only to approved trellises, those above garage door(s) and other approved locations on the building are required to be trimmed 'Monthly' during the summer months (May through October) and at least every six (6) weeks during the winter months (November through April) (DC III 3.2,B. 6. and ALG)
11. All trellises require prior approval and submittal of the ALC Application which must provide the following: detail plans, method of attachment to the building and exact location(s) on the building where they are being requested. Recommended is the 'Guide Wire' system attached to screws which are put into the building wall. (DC 7.3, D)
12. Holiday lights may be displayed between December 1st and January 10th. All other exterior lights must have prior approval by the BOD. (ALG)
13. All other holiday decorations may be put up no more than two weeks in advance of the holiday and removed immediately after the holiday date. (ALG)
14. Newspapers (two or more) or other type publications or advertisement may not be allowed to accumulate on the owner's driveway, entrance way or anywhere on the homeowner property. (DC 6.2,C.1.)
15. Portable Toilets are not be permitted inside the community.
16. Homeowners are responsible for the cost of removal and replacement of pavers due to any repairs to irrigation equipment or lines required under any pavers on the lot and approved ALC Applications that change the footprint of pavers on owner's lots must have irrigation equipment and/or lines moved out from under pavers wherever possible at the owners expense. (DC 6.2,B. and ALG) *[Please note the 'irrigation' requirement no. 5 on the ALC Application.]*

## **Section L. EXTERIOR OF YOUR PROPERTY** *Continued from previous page*

17. Replacement AC Compressor(s) on the roof must not be visible from the street and may not exceed seven (7) inches above the AC enclosure wall. The roof AC enclosure wall may not be altered or raised. Upon completion of the installation management must be notified and the installation must be inspected by the ALC Committee. If visible from the Street the homeowner must allow the Association's contractor interior access to the AC enclosure within five (5) days to measure the height that the AC Compressor(s) is above the wall. Violations must be corrected within thirty (30) days of the Certified and Regular Mail notice sent to the homeowner. The \$500 deposit may not be returned to the homeowner until all requirements are satisfied. (approved by the Board of Directors on 12.3.2014.)

### **M. GATES AND FENCES (ALG / DC 8.22)**

1. Rear patio gates and fences are equipment of the units and maintenance or replacement of them is the responsibility of owners. (ALG)
2. No rear gate on a property may be locked (DC 8.22)
3. Rear patio gates and fences that are between units are shared ownership and maintenance and replacement costs are shared unless damage can be attributed to a particular unit.
4. Owners that have installed fences on the concrete caps of the seawall are responsible for the removal and replacement of them if necessary for seawall maintenance purposes.

### **N. SPAS, HOT TUBS AND POOLS (ALG)**

1. Spas, hot tubs and pools must meet architectural standards and have prior ALC approval. (ALG)
2. Spas, hot tubs and pools in-ground on properties bordering the intra-costal waterway are prohibited because of potential problems with the seawall.

### **O. DISTURBANCES AND NUISANCES (DC 8.5)**

1. No resident or guest shall use the unit in any manner that is disturbing to neighbors such as loud televisions, radios, stereos, car stereos and musical instruments or loud parties and gatherings or persistently loud animals such as barking dogs. (DC 8.5)
2. It is recommended that disturbances be reported to the Delray Beach Police Department and that a copy of the Police Report be provided to the Association for additional action.
3. Residents who will be away for an extended period must cancel outside deliveries to the unit. Items accumulating in the driveway invite a break in as well as creating an unappealing appearance.

**P. YARD TOYS (ALC)**

1. Permanently mounted basketball hoops, hockey nets or similar items are not allowed.
2. Movable items including yard games, wheeled toys, skateboards, motorized scooters and play vehicles are allowed from 9:00 a.m. to 8:30 p.m. but only in the driveway or on sidewalks, not in the street.
3. Bicycles and toys such as those above must be stored inside the unit or garage or in the rear patio area.

**Q. STREETS**

1. Streets must not be blocked off with signs, ropes or barriers. They must remain open at all times for vehicular traffic and may not be used for games or as play areas.

**R. HURRICANE SEASON (ALG / DC 8.13 – 8.14)**

1. During hurricane season, June 1 through November 30, residents are required to move inside all furniture, ornaments, plants and other outside objects when an officially declared Hurricane Watch or Tropical Storm Warning is issued. (DC 8.13)
2. Hurricane shutters may not be closed more than 72 hours before issuance of a hurricane or tropical storm watch or later than 72 hours after the watch is lifted. (DC 8.14)

**S. COMPLAINTS**

1. Staff of the Association's contractors and service providers including our Security Staff are instructed not to take directions from residents. Homeowners should contact the management company with any inquiries or complaints.
2. Any complaint against another homeowner must be submitted to the management company in writing and signed and include the date, time and location of the incident/violation that was witnessed.

**T. BUSINESS ACTIVITIES (DC 8.)**

1. No business or commercial activities may be conducted on the property or in the units other than those that qualify as a home occupation under the applicable zoning codes. A day care or child care facility or operation shall not be permitted, irrespective of whether they qualify as a home occupation or are permitted by the applicable zoning codes.

**U. SOLICITATION (DC 8.8)**

1. No business or non-profit solicitation whether in person or by hand delivery of letters is permitted without the permission of the BOD.

**V. WINDOW TREATMENTS (DC 8.16)**

1. All window treatments must contain a white color facing to the exterior or be in natural wood color.

**W. INSURANCE (DC 9.2)**

1. Each owner covenants to maintain full casualty insurance coverage on all portions of the lot, inclusive of the structure.

**X. COMPLIANCE WITH RULES (By-Law 8)**

1. Compliance with the Rules is enforced through a process of issuing Violation Notices and, where necessary, convening the Hearings Committee to impose fines if warranted.