

WATERFALL COVE AT WINTER PARK CONDOMINIUM ASSOCIATION
REVISED COMMUNITY RULES AND REGULATIONS (FEB 2025)

Adopted by the Board of Directors on FEBRUARY 05, 2025, at a duly noticed meeting.

The Board of Directors has the authority to adopt these Rules and Regulations pursuant to Section 12.8 of the Declaration of Condominium of Waterfall Cove at Winter Park, a Condominium, as amended from time to time (the “Declaration”), and any violation of these Rules and Regulations may result in fines and fees as applicable.

1. PEACE AND QUIET TIME IS 10 p.m. to 7 a.m. Monday to Friday, and 11 p.m. to 9 a.m. Saturday and Sunday. A unit owner and /or tenant(s) shall not make or permit any disturbing noises or acts in or around the condominium unit or building, nor permit the same by his/her family, pets, visitors or agents, nor permit anything by such persons or pets that will interfere with the rights, comforts, or conveniences of other residents. A unit owner and/or tenant(s) shall not operate, play nor permit any musical instrument, phonograph, television, or radio to be played in the condominium unit, parking lot, cabana that disturbs others. THIS APPLIES TO BOTH DAY AND NIGHT HOURS.

2. BALCONY, PATIOS: BALCONIES AND PATIOS shall be always kept clean and neat. No towels, rugs, clothing articles, laundry, appliances or other personal items can be hung, draped or stored on the railings or in these areas AT ANY TIME. The Balconies and Patios are limited to the storage of bicycles, appropriate patio-type furniture, and neat plants (no more than 4 in number and not more than 3 feet high including the planter/container). Outdoor carpets are not allowed on patios and balconies except on the first floor concrete areas as they can damage the wood decking. No boxes, recreational items, exercise equipment, cleaning items or other unsightly items are allowed.

GRILLS: Use of charcoal or gas barbecue grills is strictly **prohibited on BALCONIES and PATIOS.** Storage of grills and flammable materials such as propane are also prohibited.

Any “dish” satellite no larger than 39.37” in diameter must be placed on a freestanding tripod on your patio area only. Under NO circumstances can it be placed on the Common Elements of the property. If satellite dishes are no longer in use, please remove them.

Motorized and gasoline powered vehicles are PROHIBITED on patios or balconies.

3. PARKING (Violators of the parking Rules will be towed at the owner's expense without prior notice and consent)

Resident(s) agree(s) to abide by all parking regulations published and updated from time to time by the Association.

EACH Condo has ONE assigned space. All other parking is on a first-come, first-served basis and shall not be considered a permanent parking spot.

Additional overflow parking for building B and E has been created along the west entrance property fence line and has been labeled as such.

All vehicles shall be legally registered and have a valid license tag.

All vehicles must be parked only in between the white lanes in width and in length. No vehicle shall have a projecting load that extends beyond the white markings of the parking spot.

All parked vehicles on property must be drivable, not wrecked and in good working order. Any vehicle with damage or disrepair should not be parked on the property. This doesn't include minor dents/scratches.

Pursuant to Section 12.7 of the Declaration, boats, boat trailers, recreational vehicles, campers, and such other recreational vehicles are not permitted on the Condominium Property. Further, no commercial trucks or vans or other commercial vehicles shall be parked in any space except with the written consent of the Board of Directors of the Association, and except for such purpose as may be necessary to effectuate deliveries to the Condominium, the Association, Unit Owners, or residents. Commercial vehicles shall include, but not be limited to, a vehicle with letter or display on it or a vehicle used in a trade or business.

Parking in front of and in the close vicinity of the dumpster is not allowed!

Motorcycle parking is in unit's designated parking space.

No repairs of automobiles, motorcycles, or any other vehicles, other than the changing of a flat tire or jumping of the batteries are permitted on the grounds without prior permission of the Board of Directors.

Oil spills must be cleaned up immediately at owner's expense.

Any non-operable, abandoned or any vehicle belonging to Resident or Resident's guest(s) violating these parking Rules may be TOWED by the association at the expense of the Resident. Washing and maintenance of vehicles on the property is prohibited

4. PETS – No Unit shall have more than one dog or cat. Small bird or tropical fish in tanks are also permitted so long as they are not a nuisance (no snakes). The owner is responsible for cleaning up after their pet when walked in any areas of Waterfall Cove property.

All dogs must always be on a leash while in the Common Elements of the Waterfall Cove property.

All pets must have an identification collar. All pet owners must clean up after their pet in all grass areas contained within the perimeter of all parking lots. A fine of \$100.00 per occurrence may apply to any pet owner found not having their pet on a leash or not cleaning up after his/her pet. In order for this fine to be assessed to any resident, a formal complaint must be filed against the resident found in violation of these rules.

BREED RESTRICTIONS: Breed Restrictions added to Rules and Regulations as of Wednesday, January 16, 2008, prohibit the following four dogs from residing in a home at Waterfall Cove; Pit Bull, Chow Chow, Rottweiler and Presa Canario.

Any pet owner living at Waterfall Cove prior to this amended rule is “Grandfathered in”.

PETS – ADDITIONAL PET RULES AND REGULATIONS:

No defecation or urination on property of others.

(a) It is unlawful for a dog or cat owner or keeper to permit a dog or cat, either willfully or negligently, to defecate or urinate upon:

- (1) Public park, beach or school ground, other than in areas designated for that purpose; or
- (2) Private property without the permission of the property owner.

(b) Where this section is violated, the owner or keeper shall remove any feces deposited by the dog or cat.

Failure to do so immediately shall constitute an additional violation of this section.

All pets are to be on a leash when outside the unit. Failure to abide shall result in action by the Board of Directors. Under no circumstances shall a pet be “chained” to the exterior of a condominium.

5. STORAGE OF GASOLINE OR ANY COMBUSTIBLE MATERIAL(S) such as paint thinners, oily rags or anything which would increase the risk of fire, or cause rate increase of fire insurance is prohibited.

6. ENTRANCES, HALLWAYS, WALKWAYS AND LAWNS: All entrances, hallways, entrance-porches, entrance-landings, steps, stairs, walkways and lawn areas around the building of the property shall not be obstructed or used for any purpose other than ingress or egress of residents and their guests. Tasteful FAKE plants (limit (1) one) and clean doormats or any other décor placed in the common hallways may be used only to beautify the entrance to the front door area to each Unit. No furniture is allowed by the front door to each Unit or in the hallways. Storage of any personal effects such as shoes and socks are prohibited in the common hallways. No boxes or trash may be placed outside of the front door or anywhere else aside from being brought directly from the home to the dumpster.

SMOKING, RUNNING, OR ANY FORM OF PERSONAL OR PET EXERCISE INSIDE OF THE COMMON ELEMENT FOYERS AND HALLWAYS IS PROHIBITED AT ALL TIMES!

7. TRASH AND BULK REMOVAL

Garbage must be placed in a plastic garbage bag and tied for the sole purpose of rodent and odor control, and cardboard boxes must be flattened when placed in the dumpster. After disposing of trash in the dumpster, the dumpster door/lid must be closed for proper function.

DO NOT PLACE GARBAGE OUTSIDE OR IN FRONT OF THE DUMPSTER! This area is under 24-hour surveillance.

To prevent pest control problems, to keep a good overall appearance and to avoid being scattered by wild animals, **placing of trash bags or containers outside on the patios, or balconies is always prohibited!**

Placing trash directly on the hallway carpet is prohibited. Residents who are found to have placed trash directly on the hallway carpet are subject to fines and in addition, they will be held responsible for any cleaning or repair to any damaged carpet because of this violation.

Waterfall Cove does provide bulk item removal services once a week on Thursdays.

This includes Furniture and ALL other household items.

Bulk trash can be set out ONLY on Wednesday after 6 p.m. for pick up on Thursday.

Any bulk trash that is being disposed of outside of the schedule is illegal, and the resident(s) will be subject to the Florida Litter Law sanctions.

THE STATE OF FLORIDA Florida Litter Law applies to ANY ILLEGAL DUMPING ON WATERFALL COVE PROPERTY. The association can hold the Owner or Tenant responsible for their vendors or guests.

The State of Florida Litter laws states the following:

403.413 Florida Litter Law. —

(1) SHORT TITLE. —This section may be cited as the “Florida Litter Law.”

(2) DEFINITIONS. —As used in this section:

(d) “Dump” means to dump, throw, discard, place, deposit, or dispose of.

(f) “Litter” means any personal property; garbage; rubbish; trash; refuse; can; bottle; box; container; paper; balloon; tobacco product; pharmaceutical of any kind; tire; house hold item; shed; appliance; mechanical equipment or part; building or construction material; tool; machinery; wood; motor vehicle or motor vehicle part, including a truck, trailer, or motor home; vessel; aircraft; farm machinery or equipment; sludge from a waste treatment facility, water supply treatment plant, or air pollution control facility; or substance in any form resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.

(h) “Person” means any individual, firm, sole proprietorship, partnership, corporation, or unincorporated association.

(3) RESPONSIBILITY OF LOCAL GOVERNING BODY OF A COUNTY OR MUNICIPALITY. —

The local governing body of a county or a municipality shall determine the training and qualifications of any employee of the county or municipality, or any employee of the county or municipal park or recreation department designated to enforce the provisions of this section if the designated employee is not a regular law enforcement officer.

(4) DUMPING LITTER PROHIBITED. —Unless otherwise authorized by law or permit, it is unlawful for any person to dump litter in any manner or amount on any of the following areas:

(d) Any private property, unless the owner has given prior consent and unless the dumping of such litter by such person will not cause a public nuisance or otherwise be in violation of any other state or local law, rule, or regulation.

(6) PENALTIES; ENFORCEMENT. —

(a) Except as provided in subparagraphs 2 and 3, any person who dumps litter in violation of subsection (4) in an amount not exceeding 15 pounds in weight or 27 cubic feet in volume

and not for commercial purposes commits a noncriminal infraction, punishable by a civil penalty of \$150, from which \$50 shall be deposited into the Solid Waste Management Trust Fund to be used for the solid waste management grant program pursuant to s. 403.7095.

(b) Any person who dumps litter in violation of subsection (4) in an amount exceeding 15 pounds in weight or 27 cubic feet in volume, but not exceeding 500 pounds in weight or 100 cubic feet in volume and not for commercial purposes is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. In addition, the court shall require the violator to pick up litter or perform other community service commensurate with the offense committed. Further, if the violation involves the use of a motor vehicle, upon a finding of guilt, whether or not adjudication is withheld or whether imposition of sentence is withheld, deferred, or suspended, the court shall forward a record of the finding to the Department of Highway Safety and Motor Vehicles, which shall record a penalty of three points on the violator's driver license pursuant to the point system established by s. 322.27.

(c) Any person who dumps litter in violation of subsection (4) in an amount exceeding 500 pounds in weight or 100 cubic feet in volume or in any quantity for commercial purposes, or dumps litter which is a hazardous waste as defined in s. 403.703, is guilty of a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083. In addition, the court may order the violator to:

1. Remove or render harmless the litter that he or she dumped in violation of this section.
2. Repair or restore property damaged by, or pay damages for any damage arising out of, his or her dumping litter in violation of this section; or
3. Perform public service relating to the removal of litter dumped in violation of this section or to the restoration of an area polluted by litter dumped in violation of this section.

8. COMMON ELEMENTS AND LIMITED COMMON ELEMENTS

General

Unit owners shall be held responsible for any damage(s) to the Common Elements of Waterfall Cove property whether caused by them, their tenants, or guests.

The Board of Directors reserves the right to impound articles or items left on the Common Elements.

Obstructions

Under no circumstances is any vehicle allowed to drive or park on any of the sodded Common Elements. The owner(s) of the vehicle, and/or the owner of the Unit if the vehicle

belongs to a guest, family member, invitee or lessee of the Unit Owner can receive up to a \$100.00 fine and will be responsible for all resultant damages to the Common Elements (this includes the irrigation system, sod sidewalks etc.).

Sidewalks, stairs, entrances, and all other Common Elements shall not be obstructed, encumbered, or used for any other purpose than ingress and egress to and from the premise.

It is prohibited to place any personal items on the condominium property so that they encumber the ingress or egress to a Unit. It is prohibited to place any personal items on the front lawn of any condominium buildings or leave any unaccompanied personal items in the Clubhouse/Pool area.

Unit owner(s) or tenant(s) shall not store any personal property on or make use of his/her unit which is considered unsightly, nor shall they make use of the same which interferes with the comfort and convenience of the other owners or tenants.

Personal

LOITERING IS PROHIBITED IN ALL OF THE COMMON AREAS.

No foul language or bullying will be tolerated.

Playing is allowed only on the playground and on the grass, away from any building windows and glass sliding doors.

Hanging or placement of laundry, rugs, etc. on or upon the exterior of any condominium unit or on the lawns is prohibited.

The Board of the Association reserves the right to remove these articles when in violation.

Structures

No electrical machinery, device, apparatus, antenna, wires, signage, A/C tubing (outside the existing ones), etc., shall be affixed or attached to the Common Elements or Limited Common Elements.

Personal property of all residents shall be stored within their condominium unit or their specified Limited Common Element Storage Space.

Residents are not allowed to put anything in the ground (including in the landscaping beds or grass areas).

9. PLAYGROUND hours are 9:00 a.m. to dusk.

The playground is restricted to children of owners, tenants living on property, their family members, and their guests.

Everyone using the playground must pick up and remove all his/her toys, debris and other items.

THE STREETS, PARKING AREAS, MAILBOX AREA, CLUBHOUSE AND POOL AREA MAY NOT BE USED AS A PLAYGROUND.

10. NO UNIT OWNER AND/OR TENANT(S) SHALL DIRECT, SUPERVISE or in any manner attempt to assert control over the employees of the Association or the Management company.

11. NO SIGN, ADVERTISEMENT, NOTICE, LETTERING, OR ANY OTHER NOTICEBLE APPLICATIONS shall be affixed, displayed, inscribed, painted or exhibited in or upon any Condominium Unit, Limited Common Elements or Common Elements. Section 12.6 of the Declaration prohibits signs.

12. THE CITY OF WINTER PARK'S NOISE ORDINANCE APPLIES TO ALL HOMES AT WATERFALL COVE. THE CITY OF WINTER PARK'S NOISE ORDINANCE STATES THE FOLLOWING:

Sec. 62-94. Enforcement.

Any person violating any of the provisions of this division shall be deemed guilty of an offense punishable as

provided in section 1-7.

Sec. 62-95. Owner's and lessee's responsibility.

It shall be a violation of this division for an owner or a lessee who is present on any property that he or she owns or leases to allow a noise disturbance to be created or exist from such property so as to violate those prohibitions listed in section 62-97.

Sec. 62-96. Noise disturbances prohibited generally.

(a) No person shall make, continue or cause to be made or continued any noise disturbance.

(b) The characteristics and conditions which should be considered in determining whether a violation of the provisions of this section exists should include, but not be limited to the following:

(1) The level of the noise.

(2) Whether the nature of the noise is usual or unusual.

(3) Whether the origin of the noise is natural or unnatural.

(6) The nature and zoning of the area from which the noise emanates and the area where it is received.

(7) The time of day or night the noise occurs.

(8) The duration of the noise; and

(9) Whether the noise is recurrent, intermittent, or constant.

Sec. 62-97. Specific prohibitions.

The following acts, among others (this enumeration shall not be deemed to be exclusive), are declared to be noise disturbances in violation of this division:

(1) *Horns, signaling devices, etc.* The sounding of any horn or signaling device on any automobile, motorcycle, streetcar or other vehicle on any street or public place of the city for an unnecessary and unreasonable period, thereby creating a noise disturbance.

(2) *Radios, phonographs, television sets, musical instruments, etc.*

a. Using, operating or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner:

1. As to disturb the peace, quiet and comfort of neighboring inhabitants.

2. At any time with louder volume than is necessary for convenient hearing for the persons who are in the same dwelling unit of any multiple dwelling in which such machine or device is operated and who are voluntarily listeners thereto; or

3. As to create a noise disturbance.

13. POOL RULES: There will be no lifeguard on duty; resident and resident's guest(s) swim at their own risk.

All children 13 years and under must be always accompanied by a responsible person. No glass OR pets are allowed inside the pool area. Service Animals and Emotional Support Animals are permitted in the pool area, but not in the pool. Please always have the proper documentation on your person for cross reference.

SWIMMING POOL RULES

The pool will remain open 7 days per week from 9:00 am – DUSK.

In effort to provide maximum enjoyment in the use of the swimming pool at your condominium community, the following rules must be adhered to:

1. The swimming pool and swimming area is for the use of the condo community resident(s) and their invited guest(s). All residents shall carry with them a "**Pool Pass**" when in the pool area.
2. All guests are required to carry a "**Pool Pass**". Each condo will receive three (3) guest passes
3. Residents are reminded that they are responsible for the conduct of their guest at all times.
4. Absolutely no glass bottles or pets are allowed in the pool area.
5. NO one under the age of 13 allowed in the pool area unless accompanied by a responsible person.
6. NO profanity, loud music, boisterous or rough play is permitted in the pool or in the pool area.
7. Attire will conform to conventional swimming suits. Full trunks or swimming suits must be worn. No thongs or speedos.
8. EMERGENCY LIFE SAVING EQUIPMENT IS FOR EMERGENCIES ONLY!