

RULES & REGULATIONS
WATERCHASE HOMEOWNERS' ASSOCIATION, INC.

The following Rules and Regulations have been adopted by the Board of Directors to help clarify the Declarations of Covenants and Restrictions. It is the duty of the Board of Directors and the Architectural Review Committee (ARC) to uphold and enforce rules and regulations that will be fair and protect everyone's interest, especially property values.

ARTICLE III

Section 1 – Membership

- Anytime an owner sells his property the owner must send a copy of the lease to the Association.
- Anytime an owner sells his property the buyer must complete a "Receipt for Homeowner Documents" and give the Association a copy.
- If the property is rented, the owner must send a copy of the lease to the Association.
- At the time of the lease being signed – it is the owner's responsibility to give the renter a set of Waterchase Homeowners Rules & Regulations and the renter must agree to abide by them. Failure of owner to do so will result in a \$50.00 fine.

ARTICLES VI

Section 2 – Land Use

- No lot shall be used except for residential purposes.

Section 3 – Change in Buildings

- No external changes to house or addition to lot without ARC approval.
- ARC approval is necessary prior to changing house color.
- Only two (2) color combinations of paint are allowed. This means a base color and one other color for trim, shutters, and door. (A third contrasting color must be approved by the ARC and may only be used on the shutters and doors as a trim around the squares).
- Houses must be painted with a contrasting trim.
- No garage doors are to be made into a solid wall. A window must be placed in the area which is 4' high X 3' wide with panes or must match existing windows.
- Any shed, patio enclosures, or additions to house is to be set back 7 1/2 feet from the property line. Applications for exceptions are subject to review and county code.

Section-6 – Nuisances

- No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done therein which may become an annoyance or nuisance to the neighborhood or any other lot owner. i.e. stereo, power tools, outside activities, etc.
- No weeds, underbrush or other unsightly growth shall be permitted or remain on any lot.
- No refuse or brush piles or unsightly objects shall be piled up or left on lot.

Section 7 – Temporary Structures

NO TEMPORARY STRUCTURES ALLOWED

In the state of Florida, a temporary structure is defined as a structure erected for 180 days or less. Structures that are erected for more than 180 days are classified as permanent structures and must comply with the Florida Building Code and require ARC approval.

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ANY BUILDING EXTERIOR MODIFICATION REQUIRES PRIOR ARC APPROVAL AND, IF APPLICABLE, A PERMIT(S) FROM THE COUNTY. A COPY OF THE PERMIT NEEDS TO BE SUBMITTED TO THE CLUB HOUSE OFFICE ON TARTAN LAKES BLVD. PRIOR TO THE COMMENCEMENT OF WORK.

FAILURE TO SUBMIT AN ARC FORM FOR APPROVAL WILL RESULT IN MONETARY FINE OF \$500.00 (see Rules & Regulations – Page 7 – Fines)

ARC Approval Necessary for the following as well as those outlined On the ARC Info on the HOA Website

- ARC approval is necessary prior to installation, this includes, but not limited to sheds, doghouses, playhouses, fences, and above-ground pools, etc.
- Structures must be anchored in concrete.
- Shed must be installed next to the house and must be painted to match the house.
- Shed sizes may vary depending upon lot size, location and conformation with house and surroundings.
- Each case needs to be reviewed on an individual basis by the ARC and in accordance with the county code.

Section 8 – Signs

- For sale signs no larger than 18” x 24” may be displayed in the front yard.
- Realtor signs larger than 18” x 24” may be displayed and erected a minimum of 6’ from road.
- Garage sale signs of no larger than 18” x 24” may be displayed in the front yard.
- Only one sign per residence is permitted.
- No signs allowed on Common Grounds by any homeowner/resident. Signs placed on common grounds by any homeowner/resident will be removed by the Association.

Section 10 – Pets, Livestock and Poultry

- The leash law is in effect for all pets OFF owner’s property as per county and state regulations.
- Animal refuse not on owner’s property MUST be collected by the owner per county regulations.
- All unattended pets must be restrained; this includes both dogs and cats. Enclosed fence area, strip lines or auger are permitted unless the animal is proved to be an annoyance or nuisance per Section 6.

Section 12 – Architectural Control

- **ANY BUILDING EXTERIOR MODIFICATION REQUIRES PRIOR ARC APPROVAL**
- Construction must be completed within a reasonable period of time, which will be determined at the time of approval: no longer than six (6) months.
- Aluminum screened in porches is preferable, but wood is acceptable.
- All trims and siding must blend with existing architecture.
- External antennas are prohibited.
- All additional roofs must blend in with existing roof architecture.

Addendum to Article VI, Section 12: In addition to 3-tab shingle roofing, metal roofs are an option to homeowners with ARC color approval. Special Meeting 5/31/2022. Metal Roofs style adapted (Standing Seam Snap Lock Metal Panels) was adopted to Rules and Regulations. Board Meeting 1/3/2023.

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Satellite Dishes

- Only 1 meter (37.39) or under dishes are allowed.
- These must be camouflaged to satisfy the ARC Committee.
- ARC approval for dish, location, & camouflage must be obtained before installation.

- **Swimming Pools**

- Not to exceed 4 feet above ground.
- Must be anchored to the ground.
- Diameters do not exceed 18 feet.
- Pool must be enclosed in 5 ft high fenced area with a security lock. Fences must be (¾) chain link as per Palm Beach Zoning regulations. Not the standard 1 ½ chain link.
- Building permits must be obtained.
- Installation must be in accordance with all county ordinances.
- No decks are to be erected around the pool.
- Each case to be reviewed by the ARC committee.

- **Hurricane Shutters**

- To include, but not limited to plywood, corrugated metal panels, or other material used for protection from hurricane damage.
- May be installed/put up/closed no sooner than 48 hours prior to “Hurricane Warning” and uninstalled/removed/taken down within 72 hours after hurricane passes, according to local weather reports.
- The shutter channels (framework) must match the existing trim color of the property. Trim includes, but is not limited to, window frames, drip edges, cornices etc.
- Only permanently installed hurricane shutters can be used for security measures and left in the closed position with prior Board approval, only if:
 - The property is to be vacant for more than 30 days and the homeowner/resident is residing at a location that is farther than a five (5) hour drive away.
 - The permanently installed shutters need to be returned to the “open” position upon the homeowner/resident’s return.

- **Driveway(s)**

- May be painted or stained with prior ARC approval, using only the following approved colors:
 - Behr Premium Plus: Porch and Floor (Pearl C60-30)
 - Behr 1 part Epoxy Acrylic Concrete & Garage Floor Paint (Trowel C70-36).
 - Behr Plus 10 Concrete Stain (Pacif Fog 815)
 - H&S Silicone Acrylic Sealer (Gull Gray).

Section 13 - Exterior Appearance and Landscaping

- All lawns, landscaping, walkways, fences, and the exterior of units shall be maintained by the owner in first-class condition in keeping with the remaining lots in the properties.
- No tree or shrub with trunk that exceeds six (6) inches in diameter shall be cut down or removed without ARC approval.
- Planting on the common grounds is prohibited unless approved by ARC and the homeowner maintains the planted area. The right is reserved to demand a return to the natural state at any time. A release of liability must be filed with the County.

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Section 14 – Trucks, Commercial Vehicles, Campers and Boats

- Parking of recreational vehicles, boats and commercial vehicles will not be allowed in driveways or streets.
- Maximum time allowed for maintenance or stocking a boat or RV is 4 to 6 hours.
- Small Jon boats and canoes may be stored on the owner's property, if kept against the house in the rear and secured against high winds.
- Only vehicles, boats and trailers are allowed to be stored in the compound. Weight not to exceed 1 ton, and only one vehicle, boat, or trailer per assigned slot.
- All vehicles, boats and trailers in the storage compound must be movable, licensed, insured and registered with the Waterchase Homeowners Association, Inc.
- If an owner has rented their house out to a tenant, they have given up their rights and privileges to the tenant, thereby giving the compound slot to their tenant.

ADDENDUM - At the May 22, 2023, Board of Directors Meeting, the following was made and approved by the Board, "Only a homeowner can rent a compound space, and the home must be the primary residence."

- Parking in the compound must be in an orderly manner and must not block any other residents' slots in the compound.
- Abandoned items are not allowed!!!

Section 15 – Fences

- All fences require prior approval by the Architectural Review Committee (ARC); reviewed on an individual basis and must blend with existing architecture.
- Functional chain link fences and picket fences are acceptable.
- s or similar fences cannot exceed four feet in height and must be greater than 50% visibility.
- Chicken wire, split rail and decorative perimeter fences are prohibited.
- Decorative perimeter fences are prohibited.
- Chain link fences are not to exceed five feet in height, must be in tight proximity to the house and will be handled on an individual basis by the Architectural Review Board (ARC).
- Solid wooden or privacy/PVC fences around the exterior perimeter of the yard are prohibited.
- Privacy fences are only allowed around garbage receptacles and AC units not to exceed 6' in height and must be anchored to the ground by concrete.
- All functional fences and hedges are allowed on the side from the most front post point of the house to the rear of the owner's property. No common grounds to be utilized.
- Fences not to extend in from most of neighbor's house front.
- The owner is required to honor easements.

Section 16 – Garbage and Trash Disposal

- All trash and garbage must be in acceptable trash containers.
- Garbage containers must be stored behind bushes or walled in area.
- Garbage containers should be set out no earlier than (6 p.m.) the night before pickup day (usually Wednesday). Empty containers should be removed from the curbside no later than the evening of pickup.
- All yard waste should not placed at the curb until the day before pickup (Friday evening.)

Section 17 – Drying Areas

- No clothing, laundry or wash shall be aired or dried on any visible portion of any lot that exposes it to view from any other lot.

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Section 24 – Disturbance, Restrictions, Rules and Regulations

- No owner lessee, their guest or visitors shall make or permit any disturbance that will interfere with the rights, comforts or convenience of others.
- All owners, family members, renters and guests will abide by the Documents and Rules and Regulations of Waterchase Assoc. Inc.

Section 25 - Restrictions on Parking of all Vehicles

- Parking is not allowed on another property owner's lawns, common areas, or county easements.
- Parking is allowed on property owner's lawn only as follows: Only 2 side wheels can be on a property owner's lawn, and the remaining 2 side wheels must be on the street (no more than half (1/2) of cars width to be on the lawn). This will be allowed only due to access of emergency vehicles.
- No parking permitted if it would disrupt or impede the flow of traffic.
- The parking or storing of all vehicles determined by the Board of Directors to be sub-standard are strictly prohibited.
 - o The term "substandard vehicle" shall be defined as any automobile, truck, or modified or homemade vehicle that is missing material factory parts; has a battered, dented, rusted or otherwise damaged body; has flat tires, broken windshields or windows or is otherwise illegal for street use pursuant to appropriate law and county code, or has machinery, materials or other commercial tools of the trade exposed. Such sub-standard vehicles shall not be allowed on a lot, driveway, street or compound at the Waterchase Homeowners Association. The determination as to the Waterchase Homeowners Association and any such determination shall be final and binding.

ARTICLE VII

Section 2 – Notice to Association prior to Sale or Lease of a Lot in the Association

- Prior to the purchase or the lease of any real property within the Waterchase community, a prospective Buyer or Owner shall make an application in writing to the Board of Directors and must be approved by the Board of Directors prior to the occupancy of said real property. The cost of the application process is a non-refundable \$100 (one hundred dollars) and must be paid at the time the submission of the application for occupancy is made to the Board of Directors. An application packet is available from the Management and may be picked up by request from the Board of Directors. Once the Board of Directors approves a prospective Owner or Tenant, not to occur more than 30 days after receipt of a submission/application by the Lot Owners, a Certificate of Approval will be issued and in case of a prospective owner, such Certificate of approval shall be presented to the title company prior to the closing date.
- No owner may sell, devise, rent, gift or otherwise transfer to his/her Residence (excluding a trust).

Section 3 - Leasing Restrictions

- Any real property within the Waterchase community purchased after the date of the adoption of this rule shall not be leased for a period of two (2) years from the date of closing of the same.
- Should a real property within Waterchase be under a lease agreement at the time of a purchase, the property owner shall notify the Board of Director in writing within fifteen (15) days of the date of the closing transaction of the name of the tenant(s), the term of the lease, and shall attach a copy of the lease agreement to his/her notice to the Board of Directors. Upon the expiration of the lease term, the Owner is prohibited from leasing the real property for a period of two (2) years from the date of such termination of the existing lease agreement unless current tenant(s) is (are) approved by the Board of Directors.

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Section 3 - Leasing Restrictions (continued)

- Residences may be leased, licensed, or occupied only in their entirety and no fraction of portion may be rented. No transient may be accommodated in a residence. All leases or occupancy agreements shall be in writing and a copy of all leases of Residence shall be provided to the Association. No Residence may be subject to more than one (1) lease in any twelve (12) month calendar period, regardless of the lease terms. No time-share or other similar arrangement is permitted. The owner must make available to the lessee or occupant copies of the Association Documents. No lease term shall be less than one (1) year. All occupants are limited to two (2) people per room, a room is defined as a bedroom having windows, but not including a family room, media room, living room or other non-designated rooms as provided on the original plans for the unit.

Section 4 - Application for Leasing and Sale, Association Approval and Disapproval

- If the Association fails to give the Resident/Owner written notice of its approval or disapproval of the proposed lease, the lease shall be deemed acceptable to the Association. Any attempt to lease or sell prior to satisfying the above regulation shall be deemed null and void if the Owner is delinquent in his/her maintenance assessment or special assessment due to the Association. Once current, the application may be resubmitted and shall be considered in accordance with the other provisions of the section.
- Approval of the Association will be withheld only with a majority vote by the Board of Directors. The Board shall consider the following factors and only the following may be deemed to constitute good cause for disapproval:
 - o The person seeking approval has a record of financial irresponsibility.
 - o The owner requesting the transfer has had fines assessed against him or her that have not been paid; or all assessments and other charges against the unit have not been paid in full.
 - o If the Owner is currently violating the Association's Restricting Covenants.
- At the sole discretion of the Board of Directors, it may require the tenant or Owner to post a security deposit with the Association, in addition to any security deposit required by the Owner, in the amount not to exceed one (1) month rent for the purpose of defraying any costs for damage and upkeep to the common areas. All such deposits shall be treated by the Association as required by Chapter 83 or the Florida Statutes.

ARTICLE IX

Section 1 – Compliance by Owners- Keys and Document

- The pool key and Waterchase Documents shall be turned over to the new owner from the previous owner upon transfer of property.
- The Compound key must be returned to Waterchase Homeowners Association on, Inc, when the property is sold.
- A replacement pool key will cost the owner \$75.00.

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Section 3 - Fines

- Any failure to acquire Architectural Review Committee (ARC) approval and required permit(s) will result in a fine.
- If it becomes necessary, Waterchase Homeowner' Association Inc. will fine and prosecute homeowners that are in violation of the Documents or the Rules and Regulations.
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ADDENDUM - At the July 28, 2025, Board of Directors Meeting, the fine amount for failure to acquire Architectural Review Committee approval and required permit(s) was adjusted to five hundred dollars (\$500.00).

