

# **BAYTOWNE WEST HOMEOWNERS ASSOCIATION**

*Website - [www.baytownewest.com](http://www.baytownewest.com)*

*Email - [hoa@baytownewest.com](mailto:hoa@baytownewest.com)*

## **GENERAL RULES**

*Effective February 1, 2019, and supersedes previous rules*

### **Table of contents:**

- Unit Rules (1-9)
- Unit Appearance (10-18)
- Signage (19-21)
- Insurance Requirement (22)
- Alterations (23-31)
- Easements (32-34)
- Common Area Rules (35-37)
- Sales & Rentals (38-40)
- Violations & Fines (41-45)
- Parking Regulations (46-59)
- Pool Rules (60-76)

### **Unit Rules**

1. Home occupancy is limited to two (2) persons per bedroom and no more than five (5) persons per unit. (Article VII, Section 7.1)
2. Homes may be used for residential purposes only. No trade, business or professional usage is permitted. (Article VII, Section 7.5)
3. Gas tanks, cylinders, containers, flammable or volatile liquids may not be stored on any lot. (Article VII, Section 7.11)
4. Open fires are not permitted on any lot at any time for any reason. (Article VII, Section 7.14)
5. Aluminum foil, reflective film or similar treatment may not cover any window or glass door. (Article VII, Section 7.15)
6. Wells, tanks, tunnels, drilling devices, etc. are not permitted. (Article VII, Section 7.20)
7. Machinery or devices that interfere with radio or TV reception is not permitted. (Article VII, Section 7.21)
8. Feeding of any wildlife (squirrels, birds, ducks, egrets, ibis, heron, raccoons, possums, etc.) is prohibited on any lot or common area of Baytowne West including the lake. Hand feeding and bird or squirrel feeders are strictly prohibited.

9. The City of Safety Harbor noise ordinance for entertainment noise, yelling, shouting, etc., in Baytowne West, prohibits these noises between 10:00 pm and 7:00 am on any day. See the City of Safety Harbor Code of Ordinances, Chapter 15, Section 15.03 for a complete description of Prohibited excessive or unnecessary noises.

### **Unit Appearance**

10. All dwellings must be maintained in a neat and attractive manner at all times. Rear stoops, entry/rear alcoves, uncovered patios, sidewalks, screen doors and front doors must be maintained and kept neat and clean. Specific examples of items prohibited by this section are as follows: nothing may be stored on the rear stoop, or in front of and on the exterior of the unit; all gardening tools, ladders and equipment must be stored out of sight; recycling boxes must be stored out of sight; no athletic equipment, such as backboards for basketball, may be stored outside the unit; no statues over eighteen (18) inches may be placed on the lot, and no window air conditioners or window fans may be installed in the unit. The preceding list is not intended to limit the scope of this rule. (Article VI, Section 6.3)"
11. Trash, garbage cans or accumulation of trash or garbage is not permitted outside any individual home. (Article VII, Section 7.14)
12. All visible outside stucco walls must be painted with the Baytowne West HOA approved paint and match other outside walls. Outside front doors and outside trim areas must also be painted with HOA approved paint. The paint specification for outside walls, front doors and trim is available on the Baytowne West HOA website under the forms tab.
13. When the HOA contracts painters to complete any painting work, access to any Patio, Lanai, Screened Porch, etc. will be required.
14. Any stucco repair work completed by the owner, door replacement, repair around windows after replacement, etc. on the outside of the unit must be painted within a month of work being completed with the HOA approved paint colors.
15. Within the Entry Alcove: Nothing may be hung from (or below) the fascia, ceilings, soffit or lintel at any time, except holiday decorations at the appropriate time. Personal items may be attached to the walls as long as they are no larger than 3 square feet and projects no more than 2 inches from the wall.
16. Outside the Entry Alcove: One item may be attached to the exterior wall under the light or address, as long as the item is no larger than 18 square inches and project no more than 2 inches from the wall.
17. Rear Alcove: Nothing may be hung from (or below) fascia, ceiling, soffit or lintel at any time. Nothing may be attached to the walls. Within the rear alcove, all acceptable items (see rule #10 for a partial list of what is not acceptable) must be

located on the cement or patio portion of the back area, except moveable planters that are allowed on the dirt/grass area directly behind your unit.

18. Patio, Lanai, Screened Porch, and Vinyl Porch: Anything that is visible to a person walking by must comply with the rules for the Rear Alcove. Blinds and shades may be installed on screened porches or vinyl porches so that the interior is not visible to those walking by.

### **Signage**

19. Rental signs must be displayed from within the home. External signs are not permitted except "FOR SALE" and "OPEN FOR INSPECTION" signs. The signs may be no larger than 36" W x 24" H, fastened to a stake in the ground and not exceed three (3) feet above ground surface. "FOR SALE" signs are not allowed to be posted on automobiles within the community. (Article VII, Section 7.17)
20. No commercial or business/professional signs are allowed anywhere on the property other than as stated in number 19 above, no commercial vehicles are permitted to be parked within Baytowne West unless in connection with the provision of services to the Association or unit owner. Specific examples of vehicles prohibited by this section are as follows: vehicles which have signs or lettering, ladders or tanks, work lights or tools not stored within enclosed storage areas or taxicabs. However, work lights are permitted if they are original equipment on the vehicle. The preceding list is not intended to limit the scope of this rule. (Article VII, Section 7.17)
21. Wooden homeowner name or address signs (plates) may be attached to the front entrance of your home following approval of the Architectural Control Committee. (Article VII, Section 7.12)

### **Insurance Requirement**

22. Homeowners must maintain casualty and liability insurance at all times for each unit owned and must provide proof of coverage to the Board upon request. Casualty insurance must be at replacement cost values and include Hurricane (wind) coverage. Liability coverage must be at least \$100,000 of coverage. The insurance policy must be a Homeowners policy, or Dwelling Fire policy if tenant occupied. A condominium insurance policy is not acceptable since it will not provide insurance coverage for outer walls, etc. It is the homeowner's responsibility to make sure a copy of the new policy with coverage details, that meets all requirements stated above, is provided to the Baytowne West HOA Board of Directors at least 2 weeks prior to the policy expiring. If a copy of the policy is not received within 2 weeks after expiration, or being changed, or going into effect for a new homeowner, the homeowners will be fined \$100.00, with an additional \$100.00 per week (\$1,000.00 maximum) until the policy is received by

the Baytowne West HOA Board of Directors. This fine is to ensure that owners carry insurance and to recover the cost of follow-up with homeowners, as well as any attorney's fees. Homeowners should add Baytowne West HOA, 1355 Wickford St, Safety Harbor, FL 34695 as an "Additional Interest" or "Other Interest" to the homeowner insurance policy to ensure that Baytowne West HOA receives timely updates to insurance policies direct from the insurance company. (Article VI, Section 6.7)

## **Alterations**

23. No landscape alterations may be made, including planting of trees and bushes, without prior written approval of the Architectural Control Committee via Application for Alteration and/or Addition form available at the Baytowne West HOA website on the Forms tab. (Article VII, Section 7.3)
24. Examples of alterations requiring prior written approval of the Architectural Control Committee (ACC), and any permits required, includes: Water softeners, gutters, storm doors/screen doors, window replacement, roof replacement, patio, lanai, screened porch, vinyl porch installation, room addition, exterior doors, etc.
  - a. All alterations must be installed in accordance with the specifications ( or guidance) Approval via Application for Alteration and/or Addition form available at the Baytowne West HOA website on the Forms tab.
  - b. Work initiated without ACC approval is subject to a minimum of \$100.00 fine and up to \$1,000 fine.
  - c. Any work completed prior to ACC approval and in conflict with HOA rules, must be corrected at homeowner's expense within 30 days. In addition, any damage caused to HOA property, such as the irrigation system, etc. during performance of work will be corrected at the homeowner's expense. (Article VII, Section 7.11)
25. Carports may not be constructed or awnings hung. Trellises may not be installed without the written approval of the Architectural Control Committee via Application for Alteration and/or Addition form available at the Baytowne West HOA website on the Forms tab. Trellises will only be allowed outside screen porches and will not be approved to be installed against walls. (Article VII, Section 7.8)
26. No mailboxes may be erected on any lot. (Article VII, Section 7.13)
27. Clotheslines or other drying devices external to the home are not permitted. (Article VII, Section 7.15)
28. Antennas, aerials, and "dishes" of any type, external to the home are not permitted except with prior written approval of the Architectural Control Committee pursuant to Article V, Section 5.1. via Application for Alteration and/or

Addition form available at the Baytowne West HOA website on the Forms tab and any required permits. (Article VII, Section 7.15)

29. Gates, fences or hedges may not be installed or erected without prior written Board approval via Application for Alteration and/or Addition form available at the Baytowne West HOA website on the forms tab and any required permits. (Article VII, Section 7.18)
30. Installation of any Solar devices must have prior written approval by the Architectural Control Committee via Application for Alteration and/or Addition form available at the Baytowne West HOA website on the Forms tab and any required permits. (Article VII, Section 7.22)
31. Any physical or color change made to the exterior of any dwelling must have prior written approval by the Architectural Control Committee via Application for Alteration and/or Addition form available at the Baytowne West HOA website on the Forms tab and any required permits. (Article V, Section 5.1)

## **Easements**

### **32. Rear of Building, Survey and Easement Restrictions.**

- a. The building of a patio, lanai, screened porch, vinyl porch, room additions, etc. at the rear of the original structure may not extend more than 12 feet beyond the original structure. Landscaping, including plants, bushes, planters, etc., may extend an additional 2 feet beyond this 12 foot maximum (total of 14 foot maximum) at the rear of the structure. However, they may not extend into the utility easement. All work must have the prior written approval of the Architectural Control Committee via Application for Alteration and/or Addition form available at the Baytowne West HOA website on the Forms tab and any required permits. All application permits must be included with the ACC application form. Also, a current certified survey must accompany the ACC application form.
- b. Any patio, lanai, screened porch, vinyl porch, room additions etc. that currently extends into the utility easement are at risk if a utility company needs to access or dig in the easement. Baytowne West HOA is only responsible for original sidewalks on the utility easement. Homeowners are responsible for damage to any patio, lanai, screened porch, vinyl porch, room additions, etc. built on an easement.

### **33. Side of Building (end of Building Units)**

- a. The building of a patio, lanai, screened porch, vinyl porch, room additions, etc., at the side of the original structure is not approved.

### **34. Front of Building**

- a. The building of a patio, lanai, screened porch, vinyl porch, room additions, etc., is not approved.

## Definitions

- a. Patio - open area of concrete, tile or pavers
- b. Lanai - roof structure with open sides and floor.
- c. Screened Porch - white aluminum screened enclosure with roof and floor.
- d. Vinyl Porch - white aluminum enclosure with vinyl windows, roof and floor.
- e. Room Addition - stuccoed wall enclosure with roof and floor.
- f. Landscaping - potted plants, planted flowers, planted bushes, etc.
- g. Sidewalk - footpath made of cement, pavers, etc.
- i.

## Common Area Rules

35. Garbage must be bagged and tied. Garbage may not be piled on top or alongside dumpsters. If the dumpster is full, call Safety Harbor Sanitation, 727-724-1550, for pickup within twenty-four (24) hours. All cardboard or similar boxes should be flattened so they will lie flat in the dumpster. Call the Sanitation Department for large item pick up - do not leave items outside the dumpster. A \$100 fine can be assessed to the homeowner for violations.
36. No personal property may be stored or parked on any common area. (Article VII, Section 7.5)
37. The speed limit on all Association area roads is 15 MPH.

## Unit Sales & Rentals

38. Sales: The Board requires written notification of the sale of each unit prior to occupancy or following the closing and a copy of the Homeowners Insurance provided to the Association. Homeowners or their agents are required to complete a "Registration Form" which may be obtained at the Baytowne West HOA website on the Forms tab or current management company, and to submit the Form to the Association, along with a \$50.00 fee.
39. Rentals: Homeowners or their agents are required to complete a "Registration Form" which may be obtained at the Baytowne West HOA website ([baytownewest.com](http://baytownewest.com)) on the Forms tab or current management company, and to submit the Form to the Association, along with a \$50.00 fee. The Homeowner must supply the Board with a copy of all leases, prior to occupancy of each tenant, and the lease must state that tenants have to adhere to the Baytowne West (BTW) General Rules, as well as the Declaration of Covenants, Conditions & Restrictions. Otherwise. Violations may result in a fine of \$100. (Article VII, Section 7.1)
40. The Homeowner's use of recreational facilities is relinquished to the tenant, automatically, if the home is rented. The owner shall not be entitled to use the common areas during any period that the dwelling is leased, unless said Owner resides in a separate unit within the community. (Article VII, Section 7.1)

## **Violations & Fines**

41. Residents (tenant or owner) who violate Baytowne West HOA Rules, etc., will be notified of the infraction. After that initial notification, the homeowner is notified of the ongoing infraction. If uncorrected, additional action may be taken as described in the Fining Process document available at the Baytowne West HOA website on the Rules & Regulations tab. Unpaid fines will accrue late charges and this may result in a lien on the property.
42. Homeowner requests and complaints must be expressed in writing for action to be taken. They must be sent to the Baytowne West Homeowners Association, 1355 Wickford St., Safety Harbor, FL 34695, or current property Management Company, if any.
43. The Board of Directors reserves the right to suspend the Homeowner (or their Tenants) from the use of the recreation facilities for repeated rule violations and/or unpaid common charges. The length of the suspension is to be determined by the Board based upon the offense max (60 days). Such action will not relieve the Homeowner of his/her financial responsibilities in any way. (Article II, Section 2.1 (a))
44. Homeowners shall be responsible for all violations of any community rules by their guests, lessees or renter of his/her unit. Said unit owner shall be subject to such fines or penalties the Board may legally impose for each violation. (Article VII, Section 7.1)
45. The association may impose fines in accordance with Chapter 720 of the Florida Statute. The Bylaws and the Statute require that the party to be fined receive at least 14 days notice of an opportunity for a hearing before an impartial committee. The notice should include the issue which the Association considers a violation and the relevant section of the documents. The committee may impose a fine up to \$100 for a violation and up to \$1,000 for a violation which continues on a daily basis. Once the Committee has a hearing, the Board of Directors should subsequently formalize the fine and adopt the finding of the Committee and show the unpaid fine as an amount due from the unit. The Association, through the Board of Directors, would also follow up with a letter to the unit owner regarding the fine and the date the fine is to be paid.

## **Parking Regulations**

46. The Association, through the Board of Directors, shall designate two (2) parking spaces for exclusive use of the occupants of said dwelling. Private vehicles may be parked only within designated parking spaces for said dwelling. You may not park in any other spot, including overnight at the pool or in guest parking spaces,

unless it is with permission from the Homeowner or the Board. (Article VII, Section 7.10)

47. Boats, campers, RVs or trailers may not be parked or stored at any time within the community, except on a temporary basis of no longer than 2 days. Any exception must be approved by the Baytowne West HOA Board of Directors. (Article VII, Sections 7.7 & 7.10)
48. Vehicles larger than a parking space are not permitted. (Article VII, 7.10)
49. Parking or driving on homeowners'/tenants' lawns or other grassed common area is prohibited. (Article VII, Section 7.10)
50. Vehicles may not obstruct sidewalks, dumpsters or other common elements. Vehicles in violation will be towed at the owner's expense. (Article VII, Section 7.10)
51. Guest parking is allowed immediately behind the homeowner's assigned parking space, but not overnight. (Article VII, Section 7.10)
52. Guest may also park in designated guest parking spaces, but not overnight unless permission is given by the Board or the Management Company. (Article VII, Section 7.10)
53. Parking on any Baytowne West community street overnight is not permitted. (Article VII, Section 7.10)
54. Motorcycles may be parked in your assigned parking spaces only. They may not be parked on sidewalks, porches, lawns or inside the building. They must be a minimum of 10 feet from the building at all times due to fire hazard. (Article VII, Section 7.10)
55. Minor automobiles/truck repairs are allowed on an emergency basis. No major repair or body work is permitted.
56. Frequent violators of the parking regulations will have their vehicles towed at their expense.
57. Parking in front of a dumpster or tree embankment will result in immediate towing at owner's expense.
58. All parked vehicle must be operational and have current license tags.
59. Portable temporary storage/moving containers (i.e., PODS, etc.) can only be parked in a homeowner's space and must be for short durations, 3 days or less. Any exceptions must be approved by the Board of Directors.

### **Pool Rules**

60. There is no lifeguard on duty!!! Swim at your risk!!! No diving!!!
61. Pool hours are 8:00AM until DUSK.
62. Recreational facilities are restricted to homeowners, tenants, and their invited guests.
63. Homeowner/tenant/guest must have a pool key when using the facilities.



64. Children under 16 must be accompanied by an adult 18 years or older.
65. Any and all glass containers are prohibited within the pool fenced area. Food, and drinks are not allowed within 4 feet of the pool or spa edge.
66. Skateboards, bikes, skated, etc., are not allowed within the pool fenced area.
67. Anyone in diapers must wear rubber pants.
68. TRADITIONAL SWIMWEAR REQUIRED. NO CUT-OFFS OR STREET CLOTHES IN POOL OR SPA.
69. Towels are required to cover chairs or lounges when using tanning oils/lotions.
70. No rafts, tubes, toys, or floats permitted inside the pool or spa except water wings for children, paddle boards 3ft square, and infant inflatable seats.
71. HOMEOWNERS/TENANTS/GUEST MUST USE TRASH CONTAINERS/ASHTRAYS AND PICK UP AFTER THEMSELVES BEFORE LEAVING RECREATIONAL AREA.
72. Excessive noise, profanity, or running within the pool fenced area is prohibited.
73. Animals are not permitted inside the pool or spa fenced area.
74. Person with skin abrasions, open sores, inflamed eye, nasal or ear discharges are prohibited from use of the pool or spa.
75. No activity by a member or guest of a member at the community pool may interfere with others' use of the pool. Providing group swimming lessons or operating a business providing swimming lessons at the pool are both presumed by this rule to interfere with others' use. A group swimming lesson is when two or more students are provided lessons simultaneously. No one may charge for swimming lessons provided at the community pool. Weddings and parties are only permitted at the pool if they have been approved by the Association in advance and do not interfere with others' use of the pool.
76. PLEASE NOTE: IF GLASS IS BROKEN IN THE POOL AREA, THE POOL WILL BE CLOSED WHILE IT IS DRAINED AND VACUUMED. THIS IS DONE AT THE COST OF THE ASSOCIATION AND WILL BE BILLED TO THE UNITS HOMEOWNER!