

# WINDSOR ESTATES HOMEOWNERS' ASSOCIATION COMMON AREA RULES, REGULATIONS & RESTRICTIONS

## **DEFINITION**

Common areas are those areas including the recreation area, streets, sidewalks, lakes, playground, tennis court, basketball court and immediate surrounding areas and common entrance.

## **LIABILITY**

The Association assumes no responsibility or liability for the use of the common area by owners and their guests.

Homeowners are financially responsible for damage done to common areas or recreational facilities by any family member or guest. This includes but is not limited to play equipment, fencing, roofs, drywells (street drains), entry and exit gate systems including the four gates, the residence directory, the pedestrian gate, the perimeter fencing, and any other surface or object considered as "common area".

## **USE OF COMMON AREAS**

The common area facilities are designed for the exclusive use of Windsor Estates residents and accompanied guests. Unauthorized individuals may be asked to leave the premises.

Any common sidewalks, driveways, or passageways shall not be obstructed. Trees hanging over any common sidewalks, driveways, or passageways shall be trimmed up to 7 feet above ground level.

No skateboards, skates, roller blades, scooters or bicycles are permitted on the basketball or tennis court.

No barbecuing or picnicking in common areas without the prior written approval of the Board of Directors.

Homeowners are responsible for any common area damage caused by them, or a member of their household, guests, or pets.

The recreational areas are closed for use after sunset.

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## **SURVEILLANCE CAMERA PROTOCOL**

The Association has entered into an agreement with a contractor for the installation of cameras at the entry gates and the Recreational Area located on Windsor Estates Drive. This protocol is intended to identify the persons authorized to view images produced by the cameras and establish a retention policy.

1. The viewing of video from the cameras shall be limited to the following personnel:

- Active Association Directors
- Employees of any management company now or hereafter employed by the Association to manage the Association.
- Law enforcement personnel investigating a crime or damage reported to the law enforcement agency by the management company or an Association member.
- Employees of the company (if other than the Association or management company) which owns/maintains the video recording equipment.
- Such other individuals, including law enforcement, as shall be hereafter authorized from time to time in writing by the Association President or Vice President on a case-by-case basis.

2. It is the intention of the Association to retain video recordings for only so long as is necessary to respond to incidents involving damage to Association property or in furtherance of investigations related to private property where such video recording may contain information useful in the furtherance of such investigations. Except pursuant to a written request from a resident of the Association to retain video recording pursuant to an investigation of an incident related to private property, the Association shall not be required to retain video recording in excess of 10 days.

3. Video retained pursuant to the request of a resident shall only be viewed by such individuals who are approved by either the President or Vice President of the Association.

4. All costs incurred by the Association related to the retention/review of video recordings pursuant to a written request from a resident, shall be fully chargeable to the resident.

## **FISHING**

All residents of Windsor Estates may fish in the common area along the south shore of the lake inside Arlington Circle that is not behind a residence. All residents of Windsor Estates may fish on their property in the lake directly behind their residence. Residence of Windsor Estates must obtain written permission from the owner to fish behind a residence that is not owned by them. It is considered trespassing to fish on the property of another without their written permission and the owner is encouraged to contact the Brevard Sheriff's Office to have them removed. **Fishing is catch and release only.**

## **GARBAGE/TRASH/RECYCLE CONTAINERS**

This policy clarifies the placement of garbage/trash/recycle containers, so they are not unsightly. These containers must be stored so as to not be visible from the street on non-collection days. They may be stored in either a garage, an approved shed, behind an approved fence, or behind shrubs of a height at least equal to the height of the containers. The visibility of these containers will be determined from the property owner's sidewalk, looking down the side of each residence. Containers placed in the rear of any residence must not be visible from any other resident's lot.

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## CHILDREN/MINORS

Children five (5) years and under should be accompanied by an adult when in the recreational area. Parents and guardians shall be held responsible for the actions of their children and their guests.

## PETS

Pets must be restrained on a leash or in a cage and accompanied by an owner at all times when in the common areas.

Pet owners are responsible for the immediate removal of waste caused by their pets and may be liable for fines.

Pet owners shall not allow their pets to disturb other residents by constant or loud barking, whining or other noises, or by noxious odors.

If any pet becomes a nuisance, restrictive action will be taken. All animals shall be the exclusive responsibility of the pet owner or caretaker. Damage to shrubbery, etc., by animals will be at the expense of the pet owner or caretaker.

It has recently become news worthy that certain breeds of dogs have attacked pets, children and adults, maiming some and killing others. They have been identified as aggressive and dangerous and are known to have caused serious injury and death. Dogs prohibited from the recreation area are: **Pit Bulls, Rottweilers, Doberman Pincers, German Shepherds, Chow Chows, Mastiffs, Akitas** and any other dog that has displayed aggressive tendencies.

## PARKING

In addition to the restrictions already listed in the Covenants and Restrictions:

Any parking on the landscaped areas throughout the entire development is absolutely prohibited at all times.

Parking in the lot adjacent to the recreation area is **ONLY** to be utilized while using the recreation area or for pick-up or drop-off of guests or residents.

Parking shall be in accordance with posted signs.

## TENNIS/BASKETBALL COURT RULES

Only athletic court shoes may be worn on the court.

Skateboards, skates, roller blades, bicycles or scooters of any kind are not allowed on courts.

Animals are not allowed on court surfaces.

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Glass containers are not allowed in the recreation area.

Players must yield the court after one hour of play if other players are waiting.

The tennis court is to be used for the purpose of playing tennis or pickle ball and the basketball court is to be used for the sole purpose of playing basketball. No other activities are permitted on the courts.

## **NOISE**

No resident or guest shall cause or permit any noises to be made in the common area that interferes with the peace and quiet of other residents. Windsor Estates use the Brevard County noise abatement ordinance as a standard of reference.

## **POSTED TRAFFIC SIGNS**

All residents and guests are required to abide by all traffic signs and markings on the streets.

## **LICENSED DRIVERS**

No gas-powered motor vehicle of any type maybe driven or operated on the streets by anyone except licensed drivers. Additionally, operation of any motor vehicles within Windsor Estates H.O.A. must conform with all Florida (state) and Brevard (county) traffic laws and regulations.

## **ENFORCEMENT PROVISIONS**

Enforcement of Common Area regulations will be in accordance with Article VI "Enforcement Provisions" in the Windsor Estates' Declaration of Covenants, Conditions, and Restrictions.

### **ADOPTED:**

Architectural Review/Control Committee Dated: 5/21/02

Revised: 6/15/04

Board of Directors *signature on file* Dated: 05212002

*Joe Jenne-President - WEHOA*

Revised 06152004

*Signature on File*

Neil Sugarman-President - WEHOA

Revised 121818

Board of Directors

*Signature on File*

Charles Rikli-President WEHOA

Revised 08172021

Board of Directors

*Signature on File*

William Johnson-President WEHOA