



BELLA  
VISTA

## **Bella Vista Condominium, Inc.**

**2515 S. Atlantic Avenue**

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### **Bella Vista Rule & Regs**

### **ENFORCEMENT OF RULES**

**Approved 7/28/22**

**Effective 10/1/22**

1. Upon the occurrence of a violation, the Board shall notify the Unit Owner, tenant or invitee of the date, time, place and type of violation in a friendly manner. The parties are notified that a fine is accessible for reoccurrences of the violation. A copy of the applicable rule shall be included, A copy of the notification shall be on record with the Board. An office of the Board (secretary) shall be in charge of sending these notices. The Board responsibility for enforcement of these rules rests with the Board and not with the Rules Committee.
2. No fine may be levied except after giving reasonable notice and opportunity for a hearing to the Unit Owner and if applicable, his licensee or invitee. The hearing must be held before a committee of Unit Owners, If the committee does not agree with the fine, the fine may not be levied.
3. The Association must adopt a written procedure as part of the Association Bylaws or Rules. That procedure, in general terms, must provide for a hearing if requested with at least 14 days' notice of the hearing date, time and place. Additionally, the must include a statement of the provision of the Declaration of the Condominium, Bylaw or Rule which has been violated, as well as a short, plain statement of the Association's position. The party against whom a fine is sought to be levied must be afforded the opportunity to respond, present evidence, provide written and oral argument all issues and review, challenge and comment on any material considered by the Association.

4. The Board shall appoint a Covenants Review Committee which shall consist entirely of Unit Owners other than Board members, and which shall be charged with conducting the hearing and rendering the decision with regard to the levy of fines. The committee shall report findings to the Board for further action.
5. The Board may levy fines up to the maximum allowable by law.
6. Mediation, arbitration or legal action may be undertaken against a Unit Owner for not paying a fine.

### **GENERAL**

1. The public hallways, sidewalks, driveways and stairways shall not be obstructed or used for any purpose other than ingress to and egress from the residence. Door mats may be placed at the door of each Condominium as long the mat does not create a tripping hazard in accordance with city fire code. Shoes or other items shall not be placed or stored in the walkways or in any common area.
2. Noise which disturbs others shall not be permitted if avoidable. Sliding glass doors and screens shall be operated slowly and as quietly as possible. The volume on television, radio, stereo or other musical and sound devices shall be turned low at all times, especially during the hours from 11:00 P.M. to 8:00 A.M. daily.
3. Toys and vehicles, such as tricycles, bicycles, skates, skateboards, scooters and the like which are ridden or propelled shall not be utilized on any balcony, breezeway, or in any of the common elements and common areas of the buildings or grounds. The operation of such equipment in the garage areas is prohibited at all times.
4. Responsibility for repair of damage caused to common areas, common elements, limited common elements, including but not limited to elevators, walls, landscaping, appurtenances, properties or equipment will be that of the owner of the unit whose family, guest, or lessee caused such damage. The owner will be responsible for all costs, **including damage to walls from carts.**
5. Except for Christmas lights or displays and the United States flag, and on Armed Forces Day, Flag Day, Independence Day, and Veterans Day may display in a respectful way portable, removable official flags, not larger than 4 feet by 6 feet, that represent the United States Army, Navy, Air Force, Marine Corp., no sign, signal advertisement or illumination shall be inscribed or exposed on or at any window, **door** or other part of the building, unless approved in writing by the Association.
6. No outside shades, awnings or window guards shall be used, except those put up or approved by the Association.

7. Hurricane Shutter installation is permissible as pursuant to Florida Statute. Information on the type, style, and specifications that must be used is available in the Management office.
8. Smoking in the elevators is specifically forbidden and punishable by State law. Elevators shall be kept clean and free of sand and debris. Proper attire must be worn at all times (shoes, shirts, cover-ups).
9. Names or signs are not permitted. Management will specify and procure identification signs for use on the mail box, directory and intercom panel.
10. Common areas, common elements and limited common elements shall not be used for the storage of furniture or other personal property, hazardous or flammable materials may not be stored anywhere on the property.
11. Beach and swimming attire may be worn only with appropriate cover-up in elevators and lobbies. All persons must dry themselves or their children before entering the building.
12. The exterminator must be permitted entrance into each condominium by owners or occupants to insure maintenance of adequate control of bugs and insects.
13. Eating of food, drinking of beverages and littering of any kind, is prohibited in the lobby, elevators, walkways and common indoor areas other than club room.
14. Footwear must be worn to and from the pool area.
15. Keep your units secure; however, management must have reasonable access for repairs and immediate access for emergencies. **A key to your unit must be provided to management.**
16. Owners who are absent MUST shut off the main water valve and small appliances.
17. Pursuant to Florida Statute 718 and as provided in the By-Laws of the Association, the Board may levy a fine of \$100 per day, not to exceed a total of \$1000 per infraction with proper notice to cure the defect or infraction.
18. Key Boxes & Lock Boxes are not permitted anywhere on the premises.
19. Association equipment & tools are not for the use of individual Owners.
20. The management office, **Association staff, HOA board President and Vice President** have exclusive use of any and all master keys specifically for the performance of their duties and may not be given to anyone.

21. Water is a valued commodity and part of the expense of the Association in the form of collection of maintenance fees. Every Owner is responsible to see that any leak of any kind in the condominiums is corrected immediately. The same holds true for the sewer system inasmuch as the common expense is based on water consumption. Things such as infant diapers, sanitary wipes and other hygiene products are not to be flushed in the toilets.

22.) Braided water supplies must be used on clothes washers and hot water heaters require a pan underneath.

23.) Annual inspections of railings, toilets, faucets and showers will be performed by maintenance. At least 24 hour notice will be provided to owners prior to inspection.

### **RENTING AND LEASING**

1.)As per the Declaration of Condominium the minimal rental period is 30 days and no shorter. This is also consistent with city ordinance for the Bella Vista as permitted.

2.)There is a \$100.00 Administration Fee required for all leases.

3.) All rental agreements or leases must be submitted to the management office for approval one month prior to the tenant taking occupancy. Any lease submitted less than 15 days prior to the planned tenant occupancy date will require a \$150 Administrative Fee for approval.

4.) Along with the rental agreement, **the Association requires a signed receipt from the Tenant which indicates the Tenant has received, read and understands these rules and regulations.** The Association also requires a Tenant Information form indicating precisely who will be in occupancy, their home address and other basic information. These forms can be obtained from the management office or the Association web site.

4.a) **A hard copy of the Rules & Regs must be placed in any unit that is leased.**

5.) Any violation of these rules and regulations is subject to the fining procedure pursuant to the condominium documents and F.S. 718 of \$100 per day up and up to \$1000 per event.

6.) Condominium Owners are responsible for the actions of their agents/rental firms, if any.

7.) At no time may any condominium in the Bella Vista be advertised for rent for a period of less than 30 days.

8.) Dual Usage is prohibited as provided for in Florida Statute governing Condominium Associations. Inasmuch as the minimum rental period is 30 days, no lease or rental agreement may be entered into by any party for a lesser period of time. During the 30 day period, the Tenant has sole rights to occupancy and use of the common areas and amenities whether or not the Tenant remains in occupancy for the entire period. This is in no way intended to interfere with basic Landlord rights

where the Owners would have the right to enter the premises for inspections and/or repairs, but not for occupancy or usage of common areas and amenities during the rental agreement period.

### **MOVE IN PROCEDURES AND ELEVATOR USAGE**

1. The management office must be notified at least 72 hours in advance of any moving in or out of any furniture requiring the use of an elevator.
2. Under no circumstances may furniture be brought into the building through the lobby area.
3. All deliveries must come through the ground level NW garage entrance to the appropriate elevator tower.
4. All delivery vehicles must park in the designated places as indicated by the signage to the North of the building.
5. Large trucks such as 18 wheelers are not permitted in the drive ways or parking deck at any time. They must be parked on the street without blocking any driveways.
6. Only padded elevators can be used after reservation has been made with the management office.
7. Moving in or out can start no earlier than 8 A.M. and must be completed no later than 4 P.M.; Monday through Friday only. Absolutely No Weekends.

### **RULES FOR VISITOR ACCESS TO REALTOR OPEN HOUSE EVENTS**

1. To conduct an “Open House”, a five day written notice shall be submitted to the Association’s Office by the owner (if for sale by owner), Realtors – brokerage(s) wishing to hold (host) such event. The notice shall include the day(s), time(s), unit(s), names and contact information of the Realtors (persons) wishing to hold (host) the “Open House”. “Open Houses” shall be held on Saturday(s) and or Sunday(s) between the hours of 1 P.M. and 5 P.M.
2. The Association at its own discretion reserves the right to approve or decline such application(s).
3. The Association at its own discretion reserves the right to designate selected dates as “black-out” dates on which NO “Open House” shall take place.
4. At no time shall there be less than two (2) owner representatives and or Realtors on the property for any one event. One owner representative or one Realtor shall remain at the lobby entrance to meet and greet prospective buyer(s). Visitor(s) will be asked to remain in the Lobby while the other

Realtor returns and or escorts the visitor(s) to the Unit(s). Prospective buyers shall not be left unattended anywhere inside the building.

5. In compliance with Bella Vista Condominium, Inc.'s governing documents, and Daytona Beach Shores ordinances, there shall be no signage placed and or posted on Bella Vista property by the owner and or Realtor(s).

6.) Lock boxes are not permitted to be placed on unit owner doors or anywhere on Bella vista property

### **BALCONIES, PATIOS & WINDOWS**

1. It is prohibited to throw cigarettes, cigars, or any other object from the balconies, patios or windows.

2. It is prohibited to hang garments, rugs, towels, bathing suits and similar items from windows, balconies, patios or other common elements of the building.

3. The use of charcoal or propane gas grills is prohibited on balconies or patios and within 25 ft. of the building.

4. Washing down balconies, patios or windows with a water hose is permitted only during a rain shower so as not to interrupt the enjoyment of those living below each condominium unit.

5. PATIOS OR BALCONIES CANNOT BE USED FOR STORAGE.

6. Young children should never be left alone on a balcony and should be accompanied by an adult at all times.

7. Feeding birds from the balcony is not permitted.

8. Balcony Lights if installed must be of a type and style so as not to be seen from the beach. All lighting must point in a downward direction. Light bulbs must be amber in color. Owners need to be aware of the Turtle nesting season which runs from May 1 through October 31 of each year. The county may assess a fine of \$1000 per day for improper lighting toward the beach.

9. Any balcony lighting that could be seen from the beach must first be approved by the Association..

10. Balcony furnishings must be removed whenever the condominium is not going to be occupied. There will be a \$100 charge if furniture is moved by maintenance.

11.) Balconies, patios, windows, railings and doors must be cleaned regularly to maintain their appearance and useful life.

## **SECURITY**

1. Lobby doors, garage doors and service entrance doors shall not be opened for unknown or unidentified persons. Do not allow such persons to follow you into the building. Advise strangers to call those they wish to visit.
2. The Association should have a key to all condominium units for use in case of emergencies. Anyone changing a lock or adding a lock must supply a key to be kept in the key vault. Should it be necessary for the Association to enter the unit under emergency conditions, cost of forced entry, if no key is available, will be the responsibility of the owner.

## **PETS**

1. Unit Owners may have pets appropriate to condominium living.
2. Indoor pets may include cats, fish aquariums and birds. They are limited to the confines of the unit within the boundary of the Condominium.
3. Outdoor pets may include dogs and cats. A maximum of two pets is allowed and no pet may weigh more than 60 lb. The demeanor of the pet must be appropriate to condominium living.
4. Any pet leaving a condominium unit shall be adequately contained or leashed while in the common areas.
5. Dogs are to be walked outside of the Pool fence in the grassy area to the North of the Pool and/or in the grassy area to the South of the building. Pets must be walked through the ground level for ingress and egress to these designated areas.
6. A city ordinance and these condominium rules require unit owners to clean up after their pets. **Violators will be fined the maximum permitted by city ordinance per violation.**
7. No pet shall be bred or maintained for commercial use.
8. Outdoor pets must have required immunizations and vaccination shots as recommended by the American Veterinary Association. **Proof of current vaccination must be provided to management.**
9. Any pet which creates a nuisance to residents must be removed.
10. A Unit Owner who leases their unit shall prohibit renters/lessees from having pets in the unit during the rental /lease term.
11. **At no time is a Tenant or Guest permitted to have pets on Bella Vista property.**



## POOL & SPA

1. Rules for use of the pool and pool area are posted at the pool area and will be enforced.
2. Pool hours: 8:00 A.M. to 11:00 P.M.
3. Pool may be used by owners, renters and guests.
4. No lifeguard is on duty. Use the pool at you own risk.
5. Children under 12 years of age must be supervised by an adult at all times.
6. Parents are responsible for the conduct and safety of their minority aged children and guests at all times.
7. Children who are not toilet trained and/or wear diapers must wear proper water tight “swimmies” or other protective pants.
8. No breakable containers allowed inside the fenced area of the POOL deck. No food or drinks are permitted while in the pool. ABSOLUTELY NO GLASS.  
Bella Vista Rules and Regulations Amended on November 13, 2010
9. No beverage drinking is permitted while in the pool.
10. NO DIVING!!
11. No running, rough play or throwing any (i.e., Frisbees, balls, etc.).
12. Boogie boards and remote-control toys are not allowed in the pool. Fun noodles, life vests and **small personal size floats** are permitted.
13. Animals are not allowed in the pool, pool area or beach.
14. Only bathing suits are to be worn in the pool.
15. Only battery operated devices are permitted in the pool area. Radios must be maintained at a low volume so as not to disturb others. Personal headphones are preferred.
16. Do not move or remove furniture from pool area.
17. Cover chairs and lounges with towels or cloth when sunbathing.
18. All pool gates must be locked at all times for safety and security of children.



19. No one at any time may climb or jump over a fence on community grounds. This specifically includes the pool and pool heater areas.

20. No food or drink is permitted within three ft. of the pool and within 4 feet of the spa.

### **CLUB ROOM**

1. The Club Room door is to be locked at all times and opened only during meetings and scheduled and/or reserved events.

2. Children under 12 must be chaperoned by an adult at all times.

3. Swim wear, bare feet and water sports equipment are not allowed in the clubroom.

4. All food and drink containers and other trash must be removed by the users.

5. If the kitchen is used, it must be cleaned up by the user, and all appliances used must be turned off. Appliances are only available by special request on application for rental of the Club Room and for Association related activities.

6. No smoking is permitted in the club room.

7. If the television is used, the user must turn off when finished and replace the remote control on the table.

8. Decorations cannot be attached to walls, ceilings or painted surfaces by tape, push pins, nails or any other fastener that may damage or discolor the surfaces.

9. No animals are allowed in the club room.

10. All club room activities and parties are to conclude by 12:00 midnight, except for New Years Eve.

11. Unless otherwise reserved, the club room will be closed from midnight until 8:00 A.M. No one is permitted in the club room during these hours.

12. The east double doors of the Club Room are not an entrance to the Building.

13. The Club Room may be reserved for Private Parties by Owners only. Owner is entirely responsible for any damage or clean-up. A \$250 cleaning deposit must be placed with the Management office 7 days prior to any party which will be returned to the Owner upon acceptance of sufficient cleaning by the Manager or Designee.

14. The door from the Club Room to the Pool Deck is an emergency exit only.

15. Club Room reservations do not include the Pool Deck. Private parties may in no way interfere with the quiet enjoyment of others on the Pool Deck.

### **FITNESS/EXERCISE ROOM**

1. Children under 12 must be accompanied by an adult at all times.
2. Use of exercise machines are at your own risk.
3. No radios or other audio devices (except that which has been provided for in the facility) are permitted. Personal head sets are acceptable.
4. Smoking is not permitted.
5. Fitness club hours are from 6:00 A.M. to 9:00 P.M.
6. When leaving the room and all TV's and lights must be turned off.
7. The east door of the Fitness Room is not an entrance to the Building.
8. No dropping of free weights or machine weights allowed.

### **Golf Cart Parking**

There are two areas for golf cart parking. One along the south wall of the lower garage, one to the left of the garage door in the lower garage..

- 1.) All golf carts should park in the "golf cart parking only" designated areas when possible.
- 2.) At no time should a golf cart park in "motorcycle only parking" areas.
- 3.) Owners may park their golf cart in their deeded space or any guest parking space.
- 4.) Any violation of these rules will incur a fine of \$100 per day not to exceed \$1000 per incident.
- 5.) Electric golf carts require a \$120.00 annual fee to cover the cost of electric for their cart in addition to the annual "Golf Cart Parking" fee.
- 6.) All golf carts must have either a permanent Bella Vista parking sticker or a temporary parking permit if parked on Bella Vista property.

7.) Tenants who rent golf carts must get a temporary parking permit for the golf cart and pay a \$5.00 per day "Golf Cart Parking Fee" when the temporary parking permit is issued.

## **GARAGE & PARKING**

There are four areas for parking. Three garage areas and the other is outside. This section of the Rules & Regulations reserved for future amendment by the Board of Directors.

1. Vehicles must be parked between the lines.

2. Owners and Lessees are permitted to park in the garage. **Owners and Lessees must use their deeded parking space for their primary car and guest space for secondary car. Owners/Lessees found not utilizing their deeded space will be fined \$100 per day and/or be subject to being towed from guest parking area at owner's expense.**

3. Guest must only park in Guest parking. Guest parking is permitted in front of building, upper garage and designated orange parking spaces in lower garage. Tenants must utilize owner deeded parking space. There is a 3 month limit to parking in **the same guest parking** space without written approval from management.

4. a, Owner and Long-term Tenant vehicles must be registered at the Association's Management Office and assigned a decal/sticker that must be displayed at all times on the right lower corner of the rear window of the vehicle.

4.b, Guest and Short-term Tenants must be registered at the Association's Management Office and assigned a dated Parking Permit that **must be displayed at all times on dashboard of the vehicle.**

4.c, All guests/lessees arriving outside of normal business hours must leave a note on the front dash listing name, phone number and unit number. They must obtain a valid temporary parking permit at the next available time the management office is open.

Registration Forms are available at the Association's Management Office and on the Association's website.

5. No trucks or commercial vehicles, boats, house trailers, boat trailers, Jet Ski trailer, motorcycle trailers, mobile homes, campers or trailers of any description shall be parked in any parking space except with the written consent of the Board of Directors. This protection of parking shall not apply to temporary parking of trucks and commercial vehicles, such as for pickup, delivery and such other services as may be necessary for the maintenance and service of the condominiums, common areas and common elements.

6. **VEHICLES IN VIOLATION OF THE ABOVE WILL BE TOWED AT VEHICLE OWNER'S EXPENSE. IF A VEHICLE IS FOUND WITHOUT A VALID PARKING PERMIT IT WILL BE TOWED.**

7. Owners are responsible for their guests and lessees.

8. Never follow another car through the garage opening when entering or leaving the garage.
9. Skateboarding, roller-blading and bike riding are prohibited.
10. No car repairs can be made in the garage.
11. No refueling of any kind.
12. No oil changing of any kind.
13. Any vehicle with visible leaking of oil or other fluids which could cause damage to either the concrete floors in the garages or the pavers in the front of the building must be repaired **or** removed from the premises immediately. Repairs of damage are made at the expense of the Owner.
14. The garages are not workshops therefore no work of any kind is to be done in the garages.
15. The ground level garage is not to be used for storage of routinely un-used vehicles.
16. **Owners and or Tenants must always use the deeded parking space as their the primary parking area.**
17. Only licensed and insured “street legal vehicles” may be parked in the garages. Any vehicle in the garages or on BellaVista property **MUST** have current registration and valid current insurance. Vehicles with expired tags will be towed at owner’s expense.
18. Parking of vehicles must be done in such a way to be courteous to the neighboring parking space so as not to interfere with the opening of doors or maneuvering in or out of the space.
- 19.) Electric “charging stations” may be installed at owner’s deeded space but notarized mechanical & electrical plans from licensed engineers must be submitted and approved by the HOA board prior to any installation. The unit owner is responsible for all costs of installing incremental electrical capacity to support their station including an engineering study to determine if we have enough capacity.

### **CONTRACTORS & WORKMEN**

1. All contractors and/or workmen doing any work, **for which a permit has been issued** must be licensed in the State of Florida and possess the proper liability insurance. A Certificate of Liability Insurance, naming Bella Vista Condominium, Inc., as insured, must be filed with the Management office in advance of commencement of any work.

2. If applicable, the Contractor or Workman must have proper permits as required by the city, county or state.
3. Contractors may begin work no earlier than 8 A.M. and must have work completed no later than 4 P.M.; Monday through Friday. Absolutely no weekends for other than "Cleaning Contractors". Cleaning Contractors may clean individual units (other than carpet) on Saturdays and Sundays no earlier than 10 A.M. and must have work completed no later than 2 P.M.
4. All Contractors and Workmen must register with the management office.