

**Club Homes III at Heritage Greens  
Rules and Regulations  
Revised September 2009**

These Rules and Regulations are listed as a convenience for owners and occupants of villas at Club Home III at Heritage Greens. Some of these Rules and Regulations are excerpted from, or an abbreviation of, the Declaration of Covenants, Conditions and Restrictions for Club Homes III at Heritage Greens. They do not amend, limit or alter the Declaration or other Association documents, and are superseded by the full text of the Association documents if any clarification is needed. Included with these revised rules at the beginning of each section are references to the pertinent sections of the Declaration.

**1 Appearance of Property (see also Declaration sections 7.4 and 11.7)**

- a The owner is responsible for keeping his villa and property free of trash and debris, and reasonably maintained.
- b No trash barrels, carriages, wagons, shopping carts, toys, or other objects shall be stored outside or on Lanai.
- c All refuse, waste, garbage and trash shall be wrapped in bags and placed in the proper containers at the curb for pickup. Trash and recycle bins can be placed outside in the evening hours on the day before pickup, and must be removed by the evening of the pickup day. Please remember that recycling and bulk items are only picked up on Tuesday. Any bulk trash (does not fit in container) needs to be scheduled for pickup with the county. They will provide you instruction on when to put it out for pickup.
- d Exterior villa lights are the responsibility of owners and, when bulbs burn out, timely replacement is required.
- e When the villa is unoccupied for an extended period of time, items must be removed from the lanais. This is especially important during the hurricane season, late May through November.

**2 Property and Building Modification (see also Declaration sections 5, 7.8, 11.5, 11.6, 11.9, 11.10, 11.13, and 11.16)**

- a The Club Homes III Board of Directors and the Architectural Review Board (ARB) of the Master Association have jurisdiction to review and

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approve construction, modifications, additions or alterations on any outside portion of the property, and any structural changes to the property. This includes landscaping alterations, e.g., new plantings, trellises, fountains, etc. The Club Homes III Board may delegate this function to a committee. Requests for any such modifications must be made in writing using the form provided by the Master Association. No such modifications may be made without the prior written approval of the Board and the ARB. Any approved landscaping modifications must be maintained by the owner.

- b No above or below ground pools shall be erected, constructed or installed on any villa site.
- c No dog runs, animal pens, or kennels of any kind shall be permitted on any villa site or anywhere in the association common areas.
- d ~~No outdoor (temporary or permanent) clotheslines shall be permitted.~~  
No outdoor (temporary or permanent) clotheslines shall be permitted.
- e No sign, advertisement, notice or other lettering shall be exhibited, inscribed, painted or affixed to the home or on the grounds unless written permission is given by the Club Homes III Board of Directors. This includes FOR SALE and FOR RENT signs attached to or visible in the unit, on the grounds, or in automobiles.
- f With the exception of hurricane shutters, no awning, canopy, shutter, or other projection shall be attached or placed upon the outside walls or doors. Hurricane shutters must be approved by the Club Homes III Board of Directors and Master Association ARB (see 2A)
- g Changes to original exterior lighting except for seasonal decorative lights, must be approved by the Club Homes III Board of Directors and Master Association ARB (see 2A).
- h Reasonable seasonal lights and decorations may be displayed without the approval of the Club Homes III Board of Directors or Master Association.
- i Window coverings visible from the street, other villas, or other Heritage Greens property must have a white or off-white backing or blend with the exterior of the dwelling. Reflective window coverings must be approved by the Club Homes III Board of Directors and Master Association ARB (see 2A).

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- j Satellite dishes and American Flags may be installed on the villa or owner's property after approval by the Club Homes III Board of Directors and Master Association ARB as to the location, and, for flags, size, design of pole, etc. (see 2A).

**3 Vehicles (see also Declaration sections 7.5, 11.5, 11.11, and 11.15)**

- a No commercial vehicles, trucks, boats, campers or trailers are permitted unless kept in the garage.
- b Parking on the grass is prohibited. Owners are liable for the costs for repairing sprinkler heads damaged by their vehicle, or that of their guests, renters, visitors, etc. If renters are responsible for the damage, repair costs are the responsibility of the owner.
- c No overnight parking on the road is permitted. During daytime hours, if a car is to be parked on the road, please ensure that access to the mailboxes or to trash pickup is not blocked.
- d Unlicensed, unregistered, or inoperable vehicles are not permitted to be stored in the driveways or parked on the street
- e No auto repairs may be conducted on the property, except for emergency repairs.
- f Owners are responsible for the repair of damage to the driveway or other private or association property from leakage of fluid from cars of the owner, the owner's guests, renters, visitors, etc. When renters are responsible for the damage, costs are the responsibility of the owner.
- g Renters may only have two cars parked and garaged at the villa.
- h Guests of villa owners may park their car at the Club Homes Commons pool parking lot for up to one week after obtaining a pass from the Commons Board of Directors. To obtain a pass, the villa owner must provide, to the Commons Board, the following information: the make/model of the car, the license number, and the dates the car will be parked at the pool, and the villa owner's name and address. Passes will be dated and issued for a maximum of one week and must be displayed in the

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windshield area inside the vehicle. Cars not bearing this pass or cars with expired passes will be towed at the owner's expense

- i Vehicles violating any of the above rules and regulations are subject to towing at the owner's expense.

**4 Private Property**

The property immediately in front of, on the side of (for end units), and to the rear of each villa is the private property of the villa owner. Trespassing on others' private property is not allowed.

**4A.** Common walls that extend to the end of the lanai are owned equally by both owners and both owners are responsible for any damage done to this wall unless abuse or neglect can be proven. No owner shall install any permanent material in the screened space on the common wall without written approval from both owners, the Board of Directors and the architectural committee.

**5 Use of Villas (see the Declaration section 11.1)**

Villas shall not be used for commercial or business purposes and shall only be used as residences.

**6 Control of Nuisances (see also Declaration section 11.4)**

No home owner or renter, or his or her family, servants, employees, agents, visitors, or licensees, shall make or permit any disturbing noises in any place within the individual villas or Home Owners Association or Club Homes Commons property; or do or permit anything by such persons that will interfere with the right, comforts or convenience of other villa owners.

**7 Solicitation**

No solicitation is permitted by any persons anywhere on the property, other than for Club Homes, Club Homes Commons, or Master Association related activities.

**8 Sale of Villas (See Declaration section 14)**

a Owners of villas may not convey title to a villa by sale or gift without prior written approval of the Board.

b For potential sales (or gifts), the owner must submit an application to the Club Homes III Board of Directors along with a true copy of the proposed

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agreement, any other material required by the application, and a \$100.00 processing fee. The submission must be made at least 20 days prior to the proposed date of transfer.

- c The Board of Directors will approve or disapprove the transfer within 20 days of receipt of all information requested.
- d No sales or transfers will be approved if owner is delinquent in payment for Association fees or assessments.

**9 Emergency Situations**

- a During hurricane season, plywood boards can be put up 4 hours before a significant storm. They should be taken down within one week after the storm passes, weather conditions permitting.
- b When a villa is unoccupied for an extended period of time, all items must be removed from the lanais. This is especially important during the hurricane season.
- c Also, when a villa is unoccupied for an extended period, the owner should shut off the water heater and water supply to prevent potential leaks and water damage to the villa and neighboring property. Leave air conditioner or humidistat on to prevent mold.
- d For seasonal residents and non-resident owners without rental tenants, it is requested that the Board of Directors be notified of the name of any home watch agencies, or any individuals who are responsible for inspecting the property and who may have a key, for contact during emergency situations.

**10 Renters and Guests (see also Declaration sections 7.5, 11.2, and 11.3)**

- a The owner of the villa is responsible for all actions of renters and guests and is liable for any penalties or repair of damage resulting from the renters or guests.
- b Renters and guests are required to comply with all of the Rules and Regulations of Club Homes III, Club Homes Commons, and the Master Association. It is the villa owner's responsibility to make sure that all renters

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and guests are aware of the Rules and Regulations and comply with them. Renters are subject to termination of the lease and eviction by the Board of Directors for nuisance, disruptive behavior, or noncompliance with Association Rules and Regulations, Declarations, and Bylaws.

- c For renters, a rental application must be completed and submitted to the Club Homes III Board of Directors for approval of the rental. A copy of the lease must accompany the application, along with a \$ 100.00 processing fee. A copy of these Rules and Regulations signed by the potential renter must also be submitted with the application to confirm the renter understands the Rules and Regulations and agrees to comply with them. The application and related material must be submitted no later than 20 days before the beginning of the lease. The Board of Directors will approve or disapprove the application within 20 days of receipt of the complete application. Failure to comply with application and notice requirements will result in fines.
- d No lease may be for a period less than 30 days or greater than one year. Renewed leases must follow the same application, review, and processing procedures as detailed in "C" above and be treated as a new lease.
- e No leases will be approved if the owner is delinquent in payment of Association fees or assessments.
- f Renters may not have pets. Guests of renters may not have pets.
- g Renters may not have more than two cars parked and garaged at the villa.
- h If any guests are to stay in the villa when the owner is not in residence, the owner must notify the Board of Directors in advance how many guests will be staying and the dates of the stay. The Board reserves the right to limit the number of guests which may reside in a unit at any time.

**11 Pets (See also Declaration section 11.14)**

- a The ability of a villa owner to keep pets is a privilege, not a right. The Board of Directors is empowered to remove any pet which becomes a source of unreasonable annoyance to other owners, or when there is a failure to comply with these Rules and Regulations. Dogs which exceed the size limit but are owned by members who were villa owners as of August

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31 2006 may remain as long as all other Rules and Regulations related to the dog are met. If there is any failure to comply with the Rules and Regulations in relation to the dog, the dog must be removed. Any dogs acquired by villa owners on or after issuance of this memo must conform to the size limitation.

- b Renters may not have pets
- c Owners may have no more than two small pets of a normal domesticated household type, such as a dog or cat. For dogs, "small" dogs are defined as those falling under the AKC definition of Small and Tiny dogs, or a cross mix of those breeds (these groups include close to fifty different breeds). Absolutely no reptiles of any kind.
- d Seeing Eye, hearing, or other service dogs are permitted for those owners holding a Certificate of Necessity filed with the Club Homes III Board of Directors.
- e Owners must comply with the Collier County ordinances concerning pets which must be hand carried or leashed at all times while outside of the Villa.
- f Owners must prevent damage by their pets to private and Association property, including shrubbery and lawns.
- g Private property must be respected when walking pets. Pets are not allowed on any other owner's private property without permission. Both dogs & cats must be leashed and curbed when outside the home.
- h Owners must ensure that their pets do not create a disturbance nor interfere with the rights, comforts, or convenience of other villa owners.
- i Guests of owners, where the visit is of short duration (10 days or less), may have one pet with approval of the Club Homes III Board of Directors. All rules and regulations pertaining to pets must be complied with, including the size limitation of the pet. Guests of renters may not have pets.

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## 12 Penalties (See also Declaration section 12.3)

Failure to comply with these Rules and Regulations will result in fines of \$50.00 per day per violation. A written warning will be issued when a violation is noted. This warning will offer the opportunity for a hearing on the violation. Continued violations after issuance of the written warning and an opportunity for a hearing will result in fines.

The owner of the villa is responsible for all actions of renters and guests and is liable for any penalties or repair of damage resulting from the renters or guests.

## 13 Motorized Vehicles

Any unlicensed/unregistered motor vehicles (golf carts, scooters, mopeds, etc.) driven by minors are subject to be reported to the Master Association Directors.

*Updated to \$100 in 2010  
Up to \$2500.00*



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**For Submission with all Rental Applications**

I have received a copy of the Rules and Regulations for Club Homes III at Heritage Greens and, as a renter of a villa at Club Homes III, I agree to abide by these Rules and Regulations.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Address of villa to be rented:

Dates of rental:

Comments: