

Instrument Prepared by:  
Erin Glover-Frey, Esq.  
Kistemaker Business Law Group  
120 East Granada Blvd.  
Ormond Beach, FL 32176

**CERTIFICATE OF ADOPTION  
REVISED AND RESTATED RULES AND REGULATIONS  
OF OCEAN VILLAGE VILLAS**

The undersigned directors of OCEAN VILLAGE VILLAS HOMEOWNERS ASSOCIATION, INC., the corporation not-for-profit in charge of the residential community known as OCEAN VILLAGE VILLAS, according to the Declaration of Covenants and Restrictions for Ocean Village Villas thereof as recorded in Official Records Book 3324, Page 0724, of the Public Records of Volusia County, Florida (the "Declaration"), and as has been amended from time to time, hereby certify that the following Revised and Restated Rules and Regulations of Ocean Village Villas (the "Rules and Regulations") were approved by unanimous vote of the Board of Directors of OCEAN VILLAGE VILLAS HOMEOWNERS ASSOCIATION, INC. at a duly-noticed meeting of the Board of Directors on October 16, 2020. The undersigned further certify that the Rules and Regulations were proposed and approved pursuant to Article V, Section 1 of the Amended and Restated Declaration of Covenants and Restrictions for Ocean Village Villas thereof as recorded in Official Records Book 4868, Page 0001, of the Public Records of Volusia County, Florida and applicable law and that the Rules and Regulations do not materially impair the common plan of development of the residential community.

**The attached Revised and Restated Rules and Regulations of Ocean Village Villas completely repeal and replace all previous versions of any such Rules and Regulations of Ocean Village Villas.**

**SUBSTANTIAL REWORDING, SEE CURRENT TEXT**

**(THIS SPACE INTENTIONALLY LEFT BLANK)**

IN WITNESS WHEREOF, OCEAN VILLAGE VILLAS HOMEOWNERS ASSOCIATION, INC. on the respective date set forth below.

OCEAN VILLAGE VILLAS HOMEOWNERS ASSOCIATION, INC., a Florida corporation not for profit

WITNESSES:

Jennifer Ridenour

Print Name: Jennifer Ridenour

Patricia Blank

Patricia Blank

Print Name: Patricia Blank

By: Patrick Kelley

Name: Patrick Kelley

Title: President

Micaela Tanes

Attest:

Name: Micaela Tanes

Title: Secretary

STATE OF FLORIDA )  
 ) SS  
COUNTY OF VOLUSIA )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by Patrick Kelley, the President, and Micaela Tanes, the Secretary, of OCEAN VILLAGE VILLAS HOMEOWNERS ASSOCIATION, INC., a Florida corporation not for profit, freely and voluntarily under authority duly vested in them by said corporation, and that the seal affixed thereto is the true corporate seal of said corporation. Patrick Kelley is personally known to me or has produced Driver's License as identification. Micaela Tanes is personally known to me or has produced Driver's License as identification.

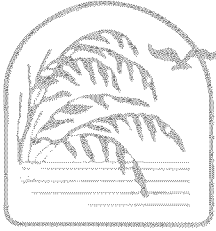
WITNESS my hand and official seal in the County and State last aforesaid this 2nd day of November, 2020.

Jennifer Ridenour  
Notary Public, State of Florida at Large

My Commission Expires: 9/24/2024

Typed, Printed or Stamped Name of Notary Public





**Ocean Village Villas  
Homeowners Association**

**Revised and Restated Rules and Regulations  
of Ocean Village Villas Homeowners Association**

**PREFACE**

These Revised and Restated Rules and Regulations of Ocean Village Villas Homeowners Association have been developed in keeping with the mission and values of Ocean Village Villas, a restricted deed community, and have been approved and adopted by the Board of Directors pursuant to the Association's governing documents. These Revised and Restated Rules and Regulations apply uniformly to all Dwelling Units, Owners, agents, and tenants; and the information contained herein needs to be acknowledged by each Owner as a binding document.

**PURPOSE**

The purpose of these Revised and Restated Rules and Regulations is to (i) provide Owners, their tenants, and guests with excerpts from the Declaration of Covenants and Architectural Review Committee (ARC) Guidelines for ease of reference. In no way is it intended to be a replacement for the Association's governing documents which include the Declaration of Covenants and ARC Guidelines, nor is it intended to supersede or conflict with the Association's governing documents. If there is a conflicting provision, the governing documents will always prevail.

**COMPLIANCE AND ENFORCEMENT**

Compliance with these Revised and Restated Rules and Regulations is the responsibility of Owners, tenants, and guests. If Owners notice a violation, the HOA requests that they complete an Association Notification form with a brief statement of facts. The HOA will ensure that corrective action is taken, once it determines the validity of the complaint. In the event a violation of the governing documents or these Revised and Restated Rules and Regulations is realized, an Owner will be provided with a Notice of the Violation by letter or electronic transmission, or both, explaining the violation. The Owner's cooperation is requested to correct the violation. If an Owner refuses to take corrective action and/or make repairs, the HOA will take the necessary steps to enforce compliance. Owners are reminded that they purchased in a restricted deed community; therefore, Owners and their tenants, if applicable, agree to abide by the Ocean Village Villas HOA community rules. Refer to the Declaration of Covenants for a full understanding of enforcement. It is the responsibility of every Owner or their agent to provide the tenant with a copy of the Revised and Restated Rules and Regulations and to ensure compliance.

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Fax: 386-677-8078 • Email: [oceanvillagehoa@cfl.rr.com](mailto:oceanvillagehoa@cfl.rr.com) • Website: [theoceanvillagevillas.com](http://theoceanvillagevillas.com)**

## **RULES AND REGULATIONS**

1. **Rentals:** An Owner is permitted to rent his/her Dwelling Unit on a long-term basis (vacation or short term rentals are strictly prohibited.) All rentals by an Owner or Owner's agent are subject to regulation by the Association. Owners renting their Dwelling Unit are required to obtain a Tenant Registration Form from the Association's business office located at 635 Flamingo Drive, Ormond Beach. If the tenant does not fill out the form or if the rental is not recorded by the community association manager, the Association will not allow access to amenities such as the swimming pool, clubhouse, tennis court, and shuffleboard court. Use of these amenities without the required Tenant Registration Form will be considered a trespass. Owners must provide their tenants with all of the governing documents of the Association (Rules and Regulations, ARC Guidelines, and the Declaration of Covenants). These documents are available at the Association office and on the HOA website. Owners are responsible for any damages to Association property or charges incurred by the Association with respect to any tenancies.

2. **Temporary Structures:** No structure of a temporary nature, including but not limited to, a trailer, house trailer, mobile home, RV, camper, tent, shack, shed, boat, barn, or similar structure or vehicle shall be used or permitted to remain on any Lot as a storage facility or residence or other living quarters whether temporary or permanent. In the event that the ARC makes an exception to this rule, written approval is required and any such use is permitted for construction only.

3. **Parking, Storage, and Towing:** The Association has the automatic authority and right to cause to have towed any and all vehicles that are parked in violation of the Declaration of Covenants and/or are illegally parked on the street or premises pursuant to the City of Ormond Beach Ordinance 20-13. Whenever possible, notice of towing will be given in person, by hand, to the resident of a Dwelling Unit with a vehicle described hereafter parked on a Lot or Right-of-Way. If notice cannot be given, a brightly colored tow warning will be affixed to the vehicle. No vehicle such as, but not limited to, a boat, boat trailer, flat-bed trailer, house trailer, mobile home, RV, motorcycle hauler, storage trailer, two-axle camper or larger, commercial work vehicle, or any commercial vehicle whether car or truck with commercial signage or lettering, or private vehicles larger than a pick-up truck or panel truck or similar vehicle shall be parked on the street or right-of-way thereof or walk-way in front of the Dwelling Unit overnight or for a continuous period of time in excess of ten (10) consecutive hours.

Car covers, motorcycle covers, and the like, are not permitted, for any reason. Covered vehicles will be considered abandoned and may be towed. Owners or their tenants shall not drive on the grass or up to their Dwelling Unit or to their rear patio; and motorcycles are not permitted to be parked on sidewalks, or lawns, or porches, or patios.

No Lot, driveway, street, or common area within the Association shall be used for the purpose of vehicle repair or maintenance; and if Dwelling Units share a water meter/water usage, Owners or tenants of said Dwelling Units may not wash their vehicles in the community.

**4. Obnoxious, Offensive or Criminal Activity:** No obnoxious or offensive activity, or lewd or criminal behavior or activity shall be permitted or conducted at any time upon any Lot or Dwelling Unit or HOA community property. No activity or behavior whatsoever shall be permitted on any Lot or Dwelling Unit or HOA community property that may be or may become an annoyance or a nuisance to persons or property, either private or public, including any such activity, action or behavior that may constitute a public safety issue.

**4a. Pool, Tennis and Shuffleboard Courts:** Please observe the posted rules. No glass containers are allowed, for safety reasons.

**4b. Smoking:** For the health and safety of all residents, smoking is prohibited in the clubhouse, at the pool, on the tennis courts, and the shuffleboard court.

**5. Trash:** All Lots shall be kept free of the accumulation of rubbish, trash, garbage or other solid waste materials, liquid waste, and unsightly weeds, overgrown shrubs or bushes, or unsightly underbrush. Article VI, Section 11 of the Declaration of Covenants dictates that all Dwelling Units shall have and use a trash can in good condition. Trash cans or recycle bins cannot be stored on the front porch (Zone 1). Trash and garbage must not be put outside the Dwelling Unit for removal by the city before sundown of the day before such removal. This section of the Declaration should be read by an Owner or their tenant in its entirety because it refers to the general good upkeep of a Lot.

**6. Commercial Signs:** No commercial signs or lettering of any kind or any other signs, including but not limited to political endorsements, shall be erected or maintained on any Lot or Dwelling Unit. (The First Amendment limits federal, state, and local governments from doing things that stifle freedom of speech or expression; your HOA, however, is not part of any government; and an Owner as a party to a binding agreement with the Association agrees to adhere to the regulations imposed by the Association.) Therefore, in addition to political endorsements, sports teams, social clubs/groups, religious rhetoric, offensive verbiage, or advertisements, are strictly prohibited from being erected or maintained on any Lot or Dwelling Unit. Under no circumstances will signs advertising a Dwelling Unit for sale or rent be allowed without the prior written permission of the Association. The Association shall have the right to restrict size, color, and content of any sign that it authorizes to be erected on a Lot. Street numbers identifying the Dwelling Unit, and security signs, and signs required by law may be placed on the exterior of a Dwelling Unit but the ARC may regulate the size and type of such numbers or signs, and may require their immediate removal if they do not comply with the ARC Guidelines. Please refer to the Declaration/ARC Guidelines for additional information.

**7. Front Porches, Patios, Carports, Driveways, and Screen Rooms:** Front porches, patios, carports, driveways and screen rooms must be kept free and clear of unsightly clutter. Porches shall be free and clear of but not limited to interior furniture, bird cages, cleaning products such as mops, grills, garbage cans, recycle bins, children's toys and bicycles. Carports and driveways shall not be used as open storage areas or permanent patios and shall not be used for car maintenance or workshops so as to create a visible nuisance to other Owners or residents. Patios in Zone 3 (rear yard) are the only appropriate and recommended place for grills.

**8. Pets:** We are a pet friendly community. Domestic pets are permitted and welcomed; however, pets shall not be destructive or dangerous to persons or property and cannot bark incessantly such that they disturb the quiet enjoyment of others.

No pets except for documented/registered guide dogs or service dogs are allowed near or inside the fenced swimming pool area or in the clubhouse at any time, for any reason. Such dogs must be leashed at all times and may not run free.

There are no breed or weight restrictions; however, pets shall not be destructive or dangerous to persons or property. Animals constituting a nuisance or threat to persons or property are prohibited and may be removed with the authority of the City of Ormond Beach.

The Owner of every animal shall be responsible for the removal of any excreta deposited by his/her animal(s) on public walks, recreational areas or private property. Owners have the right to prohibit a tenant from having a pet. Consult City of Ormond Beach Ordinances for details.

Domestic pets are understood to mean dogs and cats and not farm animals or exotic species of animals.

Any commercial activity in a Dwelling Unit such as breeding, housing, or kenneling animals or birds is strictly prohibited. No structure or shelter for a pet is permitted on any Lot.

**9. Window Treatments, Hurricane Shutters, and Awnings:** Energy saving window treatments on the interior of a Dwelling Unit are permitted including but not limited to bronze tinted window glass provided that the treatments do not create a visible nuisance or glare or mirrored effect.

All windows of a Dwelling Unit shall have window treatments which are uniform in color, design and type of treatment. Placing reflective foil or plastic on windows is prohibited. Window treatments shall be either white or almond (white or off-white) in color when facing the exterior of the Dwelling Unit.

The installation of hurricane shutters is permitted but must be approved by the ARC. No awnings or umbrellas are permitted in Zone 1 (front of Dwelling Unit) or Zone 2 (side of Dwelling Unit). Permanent retractable fabric awnings and umbrellas are permitted with ARC approval in Zone 3 (rear of Dwelling Unit) only.

**10. Removal or Planting of Trees:** The removal of trees must be approved the ARC. Further, tree removal is regulated by the City of Ormond Beach on both private and public land. A tree removal permit is required for any protected specimen, or historic tree. It is the Owner's responsibility to contact the appropriate city or county offices, including the City of Ormond Beach Neighborhood Improvement Division for details.

In accordance to the ARC Guidelines promulgated by the HOA Board of Directors, the Architectural Review Committee (ARC) must review and approve exterior improvements which

shall include landscaping. The ARC Guidelines allow for the planting of palm trees; however, any other trees or plants or shrubs or bushes require ARC approval BEFORE installation.

The HOA reserves the right to remove invasive plantings with notice to the Owner. Such plantings shall include but not be limited to, Brazilian pepper trees, Oleanders, overgrown Birds of Paradise, all fruit trees, including Sea Grape, herb gardens, and vegetable gardens.

**11. Colors:** To maintain aesthetic uniformity, roofs must be tiled with terra cotta colored (originally described as "Mission Red") cement, clay, or synthetic composite Spanish style S barrel tiles; all front and rear entry doors must be painted Mission Red; all front porch posts must be Colonial White or Mission Red; all glass enclosed or screen enclosed aluminum rooms must be bronze; all front porch floors must be painted Desert Sand or Sandstone; all windows must be bronzed framed; all new fences must be white; all garage doors must be white. For in-depth information, consult the ARC Guidelines.

**12. Property Maintenance:** Owners and their tenants are responsible for maintaining the exterior appearance of their Dwelling Unit including but not limited to touch-up painting, repairs, and pressure washing.

**13. Holiday Decorations:** Seasonal or holiday decorations including holiday lights are permitted on a temporary basis for a period of twelve days before and after the holiday.

**14. Confidential Information:** Owners and their tenants are asked to complete Owner and Tenant Registration forms, and to keep their telephone, mailing addresses and email information current. The information will remain confidential.

- (i) **Insurance:** Owners and their tenants are required to maintain Homeowner's (Renter's) insurance without a lapse in coverage including fire and casualty liability insurance on their Dwelling Unit. Owners and tenants are asked to provide the HOA Office with a copy of their insurance policy(ies).
- (ii) **Other:** Owners are asked to provide the HOA office with a copy of their Warranty Deed and Survey, for recordkeeping purposes.

**15. Amendments to the HOA Rules and Regulations:** The Ocean Village Villas Board of Directors may adopt reasonable rules and regulations governing the Association. The Board of Directors may amend these Rules and Regulations from time to time by a majority vote of the Board without recording any amendment thereto.