



SPANISH WELLS COMMUNITY ASSOCIATION RULES AND REGULATIONS AS APPROVED BY THE BOARD

The SWCA rules below are the minimum rules for Spanish Wells.

Sub HOA's may enact more stringent ones but not more lenient rules. Any violations during normal business hours need to be reported to the SWCA office. After-hours HOA violations (not law violations) need to be reported to 239-445-8739. The caller must supply specific information explaining the violation and location of such.

Violations of these rules may result in a fine in accordance with State of Florida Statutes.

I. GENERAL INFORMATION FOR SPANISH WELLS RESIDENTS

EXPECTED GUESTS OR VISITORS

Please login into www.spanishwellscommunity.com when you are expecting a visitor to add your guests to your Dwelling Live guest list. You can also download the smartphone app for Dwelling Live to your phone or tablet. If you are unable to log in, please contact the SWCA office at 239-319-1288 during normal business hours to have your password reset.

If you do not have access to the internet, you may call the Automated Guest Registration Center at 888-994-4117 to register your guests. If the Automated Guest Registration does not recognize your phone number, you need to register your phone number on Dwelling Live or contact the SWCA Office for assistance.

The Spanish Wells Main Gate (Spanish Wells Blvd. entrance) is manned 24/7. The Cordova gate is manned as posted. Guest entrance kiosks are available at both the Marbella and Cordova gates and guests can enter by scanning their pass at the kiosk. NOTE: Renters are permitted to provide a pass for a guest for up to 10 days; passes of a longer duration must be approved by the owner. Renters may not utilize the permanent guest list.

BAR CODES FOR VEHICLES IN SPANISH WELLS

Bar codes may be issued to homeowners, residents, and lease approved renters. The following documents are required:

- Valid proof of residency;
- Valid driver's license;
- Vehicle registration information

Residents or part-time homeowners whose driver's license or vehicle registration does not match the address of the home receiving the bar code must provide proof of ownership or residency.

All vehicles must be registered under the name of a homeowner or an approved resident to be eligible for a bar code. Currently, the cost for only the homeowners is \$25.00 per vehicle, subject to change by Board approval. Bar codes are vehicle specific so if you switch vehicles, the \$25.00 fee, will be charged for the new bar code. Homeowners will not remove a bar code and place onto a new vehicle. Only with

the approval of the CAM and executive board will a bar code be allowed to be handheld instead of placed onto a vehicle. This is done with vehicles that are classic cars or others as deemed necessary.

A bar code is valid as long as it remains attached to the vehicle for which it was originally issued. A bar code will not be issued unless it is attached to a vehicle by the management staff. Should the bar code cease to work, it will be replaced at no charge if it is on the vehicle for which it was originally issued. barcodes may not be removed from the vehicle and waived at the scanner to gain community access. violation of this rule may result in its deactivation.

Renters may obtain bar codes for \$50.00, subject to change by Board approval, by providing a copy of a valid lease and a vehicle registration form. Renter bar codes expire at midnight on the last day of the lease. If a renter subsequently returns, a reactivation fee of \$50.00 will be charged.

Having a bar code is a privilege, not a right, and it can be revoked by the Spanish Wells Community Association Board of Directors for violating any rule. Some examples include but are not limited to paying HOA dues, rude behavior towards staff, using obscene language etc.

SERVICE, CONTRACTOR, VENDOR, AND DELIVERY HOURS OF OPERATION

SWCA gates are open for service people, contractors and vendors, Monday through Friday from 7:00 am to 6:00 pm, Saturday from 7:00 am to 4:00 pm. Deliveries with the exception of construction materials, may be made Monday through Sunday from 7:00 am to 9:00 pm. The Cordova gate is manned as posted. No vendors will be allowed on Sunday or holidays with the exception of emergency activities i.e. A/C, electrical, plumbing, etc. or if a state of emergency is in effect.

Deliveries from USPS, FEDEX, UPS, and Amazon may be made until 9:00 P.M. every day including Sundays. If you require delivery outside of these hours, make sure the vendor has been entered into Dwelling Live as a specific guest to your property address.

Please register service people, contractors, vendors, deliveries, Uber, or work personnel with Dwelling Live via your computer, tablet, or phone app. Residents ordering food delivery are required to list that specific delivery into Dwelling Live as it may not be the same as the restaurant the food was ordered from. If you don't have internet, you may call the Guest Registration Center at 888-994-4117. All vehicles and personnel in these categories, with the exception of the delivery services mentioned above, must be off property by 6:00 pm on weekdays and 4:00 pm on Saturdays.

If work needs to be extended after hours due to an emergency, the SWCA office must be informed at 239-319-1288 Monday through Friday between 9:00 am and 4:00 pm. For afterhours vendor response, residents need to call 239-445-8739 and state the vendor's name, address and purpose.

OTHER INFORMATION

Thursday: Recycle & Trash pickup.

Tuesday: Horticulture pickup

By special arrangement: large items, electronics, hazardous waste. Call Lee County Solid Waste at 239-533-8000.

NOTE: LARGE ITEMS MAY ONLY BE PLACED OUT FOR PICK UP 24 HOURS PRIOR.

"When collecting your normal trash pickup, the driver will place an orange sticker on your appliance. This indicates that a special pickup will be scheduled to pick up the item.",

This will normally be done in three business days.

II. CONTRACTOR RULES

HOURS OF OPERATION FOR SPANISH WELLS PROPERTY:

Weekdays: 7:00 am to 6:00 pm; Saturdays: 7:00 am to 4:00 pm; Sundays/holidays: No work will be permitted on Sundays or holidays, with the exception of emergency activities, i.e. A/C, electrical, all plumbing to include pools, etc. or if a state of emergency is in effect. If work needs to be extended after hours or in due to an emergency, contact the SWCA office must be informed at 239-319-1288 Monday through Friday between 9:00 am and 4:00 pm. For after-hours vendor response residents need to call 239-445-8739 and state the vendor's name, address and purpose to make arrangements for an after-hours emergency response by a vendor.

Hours of operation will be **STRICTLY ENFORCED**. All personnel must exit by the end of each day's hours of operation.

1. Speed limit is 25 m.p.h.
2. Entrances and Exits speed limit is 15 m.p.h.
3. Traffic signs and regulations must be obeyed at all times.
4. All drivers entering Spanish Wells must present a physical and valid driver's license to gain entry to the community. Residents are required to inform all vehicle operators about the requirement to have a valid driver's license to gain entry.
5. Tractor-trailers are prohibited from using the Cordova and Marbella exit gate. They must only use the main gate exit lane.
6. No soliciting is allowed on property. It is the responsibility of the homeowner to ensure that their vendor knows not to solicit work by walking door to door in the community. All soliciting should be reported to the Sherriff's office directly.
7. No dumping of any garbage, trash, or yard waste on any common areas in the community.
8. The work site must remain clean, and dumpsters must be used for debris.
9. Dumpsters may not be placed on the road; they must remain on the homeowner's property
10. Portable toilets must be kept off the road and must have the door facing the building under construction or repair.
11. The road adjacent to the work area(s) must be kept clean and clear of debris and clear for traffic.
12. The contractor must have the address of where the work is to be performed in order to be granted admittance to Spanish Wells.
13. The contractor and/or his workers must be able to communicate in English or have written information describing the job location. Privacy Control will not escort workers to a site. If they do not know where they are going or how to get there, they will be denied access.
14. No alcohol or controlled/illegal substances (drugs) are allowed at any time. If they are found on a job site or in possession of a worker, the entire crew will be required to leave immediately regardless of the time of day, or whether or not the job is completed.
15. No pets, firearms, or loud radios allowed.
16. No fishing or swimming at any time. Contractor employees will not use any community facilities unless authorized by the CAM.

17. Vehicles are to be parked as close to the work site as possible. Do not park on curves, at intersections, across from another vehicle, or in any way that will block or interfere with traffic or in any manner that violates traffic regulations or legal parking restrictions. Contractor vehicles must be parked in the direction of the traffic that the parked vehicle is facing.
18. No persons under the age of 16 years are allowed.
19. No equipment shall be left or stored outside at a work site without prior approval of the CAM.
20. No work site may plug into electricity or obtain water from an adjacent property without the express written permission from the owner of that property.
21. Workers are not allowed to roam Spanish Wells property. They are to go directly to and from the work site.
22. One Contractor sign may be allowed, if permitted by the sub-associations. The sign shall be removed within 24 hours of the work's completion. A permit-board sign is also allowed and must be visible from the street.

FAILURE TO COMPLY WITH THE RULES AND REGULATIONS MAY RESULT IN SUSPENSION OF WORK PRIVILEGES AND/OR RESTRICTION FROM SPANISH WELLS PROPERTY.

III. GENERAL COMMUNITY RULES

1. All individuals must follow verbal instructions from Spanish Wells Community Association, any member of the Board of Directors, Golf and Country Club personnel, and Members of the Safety and Hurricane Committees or their designees. Those who pose a health and safety risk will be in violation of the Spanish Wells Community Association Rules and Regulations.
2. Fishing is not permitted from the Golf Course side of any lake, pond, or canal. Catch and release fishing is permitted from the homeowners' side of a pond and is subject to rules and regulations that may be adopted by the Sub-Association. Children under 16 must be accompanied by an adult. Bodies of water present a variety of risks and hazards, especially for small children. The Association has no liability for the safety of the residents and their guests for injuries caused by the conditions of the lakes, ponds, canals, and swales. All fishing is done at your own risk.
3. Swimming and recreational watercraft of any kind are prohibited in the lakes. Bodies of water present a variety of risks and hazards, especially for small children. The Association has no liability for the safety of the residents and their guests for injuries caused by the conditions of the lakes, ponds, canals, and swales.
4. Walking, biking, jogging or other non-golf activities on the cart paths or the golf course.
5. It is the responsibility of a pet owner or handler to pick up and properly dispose of his or her animal's waste. All pets must be leashed and in control of their owner or handler at all times when off the owner's property. Pets may not be chained or left in a yard or lanai at any time without the owner present with the pet. Pets are not allowed on the golf course. Any dog allowed to bark for a time period of 5 minutes or more should be deemed a sound disturbance to the community and will be subject to fines.
6. No garage or estate sales are permitted unless approved in advance, in writing, by the Executive Board of Directors.
7. Open Houses are only allowed on Sundays from noon to 5 PM. Homeowners shall assume responsibility for adherence by their real estate agents. There shall be no exceptions. See Real Estate Agent Guidelines.
8. No plantings of any kind are permitted to be installed in any lake. No dock, ramp, or other structure is permitted to be erected in any lake.
9. Any changes to the culvert drainage system must comply with SWCA's rule that minimum piping used has at least a 12-inch diameter. No changes shall be allowed to be made to any culvert drainage system including ditches, land grading, or similar that would otherwise prevent the free flow of water/flooding in those areas, unless approved in writing in advanced in SWCA.
10. No plantings are permitted within 4' of the perimeter fencing/walls, unless they are specifically approved by the SWCA Landscaping Committee.
11. No vehicle or trailer will be parked on any street or service road where no parking signs are posted.

12. No vehicle or trailer will be parked on any street or service road between the hours of 11:00 pm and 6:00 am.
13. Boats, trailers, recreational vehicles, motor homes, campers, vehicles in a state of disrepair, covered vehicles stored outside of garages or car ports, or with an expired or missing license plates/registration shall not be parked in or on any property, parking lot, driveway, or street anywhere in Spanish Wells. Motor Homes and boats may be parked in the homeowner's driveway for up to 48 hours at a time, no more than 6 times a year, for the purpose of loading and unloading.
14. All premises must be used for residential purposes only. Signs, vehicles, or other declarations of a business are not allowed on any premise. This does not intend to restrict any internet-based business or telecommuting required to maintain a current job status. No business will be operated in a residence without a valid business license as required by Bonita Springs, Lee County, or the State of Florida.
15. Non-residents are prohibited from using Spanish Wells facilities as a staging area, parking lot or other facilities for trips or other activities.
16. Door to door solicitation is not permitted. Homeowners are responsible for ensuring that their vendors do not solicit in the community.
17. Moving, storage containers, and dumpsters that will remain on the property more than 24 hours must be approved by the appropriate sub-association with notification to the Spanish Wells Community Association office.
18. No chemical, solvent, or material of any kind is to be dumped into any lake, pond, or drainage ditch or culvert.
19. Leaving food outside the home/garage/lanai for wildlife, including stray cats, is dangerous and strictly prohibited.
20. Under no circumstances will obscene or offensive language used by members, residents, guests, and all personnel and service providers-be tolerated. All personnel complaints must be directed to the Community Association Manager or the sub association Board Representative.
21. Aggressive behavior, including verbal or physical threats, intimidation, limiting open space to another, or harassment toward residents, members, guests, staff, contractors, Board members, or community volunteers, will not be tolerated. Residents will not remain in any office or building after being instructed to vacate the premises by a staff member.
22. Each Owner shall be responsible for any and all violations by his tenants, licensees, invitees, or guests and by the guests, licensees, and invitees of his tenants, at any time.
23. Lawns, Landscapes, and Xeriscapes must comply with the requirements set forth in 6.2 of the Declarations of Protective Covenants. Additionally, grass lawns and vacant lots cannot exceed six inches (6") in height. Astro turf, other artificial lawn coverings, gravel or asphalt driveways are not permitted.

24. The driver of any vehicle that strikes an entry/exit gate or any other community property is responsible for the cost of repairs and/or replacement plus will be assessed a fine.
25. A person must be a member, or paid guest of a member, of the Golf and Country Club in order to use any club facilities. Only those who have paid to play golf are allowed on the golf course, practice area, putting green or driving range. No other person(s) is allowed on any golf course property. Homeowners and their guest or visitors are not allowed to walk, jog, play sports or bike ride on any part of the golf course or cart paths.
26. Speed Limits: 25 m.p.h. in the Community and 15 m.p.h. at the Entrances and Exits.
27. All golf carts owned by a homeowner and or operated within Spanish Wells (regardless of if they are a golf or club member) must be registered with the SWCA office. Owners must provide proof of insurance on a yearly basis and will receive a SWCA registration sticker, which must be displayed on the windshield of the cart. This sticker is required even if the cart also has a Golf & Country Club sticker.
28. A golf cart may not be operated on any street in Spanish Wells by a person:
- Who is under 18 years of age unless that person possesses a valid learner's permit or driver's license; or
 - Who is 18 years of age or older unless they possess a valid form of government-issued photographic identification.
 - The exception is that the driver is the son, daughter, grandchild of the owner of the golf cart and that owner is present in the cart when the son, daughter or grandchild is operating the golf cart.
 - All golf carts will obey speed limits, stop signs and any other traffic control device.
29. All vehicles, except first responders and utility vehicles, entering Spanish Wells may only enter after having a bar code scanned. Vehicles are prohibited from entering Spanish Wells by following a vehicle so close (piggyback) as to bypass the reading of a bar code.
30. Use of drones for recreational or commercial purposes is prohibited unless expressly authorized in writing by the SWCA Board. Drone use is subject to FAA regulations and must not infringe on the privacy of residents. Drones will not fly over any other residence without the owner's permission.
31. All leases must be in writing, even if no rent or other consideration is involved. The minimum lease term is thirty (30) continuous days or one calendar month. No new lease may begin until at least thirty (30) days, or one calendar month, have elapsed since the first day of the last lease; The lessee must be a natural person and only the lessee and the lessee's Family may occupy a leased Home; An Owner may lease only his entire Home and no room rental or sub-leasing or assignment of lease rights by the lessee or Owner is allowed; and The Association may require the Owners to provide the Association with a copy of the lease and information on the lessees and their vehicles. *(Section 9.1 of the Third Amended and Restated Declaration of Protective Covenants for Spanish Wells)*
32. Owners shall not excavate or fill or do anything to alter the flow of water on through Spanish Wells' Stormwater Management Systems (SWMS) including lakes, swales, culverts, ditches or other similar water flow mechanisms. *(Section 5.1 (A) of the Third Amended and Restated*

Declaration of Protective Covenants for Spanish Wells)

33. Owners shall not install rip rap or otherwise alter the lake and pond banks or any part of the SWMS or cut down any trees, bushes or grasses that are part of the common areas. *(Section 5.1 (B) of the Third Amended and Restated Declaration of Protective Covenants for Spanish Wells)*
34. No individual residential Parcel Owner shall draw water for irrigation or other purposes from any lake, pond or other water management area. This restriction does not apply to sub associations. *(Section 5.1 (C) of the Third Amended and Restated Declaration of Protective Covenants for Spanish Wells)*
35. Owners are responsible for ensuring that activities on their Parcel do not result in chemicals, grass clippings or any foreign substances being introduced into the lakes or ponds or conservation areas. *(Section 5.1 (D) of the Third Amended and Restated Declaration of Protective Covenants for Spanish Wells)*
36. No Owner shall use his or her Home, or permit it to be used, in any manner which constitutes or causes an unreasonable amount of annoyance or nuisance to the Occupant of another Home or permit the premises to be used in a disorderly or unlawful way. The Board of Directors' determination as to what constitutes a nuisance or annoyance shall be dispositive and shall control without regard to any legal definition of such terms. *(Section 7.3 of the Third Amended and Restated Declaration of Protective Covenants for Spanish Wells)*

9821 TREASURE CAY LANE ♦ BONITA SPRINGS FL 34135
239-319-1288 ♦ swca@castlegroup.com
www.spanishwellscommunity.com