

# LA VILLA RIVIERA OF NAPLES

## Rules and Regulations 2023

(Revised 2023 3.10)

- 1.0 OCCUPANCY. Each of the apartments shall be occupied by one family as a residence only and for no other purpose. Occupancy of any apartment shall be limited to six persons, unless La Villa Riviera (hereafter known as LVR) Board of Directors (hereafter known as the Board) approval is obtained. Children and teenagers must be under adult supervision and are expected to behave in a manner that is respectful and courteous to other people around the pool and other common areas.
- 1.1a. VISITORS. A visitor means any person who visits the owner, or other legally permitted occupant, for the day but who does not occupy the unit (does not stay overnight in the unit). A visitor is not required to register with the grounds manager or complete the Guest Registration Card. Visitors are required to identify themselves when asked to do so either by an owner or the grounds manager. Visitors are not permitted the use of common areas without the host owner being physically present on the LVR Cooperative property. A visitor may temporarily use guest parking, the lanai and the lanai washrooms while awaiting the arrival of the host owner. Over six visitors may be permitted temporarily with the Board's permission.
- 1.1b. GUESTS. A guest means any person who is not the owner or a lessee or a member of the owner's or lessee's family, who is physically present in, or occupies the unit (i.e. stays overnight in the unit) at the invitation of the owner or other legally permitted occupant, without the payment of consideration. As set forth in Section 2.1 of the Bylaws, "unit" has the same meaning as "apartment". More than six occupants may be temporarily permitted within a unit subject to the Board's permission. Guests must be registered with the grounds manager and/or complete a Guest Registration Card (found in the laundry room) and are required to identify themselves when asked by a member or the grounds manager.
- 1.2 GUEST OCCUPANCY WHEN OWNER IS NOT IN RESIDENCE. Guest privileges when the owner is absent are limited once during the first six months and once during the second six months of the calendar year. Guests may not stay longer than one month unless approved by the Board. The occupancy counts the same as a lease. Guest occupancy must be requested and approved at least 7 days prior to the guest arrival. Guests will not be admitted to any apartment without proper approval. Host guests (a person the owner loans the apartment to without charge) must be in residence when their guests are living in the apartment. No guests shall be entitled to the use of the owner's covered parking or second car parking privileges. Guest Registration Cards are available in the laundry room.
- 1.3 FAMILY OCCUPANCY WHEN OWNER IS NOT IN RESIDENCE. When an owner plans to be absent for two weeks or longer the grounds manager should be notified of the departure time and approximate date of return. Owners may grant occupancy to family members as follows: grandparent, parent, child, brother, sister or grandchild of the owner, or of the owner's spouse, if any. That person's spouse and children may accompany him/her. No persons under 21 shall be permitted to use an owner's apartment in their absence. Dates of arrival and departure of those authorized to occupy the unit must be communicated in writing to the grounds manager who will post a Guest Registration Card on the bulletin board. Owners are responsible for ensuring their family occupants in residence have been provided a copy of the Bylaws and Rules and Regulations and they have agreed to abide by them. Family members are required to identify themselves when asked by a member or the grounds manager.
- 1.4 LEASING. A unit may be leased no more than two times per year, once during the first six months and once during the second six months of a calendar year. The minimum lease term is 3 months; the maximum is 6 months. All leases must be approved by the Board.

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- a. A Lease Application Package is available (see Section 20.0). The package contains two forms: 1. Purchase-Transfer-Lease Application and 2. Lease Application Reference document.
- b. To approve a lease, a completed Purchase-Transfer-Lease Application form and the \$150 fee must be submitted to Newell Property Management, 5435 Jaeger Rd #4, Naples, FL 34109 (hereafter known as LVR Management Company) a minimum of 30 days prior to the lease date (minimum time required for the Board to perform due diligence).
- c. The lessor's (owner's) vehicle must be removed from the property while the unit is leased.
- d. A lessor may only inhabit their unit during an unused portion of a lease that occurs after the first three months of the lease.
- e. Lessees are not permitted to sublease or loan units. Lessees may not have guests longer than 14 days unless they are immediate family members. Guest occupancy must be requested and approved a minimum of seven days prior to the guest arrival and are subject to Rules and Regulations section 1.1(b). Lessees must be in residence when their guests are living in the apartment.
- f. Neither lessees nor their guests shall be permitted the use of the owner's covered parking or second car privileges. (See Parking Policy.) Lessee parking is determined by on an as available basis by the Parking Committee and/or Board.

2.0 SEASONAL RULES. "Season" is determined by the Board to occur between December 15 through April 15 or the Monday after Easter, whichever comes later.

3.0 CHANGES, ALTERATIONS OR MAINTENANCE. Except for interior decorating, no changes, additions, or alterations to the interior or exterior of any apartment including the porch, or to any part of the exterior of the building, including landscaping, may be made without prior written approval of the Board. Application forms are available from the office (C101). Installation of laundry equipment or any other machinery is not permitted inside individual units. Major changes or alterations must not be done during "season". Screen doors are to be kept in good condition, have white frames, and are subject to Board approval. Hurricane shutters must be white in color. All existing hurricane shutters at the time of writing (2020) shall be grandfathered. Porch enclosures must be constructed entirely of glass supported by white frames. Curtains or draperies that are not white or pale in color must be approved by the Board. No work is permitted on Sunday. Working hours occur between 7:00 A.M. and 6:00 P.M.

4.0 STEPS IN A SALE OR TRANSFER OF MEMBERSHIP. Owners wishing to transfer ownership must communicate with the Board a minimum of 30 days in advance of the closing to provide for an investigation and processing. Forms required to process a sale are available from the LVR Management Company. If a unit is withdrawn from sale, the Board and LVR Management

Company must be notified. If the unit has been withdrawn from sale and later re-introduced for sale then the following steps must be repeated. The right of occupancy by the purchaser before the sale is completed is subject to Board approval.

- a. A notification of the prospective sale of any unit must be made to all owners two weeks prior to public offering. Therefore, the seller must notify the LVR Management Company in sufficient time to allow for the two-week notification. The LVR Management Company will post a notice on the LVR bulletin board and notify all members by mail/email.

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- b. When the seller arrives at an agreement with a prospective buyer, the seller notifies the LVR Management Company to provide the buyer with:
  - i. Application for Membership
  - ii. Assignment and Acceptance
  - iii. Cooperative Owner's Agreement
  - iv. Bylaws
  - v. "Frequently Asked Questions" (FAQ) sheet
  - vi. Rules and Regulations
- c. The buyer submits the application, along with the \$150 application fee, to the Board at least 30 days prior to the desired closing date.
- d. The Board processes the application and interviews the prospective buyer.
- e. The buyer and seller work with a title company or lawyer to:
  - i. Arrange settlement payments
  - ii. Arrange processing and filing the required documents with Collier County
  - iii. Have the buyer provide a signed copy of Cooperative Owner's Agreement
- f. When the LVR Management Company receives a signed copy of the Cooperative Owner's Agreement, it records the sale in a record book, issues a new share certificate and notifies the new owners of the completed purchase.

5.0 LVR RECORDS. LVR business records are maintained by and located at the LVR Management Company at 5435 Jaeger Rd #4 Naples, FL 34109. When requested in writing, business records are available to all members and may be reviewed in the presence of the Management Company or Board Member. Seven days advance notice is required. Member files are private and for Board use only; however, a members may review their own file with the exception of litigation papers, if there is a dispute. Original records may not be removed from the LVR Management Company.

6.0 DOCKS. The docks are owned by individual members termed "dock users". Docks are to be used by owners, their families and lessees. They are not to be sold or rented to a nonmember, except to lessees for the term of the lease. LVR assumes no responsibility for damages, accidents or injuries to any person or property on the boat docks. All dock users/owners must sign a waiver of liability releasing LVR Association from all liability in the use of the dock area. LVR assumes no responsibility for damages to or by boats moored at LVR docks. All costs associated with maintenance, servicing and supplying of water and electricity to the docks is the responsibility of the dock owners, and the Board maintains full authority over approval of any work performed on LVR property associated with the docks. Docks are to be kept in a safe condition and maintained as directed by the Board. Use of electric shore power on a continuous basis will be billed to the owner.

6.1 SEAWALL. Children under the age of 13 must be supervised while within proximity of the seawall.

7.0 ASSOCIATION INSURANCE. The insurance policy for La Villa Riviera of Naples Inc., including building property damage and liability, is placed by the Board.

- a. The coverage includes loss by fire, lightning, windstorm, hail, smoke, explosion, flood, vehicle or aircraft, vandalism and other perils. In addition, LVR carries Workers' Compensation for the grounds manager and part-time help, plus liability insurance for the Directors.

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- b. Each owner is responsible for insuring their unit's interior which includes but is not limited to: walls, cabinets, doors, floor finishes, ceiling, furnishings, personal property, injury and liability.

8.0 FIRE PROTECTION. The control panel for the alarm system is located in the Electric Room on the ground floor of Building C. It is housed in a large red box mounted on the wall. The system is activated by any one of eight pull stations, nine heat detectors or seven smoke detectors, all located in strategic locations about the buildings. When any of these devices are activated or pulled, the alarm system notifies the fire department and the alarm company. It also activates all 17 horns and strobe light warning devices located in suites around the building, and the horn alarms in the bedrooms of all units. These warning horns are not part of the sensing system. In case of fire, one needs to physically operate a pull system to activate the system. In addition to alerting the fire system, both elevator cars are automatically brought to the first floor and their doors opened. This system is operated over two dedicated wire circuits to the fire department. Owners must have and maintain smoke detectors within their own units. They may be hardwired or battery operated. Residents are expected to be familiar with the location of all this equipment.

9.0 PARKING. Every member is entitled to one parking space approved by the Board and assigned by the Parking Committee. Parking spaces are assigned according to owner seniority which starts when the Association recognizes the right of the unit owner(s) or primary occupant to occupy their unit. It terminates when there is a sale or transfer of the unit ownership and the owner(s) or primary occupant does not own another LVR unit. An owner may move from one unit to another within LVR without losing their original seniority. Parking areas are for the exclusive use of members, guests, and lessees.

- a. Owners may exchange commensurate assigned parking locations (under cover for under cover or not covered for not covered location) if such an exchange is agreeable to both parties.
- b. When a member stores a vehicle on site, they must provide an extra set of vehicle keys to the grounds manager's office (C101) during their absence.
- c. Extensive mechanical work or oil changing is not permitted on the premises.
- d. Under Cover Parking: see section 9.1 Under Cover Parking of the Rules & Regulations.
- e. Lessee Parking: see section 9.2 Lessees of the Rules & Regulations.
- f. Guests: see section 9.3 Guests of the Rules & Regulations.
- g. Second Car Parking: see section 9.4 Second Car Parking of the Rules & Regulations.
- h. La Villa Riviera prohibits the parking of boats, rafts, floats, boat trailers, house trailers, campers, commercial/work trucks or vehicles of any kind other than a family vehicle which is not to exceed 18'6" in length, 7' (84") width and 7' (84") height.

9.1 UNDER COVER PARKING. Covered parking spaces are assigned according to owner(s) or primary occupant seniority (as per section 9.0 of the Rules & Regulations).

- a. Storage of cars under cover will be limited to members who have permanent under cover parking assignments.
- b. When assigned under cover parking becomes vacant during the summer months (April 15 or the Monday after Easter whichever comes later until December 14) the Parking Committee will temporarily award the space, pending Board approval, for the duration or portion of the vacancy.

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- c. After subsections a. and b. have been satisfied and a vacant assigned under cover parking space becomes available, it may be temporarily awarded to the next eligible member pending Board approval. (See 9.2c)

#### 9.2 LESSEE PARKING. Lessors will vacate their parking space regardless of whether it is located under cover or not and park off site for the term of the lease(s).

- a. Lessees are not eligible to use under cover parking or second car privileges.
- b. Lessees will take the assigned parking of the lessor unless it is under cover parking, in which case lessees will be assigned a vacant non-covered open parking space by the Parking Committee.
- c. The Lessor's vacant assigned under cover parking will be temporarily awarded (for the duration or portion of the lease) to the next eligible member, pending Board Approval.
- d. If a Lessee cannot be provided a vacant open parking space because none are available, the Board will direct the member awarded the most recent second car parking space to park their second car off the property. The vacated parking space will be provided to the Lessee for the duration of the lease, after which the member may return their second car to the second car parking space (as per section 9.4 Second Car Parking of the Rules & Regulations).

#### 9.3 GUEST PARKING. A limited number of spots are kept for guest parking. Vehicles belonging to short-term guests (less than three nights) must be parked in spaces marked "GUEST" located at the west side of the site (beside Gulf Shore Blvd).

- a. Guests staying more than three nights will be assigned a temporary open parking space by the Parking Committee on an as available basis.
- b. If a parking space is not available, the Board will direct the member awarded the most recent second car parking space to vacate the space and park off site. The space will be provided to the visitor for the duration of their stay after which the member may return their second car to the second car parking space.

#### 9.4 SECOND CAR PARKING. Every member is entitled to one parking space, approved by the Board and assigned by the Parking Committee as per Section 9.0 of the Rules & Regulations. There is no entitlement to a second car parking space and maintaining sufficient guest parking will be given priority ahead of any member's request for second car parking. Lessees will not

be provided second car parking and only one vehicle per unit will be permitted to park undercover. During "season", any member wanting a second car parking space for themselves or a spouse must:

- a. Submit a request in writing before November 01 to the Board of Directors for review identifying the member involved and dates requested.
- b. The requesting member(s) will be notified in writing of the Board's decision.

The Parking Committee requires Board approval before assigning second car parking. If the Board determines that additional parking spaces are required for lessee or guest parking, previously approved second car parking privileges may be rescinded. The Board will notify the owner in writing to remove the second car from LVR as directed.

#### 10.0 SWIMMING POOL. The pool is open between dawn and 10:00 p.m. The pool is not guarded at any time; use is at your own risk. Shower before entering the pool to remove the oils and lotions that clog

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pool filters. Persons with open skin lesions are prohibited from pool use. Swimmers with long hair should wear a cap or confine their hair close to their head. Children under 13, regardless of their swimming ability, must be accompanied by an adult. Floating objects, including rafts are not allowed in the pool when others are in the pool or when another pool user objects. Towels should be placed on chairs to prevent oils or lotions from damaging them. Rough play or pushing others in is not allowed around the pool. No eating or glass containers are permitted in the pool area. If pool area furniture is moved, replace it before leaving the area.

- 11.0 GRILL. All residents can use the grill. Follow the instructions on the grill for lighting. After using it, please clean it while it is still warm with the brush provided, and replace the cover when the grill is cool. Be sure gas tank and burners are turned off before leaving. Empty propane tanks should be put beside the office door (C101) for refilling. No grilling is allowed in the apartments or on the porches.
- 12.0 MISCELLANEOUS RULES. In consideration of others, quiet hours should be observed between 10:00 p.m. and 7:00 a.m. No pets are allowed on the premises. Halls and corridors should not be used for storage of personal effects, including shoes, chairs, towel racks, decorations, etc. Fire regulations require that halls be maintained free of objects for safety reasons. At no time shall towels, laundry, or other articles be placed on porches, walkway railings or clotheslines outside the front door. The two bulletin boards are used to communicate information to members. The board closest to the office (C101) is for Board business, the other board located by the bathrooms is for advertising, rental, membership notices, etc. Please refrain from political messaging. Screens, rugs and chairs should be washed at the car wash stall located by the canal, not on the lawn.
- 13.0 LAUNDRY FACILITIES. These are for resident, lessee and guest use only. Hours of operation are from 7 am until 10 pm. Remove items from the machines in a timely manner. Users must stay with their machine when washing heavy items such as mats, towels etc., because machines may become unbalanced resulting in machine damage.
- 14.0 ELEVATORS. Elevators must not be operated by children under 13. In case of fire, do not use elevators: use a stairway. If you find yourself stranded in a non-operative elevator, there is a communication system that will connect you to a 24-hour monitored station, with which you can state your situation. The "HELP" button is located at the bottom of the control panel and when pushed allows the occupant to speak with an individual. When using elevators to transport furniture, etc. please install the padded blankets to cover the walls of the car. They may be obtained from the office (C101). Use caution when entering and leaving the elevator especially in wet weather.
- 15.0 SAND. Please do not track sand on the corridor carpets. During "season", use the beach shower located at the roadside of building A to remove sand from people and equipment. Out of "season", use the shower located by the pool.
- 16.0 TRASH DISPOSAL. Garbage and recycle bins are located in the parking lot. Garbage pickup is Monday, Wednesday and Friday mornings. Recycling pickup is Friday morning. Cardboard boxes must be broken down before being placed in recycling container. Plastic bags of any kind are not to be placed in the recycling container and must be placed in the garbage bin or returned to a private recycler. Sink garbage disposals should be used for liquid disposal only. Our multiple-unit building cannot

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handle bones, grease, melon or citrus seeds, banana skins, rinds or lettuce. Please do not deposit trash in bins after 10:00 p.m. as the noise is disturbing to the others. More information regarding Naples recycling can be obtained from the following website:  
<https://www.naplesgov.com/solidwaste/page/recycle-program>

#### 17.0 BICYCLE RACKS. Bicycle racks are located between buildings D and E, and the following rules apply:

- a. All bicycles require an attached tag identifying the owner's unit number.
- b. Bicycles must be parked in the member's unit, the member's storage locker, or at the bicycle racks.
- c. The elevator maintenance room doors cannot be blocked.
- d. Bicycles must be secured to the racks in such a way to allow access to adjacent bicycles.
- e. Owners and lessees may use the racks only while in residence. When not in residence for more than 30 days, bicycles are to be relocated to the member's unit or storage locker.
- f. Abandoned bicycles will be removed and disposed of.
- g. During hurricanes, bicycles must be removed from the bicycle racks and stored in a locker or unit. Any bicycle not removed will be put in the dumpster.

#### 18.0 SERVICE AND ASSISTANCE ANIMALS.

- a. A copy of the Service/Assistance animal certification must be submitted to the Board of Directors for review and approval prior to housing any such animal on site.
- b. Owners of Service/Assistance animals are liable for any damages their service animal causes to the property, or to another person.
- c. Any waiver of the building's "no pet" policy may be revoked whenever a Service/Assistance animal behaves habitually in such a manner as to constitute a nuisance. Such behavior may include, but is not limited to, repeatedly causing damage to or soiling the common areas of the premises, repeated loud and excessive barking, whining or disturbing the quiet, peace, enjoyment, or convenience of the neighborhood or of a person or persons in the vicinity. Nuisance behavior may also include repeated disobedience of and/or lack of control of the Service/Assistance animal by its owner or handler, or any behavior that poses a danger to the health or safety of any person on the premises.
- d. Any Service/Assistance animal deemed a nuisance by the Board will be subject to removal from the premises.
- e. Proof of County and local government vaccinations is required.
- f. When in common areas or on the grounds, a Service/Assistance animal must be on a leash and wear clearly visible Service/Assistance animal identification.
- g. A Service/Assistance animal cannot share the elevator with or maintain prolonged interaction with other residents/guests unless with the permission of both the resident/guest and the owner/handler.
- h. The walking of a Service/Assistance animal must be primarily off the property.
- i. The Board will identify a designated area for bodily elimination and it must be appropriately disposed of by the animal's handler.

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- j. The Association's pest control contract does not cover fleas. Service/Assistance animal owners can arrange for the Association's pest control company to fumigate their unit at the owner's expense. If a Service/Assistance animal has fleas the animal **MUST** be treated in the proper manner and the unit must also be treated at the owner's expense so as not to spread throughout the Association. Upon move out, pet owners are responsible for fumigation of their unit only if there has been an identified flea infestation.

19.0 COMPLAINTS. If an owner has a complaint, he/she should notify the Management Company in writing. The Board is obligated to respond to this information, and to pursue a satisfactory solution for the problem.

20.0 FREQUENTLY USED FORMS/PACKAGES. These forms and more are located within the "Documents" header of the LVR website or by contacting the LVR Management Company.

- a. GUEST REGISTRATION. When overnight guests are in residence, complete a Guest Registration Card obtainable in the laundry room to identify their names, number of guests, and any associated license plates. Pin the card on the bulletin board next to the office (C101).
- b. GUEST OCCUPANCY REGISTRATION FORM. Required when an owner who is not in residence loans their unit for no charge.
- c. LEASE APPLICATION PACKAGE. Required to lease a unit.
- d. SALE APPLICATION PACKAGE. Required to sell a unit.
- e. TRUST APPLICATION PACKAGE. Required to place a unit in Trust.
- f. UNIT ALTERATIONS REQUEST FORM. Members require Board approval before performing material alterations or substantial additions to a unit.
- g. ELECTRONIC NOTIFICATION CONSENT FORM. Members provide their consent to receive Association communication via electronic means.

21.0 SEASONAL DECORATIONS. Members may temporarily adorn their front doors with appropriate Christmas ornamentation from December 15 until January 06.

22.0 GIFT ACCEPTANCE POLICY. A gift to the Association is a transfer that is voluntary and motivated by a detached and disinterested generosity. No benefit to the donor may accrue nor may the donor be given a benefit in return. A gift cannot have unacceptable encumbrances or restrictions attached to it. The acceptance and application of a gift will be determined solely by the Board of Directors. Gifts or their value cannot exceed \$1000 USD per calendar year by anyone or any unit. A benefactor's anonymity cannot be guaranteed by the Board of Directors.

23.0 RULES AND REGULATIONS UPDATES. The LVR Management Company shall distribute to owners by mail/email a copy of any changes or amendments to the Bylaws or the Rules and Regulations.

24.0 STORAGE FACILITIES. Every unit has an assigned storage locker. LVR takes no responsibility for the loss of any items stored in lockers. Flammable materials and liquids are not to be kept in the storage rooms. Remember to keep the door closed as this area is being dehumidified. Upon leaving the area, turn off the lights and shut the entrance door.



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25.0 EXERCISE AREA. Use of the Exercise Area is available from 8 am to 10 pm. Use of equipment is for adults and supervised teenagers only. All exercise area attendees should understand and be aware that strength, flexibility and aerobic exercise including use of equipment is a potentially hazardous activity. Therefore, exercise area attendees must understand that fitness activities involve a risk of injury and even death and participating in these activities is voluntary. All users of the equipment should hold harmless LVR from any and all responsibility or liabilities for injuries and even death. Any pieces of equipment that are being stored in the LVR exercise area become the property of the LVR exercise area until that owner decides to remove it from the LVR exercise area.

26.0 WORKSHOP. All tools and equipment are for the common use of the residents. They are to be returned to the same location from which they were obtained and in the same condition as they were found. Tools are not to be kept overnight but can be used daily. The use of any power tool or any other tool is the sole responsibility of the user. LVR is not responsible for any injuries or damages related to the use of any tool or the facility. Any user of the tools should hold harmless LVR from any injury or responsibility.

27.0 SMOKING PROHIBITED IN CERTAIN AREAS (adopted 2021.02.04). Smoking is prohibited on all common areas other than the Smoking Area, as defined in 27.0 (a) below, whether indoors or outdoors. Without limiting the generality of the foregoing, this prohibition applies to the lanai, swimming pool, all areas in the office apartment, storage areas including the workshop, restrooms, garden equipment room, paths, landscaped areas, hallways, elevators, and parking areas.

- a. Smoking Area. The area immediately adjacent to the two existing fixed benches and encompassed within the following metes and bounds: beginning at a point located at the southeast corner of the property of the cooperative, extending northerly along the seawall to the northern edge of the paved parking area, then continuing westerly along the edge of the paved parking area to a point ten feet west of the seawall, then continuing southerly along a line ten feet west of and parallel to the seawall to the southerly boundary of the property, then continuing easterly along the property line to the point of beginning.
- b. Definition of Smoking. Smoking is defined as carrying, burning, inhaling, exhaling or otherwise handling or controlling any lighted or smoldering product containing tobacco or medical marijuana legally permitted pursuant to Florida law, including, but not limited to, cigarettes, cigars, pipes, e-cigarettes and hookahs.