



# RULES AND REGULATIONS

**MAY 2024**

The Declaration of Covenants and these Rules and Regulations (including Architectural Standards) expressly detail what is approved or prohibited in the Association. If an item, addition, removal, or any other action is not expressly approved in either the Declaration of Covenants or these Rules and Regulations (including Architectural Standards), it is prohibited. For architectural additions or removals, please see Architectural Standards.

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# WINDING CYPRESS

## RULES AND REGULATIONS

The purpose of the Rules and Regulations is to promote the integrity and uniform harmony of our properties, to set guidelines for the appropriate use of our amenities, and to protect the value of our investments while ensuring the aesthetics, safety, and enjoyment of our beautiful community for the benefit of all Homeowners.

*Bylaws for WC HOA, 7. Rules and Regulations: .... Any rules and regulations must be reasonably related to the promotion of health, happiness, and peace of mind of the owners and uniformly applied and enforced.*

Please share the Rules and Regulations with your guests and tenants. An Owner (Homeowner) will be held fully responsible for any and all infractions (whether to persons or property) by the Owner, his Family members, Tenants, Guests, invitees, or others.

- Owner (Homeowner) refers to any person who is the record owner of the fee simple title to any parcel in WC.
  - Owners must be in good standing to use amenities.
- Tenant refers to one who leases or rents from an owner and holds temporary possession of a residence. (See section on RENTALS, page11)
- Family refers to one or more persons living together each of whom is related to the others by blood, marriage, legal custody, or adoption or not more than two persons not so related who reside together as a single housekeeping unit, along with their children, if any.
- Guest means any person present at the invitation of the owner or other legally allowed tenant in good standing.

The document is divided into sections as follows with each section addressing the use of each area. The Rules and Regulations in each section are listed in alphabetical order.

- Common Areas and General Rules
- Homes (Properties)
- Amenities

*Note: On June 22, 2022, the Board of Directors voted to adopt a Resolution Regarding Strict Enforcement of the Governing Documents, with specific exceptions. [Click here](#) to view the Resolution.*

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The Board of Directors reserves the right to alter, add, or delete Rules and Regulations at their discretion. For a complete understanding of the community's restrictions please refer to the Declaration of Covenants, Conditions, and Restrictions for Winding Cypress.

## COMMON AREAS AND GENERAL RULES

**COMMON AREA USAGE:** Homeowners may not use the Common Area in such a manner as to abridge the equal rights, use, and enjoyment of the other Owners.

- Homeowners may not add, remove, prune, cut, damage, or injure any trees or other landscaping located in the Common Area.
- Any portion of the Common Area that is deemed open space is owned by the Homeowners Association and preserved and maintained by it and must not be destroyed or tampered with by Homeowners and/or residents.

**DRONES:** The use and operation of drones by Homeowners within Winding Cypress is strictly prohibited.

- Drone use is allowed only by licensed professionals for commercial interests (e.g., home and roof inspections, real estate sales) with proper FAA licensing.

**LAKES/PONDS:** The lakes and ponds within the community are controlled by the CDD (Community Development District); therefore, residents have no recreational or other access (including but not limited to fishing and water toys) to the lakes/ponds within Winding Cypress.

- Beware of snakes, alligators, and birds in the ponds. Since Winding Cypress is a preserve area, the ponds are a natural habitat for many wildlife species.

**NUISANCE:** Nothing shall be done upon any Parcel or in any Neighborhood or in the Common Area which may be or may become a nuisance to any person.

- No obnoxious, unpleasant, noisy, or offensive activity shall be carried on, nor may anything be done that can be reasonably construed to constitute a nuisance, public or private in nature.

**REMOTE CONTROLLED DEVICES/TOYS:** The use of remote-controlled devices on lakes or ponds, roadways, or other common areas within Winding Cypress is prohibited.

**SAFETY AND SPEED LIMITS:**

- All residents must observe the vehicular speed limits and any rules posted on signs in the Common Area.
- Vehicles within Winding Cypress share the roads with walkers, joggers, bicyclists, golf carts, and must give them the right of way by slowing down or stopping to create a safe environment.

## HOMES (PROPERTIES)

The following information lists Rules and Regulations which apply to the use of homes (properties). For information regarding modifications to the exteriors of homes, please refer to the Architectural Review Guidelines on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org).

**AIR CONDITIONING AND HEATING EQUIPMENT AND FILTRATION DEVICES:** Window or wall air conditioning units are prohibited.

- All air conditioning and heating units, as well as filtration tanks/devices, must be shielded and hidden using hedging plants so that they shall not be readily visible from street view. For information, see Architectural Review Guidelines and Approved Plant List on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org).

**ANTENNAS:** OTARD ((Over-the-Air Reception Devices) rules apply ([click to view](#)). For more information see the Architectural Review Guidelines on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org).

**CLOTHES DRYING AREA/CLOTHESLINES:** Outdoor clothes drying and/or clotheslines are prohibited.

**COLORS (EXTERIOR):** Homeowners must obtain HOA approval for any exterior painting prior to starting any work. For information, see Architectural Review Guidelines and Approved Paint Colors on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org).

**DECORATIONS AND YARD ORNAMENTS (EXTERIOR):** Flowerpots, bird baths, statues, benches, and wall hangings are allowed provided all the following guidelines are followed:

- Items not to exceed 36" in height.
- The total number of items in a front yard, an alcove, a driveway, and an Entryway, in total is limited to six (6).
- Wall hangings are only allowed in entryways and alcoves.
- Wall hangings are prohibited on or around the garage.
- Approved items cannot be placed on any sodded areas and must be placed more than 12 inches from the end of the sod line.
- Items are installed solely at the risk of the homeowner regarding damage from any maintenance provider contracted by the HOA to provide service.
- For SEASONAL/HOLIDAY DECORATIONS, see pages 12-13.
- Bird Feeders are prohibited.
- House numbers must be black and between 4" and 6" in height. The numbers must be placed on the garage trim, not the home's exterior stucco.

**DRIVEWAYS, DRIVEWAY COATINGS, AND SEALERS:** All driveways must be constructed of paver stone.

- The Homeowner is obligated to keep his driveway clean and well-maintained (free of weed, algae, and mold).
- Only clear surface coatings/sealers are allowed on pavers.
- Homeowners may not change the actual driveway surface or color from the originally installed surface (i.e., Pavers).

**FISHING IN COMMON AREAS:** Fishing in the lakes and ponds within Winding Cypress is prohibited. The lakes and ponds within the community are controlled by the CDD (Community

Development District); therefore, residents have no recreational access to the lakes and ponds within Winding Cypress.

- Beware of snakes, alligators, and birds in the ponds. Since Winding Cypress is a preserve area, the ponds are a natural habitat for many wildlife species.

**FLAGS AND BANNERS:** No flags are permitted other than the flags allowed by Chapter 720, Florida Statutes as amended from time-to-time hereafter and as provided herein. All flags must be displayed according to the requirements in Chapter 710, Florida Statutes and Federal law.

Sports flags or banners may be displayed on event day only, not to exceed 24 hours.

**FLAGPOLES AND/OR BRACKETS FOR FLAGS:** The installation and display of flagpoles and brackets for flags is subject to approval by the Architectural Review Committee. For additional information, see the Architectural Review Guidelines on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org).

**GARAGES AND GARAGE DOORS:**

- Garage doors must be kept closed except when a vehicle must enter or exit the garage or for reasonable periods of time while the home’s occupant(s) use the garage for typical uses associated with a residential dwelling.
  - Garage Door screening when installed may be used only from sunrise to sunset. For additional information, see the Architectural Review Guidelines on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org).
- Garages may NOT be converted to residential use or use other than as originally designed. Garages may not be used as “workshops” or other uses that generate unusual amounts of noise and dust unless the garage door is kept closed and provided that such use does not create a nuisance.
- Electrical Vehicle Chargers must be located inside the garage.
- No changes are permitted to builder-installed garage doors including but not limited to vents, faux handles/hinges, and ornaments.

**GARAGE SALES:** Garage sales open to other WC residents may only be held on Saturdays from 8:00 am to noon. A Collier County free garage sale permit must be obtained. Each residence is



limited to one garage sale per year. The property manager must be notified 7 days before the garage sale is to take place and be shown the Collier County permit.

**GENERATORS:** Generators must be shielded and hidden using hedging plants so that they shall not be readily visible from street view. For information, see Architectural Review Guidelines and Approved Plant List on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org). Portable generators and fuel tanks/gas cans may not be stored on any portion of the exterior of the property.

**GOLF CARTS:** Owners may keep golf carts only within an enclosed garage, except for the temporary parking of golf carts in the driveway of a home or in such portion of the Common Areas specifically designed for golf cart parking.

- Golf carts are required to be **insured and registered with the HOA office**. Each Owner who uses or permits his or her golf cart to be used in Winding Cypress must provide the Association, on an annual basis, with **proof of liability insurance** in connection with the operation of his or her golf cart, and such insurance shall have limits as shall be approved by the Association in its sole discretion.
  - Each policy must name the Association as an additional insured, and the Homeowner must provide the Association with thirty (30) days' notice prior to its cancellation.
- Upon registering their carts, Homeowners will receive a registration sticker from the HOA office. The Winding Cypress registration sticker/decal **must be displayed** on the windshield of all golf carts. Without this sticker/decal, Homeowners may not park a golf cart at the amenity areas.
- Unregistered golf carts will receive a notice if in public places until a registration sticker is obtained.
- Golf Carts may only be driven on the streets and may not be driven on sidewalks, grass, or pathways.
- Drivers under 18 must be at least 15 years old with a learner's permit, or 16 with a driver's license, to drive a golf cart. If you're 18 and older, you must have valid government-issued identification. Per Florida law – effective July 1, 2023
- Headlights are required to be used after dusk.

- An Owner will be held fully responsible for any and all damage (whether to persons or property) resulting from the negligent use of a golf cart by the Owner, his Family members, Tenants, Guests, invitees or others using the Owner's golf cart.
  - The Owner shall reimburse the Association for any and all damage (including attorneys' fees and costs) the Association may sustain by reason of such misuse. Such damage shall be collectible from the Owner and Parcel pursuant to Section 4 of this Declaration.
- Owners and all others using golf carts in Winding Cypress agree to save and hold the Association, and their directors, officers, members, employees, and agents harmless for and from and against all claims, damages, losses, and expenses, including but not limited to attorney's fees and costs, arising out of or resulting from golf cart usage.
- If renting a golf cart, you must register the rental with the property manager office.

**HOSE CADDIES:** Hoses not stored within a caddie or coiled in an attached hose holder are not allowed to be left out on any part of the property except when in use.

- **Portable hose caddies** are allowed without ARC approval provided all the following guidelines are followed as they are essential for home maintenance.
- Hoses shall be stored out of sight of the streets and other homes when not in use.
- Neither the maintenance vendors nor the Homeowners Association shall be held responsible for any damage to hoses that are left out on the property regardless of how they are stored.
  - For more information, and for permanently installed hose caddies, see the Architectural Review Guidelines on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org).

**HURRICANE SEASON AND HURRICANE/STORM SHUTTERS:** An Owner who intends to be absent from his home during the hurricane Season (June 1<sup>st</sup> through November 30<sup>th</sup> of each year) should prepare his home prior to his departure.

- Shutters are not permitted to be drawn for the entire hurricane season.
- Remove all furniture, potted plants, and other movable objects from the yard and lanai.
- Designate a person or firm to prepare and care for his home should it suffer hurricane damage.

### **Use of Temporary (Builder-supplied) Hurricane Shutters**

- Temporary (builder-supplied) hurricane shutters may be installed seventy-two (72) hours in advance of a hurricane and removed within seventy-two (72) hours after the hurricane has passed.
- Permanently installed brackets for hurricane shutters are to be painted the exterior color of the home.

### **Use of Permanently Installed Hurricane Shutters**

For information about permanently installed shutters (accordion shutters, roll-down shutters, etc.), see the Architectural Review Guidelines on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org).

**LANDSCAPING:** When constructed, all homes were provided with landscaped beds and plantings to enhance the appearance of the homes and the neighborhood. It is incumbent on each homeowner to ensure that all lawn and landscape areas are kept in good and living condition.

- All areas not covered by structures, walkways, paved parking facilities or areas approved by the Association to be left in their natural state must be maintained as lawn or landscape areas to the pavement edge of any abutting streets or driveways, as applicable, and to the waterline of any abutting lakes.
- Vegetable, fruit, or other gardens with unapproved plants are not permitted outside your lanai.

For additional information and/or modifications to existing landscaping, see the Architectural Review Guidelines on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org).

**LIGHTING (EXTERIOR):** All exterior lightbulbs must be **clear or white** in color, in a color temperature range of 2700 to 3000 Kelvin. Colored light bulbs are not allowed.

- Exterior lights may not be fixtured with lamps greater than 75 watts per fixture; an 11-watt LED bulb can replace the 75-watt incandescent bulb.
- Outward-shining lanai cage lights are prohibited. As with all exterior lights' lanai lights should not be fixtured with lamps greater than 75 watts per fixture or an 11-watt LED bulb can replace the 75-watt incandescent bulb. All exterior lightbulbs must be clear or white in color.

- No spotlights, floodlights, or other outdoor high-intensity lighting shall be placed or utilized upon any Lot which in any way will allow light to be reflected on any other Lot or the improvements thereon without the written authorization of the ARC; Low-intensity lighting which does not unreasonably disturb the owner or other occupants of the Properties shall be allowed.
- Modifications to exterior lighting plans/fixtures must be approved by the Architectural Review Committee. See the Architectural Review Guidelines on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org).
- For SEASONAL/HOLIDAY EXTERIOR LIGHTING, see pages 12-13

**NUISANCE BEHAVIOR:**

- No resident shall make or permit any disturbing noises by himself, his family, guest, invitee, or lessee, nor do or permit anything by such persons that will interfere with the rights, comforts, or convenience of other residents. This includes but is not limited to revving a motorcycle, car, or motor vehicle engines, music, shouting, etc. No resident shall play or permit others to operate a stereo, television, radio, or musical instrument in such a manner as to unreasonably disturb or annoy other occupants of the Community. No such disturbing noise shall be permitted after 10 PM.

**PETS AND ANIMALS:** No animals, livestock, or poultry of any kind may be raised, bred, or kept on any Parcel, except for the following:

- Dogs, cats, and other usual and non-exotic household pets (not to exceed a total of three (3) pets, excluding tropical fish) may be kept (except for pit bulls, “wolf hybrids”, or other dogs prone to or exhibiting aggressive behavior), provided they are not kept, bred or maintained for any commercial purposes.
- Under Florida Law, a Dangerous Dog is: a dog that has aggressively bitten, attacked, endangered, or inflicted a “severe injury” on a human. A severe injury is one that causes broken bones, multiple bites, or disfiguring lacerations that require sutures or reconstructive surgery; a dog that has on more than one occasion severely injured or killed a domestic animal while off the owner’s premises; a dog that, without provocation, has chased or approached a person on the streets, sidewalks, or any public place in a menacing fashion or with an apparent attitude of attack. A dog will not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was unlawfully on the property, or lawfully on the property, but was tormenting, abusing, or assaulting the dog, its owner, or a family member. Additionally, a dog will not be declared dangerous if it caused injuries when it was protecting or defending a person within the immediate vicinity of the dog from an unjustified attack or assault.

*FYI: State Statute: Any violation of the Dangerous Dog Statute carries a civil penalty of up to \$500. In addition to civil liability, the owner of a dangerous dog that attacks or bites a person or domestic animal, without provocation, is subject to a fine up to \$1,000, and a term of imprisonment up to one year. In cases where a dangerous dog attacks and severely injures or kills a person, the owner is subject to a fine of up to \$5,000 and a term of imprisonment of up to five years.*

- All animals must be contained on the Owner's property and shall not be allowed to run freely.
- Pets must be up to date on all vaccinations.
- Pets are not permitted in the Amenity Center, pool area, or Shady Palm Café.
- When outside the Owner's home, all pets must be carried or secured with a handheld non-retractable leash (maximum 6' in length) and kept off the lawns and gardens of other Homeowners' properties (e.g., pets should be walked on the common grass area between sidewalk and road).
- Homeowners and/or walkers of an allowed pet must pick up all solid waste and deposit it in the Homeowner's appropriate trash container (hidden from view of street and other homes) or in a Dog Park receptacle.
- Electric or invisible fences are not allowed.

**POOLS:** Above-ground pools are prohibited.

- For after-market pool installations, see the Architectural Review Guidelines on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org).
- All pool equipment must be shielded and hidden using hedging plants so that they shall not be readily visible from street view. For information, see Architectural Review Guidelines and Approved Plant List on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org).

**RECREATIONAL EQUIPMENT, OUTDOOR FURNITURE, BARBEQUES, OTHER MATERIALS:**

- Recreational equipment including but not limited to outdoor playgrounds, swing sets, slides, seesaws, trampolines, basketball hoops and other like outdoor playground equipment is NOT Allowed.
- Outdoor furniture placed in areas maintained by the Association is not allowed, e.g., lawns, shrubs, beds, etc. Outdoor furniture is allowed only in lanais, entryways, and alcoves.

- Barbeques may be stored only on the lanai or in the garage. Keeping barbeques outside is not allowed even to cool down overnight.
- Open fires are prohibited outside the lanai.
- Storage sheds are not allowed.
- Surplus pavers, roof tiles, and other building materials must be stored in the garage.

**RENTALS:** All leases/rentals require HOA approval.

- Tenant refers to one who leases or rents from an owner and holds temporary possession of a residence.
  - Tenants must be informed of and abide by all Rules and Regulations in Winding Cypress.
- The minimum duration of a lease/rental is 30 days. Rentals less than 30 days are considered “business use of a property”, and therefore prohibited.
- Owners may lease/rent their properties a maximum of 3 times/year.
- For complete information, contact the HOA office.
- No lease may be advertised or offered for a lease term of less than 30 continuous days.

**RESIDENTIAL PURPOSE:** Homes/properties may not be used for other than residential purposes.

- Trade or business may not be conducted in or from any home, except as follows:
  - the existence of operation of the business activity is not apparent or detectable by sight, sound, or smell from outside the home.
  - the business activity conforms to all zoning requirements.
  - the business activity does not involve persons coming into Winding Cypress who do not reside in Winding Cypress or door-to-door solicitation of occupants of Winding Cypress.
  - the business activity is consistent with the residential character of Winding Cypress and does not constitute a nuisance, or a hazardous or offensive use, or threaten the security or safety of other residents.
- The use of a home as a public lodging establishment shall be deemed a business or trade use. The terms “business” and “trade”, as used in this provision, shall be construed to have their ordinary, generally accepted meanings, and shall include, without limitation,

any occupation, work or activity undertaken on an ongoing basis which involves the provision of goods or services to persons other than the provider's family and for which the provider receives a fee, compensation, or other form of consideration, regardless of whether (i) such activity is engaged in full or part-time; (ii) such activity if intended to or does generate a profit; or (iii) a license is required therefore.

**SATELLITE DISHES:** Satellite Dishes supplied and installed by Dish Network, Direct TV or HughesNet are allowed with restrictions. For more information or to install a satellite dish, see the Architectural Review Guidelines on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org).

**SECURITY CAMERAS:** Cameras are allowed when placed in locations where they can be clearly and obviously seen by those who enter a Homeowner's property, and not placed in locations where others have a reasonable expectation of privacy.

- If a camera is hidden or not obvious, the homeowner must indicate with a sign that clearly states the property is under surveillance. The sign must be obvious to anyone who enters the property.

**SEASONAL/HOLIDAY DECORATIONS AND LIGHTING (EXTERIOR):** Seasonal Decorations and Lighting are allowed in accordance with the following guidelines:

- Decorations and/or Lighting should not be placed on any common areas or sodded areas that can interfere with landscaping maintenance.
- Items are installed solely at the risk of the homeowner regarding damage from any maintenance provider contracted by the HOA to provide service. This is including, but not limited to: wires/extension cords left on top of shrubs or on the lawn, ropes and cables that hold up inflatable decorations etc. Landscapers may be fertilizing the lawns in the community; if there are fall/winter decorations on lawns, these areas won't receive any fertilizer, which may result in discoloration of the lawn in some areas.

**Seasonal LIGHTING in celebration of Christmas, Hanukkah, and Kwanzaa**

- **Seasonal lighting may be installed only from the day after Thanksgiving to January 10.**
- Seasonal lighting may not be installed on any tree, palm, or shrub in common areas.

- At the applicant's sole risk, if lighting placed on trees, palms, shrubs or in those areas which are maintained by the Association (yards) are damaged by maintenance personnel, the Association and its maintenance vendors will accept **no** liability for any such damage.
- Bulbs may not exceed 30 watts.
- Lights to be turned off no later than 11 PM.
- Lights and decorations may not be installed on roofs.

**Seasonal DECORATIONS in celebration of Christmas, Hanukkah,, and Kwanzaa**

- **Seasonal decorations may be installed only from the day after Thanksgiving to January 10.**
- Items not to exceed 72" in height.
- The total number of items in a front yard, an alcove, a driveway, and an Entryway, in total is limited to six (6).
- Music is not allowed.
- Decorations and lights may not be installed on roofs.

Items must be placed more than 12 inches from the end of the sod line.

**Seasonal Decorations in celebration of other holidays (Halloween, Thanksgiving, Valentine's Day, St. Patrick's Day, Easter, etc.)**

- **Seasonal decorations may be installed only from 2 weeks before the holiday to 2 days after the holiday.**
- Items not to exceed 72" in height.
- The total number of items in a front yard, an alcove, a driveway, and an Entryway, in total is limited to six (6).
- Music is not allowed.
- Decorations and lights may not be installed on roofs.
- Items must be placed more than 12 inches from the end of the sod line.
- **No live or fresh plant items (e.g., pumpkins, gourds) are allowed since they may attract wildlife.**

**SIGNS:** Signs or advertisements of any kind, including, without limitation, political signs and those of realtors\*, contractors, and subcontractors, may not be erected within Winding Cypress



without the prior written consent of the Board of Directors or in accordance with the Rules and Regulations and Architectural Review Guidelines.

- Signs that are allowed within Winding Cypress may be restricted as to the size, color, lettering, materials, and location of such signs.
- The Board of Directors shall have the right to erect signs as they, at their discretion, deem appropriate.
- Under no circumstances shall signs, flags, banners, or similar items advertising or providing directional information with respect to activities being conducted inside or outside of Winding Cypress be allowed within Winding Cypress without the express written consent of the Board of Directors.
- No sign shall be nailed or otherwise attached to trees.
- \*Realtor Open House Signs are allowed for Open Houses on Sundays between 1 and 4 PM. The only allowable signs are the generic green/tan 18" x 24" Open House signs purchased from local Realtor associations.

**SOLAR COLLECTORS:** The Architectural Review Committee must approve the location of the materials used in the construction of solar collectors. For more information, see the Architectural Review Guidelines on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org).

**SUBDIVISION OF PARCELS:** Parcels may not be further subdivided or separated by any Owner. However, the preceding sentence shall not prevent corrective deeds or deeds to resolve boundary disputes.

**TRASH AND RECYCLING CONTAINERS:**

Trash / recycle bins (cans) must be stored in the garage except during the 24-hour period beginning at 6 pm the evening before pickup and ending at 6 pm the evening of pickup. Be bear-wise and put trash cans out the morning of pickup (especially if you do not have a bear-resistant can). Cans must be placed on the last 6 paver rows of the owner's driveway, at the street, not within 3 feet of another object. Bins may not be on the grass, cement gutters, or blacktop streets and must be fully closed. Pet waste cans, trash and recycle bins may not be stored outside. Do not place anything in neighbors' bins without their permission.

**VEHICLES – CARS, TRUCKS, COMMERCIAL VEHICLES, RECREATION VEHICLES, MOBILE HOMES, BOATS, CAMPERS, AND TRAILERS:**

Non-Commercial Automobiles:

- Vans, pick-up trucks, passenger cars, and sport utility vehicles are considered to be automobiles and may be parked on driveways if the vehicle is used as the primary source of transportation of passengers and their personal goods.
  - Such vehicles may be parked on driveways overnight provided that they are contained on the driveway and do not extend onto sidewalks and/or lawns.
  - Law enforcement vehicles must be parked on driveways and in parking spaces if the driver is a law enforcement officer.
- All other vehicles (including, without limitation, the following: inoperable automobiles, boats, golf carts, commercial vehicles, recreational vehicles, all-terrain vehicles, ambulances, hearses, motorcycles, motorbikes, bicycles, watercraft, aircraft, house trailers, camping trailers, other trailers, vehicles with commercial markings or any type of signage, racks or tools in the bed and tractors are prohibited and shall be kept within an enclosed garage.
- Car covers are prohibited to be on cars outside of the garage.
- Overnight parking in the roadways or other Common Areas is prohibited.
  - Short-term parking by permit issued by the HOA may be allowed in special situations.
- On-street daytime parking must be in the direction of traffic flow, not within 15 feet of a fire hydrant, intersection, or crosswalk, not blocking another residential driveway, or overnight (between the hours of 1 am and 6 am). *Overnight parking on the street is by exception only and must display an HOA pass on the windshield*
- Any use of a motorcycle is limited to providing ingress/egress to a Parcel over roadways.
  - Motorcycles must be parked in a garage when not in use.
- Vehicle maintenance other than car washing/cleaning must be performed in the Homeowner's garage and is prohibited on driveways or in streets (e.g., changing oil, changing battery, etc.).
- Washing of any boats or watercraft within the Community is prohibited.

Commercial Automobiles:

- If the vehicle is used primarily for the transportation of goods, then it shall be considered a commercial vehicle.
- If the vehicle displays signage of any types, then it shall be considered a commercial vehicle.
- No commercial vendor vehicle of any kind is allowed to be parked on a residential Parcel for a period of more than twelve (12) daylight hours.
- Commercial vendor vehicles may not be parked in the Common Areas overnight.

None of the foregoing restrictions apply to vehicles which may be utilized by the Association, its vendors and employees, and any governmental authority, taxing district, private or public utility, the CDD, or SFWMD.

**WALLS, FENCES:** Walls and/or fences may not be constructed on any property, except those that were installed around pool heaters and equipment.

- Such fences must be shielded and hidden using hedging plants so that they shall not be readily visible from street view. For information, see Architectural Review Guidelines and Approved Plant List on the Winding Cypress HOA website, [www.windingcypress.org](http://www.windingcypress.org).
- All other exterior equipment must be shielded with shrubbery.
- Electric or invisible fences are not allowed.

**WINDOW TREATMENTS:** All draperies, curtains, shades, or other window coverings installed in a home that are visible from the exterior of the home shall have white backing.

**YARD WASTE:** Palm fronds may be placed at the curb to be picked up by the WC landscaping company. No other yard waste may be placed by the curb. All yard waste that comes from work by a private yard company must be removed by the private company or by Collier County yard waste collection. Yard waste from work by a resident must be removed by Collier County yard waste collection. The yard waste must not be set out earlier than 6:00 pm the day before collection. Per the Collier County website:

**Yard Waste** is collected curbside on your recycle collection day. Yard waste bundles, yard waste paper bags and personal containers are limited to 10 per collection. During the holidays, Christmas trees are collected as yard waste. *Remove tinsel and decorations.*

To ensure your yard waste is collected please follow these steps:

- **Bundle It** - Bundles must weigh less than 50 pounds, be secured with twine, and no longer than 4 feet. Branches may not be larger than 4 inches in diameter.
- **Bag It** - Use ONLY paper yard waste bags or paper grocery bags. Plastic bags will not be accepted. Place all leaves, grass, and other trimmings in bags.
- **Container It** - You may use 45-gallon personal containers that weigh less than 50 pounds when filled. The yard waste may not extend more than 12 inches over the top of the container.

# AMENITIES

*Owners must be in good standing to use any and all amenities.*

**AMENITY CENTER INFORMATION:** General information and hours are as follows:

- **Amenity Center Building:** 8:00 a.m. to midnight (subject to change). Entry after 4 p.m. or on weekends and holidays requires key fob access.
  - **Reception Desk:** Monday through Friday 8:00 a.m. to 4:00 p.m. (subject to change) by SW Property Management staff
  - **Fitness Center:** 5:00 a.m. to midnight. Requires a key fob for access.
- **Yoga Area (outdoor):** Dawn to dusk. Note that a key fob is required to reenter the Amenity Center Building.
- **Community Pool & Spa:** Dawn to Dusk (subject to change). Requires a key fob for access.
- **Pickleball, Tennis, Bocce Courts:** 7:00 a.m. to 11:00 p.m.
- **Shady Palm Café:** hours vary seasonally.
- **Fire Pit:** 8:30 a.m. to 10 p.m.
- **Dog Park(s):** Dawn to Dusk (subject to change).
- **Community Garden:** Dawn to Dusk (subject to change).

**GENERAL RULES FOR USE OF AMENITIES:**

- **Use of Winding Cypress is exclusive to owners/tenants, their families, and guests**
- Children 16 and under must be accompanied by an owner/tenant or their family at all times.
- Misuse of the amenities may result in fines and/or suspension of the right to use the amenities.
- Disrespectful behavior including the use of profanity is prohibited in all areas and may result in fines and/or suspension of the right to use the amenities.
- Report any suspicious behavior and/or misconduct to the management office (after hours call 239-261-3440). The Amenity Center campus is monitored by video surveillance. If you notice anything out of order or broken, please report it to the management office or café staff.

- Smoking and vaping are only allowed in the designated smoking area (between the back pool gate and the bocce courts).
- Pick up after yourself including replacing equipment and furnishings to their original locations (this rule does not apply to the café).
- Ensure exterior doors and gates close behind you.
- Management is not responsible for lost or stolen articles. Lost and found is located at the reception desk.
- The HOA is not responsible for accidents or injuries that occur due to the nature of an activity in any amenities.

#### **AMENITY CENTER BUILDING RULES:**

- Pets are not allowed in the Amenity Center.
- Cell phones are to remain on silent or vibrate when in the Amenity Center; please respect others and take personal calls outside the building.
- The Fitness Center (AKA gym) and locker rooms are not available for private rental and will be accessible to all owners/tenants and their families and guests at all times during hours of operation.
- The Internet Café, Event Room, Catering Kitchen, and Library may be reserved by owners for community-wide gatherings (events, meetings, classes, etc.). Reservations are made by calling or emailing the HOA Activities director 239-732-7017, [Activitieswc@swpropmgt.com](mailto:Activitieswc@swpropmgt.com).
- Private events are subject to approval and require the completion of the Rental Agreement along with payment of fees. Only owners may rent WC amenities. Shady Palm café is not available for staffing or catering of private events.
- Food and uncovered beverages are not allowed in the library, gym, or movement room.
- Lockers are not to be used for overnight storage and should be cleared after use daily. Items left in lockers overnight will be held at the reception desk. After 15 days, the items will be donated or disposed of.
- Wet attire/swimsuits are not allowed in the Amenity Center as it may create a safety hazard due to water on tile floors.
- Shirts and shoes plus swimsuit coverups for women are required in the Amenity Center.
- Doors to the Amenity Center should not be left propped open.

### **FITNESS CENTER (AKA GYM):**

- Children 12 and under are not allowed in the fitness center. Children 13-16 must have adult supervision.
- Owners/tenants are responsible for their guests' behavior in the Fitness Center.
- Proper athletic shoes and attire (including shirts) are required; no revealing athletic wear.
- No food or beverage other than water is allowed.
- All equipment is to be wiped down after each use; anti-bacterial cloth dispensers are located on each side of the fitness center.
- All free weights must be returned to original position after completion of workout.
- Equipment is not to be moved from its stationary position.
- Modifications of equipment beyond its designed purpose are prohibited.
- Do not take equipment from the Fitness Center. Equipment should not be moved between the Fitness Center and the Movement Room.
- The Movement Room may be used for fitness classes, dance classes, personal use for stretching, and use of designated hand weights.
- No portable use of electronic devices without headphones. Please be considerate of others and take your calls outside the facility.
- Report injuries, accidents, or equipment failures immediately to the management office.
- The HOA is not responsible for accidents or injuries that occur due to the nature of an activity.
- TVs in the Fitness Center - If you would like to watch ONE of the three TVs in the Fitness Center, always check with the people around you before you change the channel. Be courteous and considerate of other residents.

### **GUEST POLICY:**

- Owners/tenants are responsible for the actions of their guests.
- Owner/tenants must inform their guests as to the Rules & Regulations of the amenities the guests will be using.

**KEY FOBS:** Two key fobs are distributed to owners by the management office.

- Additional key fobs may be purchased by the property owner for \$25.00 each. Up to 4 fobs will be distributed per household.
- Report lost or stolen key fobs to the management office so they can be deactivated. A fee will be charged for all replacements.

**COMMUNITY POOL AND SPA:**

EMERGENCY PHONE LOCATION: HOA OFFICE. EMERGENCY MEDICAL SERVICES PHONE: #911

Maximum pool load is 131 persons. Maximum spa load is 7 persons.

*Rules dictated by the state of Florida are posted on the pool deck.*

**Pool Rules**

- Use at your own risk. There is no lifeguard on the premises.
- **Pool and spa are open dawn to dusk. No night swimming.**
- No glass allowed in the pool/spa area.
- No animals allowed in the pool/spa area.
  - Showers are required before entering the pool and spa.
- Children under 16 years of age must have adult supervision.
  - No diapers allowed in the pool - swim pants or swim diapers are required for babies and toddlers.
- Do not use pool or spa if you are ill with diarrhea.
- No diving.
- Do not swallow pool water; it is recirculated.
- No running on the pool deck.
  - No bicycles, skateboards, inline skates, or roller skates allowed on pool deck.
- The water feature/waterfall may not be used as a seat, table, jumping or diving board.
  - No rough play.
  - Floatation Devices and Recreational Toys
    - Pool toys (i.e., balls, dive sticks, etc.) may be used. Recreational toys should not be thrown across the pool and/or over other person(s) in the pool.
    - Single person lounge floats, not exceeding 36" x 60" may be used. The floats may not be tethered together or block other swimmer's egress/ingress into/out of the pool.
      - Food and drinks not allowed on the floats.



- Jumping or diving to or off the floats not allowed.
  - Noodles and floatation safety wear are allowed.
- Swim attire must be worn in the pools and spa.
- No coolers over 4 quarts in size are allowed on pool deck area. Coolers less than 4 quarts in size are allowed and may contain non-alcoholic beverages, small snacks, and medical needs.
- Outside food and/or alcoholic beverages are not allowed.
- Food and drink are NOT allowed in the pool or within 4' of the edge of the pool (wet deck).
- Smoking and/or vaping are not allowed in the pool or pool area. Smoking and/or vaping are only allowed in the designated smoking area (between the back pool gate and the bocce courts).
- No use of music devices without headphones.
- Only ONE lounge chair may be reserved, for up to 60 minutes, by a resident who remains present. Management reserves the right to remove personal items of any resident reserving lounge chairs longer than 60 minutes.
- Shirts and shoes are required in the Amenity Center. Do not enter the Amenity Center building with wet attire as it may create a safety hazard due to water on tile floors. The outdoor cabana bath house is intended for use by those using the pool area.
- There are two swim lanes designated in the pool. Swimming, playing, or otherwise obstructing lap swimming within the swim lanes is prohibited.
- If tables and/or chairs are moved, replace them back in their original location.
- Always close umbrellas upon leaving.
- The pool deck and/or pool(s) may not be reserved for private events of any type unless authorized by the HOA.

### **Spa Rules**

- Smoking and/or vaping are not allowed in the spa and in the pool/spa area. Smoking and/or vaping are only allowed in the designated smoking area (between the back pool gate and the bocce courts).
- Food and drink are NOT allowed in the spa or on the edge of the pool (wet deck).
- Swim attire must be worn in the pools and spa.
- The spa is kept at a maximum temperature of 104 degrees.

- If you wish to turn off the jets, please allow the timer to run out. DO NOT FORCE TIMER OFF as this will damage to the timer.
- Minimum age for use of spa is 16 years.
- Pregnant women, small children, people with health problems and people using alcohol, narcotics, or other drugs that cause drowsiness should not use the spa without first consulting a doctor.
- Maximum use time is 15 minutes.

**DOG PARK:**

- All pets should be on a leash prior to entering the dog park.
- Two designated parks are available to owners (Small & Large Pets). Please bring your dog to the appropriate designated area.
- All owners are required to clean and pick up after their pets.
- Owners are responsible for the safety and security of their pets while using the parks.
- Close umbrellas when leaving the park.
- Parking on the grass is prohibited.

**TENNIS COURTS/PICKLEBALL/BOCCE COURTS:**

- Residents and guests are responsible for grooming after each use.
- No food allowed on the courts.
- Proper dress required. Shirts are required at all times on the courts.
- Proper athletic footwear is required.
- No bicycles, scooters, skateboards, skates, or anything with wheels is allowed on the courts.
- No pets allowed on the courts.
- Please replace furniture to its original location after each use.

**SHADY PALM CAFÉ:**

- Shoes and shirts are required. A coverup must be worn over women's swimsuits.
- No pets allowed in café.
- If you plan to use your membership account, please be sure to bring your membership cards (or have them available electronically through Apple Wallet).

- All owners are required to close their tab before exiting the restaurant. Failure to close your tab before exiting the restaurant will result in an 18% gratuity being automatically added to the bill.
- Smoking and/or vaping are not allowed. Smoking and/or vaping are only allowed in the designated smoking area (between the back pool gate and the bocce courts).

**FIRE PIT:**

- Use is first come first served.
- Children under 18 must have adult supervision.
- Fires must be attended at all times.
- No glass permitted at the Fire Pit area.
- Do not cook food or place any objects into the fire.
- Clean up all trash.

**COMMUNITY GARDENS:**

- Only Garden Club members have access.
  - Guests must be accompanied by Garden Club member.
- For additional information, contact the HOA office.