

NAPLES TRACE CONDOMINIUM ASSOCIATION, INC.

Rules and Regulations

(Amended September 19th, 2023)

1. AUTHORITY

- A. All owners, in addition to any other obligations, duty and limitation imposed upon them by this declaration, the Articles of Incorporation and the By-Laws of the Association and the condominium Act, shall be subject to and agree to abide by the following restorative covenants, which shall be applicable to all unit owners, their families, guests, invitees, tenants and lessees.
- B. These rules and Regulations will be reviewed periodically by The Board of Naples Trace Condominium Association, Inc. and amended as necessary to better serve the membership.

2. ENFORCEMENT

- A. Complaints should be reported, in writing, to the Board or to an officer of the Association.
- B. Minor infractions will be called to the attention of the person or persons involved by an officer or The Manager of the Association. Repeated infractions and violations of a more serious nature will be referred to the Board for action.
- C. Disagreements concerning complaints will be presented to the Board for adjudicated and appropriate action, with enforcement by civil legal process, if necessary.

3. SINGLE – FAMILY RESIDENCE / CHILDREN

- A. No unit shall be used for any purpose other than a single-family residence or dwelling.
- B. There are no restrictions with regard to children in residency, except children will conduct themselves in accordance with the Rules and Regulations under parental or guardian supervision.
- C. Single family means 1 or 2 adults and their children (if any).

4. BICYCLES / MOTORCYCLES

- A. Bicycles and other similar vehicles may be operated on the premises but must be kept in assigned areas when not in use. Bicycles may not be kept on front entry porches.

- B. Motorcycles will be allowed on Naples Trace property with the regulation that NO motorcycles may be parked or allowed on the grounds of Naples Trace OVERNIGHT at any time for any reason. They will be removed at the owner's expense. Motorcycles are not to be stored, or parked on the Naples Trace grounds overnight at any time for any reason.

5. **DESTRUCTION OF PROPERTY**

- A. Owners will be responsible for destruction, damage or defacement of buildings, facilities, plants or shrubs and equipment caused through their own act(s) and/or the acts of their children, lessees, or guests.
- B. Unit owners, their families, guests, invitees, or lessees shall be liable to the Association for defacing, marring or otherwise causing damage to the common elements or limited common elements where the repair of said damage is the obligation of the Association.
- C. No tree climbing is allowed at Naples Trace.

6. **SIGNS**

No unit owner shall cause any signs of any nature whatsoever to be posted or affixed to any of the common elements, limited common elements or in his respective unit, if such a sign may be seen from any portion of the common elements; except for nameplates, which shall be uniform in size and design and approved by the Board of Directors.

7. **SAFETY**

- A. No one shall permit any activity or keep anything in a condominium unit, storage area or the common elements which would be a fire or health hazard or in any way tend to increase insurance rates. **This section has particular reference to barbecuing as Naples Trace does not allow charcoal or gas grills within individual units or on lanais.**
- B. No recreational devices such as trampolines, inflatable castles or tents shall be permitted on the common area.
- C. All posted speed limit signs shall be obeyed.

8. **EXTERIOR MAINTENANCE**

To maintain a uniform and pleasing appearance of the exterior of the buildings, the following shall apply:

- A. No owner, tenant or other occupant of a condominium unit may paint or otherwise change the appearance of any exterior wall, door, window, balcony, or any exterior surface.
- B. No occupant may place any sunscreen, blind, storm shutter or awning on any balcony or exterior opening without first securing written approval of the Board prior to installation. No occupant may erect any exterior lights or signs, place any signs or symbols in window, erect or attach any structure or fixtures within the common elements.
- C. Occupants are not to erect, construct or maintain any wire devices, antennas, satellite dishes or other equipment or structure on the exterior of the buildings or on or in any of the common elements.
- D. No clothing, **toweling**, bedding, or other similar items shall be dried or aired in any outdoor area or within the unit or any limited common element if it can be seen from the common elements.
- E. All window treatments, shades, draperies, blinds and like window elements shall be white or off-white in color on surfaces visible from the common areas or limited common areas. No solar or other type of film shall be applied to the interior or exterior of the window. **Nothing shall be put on windowsills that can be seen from outside.**
- F. Any owner may install hurricane shutters as long as they meet Collier County Building Code standards. They must be solid roll down type, white in color, and constructed inside screening. **Plans must be submitted to The Board and approved before the installation.**
- G. NOTHING is permitted on **front porches**. Any items left on the porch may be removed without notice by the Board of Directors' representative and stored for pickup by the owner at the expense of the owner.
- H. Screens must be black or charcoal in color and and rail layout must match **condominium and county code-approved design**. Protective covering over the screening such as wood trellises, metal lath or other like elements are not permitted.
- I. **Rear lanais** are also limited common areas. Residents may have only those items one would normally find on a lanai such as outdoor furniture, potted plants, and bicycles. There will be no hanging of laundry, hot tubs or anything else that, in the opinion of the Board of Directors or their representative, is undesirable. The lanais are not to be used for storage. Nothing Outside of lanais except steppingstones or river rock to prevent dirt from slashing not lanais. The Board of Directors may require a resident to remove all unwanted items from lanais.
- J. **No planting of any kind in any area of Naples Trace.**

9. INTERIOR APPEARANCE

- A. All unit owners shall keep and maintain the interior of their respective units in good condition and repair, including the entire air-conditioning system (compressor, air handler, ducts, vents, drain lines & other devices) servicing the respective owner's unit, and shall promptly pay for all utilities which are separately metered to the unit. The balconies and screened lanais shall be kept in a clean and pleasing manner by the unit owners having the right of exclusive use thereof.
- B. No occupant may make any structural additions or alterations to common elements. The erection or removal of nonsupport-carrying interior partitions wholly within the unit must have written consent of The Board.
- C. **All owners must have an air conditioning unit serviced two times per calendar year.**

10. SOLICITATION

There shall be no solicitation by any person anywhere in the buildings or the common elements.

11. NOISE

All occupants of units shall exercise extreme care about not making noises or using musical instruments, radios, televisions and/or amplifiers that may tend to disturb other occupants. Designated "quiet" hours are 11:00 p.m. to 9:00 a.m. and shall be strictly observed.

12. PETS

- A. Unit owners shall be permitted to keep domestic animals only if such animals do not disturb or annoy other unit owners or guests and provided there shall be one (1) pet per unit and the pet's size is limited to twenty-five (25) pounds. Unit owners keeping domestic animals shall abide by municipal sanitary regulations and shall be responsible for removing all solid waste and any inconvenience or damage caused by such animals. All animals shall be properly restrained when not confined to the owner's unit. **Renters and lessees shall not be permitted to have domestic animals, even if the unit owner is inclined to allow them.**
- B. If, in the sole judgement of the Board, it is determined that a pet is causing excessive disturbance and annoyance to other occupants, the owner will be required to remove said pet from Association property.
- C. Service animals for the disabled will be permitted and allowed access to all areas

as long as they are with the owners; provided however all other provisions of this section are met with the single exception of size limit (25) pounds.

13. LEASING / RENTING

- A. No work done on Sundays. No work done before the hours of 8:00 A.M. and after 5:00 P.M. Monday- Saturday.
- B. Unit owners may not rent or lease their unit for less than four (4) weeks to any one tenant.
- C. All rent and lease agreements must be approved by The Board and the Manager prior to occupancy by the tenant(s). All prospective tenants must fill out an Application for Occupancy and pay the non-refundable application fee of \$100.00. This fee is levied on all applicants and includes a background check PRIOR to occupancy.
All applicants will receive a copy of the Rules & Regulations prior to occupancy.
- D. Owners are responsible for the actions of their tenants. The cost to repair any damage to the common area by a tenant will be reimbursed to the Association by the unit owner.
- E. Any costs for background checks will be borne by the unit owner or tenant applicant.

14. SWIMMING POOL

*** Per Collier County Rules for commercial pools (which the county considers our pool to be), **THE POOL IS CLOSED AT DUSK.** When the surrounding pool lights are on, (which are programmed to come on at dusk), the pool is CLOSED. ***

- A. Only occupants and their guests living in Naples Trace may use the swimming pool and do so at their own risk. All Naples Trace guests **MUST** be accompanied by the owner/renter of a Naples Trace unit when using the pool. Unaccompanied guests are not allowed pool use. All pool regulations posted must be followed.
- B. Persons using the swimming pool are **required** to read and obey the posted rules for use of the swimming pool and deck area. Absolutely no diving and / or horseplay allowed. Loud parties, coolers, and otherwise noisy activities are not allowed. Radios and other electronic equipment require headphones.
- C. Glass containers are prohibited in the swimming pool area. Only small inflatable toys and safety items (such as swimmies and noodles) will be allowed in the pool area. Larger items such as air mattresses and floats are NOT permitted.
- D. No pets of any kind are permitted in the swimming pool or pool area. Owners will be held responsible for any damage or repairs necessary.
- E. All children under the age of twelve (12) years must be accompanied by a responsible adult while at the pool.

- F. All bathers shall wear proper bathing attire. Infants in diapers must have a proper bathing suit for use with diapers or be wearing swimming diapers. Diaper disposal is NOT ALLOWED in the pool area.

G. No drinks or food in the pool.

15. GARBAGE / REFUSE

- A. All garbage and refuse from the units shall be deposited with care in garbage containers intended for such purpose. Cardboard boxes are to be broken down before deposited into the dumpster.

ALL refuse will be placed IN the dumpsters or recycle bins (as appropriate). Nothing will be stacked next to or in front of the dumpsters. If the dumpster you normally use is full, find another dumpster. If dumpsters are all full, keep your refuse in your unit until waste management makes their pickup or use another dumpster on site.

- B. Cigarette butts shall be placed in appropriate containers and shall not be thrown on on the grass, mulched, or paved areas
- C. Large items (such as appliances or furniture) will need special pickup by Waste Management and will be at the unit's expense. Call Manager for arrangement.

16. ACCESS

The Association must maintain a key to all units. Owners (or their agents or tenants) will provide a key to the Association when locks are changed.

17. FACILITIES / GENERAL

- A. These Rules & Regulations shall apply equally to owners, their families, guests and lessees.
- B. No vehicle shall be washed, detailed, or serviced on the Association Property.
- C. There shall be no loitering or congregating by persons of any age on the common elements.

18. FOOD AND BEVERAGE

- A. Users are responsible for leaving the common elements in a clean condition; umbrellas closed.
- B. Propane and charcoal grills are not permitted except in assigned areas.
- C. No glass containers may be used in any of the common elements, including the pool and the pool lanai.

19. VEHICLES & PARKING

A. Motorcycles, mopeds, campers, mobile homes, boats, or trailers of any type are not permitted at Naples Trace. With the exception of police & fire marshal vehicles, no commercial vehicles are permitted at Naples Trace. Commercial vehicles are defined as those that display any type of signage or any vehicles that have a load capacity of more than ½ ton. Vehicles with signage will be permitted if the signage is totally covered with a removable panel of a plain color matching the vehicle color. Personal property shall not be left in the beds of trucks or on the tops of any vehicle. Any vehicle that is in violation of this policy will be towed at the owner's expense after a reasonable attempt has been made to notify the owner. This prohibition of parking shall not apply to temporary parking of commercial vehicles used for pickup, delivery, and other commercial services.

B. Inoperable vehicles and unregistered vehicles are not permitted to be stored or parked on the common elements. If the vehicle is not removed within 72 hours of notice to the owner, said vehicle will be removed at the owner's expense.

C. Each unit has one (1) numbered parking space, which is reserved for the exclusive use of that unit. Additional vehicles may be parked in unmarked spaces.

D. Parking is not permitted on any grass or landscaped areas.

E. Storage pods and commercial moving vans shall be limited to 48 hours on The Association premises.

F. Each building has parking spaces for occupants and guests of that particular building. Do not use parking spaces of the other buildings, thus allowing others to have access to their own spaces.

G. No vehicles with more than four wheels.

H. No vehicles with modified exhaust systems.

I. Children are not allowed to play in the streets.

20. PENALTIES AND FINES

A. Pursuant to Section 4 of the By-Laws, the Association has, through its Board of Directors, the right to assess fines and penalties against a unit owner, a unit's occupant(s) or a licensee or invitee of either for the violation of these Rules and Regulations in accordance herewith

B. Procedure: No penalty or fine shall be levied against a party without providing reasonable notice and an opportunity to be heard to the party as follows:

- i. Written notice of hearing addressed to the party shall not be less than fourteen (14) days.
- ii. Said written notice shall contain:
 1. A statement of the date, time, and place of hearing.
 2. A statement of the provisions of the Declaration, Association By- Laws or Association Rules which have allegedly been violated; and
 3. A short and plain statement of the matters asserted by the Association.
- iii. The party against whom the fine may be levied shall have an opportunity to respond, to present evidence and to provide written and oral argument on all issues involved and shall have an opportunity at the hearing to review, challenge and respond to any material considered by the Association.
- iv. Thereafter, the hearing body shall make its determination whether to levy a fine or penalty and in what amount. In the event a fine or penalty is levied, the same shall be due and payable to the Association within fifteen
(15) days of the date of the levy.

21. **ADDRESS CHANGE**

- a. It is the unit owner's responsibility to ensure the Association has the current address, phone number, and e-mail address (if applicable). Any change in a unit owner's address or phone number must be given to the Association in writing.
- b. Failure to notify the Association as noted above is not an excuse for late payment of maintenance fees due. Notification is sent to our address of record and late fees will not be waived because the owner failed to notify us of any change.

22. **DELINQUENT FEES**

The association will collect all maintenance fees when due. Members who are delinquent will pay a \$50 late fee each quarter plus 18% per annum on their unpaid balance. The association will forward any account 60 days late to the association attorney for foreclosure.

NON-COMPLIANCE TO RULES AND REGULATIONS

Non-compliance with the rules and regulations of Naples Trace Condominiums may result in a written warning to the offender. If a tenant receives a cumulative total of three written warnings from management regarding infractions to the rules and regulations of Naples Trace, management and the Board

of Directors have the right to not grant a lease renewal to said tenant.

