

RULES AND REGULATIONS

Cape Haze Resort

December 2014

Courtesy

Unfailing courtesy to others would obviate the need for these rules and regulations. As any set of rules cannot anticipate every situation, please let courtesy to others be your guide. It is especially important to allow your neighbors to enjoy peace and quiet from 10 pm to 7 am. Please help us make Cape Haze Resort a wonderful community, a great place to kick back and relax.

Recreation

- **POOL:** By law the pool hours are one-half hour after sunrise to one-half hour before sunset. You must shower before entering. No diving. Do not swallow pool or spa water. Pool parties are not permitted. Children under twelve (12) must be supervised by a responsible adult. Children in diapers must wear leak proof swim wear while in the pool. Animals may not enter the pool. A fecal accident or an animal in the pool would necessitate emptying the pool and taking the pool out of use for a week or more. The cost of chemical disinfectant and of emptying and refilling the pool will be charged to the violator and will amount to several thousands of dollars.
- **SPA:** By law the spa hours are one-half hour after sunrise to one-half hour before sunset. Be sensible about spa use. Recommended maximum use is fifteen (15) minutes. Pregnant women, infants, those with health problems and those using medications that cause drowsiness should not use the spa. Children under twelve (12) must be supervised by a responsible adult.
- **FOOD, DRINK, GLASS, PETS, SMOKING, ETC.:** Food and drink are not permitted *in* or within five feet (5') of the pool and spa. Glass objects, animals, and large floatation items are not permitted inside the fenced area. Electronic entertainment devices may be used in the pool and clubhouse area only with earphones. Smoking is not permitted inside the clubhouses nor within the fenced pool area.
- **POOL BATHROOMS:** Please use the pool bathrooms when in the pool area, and access them from the outside. Please do not walk through the clubhouses with wet bathing suits.
- **FITNESS ROOM:** The fitness room is for adults only, but teenagers are permitted when accompanied by an adult.
- **GATHERING ROOM:** The gathering room is for relaxation and enjoyment by all. Habitual, frequent or sustained business use of the facility is not permitted. Parties of owners are encouraged. Parties where non-residents outnumber residents are discouraged, and may be held only with permission from property management and the payment of use and cleaning fees, and a damage deposit. The kitchen may be used only with permission from property management and the payment of a cleaning fee.
- **BBQ:** Gas barbecue grills are provided at the clubhouse and there is a grill behind each building. Use with care and leave ready for the next person. Electric grills may be used on lanais. Personal gas grills, charcoal grills and propane deep fryers are not permitted on lanais or anywhere on the grounds.
- **MISC:** When using the tennis courts and other recreational amenities, please take turns and make an effort to include others if possible. Use skateboards, razors, roller blades, roller skates, scooters, remote control toys and similar items with caution, and always yield to both pedestrians and vehicles; do not use them on breezeways, on the tennis courts, or in the pool area.

Vehicles and Parking

- Drive slowly and carefully on site to avoid accidents and personal injury.
- Motor homes, recreational vehicles, boats, trailers, trucks over three-quarter (3/4) ton and commercial vehicles of any kind are not permitted on site, except as follows: (1) when used during daylight hours for maintenance or for the actual construction or repair of a structure; (2) when used during daylight hours for pickup and delivery; (3) when used by owners as they decorate their units and move furniture and furnishings in or out; (4) trailers, with or without boats, in the boat parking area at the north end of the property; and (5) vehicles parked inside a closed garage. A vehicle advertising a business is considered to be a commercial vehicle; bumper and window stickers, dealership names and maker's marks are not considered to be advertising.
- All vehicles that remain on site overnight must have a parking pass designating the area in which the vehicle may be parked, and all vehicles must be parked in the areas so designated. No vehicle may be parked in open parking for more than 24 hours at a time. Vehicles may not be parked on the cul de sacs.
- Never leave unattended vehicles of any kind in the driveways or open garage areas. For health and safety, engines may be running in garage areas only as necessary to drive into and out of garage areas.
- Vehicles may not be parked under carports while hurricane warnings are in effect.
- No golf carts are permitted on site.
- Every vehicle on site must be in proper condition to be operated legally on a public roadway, including having a current tag. Repairs to cracked, broken or missing windows, lights and body trim must be made within one week, and flat tires must be repaired within 24 hours. Notwithstanding the foregoing, no maintenance or repair of motor vehicles (excluding those owned by the associations or the developer) may be performed on the property, except within a building where totally isolated from public view. Nothing that could injure a pedestrian may protrude from a vehicle. Beds of pickup trucks must be neat, clean and tidy.
- Washing of vehicles, boats and trailers is not permitted on site. Only one trailer per residential unit may be parked in the boat parking area.
- Vehicles on site in contravention of these rules may be towed. Towing charges are the liability of the vehicle owner.

Grounds and Exteriors

- Everyone must help keep the property neat and safe. Please do not drop litter anywhere on site.
- Smoking is not permitted on the breezeways. Smoking is permitted on the ground floors, and cigarette butts must be deposited in the pots near the elevators.
- Out of courtesy to others, leave nothing unattended anywhere on the property. The sidewalks, entranceways, elevators, breezeways, stairs and similar portions of the common areas are for pedestrians. Please help keep them clean, clear and safe. A welcome mat is permitted outside the entry door. Planters are permitted, but the full width of the breezeway must remain clear.
- Rugs, towels, clothing and other items may not be hung from windows, lanais, breezeway railings or carports.
- Windows and glass doors must appear white or off-white from the exterior, and may not be covered with aluminum foil or newspapers.
- Nothing may be attached to the outside of the building or project from any window, door, or lanai with the exception of decorative wreaths on entry doors and hurricane protection on lanai doors. No storm or hurricane shutters or windows may be installed except in full compliance with the standards established by the associations.
- Signs are not permitted anywhere on the property, including in windows, or on rights-of-way adjacent to the property, except those posted by the associations or the developer. Security decals are permitted.
- No loud, offensive or disturbing noises are permitted. Vehicle horns and engines, and many musical instruments, televisions, radios, sound systems, and computers are capable of causing annoyance; please be considerate, especially between the hours of 10 p.m and 7 a.m.

Limited Common Areas

- Lanais are for suitable furniture, planters and plants only; they are not to be used for storage. Lanai screens must be in good repair and in place at all times.
- An absentee owner may not leave anything on his lanai during hurricane season, from June 1 to November 30. Occupants must clear their lanais while hurricane watches and warnings are in effect.
- Owners will be held liable by insurance companies and the associations if flammable, combustible or explosive liquids or gases are kept in or around their units, garages or storage areas, and such items contribute to damage to property owned by others. Normal items used for normal household purposes are excepted.
- The associations may retain keys to units, garages and storage rooms. Any owner who alters or changes any lock and fails to supply a key to his association will be solely liable for all repair costs and consequential damage if, in a emergency, association or emergency personnel must enter such owner's unit, garage or storage unit by force.

Pets

- Dogs, cats and birds are welcome, but pets may not be nuisances. There is a limit of two pets per unit for owners and one pet per unit for renters. Pets must be registered with property management.
- Please respect your neighbors by following three simple rules: (1) do not allow excessive barking, whining, meowing, chirping and whistling; (2) keep your pet on a leash while on the grounds; and (3) carry and use disposable bags to collect and deposit solid waste in an appropriate trash receptacle.
- Pets are subject to removal at the discretion of the Board of Directors. Those subject to a removal order may request a hearing. Hearing procedures are explained below in the section entitled *The Fine Print*.

Guests and Renters

- Owners must provide a copy of these rules and regulations to their guests and renters, and guests and renters must observe all these rules and regulations.
- Guests must be accompanied by a person in residence while enjoying the common facilities. Occupants of any one unit may host up to six guests in the common areas at any one time.
- Guests are not permitted to have pets anywhere on site.
- Owners, and their renters and guests may not use the common facilities if said owners have not paid all amounts owing to the associations, including late fees, interest and attorney fees.
- Owners may not use the common facilities while their units are leased, except as guests in accordance with these rules and regulations.
- The minimum rental period is one week. Owners are encouraged to lease to responsible parties, to favor longer term rentals over shorter term rentals, and to prohibit smoking both within the unit and on the lanai.
- For rentals longer than six months, tenants must be approved by the appropriate board before taking occupancy. The prescribed paperwork, a copy of the lease, and a \$50 fee must be provided to property management no less than fifteen (15) days prior to the start of the lease.
- There may be no more than two renters per bedroom, and renters may not sublet any or all of their unit.
- No more than two parking passes will be issued to any rental unit.
- All renters must register at the property management office when their occupancy begins.
- Owners are responsible for the conduct of their guests and renters. Guests and renters should address their problems and concerns to the unit owner, and not to the manager or the board.

Workers

- The maintenance workers and housekeepers are directed by the property manager. Please do not interfere. Address your enquiries, concerns and suggestions to the property management office.
- The workers on site are not permitted to perform personal jobs or errands for owners. They are paid to perform certain tasks; when you interrupt them they have to work harder or leave some work unfinished.
- Property management must be notified in advance if an association maintenance worker is hired to perform work in a unit.

Gators

- From time to time a gator will appear in our lakes. You may see his eyes just above the surface of the water, or you may see one bathing in the sun on the shore. At night, you may hear the mating call. They are fascinating creatures. But they have big teeth, strong jaws, are faster than you can imagine, and they have an appetite. Do not feed them anything. Do not torment them. They are dangerous, primitive reptiles. If you see one, please report it to the management office.

Work by Owners

- Owners are responsible for maintenance, repair and replacement of items as set out on the Responsibility Chart attached hereto and incorporated herein. Notwithstanding the chart, costs of repair or replacement will be borne by owners when damage is caused by said owners or their invitees.
- In order to prevent damage to other units and to the common elements, it is incumbent upon every unit owner to maintain, replace and repair the following, as specified.
 - Water Shut-off: The main water valve to a unit must be shut off when the unit will be unoccupied for a period of three (3) or more consecutive days.
 - Water Heater: The water heater must be replaced before the end of the warranty period or every eight (8) years, whichever occurs first.
 - Appliance Hoses: The water supply and waste water discharge hoses for the washing machine and dishwasher must be replaced periodically, as recommended by the manufacturer. Replacement hoses with woven metal jackets are preferred.
 - Appliance Recalls: Repairs pursuant to manufacturer recalls must be performed as recommended by the manufacturer.
 - Bathroom Caulking: The caulking around showers and tubs and their faucets, spouts, escutcheons, drains and overflows must be maintained to prevent leaking.
 - Dryer Vents: Dryer vents must be cleaned no less often than every 24 months.
 - Air-conditioning Drains: A/C drains must be cleaned no less often than every 24 months.
 - Lanai Furniture: Lanai furniture must be inside the unit when hurricane warnings and hurricane evacuations are in effect.

If property damage to common elements is caused by one of these items, and unless the unit owner can demonstrate strict compliance with the guidelines set out above (e.g. with invoices, receipts or other hard evidence), the unit owner will be deemed to have been negligent and will be responsible for all costs of repairing such damage to the common elements in excess of insurance proceeds, including the deductible, and, if not paid, said costs shall become a lien against said owner's unit.

- Any work that requires a building permit must also be approved by the condominium board.
- All hard surface floors must be installed over a superior quality sound attenuation membrane.
- The only modifications allowed to exterior areas are painting and tiling of lanais, retractable screens on entry doors, and hurricane protection. An approval form must be submitted by the owner and approved by the board before any such work commences. Specifications for entry screens and hurricane protection are contained on the approval form.
- Entry door handles and locks must conform to the building standard. Additional locks on entry doors and keyless entry remotes are not permitted.
- All work must be performed in strict conformance with guidelines promulgated by the boards. Anyone who makes modifications to the common facilities, including the exterior of any building, without the prior approval of the appropriate board, will be liable for the full cost of restoration. All work that could be disturbing to neighbors must be performed between 9 a.m. and 5 p.m. on weekdays.

Fees, Meetings and Notices

- Late fees for assessments are 5% of the amount unpaid on the tenth day following the due date (but not less than \$25). Interest on late assessments is 18% per annum calculated from the due date.
- The fee for approval requests from prospective buyers is \$100, for estoppels is \$150, and for mortgage questionnaires is \$100. Allow fifteen days for response.
- The annual meetings of members, and the organizational meetings of the boards, are tentatively scheduled for the second Saturday in November.
- Regular board meetings are tentatively scheduled for the second Tuesdays of February, May and August.
- Meeting notices will be posted in the library at the clubhouse.

The Fine Print

- These Rules and Regulations are declared pursuant to the Articles of Incorporation of Cape Haze Resort Community Association, Inc., supplement the restrictions contained in the Declarations of Condominium for Cape Haze Resort A 11/13, Cape Haze Resort B 3/5, and Cape Haze Resort C 7/9, and are joined by said Condominium Associations.
- Every owner, his family, guests, invitees, lessees and employees must comply with these rules and regulations, with any and all rules and regulations which from time to time may be adopted, and with every covenant, restriction, rule and regulation in the Declaration, the Articles of Incorporation and the By-Laws, all as amended from time to time.
- The Boards of Directors may, in their sole discretions, grant relief to one or more unit owners from specific rules and regulations upon written request for such relief and good cause shown. Pursuant to state law and the condominium documents, the developer, his agents, employees and contractors retain certain privileges and exceptions.
- Failure to comply shall be grounds for legal action which may include, without limitation, an action to recover sums due for damages, an action for injunctive relief, and any combination thereof.
- In addition to all other remedies, the Boards of Directors may impose fines in their sole discretion as follows:

Notice: The Association must notify the unit owner of the reported or alleged infraction or infractions. The matter will then be considered at the next board meeting, and the owner will be permitted to present reasons why a fine should not be imposed. The owner may be represented by counsel and may cross-examine witnesses.

Multiple Infractions: Each day an infraction or violation occurs after notice has been given constitutes a new infraction, and each new infraction is subject to an additional fine.

Hearing: If a Board chooses to proceed, it will appoint a committee of unit owners to hear reasons why a fine should not be imposed. The committee must include at least one owner from the subject association, and may include owners from other associations governed by these rules and regulations. A written decision of the committee must be submitted to the unit owner and the Board by no later than twenty-one (21) days after the meeting of the Board of Directors. The hearing is conducted pursuant to state law.

Fine: The Board of Directors may impose a fine in such amount as may be permitted by law. Fines shall be paid not later than thirty (30) days after notice of the imposition thereof. All monies received from fines shall be allocated as directed by the Board of Directors.

Please leave these Rules and Regulations in your unit for your family, friends, renters and guests. Thanks.

RESPONSIBILITY CHART for Maintenance, Repair and Replacement

Category	Association Responsibility	Owner Responsibility
Carports	Community Association	Damage caused by owner and invitees
Garages	Paint on the exterior surface of the garage door, insured damage, and periodic replacement of all doors	Everything else, including damage by owner, opener and tracks, remotes, emergency latch and all improvements and finishes including walls, ceiling and floor
Entrance doors	Paint on the exterior surface, insured damage, and periodic replacement of all doors	Everything else, including damage by owner, door hardware and weather stripping (per building standard) and screen door (if any)
Windows	Paint on the exterior surface, insured damage, and periodic replacement of all windows	Everything else, including damage by owner, glass and screens
Lanai	Paint on the exterior surface of the lanai frame, insured damage, and periodic replacement of all lanai frames	Everything else, including damage by owner, sliders, screening, finishes and furnishings, and damage to units below resulting from leaking at the slider tracks
A/C and other mechanical and ventilation systems	n/a	All components of the system, whether inside or outside the owner's unit
Electrical (both high and low voltage)	All components serving more than one unit	All components serving only the owner's unit, regardless of the location, including wiring between the unit and the service panel or meter
Plumbing	All components serving more than one unit	All components serving only the owner's unit, regardless of the location of such components, including piping between the unit and a distribution or collection point
Fire safety	Sprinkler piping, sprinkler heads, and system wiring	All smoke detectors, enunciators, fire extinguishers and sprinkler head escutcheons within the owner's unit

- Each unit is bounded by the concrete surface of the floor, and by the unpainted surfaces of ceilings and demising walls, both interior and on the lanai. Owners are responsible for everything inside a unit that does not serve another unit, including walls, cabinets, finishes and furnishings.
- Owners are responsible for all damage caused by them and their invitees. Owners are also responsible for damage to other units and association property caused by malfunction or improper maintenance of items for which owners are responsible.