

# **BARKLEY MASTER ASSOCIATION RULES**

**Approved February 19, 2020**

## **Introduction**

A consequence of living in a high-density development is that individual behavior may affect others. Agreeing to a set of rules results in a better quality of life, ensures respect for neighbors, minimizes problems, and helps maintain the value of our property. We make rules in a manner that ensures fairness through member participation. Everyone benefits by knowing these rules.

## **Alteration Application**

An alteration application form must be submitted and approved by the association before any alteration occurs outside the exterior walls of the unit in the common element. The application must include a sketch indicating location, size, and type of construction or work to be completed.

## **Bulletin Boards**

Bulletin boards exist in each villa laundry. These bulletin boards are limited to official information from directors and sale of personal possessions of unit owners. Anything posted must be dated and initialed by the director and displayed no longer than thirty (30) days. Directors are authorized to remove all unapproved items.

Bulletin boards in the club house are designated for use by the (1) Men's Club; (2) Women's Club; (3) special events; (4) shuffleboard; and, (5) events outside of Barkley. Nothing is to be posted to these bulletin boards without the approval of the manager or association president. The approval will be shown on the notice with the initials of the manager or president.

## **Bicycles, Mopeds, & Scooters**

Two Bicycles, or one moped, or one scooter (50 cc engine or less) may be stored behind a lanai in such a manner as to not interfere with landscaping work. Only one of these two-wheeled conveyances may be stored at the front of an assigned parking space. They must be removed during hurricane warnings and when the unit remains unoccupied for more than five days. No two-wheeled vehicle may be parked at the clubhouse except in the bicycle corral.

## **Club House**

The club house is for all to enjoy. Thank you for helping to keep it clean, pleasant, and in good repair. Guests under 15 years of age must be accompanied by an adult when using association facilities, including the swimming pool, exercise equipment, and billiard table. Absentee owners may not extend guest privileges to the club house unless the guest is occupying the owner's unit and a letter of registration is filed with the office to cover the period of guest residency. The clubhouse is for association members and association sponsored events. It is not for use by social or service clubs, political forums, religious organizations, or business presentations. The club house may be used for a variety of events, provided the owner is present and responsible for supervising the event, including clean-up. These events may not conflict with association sponsored events.

The association shall be entitled to require the owner, as sponsor of the function, to execute a use agreement adopted by the association. A refundable \$100.00 cleaning deposit may be required. In addition, the sponsor of any event which runs after 10:00 p.m. should arrange in advance for the

recreation attendant to stay late. The event sponsor will pay the attendant an amount agreed upon between them.

Music, voices, television and other devices shall be kept to a courteous noise level and not audible from outside the clubhouse after 10:00 p.m. Doors may be closed or volume reduced as necessary. No hazardous or illegal activity, objects, substances, or horseplay is allowed. The club house must be cleaned and restored to good condition after use. This includes emptying trash containers into outside garbage bins and turning out lights. Cleaning and repairs that must be made by the association will be taken from the deposit. The association will not be responsible for lost or damaged items.

### **Decks**

No decks are allowed in commonly used areas within the common elements and association property.

### **Doors**

If an owner replaces their front door they may do so with a flat door with panels or one of several approved styles shown in the Appendix. They are raised panel styles with or without glass in the upper portion only. Doors may be made of any material, but must be painted the approved color scheme.

### **Drains**

Unit owners are responsible for clogged drains and damage from back-up if they dispose of incontinence or feminine hygiene products, wipes, and other products that are not designed to be flushed. Grease and cooking oil shall not be poured into a garbage disposal or sink drain.

### **Exterior**

A uniform scheme and appearance of buildings has been established which the association desires to uphold. Therefore, the rights of the owners and residents to make alterations and improvements to the exterior of the building; and, alterations, improvements, decorations and changes to interiors of units which can be viewed from the outside; are very limited. Effective March 1, 2020, the painted color of porch floors and patios is limited to "Slate Gray – PFC-63, Porch & Patio Paint", manufactured by Behr Process Corporation. Current painted or coated porches and patios must meet this color standard when next painted.

### **Flags**

Any unit owner may display one portable, removable United States flag in a respectful way. On Armed Forces Day, Memorial Day, Flag Day, Independence Day, and Veterans Day, owners may display in a respectful way, portable, removable official flags, not larger than 4<sup>1</sup>/<sub>2</sub> feet by 6 feet that represent the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, regardless of any declaration rules or requirements dealing with flags or decorations.

### **Fire Safety**

All owners are required to have a National Fire Prevention Association approved fire extinguisher and smoke detector within their unit. These requirements are based on Florida statutes. In the interest of fire safety, every unit owner, guest, renter, licensee, tenant, and employee should be familiar with the operation of their fire extinguisher and individual evacuation plan. Simply put, in case of fire – get out of the building. Once safely removed from the fire, call 911. When depositing trash in the dumpster, make sure there are no hot ashes or chemicals that may result in spontaneous combustion and fire.

## **Grills**

Barbeque grills must be at least ten feet from the exterior walls of a condominium unit while cooking. Grills may be stored at the rear of a lanai but must be removed during hurricane warnings or when a condominium may be unoccupied for more than five days. The National Fire Protection code permits storage of gas cylinders in residential buildings if they do not exceed 5.4 pounds. Twenty-pound cylinders are prohibited in multi-family dwellings and are not permitted in owner units or association facilities.

Electric (UL approved) grills may be used behind units. In conjunction with their use, an outdoor electrical junction box may be installed if an approved association alteration application is obtained.

## **Hazardous Materials**

No resident may store or use hazardous, noxious, or illegal substances that may be a hazard, nuisance, annoyance, law violation, or impact insurability of the association.

## **Laundry**

Villa courts have published schedules for laundry room use. Please follow the schedule. Laundry rooms are not scheduled after 3:30 pm., and may be used on a first come basis. Exchanging of assigned times is permitted if agreeable with both parties. Please notify the association office when a washer or dryer is in disrepair. Out of courtesy, also place a note on the out-of-service machine. Thank you for keeping the laundry rooms clean and treating the facilities with care. The association is not responsible for missing laundry. Clothes washers and dryers may not be installed in resident units.

## **Lockouts**

Unit owners are encouraged to leave a key with a trusted neighbor or friend in the association. Should an owner find they are locked-out of their residence they may contact the association office or, if the lock-out occurs after hours, the owner may be required to seek a professional locksmith.

## **Noise**

Maintaining a peaceful environment enhances the pleasure of living at Barkley Villas. Therefore, residents and guests shall (1) keep the volume of entertainment devices, musical instruments, and other sound equipment as well as voices to courtesy levels so as not to interfere with the quiet enjoyment by others; (2) maintain quiet time beginning at 10:00 p.m.; (3) ensure that noise from engines, vehicle entertainment devices, tires, horns, and other devices is kept below nuisance levels, as determined by the association; (4) turn off unit and vehicle alarm systems that are prone to false alarms or that emit audible signals to indicate status other than violation, if such signals disturb other residents.

## **Occupancy**

Owner units shall be occupied only by owners, tenants, family members, guests, invitees, licensees, and employees, as a residence and no other purpose, subject to the declarations. No guest shall be entitled to gain admittance to any unit during the absence of its owner or lessee as host unless the guest is a family member as defined below, or unless the guest is not a family member but is approved in advance by the association in the same manner as leases are approved. A family member shall be permitted to gain admittance to the unit in the absence of the owner or lessee only upon written authorization received by the association from the owner or lessee in advance of the intended stay. The foregoing applies even though the guest seeking to gain admittance possesses a key to the unit.

An owner or lessee shall be deemed "absent" where the owner or lessee does not stay overnight with the guest. The term "family member" shall mean the owner or lessee's parents, grandparents, children,

grandchildren, great-grandchildren, brothers, sisters, or spouses of the foregoing. The minimum age for occupancy of a unit is 21 years. Any guest under this age may visit, not to exceed 30 days in a calendar year, per guest.

### **Owners Renting / Leasing**

Owners who rent or lease their condominiums should understand that if their tenant violates rules or provisions in the declarations, they both may be subject to eviction and other penalties under Florida statutes. Other communities have experienced significant problems when owners attempted to self-manage their rentals from distant cities. Because owners bear responsibility for their renters' actions, they are encouraged to engage the services of a local professional management company or pursue other means to ensure local supervision, protection of their property, and compliance with rules. Consultation with association management is strongly encouraged before entering into a lease or rental agreement.

### **Outdoor Furniture**

Furniture shall be limited to two small chairs and a small table or plant stand. Furniture shall be placed in such a manner to allow free access to the front door. Units with patios may have up to four additional chairs, a table and two potted plants. During extended absence or a severe storm, all furniture and other non-permanent items shall be taken inside the unit.

### **Patios**

Patios at the rear of owner units shall be no greater than ten feet long by ten feet wide in size, and must be laid upon a base of gravel, stone, or sand, but not upon a solid concrete slab. Solid slabs are not permitted. New installations require an approved alteration application form.

### **Pets**

Owners, tenants and guests are permitted to have certain pets and animals as a privilege. Pets are restricted to birds in cages and fish in tanks (in reasonable numbers). The unit owner is liable for any damage caused by their pets. The privilege to have pets may be revoked upon the finding of nuisance.

When necessary to meet the needs of handicapped persons pursuant to fair housing laws and the Americans with Disabilities Act, restrictions may be modified. The association requires pet owners to provide proof of liability insurance to cover any damages that may occur, including, but not limited to, animal bites and nuisance complaints against either the pet owner or the association.

### **Plants**

Two ten-inch diameter potted floral plants are permitted at a unit front entrance and on a rear patio. No hanging plants are permitted and nothing is to be attached to the building. Alterations, including trimming, shaping, moving, or removal of any association shrub or plant is prohibited. A unit owner's personal flowers and plants are their responsibility to maintain. If it is determined they have been unattended, they will be removed by the association and with cost billed to the unit owner.

### **Residential Business**

No business nor commercial activity or enterprise shall be maintained, operated, permitted, or conducted on association property, including owner units. Notwithstanding the foregoing, any business which qualifies as a home occupation, under the applicable zoning code, is permitted. A day care or child care facility, however, is not permitted. Operations of the association and the practice of leasing units are not considered business activity.

## **Shuffleboard**

All shuffleboard players must wear shoes; however, the shuffleboard playing surface is not to be walked on. Children, age six and over, may use courts #1 & #8 unless a tournament is in progress.

## **Signs**

No sign of any type, including for sale/rent signs, is permitted on any association property or owner units, such that they may be viewed from the common elements, limited common elements, or other units. Exceptions include (1) official notices of the association; (2) certain vehicle signs, bumper stickers, parking passes, security, and handicap tags.

## **Solicitation**

No business solicitation is permitted on association property. Non-profit solicitation must have the approval of the association. This shall not preclude an owner from inviting a person or firm to their unit for the purpose of contracting business.

## **Storm Shutters**

Professionally installed storm shutters are generally acceptable. Plywood shutters must be cut to fit and painted white. Damage resulting from improper installation or an unapproved application is the responsibility of the unit owner. An approved association alteration application is required before installation. Approved shutters are listed in the Appendix. Installed storm shutters are an indication of unit vacancy or an impending storm. Therefore, storm shutters shall be removed at all other times.

## **Subdivision**

No owner unit may be subdivided into more than one unit. Only entire units may be sold, leased, or otherwise transferred.

## **Swimming Pool**

All guests under fifteen years of age must be accompanied by an adult. Pool hours are 8:00 a.m. to 9:45 p.m., except for cleaning. Pool capacity is forty-six people.

Rules for pool use include (1) showering recommended before entering pool; (2) towel or blanket covers on chairs and chaises to prevent oils from coating vinyl straps; (3) no running, jumping, diving, horseplay, or dangerous behavior allowed; (4) no glassware or breakable bottles permitted; (5) voices, radios, and other devices must be kept to courteous level; (6) no hazardous play in the water; (7) remove personal articles when leaving, the association is not responsible for missing items; (8) no person with diapers allowed in the pool - "disposable swim pants" are approved; (9) food or drink permitted only during authorized association functions; (10) no toys, rafts, or plastic beach equipment - "noodles" are approved; (11) no permanent locks are permitted on dressing room lockers; (12) no wet bathing suits or bare feet in the clubhouse; (13) no smoking within the fenced pool area. There is NO lifeguard on duty and swimmers use the facilities at their own risk!

## **Television**

The only antennae and satellite dishes permitted are those protected by federal law. No restriction imposed in these rules shall impair the ability to receive an acceptable signal; nor impose any unreasonable delay or expense, as recognized in the rules of the Federal Communications Commission (FCC). When federal law or the applicable FCC cases and rulings change, such changes are automatically incorporated into the declarations and these rules without the need to amend.

A satellite dish or antenna installation must be situated entirely within the boundaries of the unit, or entirely within the limited common access elements as described in the declarations. The installation

may be affixed to the boundaries of the limited common elements. Satellite dishes and antennas cannot be attached to the building walls or roof. An approved alteration application is required.

### **Transfer of Ownership**

The association goal is to maintain a community of congenial and financially responsible residents with the objectives of protecting the value of the units, inhibiting transience, and facilitating the development of a stable, quiet community. The transfer of unit ownership shall be subject to certain provisions so long as the condominium exists, which each owner of a unit agrees to observe. Details on transfer of ownership are detailed in the declarations.

### **Trash**

No trash shall be discarded on association property except in designated dumpsters. Dumpsters are not to be used for disposal of furniture, appliances, carpeting, landscape material, and any other large objects. If you have large bulk trash, notify the office by Wednesday to have a special pick-up scheduled. All garbage and rubbish must be securely tied in plastic bags. Newspaper, cardboard, glass, metal cans, and plastic containers shall be recycled in the appropriate bins.

### **Vehicles / Parking**

Unit owner and guest vehicles on association property may not (1) travel at a speed exceeding 15 mph, (2) park in a fire lane, (3) park over a curb, sidewalk, or lawn, (4) park in a reserved area, (5) exceed more than two vehicles at a villa, (6) operate or park a prohibited vehicle, (7) be unlicensed or uninsured, (8) be loud, emit smoke, or fumes, (9) leak oil or fluids, (10) be dismantled, rebuilt, repaired, serviced, or repainted, (11) be on jacks or ramps, (12) be parked rear first.

Prohibited vehicles include dirt bikes; motorcycles; trucks; agricultural vehicles; dune buggies; swamp buggies and all-terrain and off-road vehicles; any trailer or other device transportable by towing; semis; tractor-trailers; buses; limousines; travel trailers; commercial vehicles; vehicles that are an eyesore; motorcycle delivery wagons; campers; recreational vehicles; motorhomes or mobile houses; truck-mounted campers attached or detached from a truck chassis; motor vehicles not having any bodies whatsoever, or incomplete bodies; passenger automobiles that have been converted to a different type of motor vehicle by replacing the original body or by modifying the exterior of the vehicle; vehicles that are noisy, unsightly, or have flat or missing tires; boats and boat trailers; and, any vehicle that has a trailer hitch that extends more than six inches past the rear bumper. A prohibited vehicle may be parked at the association's clubhouse parking area for up to twenty-four hours, which may be extended by permission of the association.

Certain vans, pick-ups, and sport utility vehicles are permitted if they have two axels, are not classified as a commercial vehicle (defined below); and, have windows on the rear and both sides of the vehicle adjacent to all seating, and fit within the confines of an assigned parking space.

A commercial vehicle shall mean any motor vehicle which has an outward appearance of being used in connection with a business, (e.g., the vehicle displays work equipment to view and/or is commercially lettered or contains a commercial or business logo). A vehicle with a covered sign or logo shall still be considered to be a commercial vehicle. A vehicle with a removable sign or logo shall not, with the sign/logo removed, be considered to be a commercial vehicle unless it meets the definition of commercial vehicle even without the sign or logo.

Exceptions to prohibited vehicles include moving vans, for the purpose of loading and unloading during reasonable hours; vehicles necessary for delivery, service, maintenance, care, or protection of the properties, but, only for the time period during such service is being provided; and, police and emergency vehicles.

In an effort to promote green-energy conservation, electric vehicles will not be denied parking within association properties. Electric vehicle owners are required to install underground electrical conduit from their unit to their assigned parking space. The work must be completed by a licensed electrician. An association approved alteration application form is required.

All vehicles parked on association property in excess of twenty-four (24) hours must display a Barkley Parking permit. Register your vehicle at the office.

Vehicles parked in violation of these rules or: (1) block an access, or (2) park in a handicapped space without a permit, or (3) park within fifteen feet of a fire hydrant, may be towed away at owner's expense.

**Water**

Unit water supply must be turned off to any residence that will remain unoccupied for more than five consecutive days.

**Workshop**

The workshop hours of operation are the same as office hours of the association, plus those times that a recreation attendant is on duty. The workshop may not be used for personal profit or business. Tools must be signed out if taken from workshop. The use of any tool stored in the workshop is restricted for use by association members only. Residents using these tools do so at their own peril. Neither the association nor any of its insurance policies in effect will be responsible or provide coverage in the event of an injury or third party liability.

# Appendix

## Approved Styles



## Plywood, Accordion, and Roll-down Shutters

