

# Harbour Oaks

## **Rules & Regulations**

**As Amended March 25, 2014**

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# HARBOUR OAKS CONDOMINIUM ASSOCIATION RULES AND REGULATIONS, AS OF 25<sup>TH</sup> MARCH 2014

## 1. MAINTENANCE FEES

Owners are responsible for the payment of the quarterly Harbour Oaks Condominium assessment and annual assessment billed by the Bay Isles Association.

The Bay Isles Association provides security and access, maintains those roadways and grounds serving the Bay Isles community as well as the Beach Club. For more information visit their website at [www.bayisles.net](http://www.bayisles.net).

**Harbour Oaks** assessments are billed and payable by direct debit to a checking account or by a coupon accompanied by a personal check. Assessments are quarterly, payable on the first day of January, April, July and October. **The Bay Isles Association** invoices each unit owner directly in the month of January. Payment is by personal check directly to the Association.

Delinquencies are subject to interest and penalties, lien rights and other remedies imposed by the respective Boards.

## 2. BAY ISLES ACCESS

With the exception of mail, package or newspaper deliveries, and emergency vehicles, service and/or utility vehicles and vendors access to Bay Isles is limited to the hours between 7:45 a.m. and 5 p.m., Monday through Friday, and between 7:45 am and noon on Saturday. No non emergency service or utility vehicles or vendors are permitted access outside of the designated hours or at any time on Sunday.

Non-resident access to Bay Isles requires resident permission in advance. Permission is limited to seven (7) consecutive days unless the non-resident guest or vendor has been added to a Permanent Registration List maintained by the Bay Isle gatehouses. Visitor registration at either the North or South gate is made by calling 941-383-7257 and using the automated registration. New unit owners must register with the gatehouse and provide a password to be used with the automated system. Family and frequent visitors may be permanently registered.

## 3. OCCUPANCY & USE

Condominium units are designed for single-family residential use only and may not be subdivided. Certain home occupations may be permitted, subject to Town of Longboat Key ordinances. Owners are

prohibited from making use of any unit or common element which violates any law, ordinance, or regulation of any governmental body.

**Guests** are defined as persons outside the immediate family (mother, father, siblings, children, grandchildren and great grandchildren) of the unit owner, who pay no consideration for the use of a unit. Guests unaccompanied by an owner must be registered with the management office and announced to the Bay Isles gatehouses in advance of, and with respect to, the term of their occupancy. Gatehouse announcements are limited to seven (7) consecutive 24-hour days.

**Tenants** are defined as persons paying monetary consideration for the use of a unit. Tenant occupancies are subject to:

- Payment of a \$100 application fee, and advance approval of a Rental Application by the Board of Directors, and
- A one month minimum rental term, and
- A maximum of one rental per quarter.

Not less than an entire unit may be rented, and no sublease of any unit is permitted.

Owners are prohibited from

- Creating any fire or health hazard,
- Causing any damage to, or any increase in, insurance rates on unit, limited common or common elements, and
- Discharging saline or other regenerating solutions and chemicals into any common element.

Owners are further prohibited from abridging the rights of any other owner's use or enjoyment of a unit, limited common or common element.

Each owner must ensure that guest and tenant occupancies abide by all rules and regulations of the Harbour Oaks Condominium Association.

#### **4. UNIT INTERIORS**

Prior written consent of the Board of Directors is required for any structural addition or alteration to any unit (except the erection or removal of non-support carrying interior partitions wholly within the unit), and for installation of any hard floor covering material in a second floor unit. Any such installation may be required to be covered with padded rugs or carpeting to eliminate noise disturbance to other unit owners.

Water beds are not permitted in second floor units of any building.

## **Dryer Vents**

Outside Dryer vents are periodically inspected and cleaned by the Association's Maintenance man. However it is the unit owner's responsibility to verify and clean the part attached to the dryer located inside the unit, to ensure that the vent pipe is free of lint and functions properly.

## **Pets**

Pets must be leashed at all times when outside of their owner's unit. With the exception of registered service dogs, pets are not allowed in the community swimming pool area. Owners are responsible for removing all pet droppings, and for otherwise ensuring that their pets cause no disturbances or annoyances for other occupants.

Pets in any occupied unit are limited to birds, fish, and a maximum of one cat and one dog weighing not more than twenty five pounds. Renters and guests may not have pets.

## **Noise and Odors**

To ensure the quiet enjoyment of Harbour Oaks by all, obnoxious and unnecessary odors and noise shall be avoided.

Projected music and loud conversations on outside decks, balconies, at the pool and in other common areas should be kept to a minimum, and neither pets nor children shall be allowed to disturb or inconvenience others.

Vehicles must be operated responsibly, with muffler systems in quiet operating condition.

**Barbecue grills** are not permitted on second floor balconies or lanais.

**Trash and recyclables** must be placed in receptacles designated by the Town of Longboat Key, and kept inside unit garages or air conditioner enclosures until the evening before the day of collection.

## **5. Repair or Maintenance Request**

Any requests for maintenance to an owner's unit that falls under the responsibility of the Association should be submitted in writing to the Property Manager by email or regular post. The Property Manager will make every effort to resolve the problem in the shortest possible time. Should the property owner feel that the problem is not being resolved in a timely fashion, an email should be sent to the Board President explaining the situation. At no time should the property owner call repair people directly. If in doubt about who is responsible for the repair, the Property Manager should be consulted for clarification.

## **Extended Absences**

In the event of extended absences, unit owners are strongly advised to take actions to mitigate potential damage to their own or any adjacent unit. Management strongly recommends that owners have their units inspected weekly, and that:

- Water and electricity to the hot water heater(s) are turned off,
- Unit water supplies are turned off,
- A humidistat is used to control interior humidity levels,
- All objects and furniture left on porches, decks and lanais are secured, and
- Toilet lids are down

## **6. Unit Exteriors**

No unit owner may, without written permission from the Board of Directors,

- Paint or otherwise change the appearance or material of any exterior surface (front or back)
- Place any sun screen, blind, awning or shutter on any balcony or exterior.
- Plant any plantings outside of a unit other than those in moveable containers which are routinely maintained, and do not impair the work of landscaping service providers.
- Erect any exterior lights or signs, or place any signs, symbols or decor in windows in front or back of a unit, in its limited common areas, or in the contiguous common area lawn, except that during the month of a recognized national holiday, holiday-specific décor may be placed temporarily outside a unit if such décor does not impair the work of landscaping servicers.
- Erect antennas, equipment or other structure or fixture on the exterior of any building, or in any of the common elements.

Owners are prohibited from placing or hanging laundry, garments, and unsightly objects from balconies, or on decks and other areas outside a unit, and are required to keep units and their limited common elements in a clean, sanitary and well-maintained condition.

### **Roofs**

Maintenance of the roofs is the responsibility of the Association. If there is a leak or other problem it should be immediately reported to the Property Manager. At no time should the owner, or anyone employed by the owner, have access to the roof.

**Garage doors** should remain closed except when being used for ingress or egress, and periodically as required to release heat. For the purpose of heat release, garage doors may be raised two feet.

**Children** are prohibited from playing in the street, and the bouncing of balls on exterior walls or garage doors is prohibited.

**Sidewalks, driveways, entrances, and other common areas of travel** must not be obstructed in any manner, and must be kept free of all hazardous or unsightly materials.

## **7. Vehicles and Parking**

No street parking is allowed at any time, except as required by commercial delivery, routine service and/or emergency vehicles. In addition, no commercial vehicle may be parked in a unit driveway, or in guest or pool parking areas overnight.

Personal recreational vehicles, boats, all trucks (SUVs excluded) and/or trailers may be parked only in garages or in the pool parking area. Pool parking is limited to no more than 7 consecutive days.

All vehicles, including bicycles, scooters, and motorcycles, must be kept inside garages, or in guest parking spaces overnight.

No vehicle of any kind may be parked or stored in a unit driveway, guest or pool parking areas during periods where the owner/operator is not in residence.

## **8. Pool Area**

The pool area is reserved for use by owners, and owners' tenants and guests at their own risk during the hours between dawn and dusk.

Pool gates and restroom doors must be secured at all times.

All children using the pool should be toilet trained, and those under the age of twelve (12) must be supervised by a responsible adult. Children under the age of sixteen (16) may not use the spa.

No diving is allowed at the pool, and the use of inflatables and toys is limited to times and in areas that do not to impede the enjoyment of the pool by others. Inflatables and toys are prohibited in the spa.

Towels must be used on furniture to protect it from perspiration, lotions and sun screens.

Food and beverages in the pool area should only be contained in and served from unbreakable, non-glass containers.

Upon leaving the pool area, all trash should be collected and secured in trash bins, umbrellas lowered, chairs returned to their original positions, and personal items removed.

## **9. Unit Sales/Ownership**

An Application to Buy/Sell a Harbour Oaks unit, with a non-refundable \$100 application fee must be submitted to the Board of

Directors at least 30 days prior to the transferred ownership of any unit. The Board of Directors reserves the right to conduct credit and background checks on prospective owners, and must approve unit sales in writing prior to any ownership transfer.

## 10. Enforcement of the Rules and Regulations

Violations should be reported, in writing, to the Association's Manager, NOT to the Board of Directors or to the officers of the Association. Minor infractions will be called to the attention of the owner(s) or persons involved by management. Repeated infractions and violations of a more serious nature will be referred to an independent committee of the Board of Directors for adjudication.

### **The Process:**

1. Send periodic reminder letters from management to owners re: rules and regulations.
2. Verbally request minor/easily corrected infractions upon notice to management.
3. Follow up all verbal communications by email or letter documentation from management.
4. Convene an informal meeting with the infringing owner, Management and a Board member to correct each violation.
5. Document and discuss unresolved violations at board meetings based upon monthly property walks completed by management and a rotating board member.
6. Send written notice from the Management Company to subject owner indicating the specifics and time of the observed violation, the time frame by which it needs to be corrected, the owner's rights, and the potential consequence of any failure to take immediate steps to correct each violation.
7. Convene a "hearing" requested by subject owner, before an impartial committee of three, moderated by the Manager.
8. Conclude an impartial committee investigation and adjudication of the violation by imposed monetary and/or loss of privilege fines. Fines may vary by type of violation e.g., health/safety vs abridgement of others' rights vs property destruction/defacing vs infringement of other rules and regulations.
9. Maintain violation records by owner.
10. Refer all recurring violations to legal counsel of the board.