

## **RULES AND REGULATIONS**

### **HARBOUR ISLE AT HUTCHINSON ISLAND EAST CONDOMINIUM ASSOCIATION, INC.**

It is the purpose of the Harbour Isle at Hutchinson Island East Condominium Association, Inc. (the "Association") to maintain luxurious and economically well managed Association and it is believed that these rules and regulations ("Rules") will aid in this purpose.

Your Board will welcome the assistance of all Owners in the enforcement of the Rules. For purposes of interpretation, all terms within the Rules shall have the meaning stated in the Declaration of Condominium of Harbour Isle at Hutchinson Island East, a Condominium.

Violations of the Rules should be reported in writing to the Association. Violations will then be called to the attention of the violating Owner and any appropriate committee. All disagreements will be presented to the Board, which will take appropriate action. Owners are responsible for compliance of their tenants, Guests, invitees, and Occupants.

#### **GENERAL**

1. The sidewalks, entrances, roadways, passages, patios, stairways, corridors, vestibules, elevators, lobbies, halls and like portions of the Common Elements and the property of the Association (collectively, the "Association Property") shall not be obstructed nor used for any purpose other than for ingress and egress to and from Units within the Condominium and to and from Association Property except as approved by the Board.

2. The Board shall be solely responsible for directing and supervising employees of the Association.

3. No disturbing noises shall be permitted on the Association Property, nor shall any person's conduct interfere with the rights, comforts or conveniences of Owners, tenants, guests, invitees and Occupants.

4. No unit owner or tenant shall have flammable, combustible or explosive fluids, chemicals or hazardous substances kept in any Unit or on Association Property at any time.

Violation of this rule shall constitute a violation of the Bylaws, as amended, and shall subject the Unit Owner to a fine as determined by the Board.

5. No exterior antennae, other than satellite dishes (and any accessories thereto) which must be wholly located within the Unit and not in excess of two (2) feet in any dimension and then only if such satellite dish is screened from view, shall be permitted.

6. To maintain a uniform and acceptable appearance of the exterior of buildings and improvements no awnings, screens, glass enclosures or projections shall be attached to the outside walls, doors, verandas, windows, roofs or other portions of Buildings without the first prior written approval by the Architectural Committee. No clothing, rugs, towels or

any other items may be hung at any time on or at the exterior of any Unit. See Architectural Rules attached.

7. Owners shall be liable for all damage to buildings, improvements, other persons or other persons' property caused by receiving deliveries, moving or removing furniture or other articles to or from units, buildings and improvements.

Service and delivery people are required to check in with the security guard at the main entrance to the Condominium.

Owners are responsible to schedule through and notify Manager to hang elevator blankets when furniture is to be moved or removed via the elevator.

8. No Owner shall:

A. Use any of the Condominium Property, or his Unit, or permit the same to be used, in any manner which is a nuisance to any occupant of any other Unit(s) or adjoining property owners;

B. Take any action which would be inconsistent with the maintenance of the highest standards for residential development;

C. Permit the total property to be used in a disorderly or unlawful way;

D. Take any action which will produce an insurance risk for the Association, any other association or other owners, tenants, guests, invitees or occupants.

9. Solicitation and Notices:

A. No solicitation shall be permitted on the total property or the Association property, or on any other part of the Condominium.

B. No postings of notices for commercial, business or retail nature shall be permitted on the total property or the Association property, or on any other part of the Condominium.

C. No posting of material for notices, advertising or selling of items or services of a community or personal nature shall be posted except in an area approved by the Board. All postings shall be dated and meet acceptable community standards and must be removed no later than 14 days after posting. The Board shall have total authority on what is considered of a community or personal nature and what meets community standards.

10. Every Owner, tenant, guest, invitee and occupant shall comply with the Rules, any and all further Rules that from time to time may be adopted, and the provisions of the Condominium Documents, as amended from time to time. Failure of an owner, tenant or occupant to so comply shall be grounds for action that may include, without limitation, an action against the applicable owner to recover sums due for damages, injunctive relief, or any combination thereof. The Association shall have the right to suspend voting rights in the event of failure to so comply as stated in such Rules and Condominium Documents.

The Board shall be permitted (but not required) to grant relief to one or more owners from specific Rules upon written request for such relief and good cause shown in the sole opinion of the Board.

## **A. RECREATION AREAS**

Recreation areas shall be used in such a manner as to respect the rights of others, and the Board may regulate duration, scheduling, use, maintenance, and the opening and closing of the recreation areas. The Board may further establish specific rules regulating use of tennis courts, swimming pools, sundecks, the clubhouse, and any other recreation areas governed by the Board. - See Tennis Court Rules Attached.

The hours of the pool and spa areas shall be set from 6 a.m. to 10 p.m. seven days per week or as determined by the Board – See Pool and Spa Rules Attached.

The hours of the Fitness Center and community room shall be set from 6 a.m. to 10 p.m. Access hours requiring the use of the these areas shall be determined by the Board – See Fitness Center Rules Attached.

## **B. PETS**

Only domestic pets shall be permitted within the Condominium, subject to the following rules and conditions and only for owners. **Lessees are not permitted to have pets on the property at any time for any reason:**

1. While outside a unit and while on Association property or the total property, all pets must be restrained by a collar and leash, and must be accompanied by a mature, responsible individual ('Attendant'). No Pets shall be permitted to run outside a dwelling unit without restraint and without being accompanied by an Attendant.

2. The Attendant for each pet walking a pet on Association Property or the total property shall remove and properly dispose of any solid waste produced by said pet.

3. The Attendant and Owner of any pet shall be strictly liable for damages caused to Association Property or the total property by said pet. Property owners shall be liable for the pets of their guests whether or not that pet is properly registered. This includes any fines imposed by the Board.

4. Any right of the owner to keep a pet in a unit shall have such right revoked if the pet shall create or become a nuisance as may be determined at the sole discretion of the Board.

5. All pets must be registered with the management office within one week of arrival on the Association property. In order to be registered the owner will have to provide proof of current vaccinations.

6. Pet Limitation

A. Owners shall be able to have two domestic pets (dogs or cats) as long as that pet does not appear on the prohibited pet list.

B. Owners shall receive a letter of warning for the first rule infraction; a \$50

fine for a second rule infraction; a \$100 fine for a third and subsequent rule infractions; and the pet will have to be permanently removed from the Association property for a fourth rule infraction.

C. Owners have the right to appeal rulings to the Board.

D. Owners have the right to appeal rulings to the Board but must file the request in writing delivered to the management office within five business days of receiving notification of the rule.

8. The following pets shall not be allowed on the Association Property (except as previously permitted by the Grandfather clauses when this rule was applied in 2007). The following list, provided by the Association's Insurance Carrier, and applies to both purebred and mixed breed dogs.

- Pit Bull
- Rottweiler
- Akita - including Japanese and Akita Inu
- Canary Dogs - including Perro de Presa Canario
- Chow
- Doberman
- German Shepherd
- Staffordshire Terrier
- American Eskimo

### **C. VEHICLES AND PARKING**

THIS SECTION DESCRIBES CERTAIN VEHICLES THAT ARE PROHIBITED FROM ENTERING ASSOCIATION PROPERTY AND THAT ARE NOT ENTITLED TO PARK ANYWHERE ON ASSOCIATION PROPERTY HOWEVER IF A VEHICLE IS LISTED IN RULE 2D (EXCEPTIONS) BELOW, THEN SUCH VEHICLE SHALL BE ALLOWED TO PARK ON DESIGNATED PARKING AREAS OF THE ASSOCIATION PROPERTY DURING THE TIMES INDICATED, IRRESPECTIVE OF WHAT IS STATED IN THE RULES. NO PARKING OR DRIVING SHALL BE PERMITTED ON ANY GRASS OR LANDSCAPED AREAS AT ANY TIME, WHETHER SPECIFICALLY SET FORTH BELOW OR NOT. FOR THE PURPOSES OF THIS RULE, THE PARKING RESTRICTIONS ESTABLISHED HEREBY SHALL NOT BE APPLICABLE TO PRIVATE, ASSIGNED GARAGE PARKING SPACES.

1. Prohibited Vehicles. No commercial vehicle, trailer, boat, camper, van or truck (other than passenger pick-up trucks, sport-utility vehicles, family-style vans, and other passenger vehicles used for personal transportation and which do not exceed the size of one (1) parking space) shall be permitted to park on any portion of the Association property, except as the Board may designate for such use by appropriate Rules.

2. Exceptions. The following vehicles shall not be subject to the parking restrictions contained above, and shall be entitled to park within designated areas for parking in the Association Property, subject to restrictions and provisions contained below:

A. Moving vans shall be permitted to park on paved areas of the Association property

for the purpose of loading and/or unloading, but only for the time period during which said loading and/or unloading is taking place. At no time shall moving vans be permitted on Association property during the hours of 8:00 p.m. to 8:00 a.m.

B. Maintenance vehicles, regardless of classification, necessary for the maintenance, care or protection of property within the Condominium, shall be permitted on Association Property during regular business hours, but only for the time period during which such maintenance, care or protection is being provided.

C. Service and delivery vehicles, regardless of classification, are permitted on Association Property during regular business hours, but only for that period of time to render the service or delivery in question.

D. Vehicles for handicapped persons are permitted on Association Property at anytime. For the purposes of this sub-item the term “handicapped” is defined by any fair housing law.

E. Other Permitted Vans. Subject to the provisions above, a two (2) axle van as described hereinafter is permitted to be parked on Association Property so long as such vehicle:

1. does not contain any exterior commercial identification markings;
2. does not exceed the manufacturer’s standard height, width and length for the vehicle; and
3. complies with the following window limitations: The vehicle must contain windows on:
  - a. the rear of the vehicle;
  - b. on both sides of the vehicle adjacent to the first row of seating;
  - c. at least one (1) set of windows on each side of the vehicle beyond the windows adjacent to the first row of seating

F. Vehicles used in connection with construction, marketing, sale or leasing activities are permitted on the Association property from 8 am to 8 p.m. upon showing proper identification.

G. Police and Fire Safety Vehicles are permitted on the property at any time.

3. Classifications and Definitions. The following classifications and definitions shall govern the above rules:

A. The most current edition of the N.A.D.A. Official Used Car Guide (‘Guide’) shall determine the classification of whether a vehicle is a truck or van, or whether it is a passenger automobile, If the Guide does not contain reference to a particular vehicle, then the manufacturer’s classification shall control. If publication of the Guide shall be discontinued, an equivalent publication shall be selected by the Board to be used to determine vehicle classifications hereunder, except as otherwise provided as to certain vans under Rule E above, a State registration or title classification shall have no bearing on determination of the classifications under the Rules.

B. A “commercial vehicle” shall mean any motor vehicle which has an outward appearance of being used in connection with business, such as: the vehicle displays work equipment to view and/or is commercially lettered or contains a commercial or business logo. Actual use of the vehicle shall not be considered; only its outward appearance shall be considered.

4. Restrictions on Use-The following restrictions also apply:

- A. No repair (including changing of oil) of a vehicle shall be made on Association Property except for minor repairs necessary to permit removal of a vehicle, unless they are made in a Unit's garage. However, washing, detailing or waxing of a vehicle is permitted on the designated area of the Association property. Notwithstanding the foregoing, activities associated with boat use and maintenance within designated areas may or may not be permitted as the Board shall determine from time to time.
- B. No motor vehicle, including moving vans, shall be parked at any time on the grass or landscaped areas of the Association Property (except for landscaping equipment at the direction of the Board).
- C. Vehicles shall be parked with the front (nose) of the vehicle facing the curb and the front of the vehicle shall not extend over the curb in a way that would harm vegetation or block side walks.
- D. Residents must ensure vehicles parked on the property, regardless of location whether in a designated space or guest space, do not leak any fluids of any kind which stain the pavers. The resident or guest must remove the vehicle promptly, repair the vehicle and show proof of repair prior to being allowed to park on the property. If Association Management notifies resident of violation, the resident must complete the repairs as stated above, show proof of repairs and pay a fee determined by the Board for the cleanup of the fluids.
- E. If car covers blow off, Association maintenance personnel will remove same and the owner will be charged a fee.
- F. If someone other than yourself is parked in your assigned parking space, please notify the Security gate IMMEDIATELY. The guard will notify the illegally parked person via telephone call and if a message must be left on voicemail, a ticket will be placed on the vehicle. Please park in a designated guest space until the issue is resolved. Thank you for your cooperation.

5. Removal of Vehicles. There will be times where vehicles must be removed from the parking areas to accommodate maintenance, repairs or replacement of the parking areas on Association property. Upon reasonable notice from the Association that the foregoing will occur, each Owner, Occupant, Guest and invitee shall remove their vehicle for the time period requested, or be in violation of this provision.

6. Parking Permits.

- A. All vehicles (including but not limited to motorcycles) shall be required to have a proper barcode and parking permit issued by the Harbour Isle management office or a temporary pass issued by Security.
- B. Each unit shall be limited to a maximum of two barcodes.
- C. An owner may request a third barcode by applying to the Board. Any additional barcodes may be withdrawn at the Board's discretion.
- D. There is no charge for up to two barcodes. Subsequent barcodes will be disbursed at a cost of \$15 each, or whatever the Board may indicate from time to time.
- E. If an owner has tenants residing and they have any parking permits, the owner shall not be eligible for a third permit.

Board may adopt further Rules from time to time regulating and limiting the size, weight, type, place and manner of operation of vehicles on Association Property.

7. Motorcycles

A. Motorcycles shall be allowed but must be operated in a way not to disturb neighbors. The Board shall have final say on whether a motorcycle meets this requirement.

B. Motorcycles shall be subject to same rules as all vehicles including but not limited to being required to have a barcode issued by the Board. Motorcycles are to be parked in an approved parking space and covered at night with an appropriate, fitted cover.

C. Tenants, guests and invitees are not allowed to park motorcycles overnight.

8. Alternative/Concurrent Remedies. Whether or not the Association exercises the Association's right to have a vehicle in violation of these Rules towed, the Association shall nonetheless have the right to seek compliance with the Rules by injunctive and other relief through the courts, and/or any other remedy conferred upon the Association by law or by the Condominium Documents. The Association's right to tow shall in no way be a condition precedent to any other remedies available to the Association incident to the enforcement of the Rules.

**D. BALCONIES/CATWALKS**

Your balcony railings and catwalks are an important part of the overall aesthetics of Harbour Isle. To ensure the property remains attractive, the following applies:

-Personal articles such as swimsuits, towels, cleaning supplies, fishing equipment, coolers, etc. may not be draped or stored at any time

-Nothing may be thrown or dropped from balconies and catwalks, i.e. water from plant maintenance, cigarette butts, etc.

-If you are not in residence during the hurricane season (June 1 through November 30) all items must be placed indoors

**E. CHILDREN**

Parents are responsible for their children at all times while on the property. A resident adult must accompany all children under the age of twelve(12) while at Recreation facilities, or as specifically indicated on the rules governing the pool, spa, tennis courts and Fitness Room which are attached hereto.

**F. MOVE INS, MOVE OUTS AND DELIVERIES**

Please contact the Manager's office to schedule your move or deliveries. You must call Security to permit your mover access to the property. The rules for moving are attached hereto.

**G. CONTRACTOR WORK**

If you are going to have carpentry or flooring work done in your unit, please notify the Manager's office well in advance. Noisy work may not be commenced until 9:00 a.m. and must cease by 6:00 p.m. Monday thru Saturday. Management will post a notice in the respective building's bulletin board a few days in advance of noisy work so that other residents may plan accordingly. Vendors may not use the Association dumpsters for any debris and must remove debris from the property daily. Flooring work requires approval of

sound deadening materials and contractor must have signature notarized. Management will photograph the flooring sound deadening materials upon installation prior to the installation of the hard surface flooring. Further details are attached hereto.

## **H. ELEVATORS**

Harbour Isle is equipped with one passenger elevator per building, which meets the highest safety standards. Each elevator is equipped with an emergency phone which is programmed to call the elevator company's 24 hour emergency line. Law prohibits smoking or carrying of smoking materials in the elevators. For your convenience, cigarette posts for the purpose of extinguishing cigarettes are placed near each elevator.

## **I. LEASING**

-Units may be rented for a minimum period of 90 days (3 months), two times per year.

-A lease application must be completed, along with a check for \$100 and must be submitted to the Manager's office at least 2 weeks in advance of the intended occupancy.

-All occupants over the age of 18 must be on the lease and must undergo both a credit and background check.

-After approval, the lessee(s) will meet with the Manager or Administrative Assistant and will receive a copy of the Rules and Regulations. Additional details are listed on the website, [www.harbourisleeast.org](http://www.harbourisleeast.org) under the "Forms" tab.

## **J. NOISE**

Please be aware that sound is transmitted throughout the units both vertically and horizontally. With that said, it is incumbent upon each resident to be cognizant of sounds that may transfer from their units. Felt tips should be placed on dining room chairs, carpet runners placed on main walk areas to cover hard surface flooring and high heeled shoes should not be worn in units. The Association has requirements for hard surface flooring installation which is included in this packet.

Noisy work may not be conducted until 9:00 a.m. and you must notify Association management. All hammering such as picture hanging or carpentry must be done during the hours of 9:00 a.m. and 5:00 p.m. weekdays and Saturdays. No noisy work may be conducted on Sundays. Between the hours of 9:00 p.m. and 9:00 a.m., please ensure the volume of your radios, televisions and stereos are at a low level.

Pursuant to Section 718.112920(a), Florida Statutes:

The Association may through its board of administration adopt reasonable rules and regulations regarding the frequency and manner of responding to unit owner inquiries, one of which may be that the Association is only obligated to respond to one written inquiry per unit in any given 30-day period. In such a case, any additional inquiry or inquiries must be responded to in the subsequent 30-day period, or periods, as applicable.

At the June 15, 2009 Board of Directors' meeting, the Board unanimously agreed to adopt the following resolution:

Board/Association is only obligated to respond to one written inquiry per unit in any given 30-day period and that any additional inquiry or inquiries (from the same owner) will be responded to in the subsequent 30-day period, or periods, as applicable.