

BEACH COLONY WEST, A CONDOMINIUM

RULES AND REGULATIONS, 2011 Revision

A. The Rules and Regulations hereinafter enumerated as to the Condominium Property, the Common Elements, the Limited Common Elements and the Condominium units shall be deemed in effect until amended by the Board of Directors of the Association and shall apply to and be binding upon all Unit Owners. The Unit Owners shall, at all times, obey said Rules and Regulations and shall use their best efforts to see that they are faithfully observed by their families, guests, invitees, servants, lessees and persons over whom they exercise control and supervision.

(1) The use of the units shall be consistent with existing laws and the restrictions set forth in the Bylaws and shall not constitute a nuisance. Each of the units shall be occupied only by a single family (one adult or couple and related children), its servants and guests as a residence and for no other purpose.

(2) Common Elements shall not be obstructed, littered, defaced or misused in any manner and shall be kept free and clear of all rubbish, debris and unsightly materials. Repair and costs of destruction or damage caused to a Common Element shall be the responsibility, and at the expense, of the responsible Owner.

(3) Owners and occupants of units shall exercise extreme care to minimize noise in the use of musical instruments, radios, television sets, amplifiers, etc., so as not to disturb other persons or parties occupying Units.

(4) Nothing shall be hung over or from the railings, windows or other portions of the units. Rugs may be cleaned within the units but not in any other portion of the Condominium Property.

(5) All garbage and trash shall be deposited in the trash chute, across from the west stairwell.

(6) No Owner or occupant of a unit shall install wiring for electrical or telephone installations, nor install machines or air conditioning units, etc. that may affect the exterior of a unit in any shape or manner except as authorized in writing by a majority of the Board of Directors.

(7) Owners shall not cause or permit anything to be placed on the outside walls of any of the buildings or placed on windows which are visible from the outside of the building, and no sign, canopy, shutter, radio or television antenna shall be affixed to or placed upon the exterior walls or roof or any part thereof, without the prior consent of the Board of Directors. American flags may be displayed from balconies within the

approved guidelines of Florida Statute 718. Approval by the Board of Directors is also a requirement prior to any construction or modification.

(8) No noxious or offensive activity shall be carried on in any unit or in the Common Elements, nor shall anything be done therein, either willfully or negligently, which may be or may become an annoyance or nuisance to the other Owners of occupants or which may be injurious to the reputation of the property.

(9) Nothing shall be done in any unit or in, on or to, the Common Elements which will impair the structural integrity of the buildings or which would structurally and/or mechanically change the buildings except with the approval of the Board of Directors. No awnings or enclosures are to be added without the Board of Directors' written approval.

(10) Nothing shall be done or kept in any unit or in the Common Elements which will increase the rate of insurance on the buildings or contents thereof, applicable for residential use, without the prior written consent of the Board of Directors. No owner shall permit anything to be done or kept in his unit or in the Common Elements which will result in the cancellation of insurance on the building, or contents thereof, or which would be in the violation of any law.

(11) No industry, business trade, occupation or profession of any kind, commercial, religious, educational or otherwise, designated for profit, altruism, exploration or otherwise, shall be conducted, maintained or permitted in any residential unit except with the prior written consent of the Board of Directors.

(12) Children shall, at all times, while on the premises, act in an orderly manner without creating disturbing noises or being a nuisance to unit Owners.

(13) No clothesline or similar devices shall be allowed on any of the Common Elements, including the balconies. No grilling or barbecuing is permitted on the balconies or porches. Do not throw anything from balconies. In consideration of your neighbors, please refrain from sweeping or mopping water off balconies between 6AM and 10PM.

(14) There shall be no restriction on the keeping of domestic pets by owners, provided they are not kept, bred, or maintained for commercial purposes in their units. All pets shall be kept on a leash while outside the owner's unit. In the event that any pet on the premises should constitute a nuisance in the opinion of the property manager, the Owner shall be required to immediately rectify the situation. An owner may appeal such action to the Board of Directors. Each owner shall be financially responsible for any damage caused by any pet maintained within the Owner's Unit.

(15) No more than eight (8) persons may occupy a three (3) bedroom unit, and no more than six (6) persons may occupy a two (2) bedroom unit without the prior written approval of the Board of Directors.

(16) Maintenance Assessments that are unpaid for over ten (10) days after due date shall include, in addition to interest (as provided for in the Bylaws), the greater of five percent (5.0%) of each installment or \$25.00 as a late charge.

(17) No unit may be leased or sublet more than four (4) times per calendar month without the prior written consent of the Board of Directors.

(18) When a unit Owner or his guests are not in residence, the thermostat in the unit is to be set on Cool, no higher than 80⁰ F in the summer, and Heat, no lower than 50⁰ F in the winter. This will reduce mildew and damage resulting from humidity.

(19) All Unit Owners shall be required to employ the following underlayings in all areas of the unit where ceramic tiles, marble, wood flooring, parquet or other hard surfaces are used:

(a) The first underlayment or insulation alternative would be a layer of ¼" corkboard or other appropriate attenuative material adhered to the slab with the hard surface material being laid on the cork; or

(b) The second underlayment possible would be a layer of "Laticrete", a semi-liquid applied product.

B. The Association may levy reasonable fines against a unit for failure of the Owner of the unit, or its occupant, licensee, or invitee, to comply with any provision of the Declaration, the Association Bylaws, or reasonable rules of the Association. No fine will become a lien against a unit. No fine may exceed \$100.00 per violation. However, a fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing, provided that no such fine shall in the aggregate exceed \$1,000.00. No fine may be levied except after giving reasonable notice and opportunity for a hearing to the unit Owner and, if applicable, its licensee or invitee. The hearing must be held before a committee of other unit Owners. If the committee does not agree with the fine, the fine may not be levied. The provisions of this subsection do not apply to unoccupied units. The procedure for the hearing shall be, at a minimum, as follows:

(1) The party against whom the fine is sought to be levied shall be afforded an opportunity for hearing after reasonable notice of not less than fourteen (14) days and said notice shall include:

(a) A statement of the date, time and place of hearing;

(b) A statement of the provisions of the Declaration, Association Bylaws or Association Rules which have allegedly been violated;

(c) A short plain statement of the matters asserted by the Association.

(2) 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.