GROUND & BUILDING RULES

ADOPTED SEPTEMBER 2020

I. PURPOSE AND SCOPE:

These Ground and Building Rules take precedence over all “Rules and Regulations” issued and /or published prior to this date. However, they do not supersede the Declarations and Restrictions for Ocean Towers Condominium Association, Inc as authorized under the provision of Chapter 718 of the Florida Statutes (the Condominium Act.)

These rules have been carefully reviewed and revised where necessary, to ensure that all unit owners may enjoy their rights of ownership, to live harmoniously with others and to understand the necessity for association governance.

All unit owners should familiarize themselves with the “Ground and Building Rules”. It is the responsibility of unit owners to inform their lessees and guests of these regulations and to provide copies of these regulations prior to leasing their units. However, in the event of violations by either guests or lessees, the unit owner will be contacted and held responsible.

The Condominium Manager will be primarily responsible for the enforcement of all rules and regulations. However, any unit owner may call attention to rule infractions either to the person violating or in writing to the Board of Directors, or its designee. These rules will apply to all unit owners, their guests and to their lessees. THERE WILL BE NO EXCEPTIONS. If a violation is noted and brought to the attention of the unit owner, either personally by any member of the Board of Directors, or in writing, and the violation continues, the Board of Directors shall have the right to enforce the provisions of the regulations through the institution of legal proceedings. All attorney fees, filing fees, and other expenses incident to the enforcement of these rules shall be paid by the unit owners deemed to have been in violation.

II. GUEST AND VISTORS:

A guest is a person who is entertained by an owner and/or lessee or a resident member of his immediate family. When an owner and/or lessee is not present, guest may not in turn invite other guests or visitors to use the facilities of the condominium. An owner who is not in residence shall notify the Board in advance of the proposed occupancy of the condominium unit by any persons other than the owner. The owner of the condominium unit shall make available to his guest a copy of the “Ground and Building Rules” and apprise them of the importance of compliance with them. Registered guests are allowed to use parking and any other facilities of the condominium.

III. USE AND CARE OF PUBLIC AREAS:

A. All porches, walkways, balconies and stairwells must be kept clear and free of all personal items and debris. Clothing, towels, shoes and other articles shall not be placed in the passageways. Not laundry, bathing suits, towels, fishing poles or other items shall be hung or displayed on railing, clothes lines, racks, walkways or private balconies.

B. Children shall not be permitted to play or loiter in the stairwells, elevators, walkways or driveways of the parking areas. Skateboarding and bouncing a ball against any wall of the buildings are prohibited.

C. No public areas shall be decorated or furnished by any individual owner or group of owners in any manner nor shall any gardening be done except with written approval of the Board of Directors.

D. All waste shall be bagged in plastic and tied securely before being deposited in trash containers or trash chutes. Wet garbage is not to be considered as trash and should be disposed of in the kitchen disposal of each individual unit. Trash chutes shall not be used between 10:00 p.m. and 8:00 a.m. Heavy or bulky trash such as glass or metal items should be bagged, hand carried and placed in the dumpster. Absolutely no fish or pet waste should be placed in the dumpsters.

In accordance with county and municipal policies we highly encourage recycling of metal, glass, plastic and paper in the available bins located in the trash room.

E. The shopping carts located in the trash rooms on the ground floor are for the use and convenience of our residents. These are used constantly for carrying groceries, heavy bundles etc. Please do not keep them any longer than necessary and return them to the bin area. Do not place them in the trash rooms on your floor awaiting your next trip down. Be considerate of others by returning them immediately. There also is a valet cart in each building, which should be returned immediately after use.

F. Storage room doors must be closed at all times. Items of personal property are not to be stored outside the storage bins. The fire code prohibits such practices and items so stored outside the bin will be disposed of by the association.

G. No door to door solicitation shall be permitted unless prior written approval has been granted by the Board of Directors. This shall include not-for-profit organizations.

H. Lounging on all common areas, including walkways, parking area, lawns, etc. (excluding the pool areas and balconies) is PROHIBITED.

IV. PARKING SPACES AND DRIVEWAY:

A. Parking is permitted for passenger automobiles only. A private passenger van is permitted, provided it is equipped with a rear seat or seats and has windows surrounding each side and rear of the van. This rule applies to lessees and guests as well as residents. No other interpretation of this rule will be accepted. COMMERCIAL VANS, MOTORCYCLES, MOTOR HOMES, PICK UP TRUCKS WITHOUT A TONNEAU COVER (CLOSED BED), BOATS AND /OR TRAILERS ARE NOT PERMITTED IN THE PARKING LOT OR ON ANY OTHER PORTION OF OCEAN TOWERS PROPERTY AT ANY TIME.

B. There shall be no assigned parking spaces. Parking will be on a first come, first served basis. Parking is strictly for residents and guests only. Guest parking is permitted only in the two parking tiers nearest the highway. It is required that all cars be parked with their front wheels toward the wheel stops.

C. The handicapped parking spaces are solely for the use of handicapped persons whose cars bear a handicapped parking permit.

D. All unauthorized vehicles will be towed away or booted at the expense of the owner.

E. Parking lot spaces are not to be used for car storage. Cars left unattended in excess of thirty (30) days will be removed at the expense of the owner unless prior permission has been obtained by the Board of Directors.

F. Car washing is for residents only and is permitted in the designated car washing area only, provided that water conservation is practiced. Cars should be moved to an adjacent area to be dried and polished so others may use the washing facility.

G. The canopy areas under Building A & B are provided for loading and unloading only. Ten (10) minute time is allowed. Cleaning, polishing, servicing or vacuuming vehicles is not permitted in this area.

H. Repairing any vehicle on Ocean Towers property is PROHIBITED.

I. The speed limit of ten (10) m.p.h. shall be adhered to by all drivers at all times.

J. Residents having guests invited to stay more than twenty-four (24) hours should pick up “Guest Parking Permits” to be used on the guest’s vehicle.

K. Cars that do not have a valid license plate indicating that they cannot be driven or cars in disrepair (ie flat tire or other conditions that would prevent the car from being driven) will be towed off the lot at the owner’s expense.

V. ELEVATORS:

A. When a unit owner or lessee is moving in or out of the building, they are not to hold an elevator on their floor – unload and free the elevator for the use of others.

B. Only dry passengers wearing shoes or sandals are permitted to enter elevators. Accidents are occurring as a result of wet floors and the Association cannot be held responsible (See Rule VII P).

C. In the event of a power failure, elevators will automatically return to the ground floor. Use the elevators as little as possible during electrical storms. If at any time the elevator is not working and alarm bell is ringing, notify the Manager or Board member immediately. After hours call 229-2229 and the answering service will call the elevator company or a Board member. DO NOT RELY ON SOMEONE ELSE TO DO IT.

D. In the event the elevator does not function and is stalled on a floor level, push the “OPEN DOOR” button and use the next elevator. IN CASE OF AN EMERGENCY, when the elevator stalls between floors, please do not panic, open the small metal door and push the button. This will connect you with the elevator central monitoring station or with a cell phone call 229-2229. Please report all incidents to management.

VI. BALCONIES, WINDOWS AND DOORS:

A. No awnings, window guards, ventilation or A/C devices shall be placed on or about the common areas and no fixtures shall be placed on the building walls.

B. Folding storm shutters which meet the minimum standards of the South Florida building code for hurricane protection and which also meet the uniform design and color standard as established by the Board of Directors, must be installed by the owner at his expense. Deviations from these standards are not permitted. Shutters violating approved standards will be removed at the owner’s expense. Approval shall be requested in writing from the Board of Directors. Screen doors shall be dark brown aluminum and uniform to those presently in place. Owners must maintain screen doors and hurricane shutters.

C. Nothing shall be swept, poured, tossed or shaken off the balconies or walkways nor shall any dirt or refuse be swept or thrown from any portion of the condominium premises. Under no circumstances should any wild birds or animals be fed.

D. No laundry, swim suits, towels, carpets or any other items shall be hung or displayed on railings, clothes lines or similar devices.

E. With the exception of For Sale or For Rent cards displayed in the bulletin board in the clubhouse – no signs of any type including notice of advertisement or any request for donation shall be inscribed or exposed on any vehicle or any window, door or any other part of the building, nor shall any object be projected out of any door or window.

F. Proper draperies, curtains, shades or blinds shall be hung at all windows and sliding doors. Newspaper, aluminum foil and sheets are not permitted. The same rule applies to vacant apartments. Unit owners are responsible for the cleanliness of their windows and screens.

G. Barbecue grills and hibachi’s on balconies, walkways, inside the individual units or anywhere on the grounds of Ocean Towers property are PROHIBITED.

H. Smoking is PROHIBITED in the common areas. It is highly encouraged that you not smoke on your balcony so as not to offend your neighbors.

VII. SWIMMING POOL AREA:

PLEASE OBSERVE ALL POSTED FLORIDA STATE RULES

A. The swimming pool facilities are restricted for the use of unit owners, lessees and their guests. Owners or lessees must accompany their guests to the pool area.

B. Any persons with skin rashes, skin conditions or a communicable disease is not permitted to use the pool. Persons with open cuts or any skin abrasion are requested not to use the pool. During the height of the season, residents should use reasonable discretion concerning the number of guests invited.

C. GLASS CONTAINERS and food of any kind are PROHIBITED in the pool area.

D. Dogs or other pets shall not be taken to the pool area AT ANY TIME per Florida Statute.

E. No furniture or equipment shall be removed from the pool deck by anyone at anytime. Sitting or lying on the grass area is PROHIBITED.

F. Children under twelve (12) must be supervised by a parent while in the pool area. Violation of this rule will mean loss of swimming privileges. Parents shall accompany their children and are responsible for their safety and behavior in the pool area.

G. No liability whatsoever is assumed by the Condominium Association for use of any of the facilities.

H. No person shall use the swimming pool at night after the sun goes down.

I. No rafts, boats, floats or scuba tanks are allowed or permitted in the pool.

J. There shall be no ball playing, running, shouting or excessive noise in the pool area AT ANY TIME. Loud playing of radios is PROHIBITED.

K. Furniture in the pool area shall be covered with a large towel before being used by swimmers or sun bathers having lotions, oils or creams on their body.

L. Towels being placed on a chair or lounge will reserve such for fifteen (15) minutes only. After this time limit, the chair may be used by another guest.

M. Children of diaper age may not be in the pool unless wearing absorbent swim diapers covered by a bathing suit.

N. Please use tar solvent to remove tar from feet when leaving the beach.

O. It is suggested that towels be brought to the pool in order to facilitate drying off before returning to the apartment via the elevators.

VIII. TENNIS COURTS:

A. The tennis courts are for the exclusive use of unit owners, lessees and their guests. Residents must accompany their guests at the tennis courts. Children should be instructed regarding these rules. Use of the tennis courts must also conform to posted rules.

B. The tennis courts are for designated play only (Tennis, Pickle Ball, Shuffle Board, Kick Ball, Dodge Ball & Basketball). Use of the courts for skating, skateboarding, rollerblading or any other purpose is PROHIBITED.

C. All players must wear proper smooth soled tennis (running) shoes. No street shoes are permitted.

D. Play should be limited to one hour if others are waiting. Players may sign up, if necessary, daily (Monday - Friday) at the condominium Office for court time. Those holding reservations have priority on the court. If those holding reservations don’t claim the court within fifteen (15) minutes of the assigned time, the reservation is cancelled.

E. Food is prohibited on the tennis courts. All participants are to assist in keeping the courts clean and in good condition.

IX BUILDING, STRUCTURE AND MAINTENANCE:

A. No structural changes or alterations within the condominium unit or any part of the building shall be permitted without approval of the Board of Directors, and /or pertinent city, county or state approval.

B. The maintenance and repair of all structural parts and all facilities, equipment and appliances within each condominium unit including doors, windows, walls, air conditioning/heating units, water heaters, drains, plumbing and fixtures etc are the personal responsibility of the owner and at his own personal expense. Air conditioning units, including compressors located on the roof of the building and water heaters should be serviced and or replaced at regular intervals to insure proper operation and to prevent damage to other condominium units and hallways.

C. The Condominium is not serviced by a cable television system. Each individual owner should choose whatever service they desire. The building is wired for COMCAST which can provide both cable and internet service.

D. Owners, lessees or guests are not permitted to give orders or directions to any maintenance staff employee. All complaints must be oral or in writing to the Condominium Manager, who will take action or refer them to the Board of Directors.

E. Information cards (3’X5”) may be placed inside the bulletin board located in the clubhouse by the residents only. They will be removed periodically by the Manager. No commercial ads by outside persons will be permitted.

F. Every owner must provide the Condominium Manager with a key access to his unit for use in the event of an emergency or repairs. Florida Statute 718.111 makes this mandatory. If keys are not provided, the Association has the right to forcibly enter the unit with resulting expense paid by the unit owner.

G. Special FOBs are available to access the walking gate, the beach access gate and may be purchased in the office. FOBs are for the exclusive use of residents and owners only and should not be given out to guests or non-residents. Owners or tenants should accompany guest and friends when they are visiting. The purpose of the FOB system is to maintain security of the property. Should unauthorized use of a FOB be noticed then all of the FOBs belonging to that unit owner will be de-activated until the FOB in question is located.

H. Security of the community is of high importance to the owners. Any attempt to subvert security access (beach gate, pedestrian gate, cameras) will be considered a violation of our rules and regulations.

I. The board of Directors shall maintain a roster of unit owners and lessees, their permanent legal addresses and their phone numbers (local and long distance). It shall be the responsibility of the individual unit owners to provide the Board of Directors with the information of any changes made in their addresses and phone numbers.

X ASSESSMENTS AND MAINTENANCE CHANGES:

Assessments shall be payable at such times as may be fixed by the Board of Directors. All notices of assessments to the unit owners shall designate when they are due and payable. Assessments not paid when due (within ten (10) days of the due date) shall bear interest at ten (10%) percent per annum.

XI RESALES:

A. The condominium act requires complete disclosure on resales of condominium units. In processing a request for approval for resale, an owner shall certify that he has provided the prospective purchaser with the following documentation:

1. A copy of the Declaration of Condominium.

2. A copy of the Articles of Incorporation.

3. A copy of the approved Operating Budget, including the monthly maintenance charges.

4. A copy of the By Laws.

5. A copy of the Ground and Building Rules.

B. The prospective purchasers will be interviewed by the Board of Directors or their designee.

C. All of the above information shall be furnished to the prospective buyer prior to closing of the sale. Before approval of a resale by the Board of Directors, assuming the purchaser meets the requirements for approval, will require a certification by the prospective purchaser, duly signed and acknowledged before a Notary Public, that he purchaser has read all the Condominium documents and is satisfied to purchase the condominium unit, subject to all the provisions of said documents.

D. An owner requesting approval for resale of a unit shall submit an “Application for Sale” form, duly filled out and signed, together with a copy of the sale contract. No resale will be allowed to corporations, companies, partnerships or other commercial or business organizations. A copy of each executed conveyance shall be delivered to the Board of Directors within ten (10) days after the date of closing. Resales to current unit owners need not have the approval of the Board of Directors.

XII LEASES:

A. A lease for a period of more than four (4) months or a one month summer rental shall require a personal interview.

B. Owners shall not lease their unit for less than twenty eight (28) days. Sub-leasing is strictly prohibited. LESSEES ARE NOT PERMITTED TO HAVE DOGS OR OTHER PETS. VIOLATORS OF THIS RULE WILL SUBJECT THE LESSEE TO EVICTION.

C. No condominium unit or part thereof shall be permitted by the owner or lessee to be used as a hotel, transient apartment or motel. The condominium unit and all parts thereof shall be used as the person residence of the owner and his/her immediate family and or of his/her lessee and his/her immediate family and for no other purpose whatsoever.

D. A leased condominium unit shall not be occupied by more than six (6) people. A lessee shall be comprised of a family unit or a maximum of two (2) unrelated people.

E. Any unit rented or leased by an owner without submitting the Lease Application for approval as required in the condominium documents will subject the owner to a $100 fine per occurrence.

F. All leases of condominium units shall be submitted to the Board of Directors for approval. A unit owner processing a request for approval to lease shall certify that the lessee has been provided a copy of the Ground and Building Rules and the lessee has read same and has agreed to comply. The owner requesting approval for the lease of a unit shall submit an “Application for Lease Approval” form, duly filled out and signed, together with a copy of the lease agreement. No unit shall be leased to a corporation, company, partnership or any other business or commercial organization.

G. The unit owner shall be responsible for all damage to the building, equipment or furnishings caused by his lessee.

XIV CONDOMINIUM RESTRICTIONS:

The interior of the condominium unit is the owner’s private home in the same sense as though it were a separate and single-dwelling. The owner is responsible for maintaining it. The only restrictions are those imposed by the Declaration of Condominium, the By Laws and these Ground and Building Rules. Each owner, member of his family, guests and his lessee should know the following:

A. NOISE AND DISTURBANCES:

1. No resident shall make or permit any disturbing noises in the building nor permit anything to be done to interfere with the rights, comfort or convenience of other residents. Noise of all kinds shall be kept low enough so as not to disturb neighbors on the same floor as well as the floor above and below. The rule of reason shall prevail.

2. Board approval must be obtained prior to installing tile or other hard wood floors. Such floors must have a minimum of ¼ inch sound proofing material or a sound abatement rating of >55 on the STC (Sound Transmission Class Rating) or the IIC (Impact Insulation Class Rating).

3. Show consideration for neighbors by not permitting loud talk in the hallways, elevators or balconies or by playing the television, radio, stereo or musical instruments to loudly. No installation, repair or maintenance requiring hammering, drilling, sawing or other similar noisemaking shall be permitted after 8:00 pm or before 8:00 am.

B. DOGS AND OTHER PETS:

1. A pet is defined in the Condominium Documents under Section 13, USE RESTRICTIONS, as a household pet which shall be defined as either a dog or a cat.
2. All pet owners must register their pets with the office. Owners must supply photo of pet and proof of vaccinations.

3. A pet owned by unit owners shall be on a leash at all times while in the public areas. Pets shall not be curbed in walkways, driveways, parking areas or other public areas. Dogs must be curbed at the extreme south of Building A and the extreme north end of B. Signs are posted in designated areas.

4. Owners having a pet shall assume full responsibility for any damage to personal property or common elements. Further, in the event of emergencies the office needs to be able to notify Fire/Police personnel of the presence of pets. Accordingly, owners are requested to inform the office of their pets.

5. Lessee are not permitted to have a pet on the premises. Guests and visitors of owners/residents shall not be permitted to bring any dog or other pet on the premises.

6. An owner may have two pets per unit that they reside in which neither shall exceed thirty (30) pounds.

7. Any owners’ pet causing or creating a nuisance or unreasonable disturbance may be permanently barred from the property, upon three (3) days written notice from the Board of Directors. All complaints concerning nuisance or unreasonable disturbance by pets must be made in writing to the Manager.

THE FEEDING OF ANIMALS OR BIRDS ON THE BALCONY TERRACE & PUBLIC OR RECREATIONAL AREAS IS PROHIBITED AT ALL TIMES.

XV CLUBHOUSE:

The clubhouse is provided for the benefit and pleasure of the unit owners, tenants and their guests. The following rules have been established for their best interests.

1. The clubhouse is available for meetings of the Board of Directors. It is also available, upon application, for social activities for the benefit of all unit owners and lessees and to which all residents and guests are cordially invited. THE CLUBHOUSE IS NOT AVAILABLE FOR PRIVATE PARTIES OF UNIT OWNERS OR LESSEES AT ANY TIME.

2. The clubhouse maybe used by a unit owner upon application to the Manager within five (5) days notice for an organized activity, ie card games, meetings, classes etc to which all residents are invited.

3. Upon the death of a resident unit owner or lessee, a post funeral reception not to exceed four (4) hours may be held in the clubhouse provided it does not conflict with a previously scheduled activity.

4. The clubhouse should remain locked at all times when not in use. The common area key will open the front door. If using the clubhouse for an activity please remove all trash and take to the garbage rooms, ensure sliding glass doors are locked, return the thermostat to 76 degrees and lock the front door.

5. Children under the age of 12 must be supervised by a parent while in the clubhouse. Owners or lessees will be accountable for any damages done to the clubhouse or its accessories.

6. No liability whatsoever is assumed by the Condominium Association for use of the facility.

7. For safety reasons, do not use the clubhouse as an entrance to the pool.

XVI OPERATION & MAINTENANCE OF WATER HEATERS & MAIN LINE SHUT-OFF VALVES.

In order to more properly protect owners’ and common properties, the following rule will apply to the operation and maintenance of water heaters and unit main water line shut-off valves.

* All work related to water heater and main water valve repair/replacement must be performed by a certified licensed and insured plumbing contractor. Copies of the certified documents must be on file in the association office.
* Anytime a unit will be vacated for longer than 48 hours, the water heater is to be shut off at the electrical breaker and the main line water valve closed. This reduces internal pressure in the water heater and minimizes the impact of leaks anywhere in the unit, including the water heater.
* Owners are responsible for repair and/or replacement of water heaters and main line water valves in a timely manner to prevent failure and the resultant damage. Normally, water heaters should be replaced in an approximate seven year time frame. Often, deterioration occurs in the rear of the water heater and is not visible. When replacing water heaters, the related plumbing (especially valves) must be inspected and repaired if deemed necessary by the licensed and insured plumber.
* Owners who fail to maintain their water heaters, water line valves and all plumbing in their unit are responsible for resultant damage plus a $100 fine payable to the association and cost of repairs to correct the involved plumbing apparatus.
* The association will, in emergencies, enter the involved unit to minimize damage and will engage an approved contractor(s) to perform repairs. The owner will be responsible for related costs.

Statute 718.111(11) states that unit owners are responsible if damage is caused by intentional conduct, negligence, or failure to comply with the terms of the declaration or the rules of the association. This includes members of the owner’s family, unit occupants, tenants, guest or invitees.

XVII CLOSURE & MAINTENANCE OF SHUTTERS.

In order to more properly protect both owners’ and common properties, shuttering of all units will be required during the following:

* During any owners’ absence of five (5) calendar days or more at any time of the year. The owner is responsible for having shutters closed and secured.
* During the tropical storm season, June 1st through November 30th, shutter must be closed and secured during any absence over 48 hours or immediately if a tropical storm is approaching the general Florida area.
* If the owner fails to comply with the above, the association will attempt to close the shutters for the common good of all owners, but the owner retains responsibility. A minimum charge of $100.00 for closing and securing any shutters in the respective unit will result. Also, if the shutters require repairs for proper operation, the association will engage an approved company to perform the repairs and the owner will be obligated to pay all related costs.

Our declarations mandate that owners must assume full maintenance responsibility for proper operation and appearance of their shutters at all times. Statute 718.113(5), item “c”, authorizes association to enter units if necessary to preserve and protect the condominium property and association property.