

# **Brezza del Mare Condominium Association, Inc.**

## **RULES and REGULATIONS**

### **A. General**

1. Florida Statutes Chapter 718 (Condominium Act) gives the association an irrevocable right of access to each unit during reasonable hours when necessary for the maintenance, repair or replacement of any portion of a unit (including garage) to be maintained by the association pursuant to the declaration, or as necessary to prevent damage to the common elements or to another unit. If practicable, the association shall give reasonable notice when access is necessary.
2. In accordance with the Condominium Act, the association board will retain in a secured area a passkey for each unit and or garage. Residents are not to alter any existing or install a new lock without first notifying the association board and supplying a new key(s). If owner does not supply new key(s) and the association requires entry, the owner will be responsible for all expenses required for the locksmith service. No unauthorized person shall be admitted to any unit or garage. Each owner/resident is urged to take precautions in the event of a lockout and have a spare key located in a safe place. The association is not responsible for allowing access in a lockout situation. An association board member is not always on the premises.
3. No structural, plumbing, electrical or other changes, alterations, additions or removals of any portion of a unit or common elements will be permitted without prior notification and subsequent written approval by the association board. This requirement includes but is not limited to air conditioning system replacement located inside and outside of unit, installation of hurricane shutters, screening or tiling balconies (lanais), and front entrance screen doors. Consult the association board for specifications and approvals. Video doorbells, neutral color, installed in the same hole as the existing doorbell are allowed.
4. No owner shall channel or invade the ceiling concrete slab for the installation of wiring or for any other purpose, nor move or cap any fire sprinkler head, nor invade the shear walls between stacks. When an owner repaints or has a contractor repaint any area, caution must be taken not allow any paint to come in contact with a fire sprinkler head. If a head requires replacement, due to the aforementioned, the cost will be at the unit owner's expense.
5. No structure, including awnings and shutters or other projections shall be attached to or placed on the outside walls, doors, balconies or roof of the buildings or on the common elements. Hurricane shutters must be installed immediately in front of sliding doors. The interior paint on lanais must match the building exterior paint. The exterior appearance of the balconies and terraces (lanais) may not be altered in any way unless you receive written approval by association board.

6. Where applicable, any change request to the association board must be accompanied by working drawings and specifications together with a covenant running with the land and the necessary legal and recording fees of a covenant is required by the association.
7. No contractor will be permitted to begin work on any structural alterations or other alterations, additions or removals until the unit owner for whom the work is to be performed has secured written approval from the association board.
8. Alteration, maintenance, repair or construction work within individual units is permitted from 9 am to 5 pm. Emergency repairs to air conditioning, plumbing, and appliances may be performed as necessary. Contractors with prior written approval of the association board will be admitted on the property at 8:30 am for work preparation provided it can be accomplished with minimum disturbance. It is the unit owner's responsibility to insure that the affected common area is cleaned at the end of each work day. In the event the work area is not cleaned, the association will clean at the unit owner's expense.
9. The installation of any electrical or electronic devices which interfere with the telephone, radio, television or Wi-Fi reception of another unit will not be permitted. The installation of individual satellite dishes, antennas for aerials of the roof, of the walls for on any common elements will not be allowed. Window antennas, etc., are permitted if they are inside of the unit and blend with the window décor.
10. The sidewalks, entrances, passageways, vestibules, stairways, corridors, halls and areas of the common elements shall not be obstructed or used for any purpose other than for entrance to and exit from the premises. No personal carts, carriages, chairs, bicycles, tables, benches, statues, containers or any other objects shall be placed or stored in any common area. A main door entry floor mat is permitted. The United States of America Flag is permitted at or near your unit main entrance as long as it does not protrude into walkway. An outside seasonal main entry door decoration can be displayed from December 1 through February 1 of each year.
11. Organized classes such as dancing, art, exercise, etc. are not permitted in the common areas without written permission from the association board.
12. Minors are not to play or loiter in corridors, elevator, stairways for parking lot areas.
13. No owner/resident is to permit anything to fall from a window or balcony, allow anything to run down from a balcony, obstruct the corridor or door of the premises, sweep or throw any trash or other substances onto the corridors, halls, balconies, elevator for elsewhere in the building or upon grounds.

14. No owner/resident is to make any unnecessary or excessive noise which annoys, disturbs, injures or endangers the comfort and repose of other residents. These restrictions apply particularly between the hours of 10 pm to 8 am.
15. All blinds, curtains, drapery liners or anything which are visible from the outside must be white or off-white. A reflective window treatment or film which results in a mirrored outside appearance is not permitted.
16. No smoking of any kind (including e-cigarettes) allowed outside of Brezza del Mare building in any common or limited common areas except on the sidewalks along and adjoining Base Avenue and Cooper Streets. Smoking within the units are allowed while operating an air purifier.
17. Except for the use of the association furnished gas grill in the backyard area no outside cooking is permitted. That includes any lanai or balcony or on any part of the common or limited common elements. All owners/tenants are permitted to use the gas grill located in the backyard area. Please be considerate of others wanting to use the grill and please leave the grill surface and area clean when you are done.
18. No flammable, combustible or volatile fluids, chemicals or substances are to be kept in any unit, storage area, or garage except those that may be required for normal household use. The units with an attic is a common area and not owned by the unit below. Absolutely no storage is permitted in that area.
19. Fireworks are prohibited on the premises.
20. No solicitations will be permitted on the property.
21. No owner/tenant shall be permitted to operate any business activity on the condominium property, except as permitted in the Declaration of Condominium and no signage, notice, advertisement, or other lettering shall be displayed on a vehicle, unit or any common or limited common elements by an owner/tenant.
22. Persons using association recreational facilities do so at their own risk. The association board after consulting with the responsible unit owner is authorized to evict any person from the recreational area if their conduct constitutes a nuisance or danger.
23. To maintain proper security, signage and or the use of the open house concept to sell or lease a unit prohibited. A notice to sell/lease form must be completed and submitted to the board prior to listing or advertising.
24. Residents who plan to be away during the hurricane season must completely clear their lanais and limited common deck area before they leave. The owner should inform the association board of the contact address and telephone number(s) while away. The association has no responsibility with respect to any unit or personal property in the event of a storm. Owners are encouraged to engage a local individual or service company to

oversee their unit while away for prolonged periods. The association board is not responsible for overseeing the maintenance or repair of individual units except as prescribed in the condo documents.

25. Owners should not leave any food in their unit during prolonged periods of absence.
26. Owners who plan to leave a vehicle parked in paved common area when they are away for more than seven (7) days must inform the association board and leave a key to said vehicle with the board for a local resident. This precaution is necessary in the event the vehicle must be moved. Costs of any damage or theft and costs of towing, if necessary, will be at the expense of the vehicle owner.
27. Leasing and/or renting a garage to someone other than a unit tenant is prohibited.
28. Brezza del Mare is a residential facility. Units are intended for ownership by a sole individual or single family. Sale of any unit must be approved by the association board and time sharing, interval ownership, or similar arrangement is prohibited.

#### **B. VEHICLE PARKING/GARAGE PARKING/ AND SPEED LIMITS**

1. Each unit is assigned a reserved parking space by the Declaration of Condominium in a first level garage which houses one vehicle. Each unit also has available one parking space in the common area lot which can be used for an additional owner/tenant vehicle or a guest vehicle. Any additional owner/tenant or guest vehicles must be parked on the street. Vehicles must be parked only in lined parking spaces. Each unit owner will be furnished one parking pass by the association board. The parking pass must be displayed on the dashboard visible from outside of the vehicle when parked on lot. The one vehicle limit will be strictly enforced for the time period from January 1<sup>st</sup> to April 15<sup>th</sup> of each year and improperly parked vehicles will be subject to towing at owner's expense.
2. If an owner/tenant is not in residence, no long term parking in the common area lot greater than 30 days is allowed without prior written approval of the association board.
3. Common lot parking areas are solely for passenger vehicles. This is defined as pickup trucks, cars, SUV's, minivans and motorcycles. Large trucks, boats, trailers, recreational campers or similar vehicles are not permitted on the property. Motorized carts, mopeds, bicycles, etc. must be parked inside garages at all times. Overnight parking of vehicles with commercial lettering are not permitted. Visible and unsecured items may not be left in pickup truck beds. Beds of pickup trucks may not be used for storage. Medium and large motorcycles must use a minimum 4" by 4" kick stand "plate" to prevent pavement damage while parked anywhere in the paved lot common area.
4. Assigned parking spaces (garage areas) may not be transferred except in connection with the transfer of the unit to which they are assigned.

5. All vehicles parked in the common lot area must have a current registration and be in operating condition. The storage or parking of a disabled vehicle or one undergoing repair is not permitted unless an emergency (48 hour limit) situation exists. No repair or maintenance of vehicles is permitted on the property except in the event of an emergency.
6. Vehicles must be parked centered between the parking space stripes and not protrude beyond the space in such a manner as to block or interfere with the ingress or egress of other vehicles in the parking lot.
7. Parking in roadways, on the grass, car wash location or other areas not designated as parking areas is prohibited to unit owners, tenants, invitees, guests, contractors or other service providers except for loading or unloading vehicles.
8. Vehicle washing is not permitted in the enclosed garage area. The designated area for washing a unit owner or tenant vehicle is at the southwest end of the building near the grass area where a water hose connection is provided.
9. Drivers must use proper lanes; observe all full stops and 10 MPH speed limit on all paved parking areas.
10. The association is not responsible for any damage to or loss of a vehicle or its contents, nor is it responsible for any property stored in a garage. The association board reserves the right to have any vehicle towed which is illegally parked on BDM property and towing will be at owners's expense.
11. In order to keep an attractive, uniform appearance and for security reasons, garage doors must be kept in the completely closed position when owner/tenant is not present.

**C. ELEVATOR**

1. Smoking (including e-cigarettes) in common areas and elevators is prohibited by State and Federal Law.
2. An emergency phone is located in the elevator. An answering service will respond to and will notify the appropriate emergency services, if necessary.
3. Sounding of a fire alarm will cause the elevator to return to the ground floor. The elevator will remain on the ground floor level until reset by the fire department.
4. Owners are responsible for informing and requiring contractors and delivery people to protect the elevator walls and floor. The elevator must be restored to their original condition once a move or the contractor's use is completed.

**D. CLUBHOUSE**

1. The clubhouse is for the exclusive use of owners, tenants and their guests.
2. The clubhouse and surrounding pool area may not be reserved for private use, except for an association function or use mandated by Florida statutes.
3. Clubhouse must be cleaned after use and furniture returned to its original location. Refrigerator must be emptied or food left will be thrown away without any effort to ascertain to whom it belongs.

**E. PETS**

1. One domesticated pet (dog) less than 40 pounds when full grown or two domesticated (cats) are permitted in each unit. Upon the death or disposal of a pet, replacement will be permitted. An aquarium tank containing fish is permitted. Reptiles, birds, insects, spiders or any other animal other than listed above is not permitted.
2. Pets are not permitted to run free on any property surrounding the building, including, but not limited to, the backyard area, the parking areas, walkways, elevator, etc. Under not circumstances are pets allowed within the pool area. **FLORIDA LAW STATES THAT THE POOL CAN BE SHUT DOWN IF A PET IS PRESENT. OWNERS AND TENANTS ARE URGED TO REPORT ANY VIOLATIONS.** The owner of the pet responsible for the violation will be financially responsible for all fines and costs required to drain, clean and refill pool.
3. Pets must be on a hand-held leash while on any portion of the BDM property except while inside an individual unit.
4. Owners are responsible for any personal injury or damaged property caused by their pets.
5. The owner of a pet creating a nuisance or disturbance will be given a written notice by the association board. If the problem is not corrected within three days, the owner will be subject to fines and/or be required to remove the pet from the premises within thirty (30) days.

**F. BICYCLES / SKATEBOARDS / ROLLERBLADES**

1. Bicycles and scooters must be parked or stored only in a unit's designed garage area, not on walkways, driveways, parking spaces, foyers, trash rooms or otherwise. Bicycles left unattended more than 30 minutes, except in garages will be subject to removal and/or disposal at the sole discretion of the association board.
2. Bicycles, skates, skateboards and roller blades use are not permitted on any BDM paved areas other than to enter or leave property at a safe speed and with caution. (

**G. Minors (less than 16 years old)**

1. It is the responsibility of owners/tenants to assure that minors adhere to all applicable Rules and Regulations. These regulations apply to resident minors as well as guests.
2. Minors are not permitted to play in walkways, hallways, elevators, stairwells or other common areas of the building or the parking areas. Minors are not permitted in the clubhouse or pool area unless accompanied by an adult who is responsible for their conduct and safety.
3. School buses are not permitted on BDM property. Students are to be discharged and picked up by the street.
4. It is the responsibility of each resident to assure that baby sitters or other domestic help caring for minors are aware of and adhere to all Rules and Regulations.

#### **H. GUESTS AND TENANTS**

1. Guests are defined as those persons temporarily occupying a unit without remuneration to the owner. Tenants are defined as those persons temporarily occupying a unit and paying remuneration to the owner.
2. If the owner will not be in residence and the unit will be occupied by either guests or tenants, the owner must notify the association board via e-mail or regular mail giving the name(s) and home addresses of the guests or tenants, in addition to the period for which they will occupy the unit.
3. All guests/tenants must comply with the Rules and Regulations and it is the responsibility of the owner to see that they are provided with a current copy of same. Any violation of the Rules and Regulations by a guest or tenant which results in a fine/penalty will be the owner's responsibility.
4. Employees of owners/tenants may not bring guests and use any of BDM facilities.

#### **I. TRASH AND RECYCLES DISPOSAL**

1. Trash room chutes to be used only between 8am and 10pm. During very early or late hours, trash and recyclables should be taken to the first floor trash room for deposit.
2. Lighted cigarettes, butts, ashes or ash trays should not be emptied or deposited into the chutes or first floor containers.
3. Trash items subject to odor or decay must be securely fastened in plastic bags prior to disposal. Bags containing trash or garbage must be small enough to fall freely down the chute. Anyone responsible for blocking the chute will be liable for the cost of unblocking.

4. Cartons, large boxes, or any item large enough to clog chute should be taken to the first floor trash room. Cartons or large boxes must be flattened and cut into pieces small enough to loosely fit in recycle bins in the first-floor trash room. Shredded paper must be placed in paper bags to be recycled.
5. All recyclable items are to be consolidated and placed in recycle chute or container in first floor trash room marked #1 or #2. Unit numbers ending in an odd number will use chute or first floor container marked #1. Unit numbers ending in an even number will use chute or first floor container marked #2.
6. Any container or item considered toxic or flammable including paint containers are not to be placed in the trash. Old carpet, appliances, batteries, computers, televisions or furniture are not to be placed in the trash room or bins.
7. Owners will be billed cost of extra trash pickups required for which any owner/tenant is responsible.

**J. LANAIS / BALCONIES / COMMON AREAS / LIMITED COMMON AREAS**

1. No item that could possibly cause a hazard or annoyance to others should be hung on or attached to these areas. You may not hang towels, clothing, throw rugs, containers, lights, banners, etc. on any railings. You may use a portable drying rack on your lanai which must be removed when not in use.
2. No item shall be swept or thrown from any area governed by this section. No item shall be placed so that it can fall from these areas. The owner shall remove all items during an extended absence, including but not limited to furniture and decorative items on the lanai.
3. No owner or tenant owned barbecue grills and similar cooking equipment may be used or stored on any area covered by this section.
4. Only the sound equipment originally installed in unit may be used on the lanai. The times of use and sound volume must be adjusted in consideration of other residents.
5. No gas heaters permitted.
6. Hot tubs or similar devices are not permitted on above mentioned areas. This restriction applies to both portable and stationary units.
7. The installation of screens, hurricane shutters and film on balconies is permissible, but these installations must be in accordance with specifications prescribed by the association board. A formal application must be made to the board for permission to make these installations. Please contact as association board member for additional information.



8. The surface of the balcony slab is porous. Water penetrating the concrete slab will rust the rebar and destroy the integrity of the balcony. To protect the integrity of lanais and balconies, the installation of carpet is prohibited.
9. No trash is to be stored on lanais, balconies or in walkways. Trash must be deposited in the appropriate chute or taken to the first floor trash room.

**K. POOL AND POOL AREA**

1. State law governs use of the pool and pool area. Observe posted rules. When anyone is present in the pool deck area other than maintenance the pool cover must be removed.
2. Persons having open blisters, cuts or skin abrasions are warned not to use the pool as sores are likely to become infected and/or cause a health problem for others.
3. Minors must be accompanied by an adult who will be responsible for their safety and behavior. A child in diapers or in potty training stage is not permitted in the pool unless they are wearing a swim diaper. If the pool becomes contaminated due to not adhering to the aforementioned it will make the owner/tenant financially responsible for all costs required to drain, clean and refill pool.
4. Running in the pool area, diving or jumping into the pool is not allowed.
5. Pool hours are sunrise to dusk.
6. All beach sand, salt water, lotions and oils must be washed from the body before entering the pool. A fresh water shower is located on the deck in the pool area is provided for this purpose. No soap containers or bars should be left in this area.
7. When sunning, pool and deck furniture must be covered with a towel to prevent damage to the furniture from oils and lotions.
8. Chaises, chairs and tables cannot be reserved for use by placing personal items or signs on them when not in pool area.
9. The following are not permitted in the pool or pool deck surface areas:
  - Breakable containers of any kind
  - Tobacco or marijuana use including e-cigarettes
  - Animals, on or off a leash
  - Diving from shoulders or tossing children
10. Food, snacks and drinks are permitted (6 or more feet from the pool) on the pool deck.
11. Radios, CD players, etc. are permitted in an appropriate non-blasting volume from 10am to sunset. This rule time limit does not apply to an association sponsored function.

**L. FIRE SAFETY INSTRUCTIONS**

1. Dust, paint fumes and other air contaminants within a unit can activate smoke detectors causing a false alarm. If work is being performed in a unit, it is recommended that smoke detectors be covered with a protective cover such as a plastic bag or wrapping. Upon completion of the work, the protective covers must be removed immediately in order to permit the sensors to function properly. In addition, detectors must be uncovered each night when the work being performed extends beyond one day.
2. If the smoke detector alarm sounds within a unit, the unit owner/tenant should quickly determine whether there is evidence of smoke or fire in the unit. If there is smoke from burned toast for example, ventilate the unit and have the alarm silenced. If there is more intense smoke or fire, the resident should call 911, pull the fire alarm in the hall and evacuate the unit immediately.
3. When the general alarm sounds throughout the building, all residents must evacuate their unit. Proceed to the fire exits located at each end of the building and then to the ground floor. **The elevator will not be operating.** Be sure to lock your unit and take your keys so that you have access to your unit when the condition clears.
4. When the general alarm is activated, the elevator immediately returns to the ground floor whether occupied or unoccupied and will be out of service until the Fire Department resets the alarm. Individual unit alarms will not interrupt service.
5. Physically impaired persons or persons otherwise unable to go to the ground floor by the stairs should proceed to the landing area of the fire exit on their floor and await evacuation by the Fire Department.
6. Upon evacuation, you are required to await Fire Department approval prior to reentering the building.
7. It is suggested that residents plan ahead their procedures in the event of a fire and familiarize themselves with the fire alarm pull stations and extinguishers are located throughout the property for emergency use.