

**L'ELEGANCE ON LIDO BEACH**

**RULES & REGULATIONS**

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Declaration of Condominium - Exhibit D

Updated: April 10, 2018

## INTRODUCTION

The following was prepared for the use of L'Elegance Owners, Guests and Tenants. It contains the Board Approved Condominium Rules & Regulations pertinent to the common elements of the property.

Copies of all Condominium Documents are available for inspection in the Association Office.

**INDEX**

|  |    |
|--|----|
| General Rules .....  | 4  |
| Storage Locker Rooms; Contractors/Service Personnel; Garage & Parking..... | 5  |
| Lobby; Occupancy.....  | 6  |
| Terraces; Pets; Noise.....   | 7  |
| Fitness Room; Beach Equipment Room; Beach & Grounds.....                   | 8  |
| Pool & Deck.....   | 9  |
| Tennis Courts.....   | 10 |
| Card/Billiard/Table Tennis (Game) Room.....                                | 11 |
| Communication Committee; Financial.....                                    | 12 |
| Property Access Devices (Key-Fob/Key-Card) .....                           | 13 |

## **GENERAL RULES**

- The Property Manager is responsible for ensuring compliance with the Condominium Rules & Regulations. Any complaints, concerns, or rules infractions should be reported to the Property Manager. The Staff and Security Guards report to the Property Manager and are authorized to address any rules violation they observe.
- Please do not attempt to direct, interrupt, or interfere with the Staff and Security Guards executing their duties.
- Roller skates, roller blades or skateboards may not be used on the premises except that skates may be worn from the tennis court chairs to the public sidewalk.
- Grocery carts are provided for the use of owners; renters; or guests. They are not to be taken outside of the building onto the pool decks. Return them promptly to the garage elevator vestibule area.
- Twenty-four-hour notice must be given to the Manager prior to moving in/out; delivery of furniture or appliances, or construction work in a unit. These activities may not be scheduled for Saturday, Sunday or holidays.
- Smoking is not allowed within the indoor common areas or in the pool or spa.
- The main water valve should be turned off when a unit will be unoccupied for three days or more.
- No Owner, Tenant, or other Occupant shall permit anything to remain in the Common Elements (including hallways) which would obstruct the common right of way or egress of other units; violate any laws, ordinances or regulations; be a nuisance or be hazardous; or involve unsightly objects including, but not limited to, furniture/strollers/bicycles/clothing/shoes/towels/laundry/etc.
- There will be no open houses for the public for the sale of units. The security guard will be instructed to turn away any person attempting to enter to view a unit during an open house and will inform them that they need to be personally accompanied by the unit owner or a Realtor while on property. There can be open houses for realtors only on days and at times as designated by the MLS Rule of the Sarasota Association of Realtors.
- The trash chute, located next to the elevators, is for securely bagged non-recyclable material.
- Because of potential noise, do not use the trash chutes before 8:00 a.m. or after 10:00 p.m. All recyclable material MUST be disposed of in the appropriate containers located in the garage.
- No appliance can be installed on the hallway power outlets.
- Tankless Water Heaters may not be installed in units.
- Water Softeners (Chemical) may not be installed in units.
- The listing of Unit Owners may not be used for solicitation or commercial use.
- Fire Code prohibits propping open any fire rated door, i.e. entry door to unit, air handler access door in the hallways, stairwell doors. The staff will close doors and report the infraction.

## **STORAGE LOCKER ROOMS**

- Items left in the hallways of the storage rooms will be removed 72 hours after posting this information on the notice boards and informing all unit owners by e-mail. The item will be moved to the owner's unit; or to a common storage if the owner cannot be readily identified.

## **SERVICE PERSONNEL & CONTRACTORS**

- Owners must notify the office of a pending service call or a visit by a contractor if the office is required to hand out a unit key. Examples are; housekeepers, window washers, hvac service.

## **GARAGE & PARKING**

- All vehicles must display either a L'Elegance decal or a guest permit in the windshield. Overnight parking of commercial vehicles, trucks, boats, trailers, mobile homes etc. is allowed only in the owner's assigned garage space, not on the outdoor premises. Storage of anything other than vehicles in the garage space is not permitted. There is a designated space, on an unassigned basis, adequate for two motorcycles.
- Vehicles may not be washed or polished inside the garage.
- All bicycles must display a tag which is available from the office. Bicycles that are not properly tagged are subject to removal.
- Please respect the disability spaces; they are reserved for persons who need the easily accessible parking spaces.
- Do not park in spaces other than your own without written permission from the other owners.
- Seventy-two (72) hour notices will be given to remove articles stored in parking spaces within the garage or outside. If the offender is not in residence, the article will be stored in the L'Elegance storage space until the offender returns.

## LOBBY

- Party Room, Card Room, Terrace, and Kitchen are available for casual use by owners, lessees, and guests. Use for functions involving outside guests or private functions require reservations which should be made in advance. Commercial endeavors such as use for sales promotions or political fundraising will not be allowed.
- Reservations shall be made through the management office. A \$100 deposit submitted with a reservation agreement form will be required to cover any property damage or cost of cleaning should that be necessary. Rooms must be cleaned and vacated by 11:00 p.m.
- Proper attire is always required in the Lobby/Party area. Shoes are required within the lobby and elevators at all times. Cover bathing suits. Do not drip liquids on the lobby floors as they can become slippery when wet.

## OCCUPANCY

There are no restrictions regarding occupancy by owners or an owner's family. "Family" is defined as children, grandchildren, parents, grandparents, sisters and brothers, and the spouses and children of such persons.

- Owners/Residents/Tenants must let the Office or Security Guards know when there will be guests coming onto the property. Otherwise the guest will not be permitted on property unless the owner or tenant can be reached.
- A 'Day Visitor' is defined as anyone coming onto property and using the amenities as a non-overnight guest. Only a family member may come on property as a 'Day Visitor' when the owner is not in residence.
- Guest forms must be submitted to the office for any overnight guest during periods when the unit owner will not be in residence.
- Not more than 2 non-family persons per bedroom when owner is not in residence.
- Overnight Guests (non-family) are limited to not more than 28 days per calendar year per unit.
- If a unit is leased, the lease shall be for at least 90 days and no more than 2 leases allowed per calendar year. All lease applications must be submitted to the Association for approval.
- Owner is responsible for providing a copy of these Rules and Regulations to family, lessees and guests. Owner is responsible for any damage to common elements or association property by family, lessees, guests, or tradesmen.
- New occupants - please check in at the office upon arrival.

## **TERRACES**

- Nothing may be thrown, swept, dripped, or be allowed to fall from the terraces.
- Please use care when watering plants – keep a drip tray under every potted plant. Excess water can drip down to units below creating a mess on other terraces.
- Towels or clothing may not be hung or dried on the terrace railings.
- Cooking is permitted on the terraces with electric grills only.
- There have been numerous instances where furniture or other objects have caused damage from being blown by winds associated with relatively normal gulf storm activity. Owners are responsible for any damages or injuries caused by items being blown across or from terraces and are advised to secure or properly store items located on their terraces. All terrace furniture should be removed when unit will be unoccupied for 3 or more days.

## **PETS**

- Only owners in residence are permitted to have their pets on the property. **GUESTS AND LEASEES ARE NOT PERMITTED TO HAVE ANIMALS ON THE PREMISES.**
- Yearly Registration is required for all pets.
- Only dogs and cats are allowed; with a limit of two per Unit.
- Pets must always be on a leash or in a carrier while in the common areas, both inside and outside the building.
- Pets are not permitted in the Lobby, Party Room, Card Room, or on the Pool Deck. Pets must enter and exit the building through the garage.
- Droppings must be collected and removed at once by owners.
- Pet bag dispensers are located at both garage side exits.
- Owners must report all “accidents” to the Manager to ensure that the cleanup is satisfactory; additional cleanup by the staff, if necessary, will be paid for by the animal owner.

## **NOISE**

Our Declaration of Condominium states, “...no occupant shall permit loud and objectionable noises... to emanate from the unit, which may cause a nuisance to the occupants of other units...”

Because we share walls, floors and ceilings with our neighbors, we must be especially careful about the noises we make. Slamming doors, sliding furniture, and even banging a bureau drawer can reverberate throughout the structure and disturb even remote occupants. We should consider our neighbors when using our TV’s and all sound systems, especially late in the evening.

Please use consideration when entertaining on your terraces and remember how noise carries when you are outdoors or when your doors and windows are open.

## **FITNESS ROOM**

- Open from 6:00 a.m. to 11:00 p.m. Minimum age 16 unless accompanied by resident adult.
- Guests are asked to yield to residents in case of usage conflict.
- Please wipe off machines after each use.
- Only association purchased and/or owned equipment is permitted in the Exercise Room.

## **BEACH EQUIPMENT ROOM**

(by South Parking Lot)

- The Beach Room is available for storage of beach equipment, as space permits and on a first come first serve basis. A waiting list will be maintained in the office for owners wishing to store a kayak, canoe, or paddle board; they will be contacted as space becomes available. To maximize space and minimize clutter in the Beach Equipment Room, smaller items such as beach toys; umbrellas; tents; folding chairs; etc. should be stored in owner storage lockers or units.
- Residents must use the South beach path to transport kayaks, canoes, and paddleboards to the beach. These items may not be taken through the pool deck area.

## **BEACH & GROUNDS**

- State law protects the dune and the foliage growing thereon. Cross to or from the beach ONLY by way of the elevated crosswalk or the south beach path. Do not walk on or over the dune.
- Sarasota City Ordinances prohibit dogs and cats on the beach.
- Beach furniture storage is not permitted under the beach dune walkover.
- Beach furniture next to the steps should not be left on the beach and must be returned to the area next to the steps.
- The gate on the pedestrian walkway to the beach must always be kept locked.
- Do not take any pool furniture to the beach.
- The feeding of birds and/or animals on common areas of the property is not permitted, especially the beach.
- FIRE WORKS – State Fire Marshal Rules. Specifically prohibited are: Firecrackers, torpedoes, skyrockets, roman candles, daygo bombs, and any fireworks containing explosive or flammable compounds.



## **POOL & DECK**

- Pools and Spa are open from 8:00 a.m. to 10:00 p.m. A person can swim laps before 8:00 a.m. The deck is always available. After 7:00 p.m. noise from the pools, spa and deck must be minimized or violators will be asked to leave the area.
- When lap swimmers and/or walkers are in the main pool, the lane closest to the gulf is reserved for their use.
- **NO GLASS WHATSOEVER IN THE POOLS AND SPA OR ON THE LOWER POOL DECK**
- An adult resident or occupant of the building must always accompany children in the pool area.
- Children less than 3 years old may **not** use the main pool or spa.
- Children under the age of twelve (12) must always be accompanied in the Spa by a resident or adult occupant of the building.
- Pregnant females should not exceed 10 minutes in the spa set at 104 degrees F (40 degrees C).
- **NO DIAPERS OF ANY SORT** are allowed in the main pool or spa.
- Rafts or inflatable floats are not permitted in the main pool or spa.
- Diving, running, jumping, splashing, or roughhousing of any kind is not permitted in the pool, spa, or on the deck.
- Throwing objects in the main pool, spa, or on the pool deck is not permitted.
- Shower before using the pools or spa.
- Do not rinse feet in pool gutters; use the foot shower by the pedestrian gate when coming into the pool deck area from the beach.
- Food is not allowed on the lower deck. The upper terrace is available. Please clean up when finished.
- Drinks are allowed on the deck, but not closer than four feet from the pools or spa's edge; and not in any pool or spa. **NO GLASS BOTTLES OR GLASS CONTAINERS OF ANY KIND.**
- Unoccupied pool furniture may not be reserved for more than 30 minutes; the guard at their discretion will remove towels, etc. Furniture may not be removed from the pool area
- No radios or music players allowed in the pool area without the use of individual headphones.
- Do not lie on the furniture without a towel.
- Shoes and cover-ups required in the lobby/party room/card room and elevators.
- **NO ANIMALS** are permitted on the pool deck.

## **TENNIS COURTS**

- Open 8:30 a.m. to 9:00 p.m. from October to May. Open 8:30 a.m. until dusk during turtle nesting season. 9:00 a.m. on the day the courts are rolled.
- Maximum play time is one hour for singles and 1 ½ hours for doubles and two hours for round robin events.
- Proper attire, shirts and smooth soled tennis shoes required.
- Reservations are made in the Gate House. Reservations are accepted 3 days prior to play and limited to one court per condo unit.
- Unit owner, resident, or visiting family staying in outside accommodations can reserve tennis a court up to three days in advance.
- Non-resident family member living in the area can reserve a tennis court only on the day of play.
- Non-resident, non-family person must be accompanied by a playing unit owner or resident.
- Children, younger than 13 may play only if properly attired and accompanied by an adult who accepts full responsibility for any damage to the courts. Courts may not be used as a playground.
- Courts must be brushed and lined after each play.

## **Cards/Billiards/Table Tennis in the Card (Game) Room**

- Open 10:00 a.m. to 10:00 p.m.
- Maximum play time is: Cards - 3 hours  
Pool - 2 hours  
Table Tennis - 1 hour
- Reservations are made in the Gate House. Reservations are accepted 3 days prior to play. **ONLY ONE GAME** (Cards or Pool or Table Tennis) can occupy the card (Game) room at a time.
- Private or Condominium functions in the Card (Game) Room are not restricted to this 3-day reservation rule. These future private/condominium reservations will be blocked out on the reservation sheet kept in the Guard House.
- The cues, paddles, net, and balls will be kept locked in the cabinet at all times. The combination to the key pad lock of the cabinet is C2345. Each unit owner will be expected to return all equipment to the cabinet after use and lock it.
- Unit owner or resident or visiting family staying in outside accommodations can reserve three days in advance.
- Non-resident family member living in the area can reserve only on the day of play.
- Non-resident, non-family person must be accompanied by a playing unit owner or resident.
- Children, younger than 16 may play only if accompanied by an adult who accepts full responsibility for any damage to the equipment. The Card (Game) Room & equipment may not be used as a playground.
- Players must be courteous of others in the building regarding the noise level. If noise is excessive the Manager (Security Guard – nights & weekends) should be called.

## **COMMUNICATION COMMITTEE**

The Communication Committee will address the following:

- Complaints about the building or rule violations which did not come to a satisfactory resolution.
- Conflict between unit owners, or between managers/staff and unit owners.
- Whenever possible all complaints should be in writing.
- The Committee will investigate, interview parties involved, and witnesses, as necessary, require thorough documentation and maintain confidentiality.
- If a resolution is not possible the matter will be taken to the Board of Directors.

## **FINANCIAL**

- Regular quarterly assessments are due on the first business day of **January, April, July and October**.
- The assessment will become past due if payment is not received by the 15<sup>th</sup> of that month and thereupon a late charge of \$35 shall be due.
- In addition, the assessment owed shall bear interest from the due date until paid. The interest shall be at the Florida legal rate (currently 11% per annum).

## **L'ELEGANCE PROPERTY ACCESS DEVICES (KEY FOBs/KEY CARDS)**

Each Unit will be assigned a maximum of two (2) 'Resident Key Fobs'. Should a Unit have more than two individuals titled as legal owners, they may each request a 'Resident Key Fob'.

Units owned by an 'entity' (e.g. corporation) will be assigned a 'Resident Key Fob' in the name of the enterprise. The office must be provided with a primary contact for the entity; this individual will be responsible for the 'Resident Key Fob', as well as compliance with these rules.

When a Unit is leased, the owner/s must turn over their 'Resident Key Fobs' to their tenant/s.

Replacement of a 'Resident Key Fob' is subject to a fee of \$25. Lost or Missing Key Fobs will be deactivated.

### **Visitors, Family, and Guests**

Visitors must register at the front gate and access the building using the Front Lobby Door (Guard admittance). The Linear Telephone Communication Panels, located at the front gate and the front door, are available to contact Unit Owners after hours.

Day visits by immediate family members when the owner is not in residence are permitted under the Condo Rules & Regulations. The office must be advised of the visit in advance, and the visitor should make arrangements with the owner for the use of their Key-Fob. Upon the owner's request, a Temporary Access Device can if necessary be provided by the office, which must be returned by end of day (\*).

Overnight guests should utilize the hosting owner's Key Fob. If necessary, and upon request of the hosting Unit Owner, an overnight guest can be issued a 'Temporary Access Device' assigned to the responsible unit; arrangements should be made with the office in advance including submission of the guest form. There is a limit of up to three (3) 'Temporary Access Devices' per unit at any one time; which will be active for the duration of the stay and must be returned to the office at the end of the visit (\*).

Should a medical condition require after hours property access by nursing care personnel or a family member to regularly check on a disabled owner, these 'special circumstances' will be addressed on a case by case basis. Any such request must be submitted to the office in writing; conveying the situation and the name of the person who will be accessing the property. Temporary Access Devices will be made available.

### **Service Personnel**

Service Personnel and Contractors scheduled to perform work on site, e.g. maintenance; repairs; cleaning; deliveries; renovations; etc., must check in at the front gate. 'Temporary Access Key-Cards' effective for the work day will be provided by the guard; registered to the Service Person/Company and assigned to the responsible Unit. 'Key-Cards' must be returned to the guard upon exiting the property each day (\*).

### **Lost/Missing Temporary Access Devices**

(\*) A fee of \$75, chargeable to the responsible Unit, is in effect for any Temporary Access Device that is not returned to the office or security guard. Lost/missing access devices will be deactivated. Outstanding fees must be remitted before any additional Temporary Access Devices will be issued on behalf of a Unit.

Any deviation from these guidelines must be approved by the Condo Association Board of Directors