

OCEANGATE

Rules and Regulations - 2013

GENERAL

It is essential in condominium apartment living that each Owner regulates and controls the occupancy and use of their apartment so as not to disturb other Owners, and insure the safety of our residents and the good care of our facilities. Certain general rules and regulations are, therefore, necessary to provide guidelines for all Owners, Lessees and their guests.

NOISE AND NUISANCE

No occupant should make or permit any disturbing noises or other nuisances in the building or on Condominium property, whether made by himself, his family, friends, guests, lessees or employees, nor to permit anything to be done by such persons that would interfere with the rights, comfort, or convenience of other occupants. All musical instruments, stereos, radios, or television sets shall be played in a manner not to disturb others.

PARKING

Parking shall only be permitted in the striped parking spots at the north and south end of the building and behind the garages along the west side of the property. Vehicles shall not be parked or left standing at the curb of the main buildings except for loading and unloading by owners, lessees, guests or contractors. To preserve the residential characteristic of the property, no boats, campers, trucks, trailers, motorcycles, mini bikes, vans or recreational vehicles shall be permitted; the only exceptions are pick-up trucks, or vans, small enough to fit in the owner's or lessee's garage. Vehicle owners should ensure there are no leaking fluids which could cause stains in the concrete; otherwise they may be liable for the cleanup.

DRIVEWAYS

Speed shall be limited to 10 M.P.H., and a careful lookout shall be maintained. Occupants should instruct all trucks and delivery vans to enter the property through the north gate.

STORAGE

Owner's personal property shall be stored only on their side of assigned garage and inside their assigned storage locker in the hallway. No material is to be stored outside of the lockers in the storage areas. No flammables will be kept in the owners storage locker areas.

COMMON HALLWAYS

No object of any kind other than tasteful planters (live or artificial) shall be placed in any common hallway, nor shall anything be placed on walls. Hall way plants must be maintained at all times. Plants create litter of leaves and debris. Please remove planters when you leave for the summer or any extended periods of time.

STAIRWELLS

Nothing shall be placed in any portion of any stairwell.

APPEARANCE IN PUBLIC VIEW

Nothing, including laundry, bathing suits, towels, mops, and clothing are to be placed on stair rails, balconies, patios, or window ledges or planters or railings in front hallways. Nothing is to be thrown or swept from the terraces or balconies. Food is not to be thrown to the birds from either the balconies or from the lawn. If you want to feed the birds you must do it on the beach. Appropriate footwear and bathing suit cover-ups shall be worn in public places such as elevators, stairwells and first floor halls. Bathers shall rinse off sand and dry off before entering elevators to avoid leaving puddles, which could be hazardous to others.

ELEVATOR FAILURE

In case of failure of the elevator, press button for help. Elevator emergency button shall be used only for failures and emergencies.

EXTERIOR CHANGES

Any Owner desiring to make a change of any nature to the exterior of any building e.g. storm shutters, sliding doors,

porch-enclosures, must submit, in writing a detailed list of proposed change(s), along with plan(s) and specification(s), to the Board of Directors for their consideration and approval.

The Management Company should be contacted in advance if shutters/storm windows/porch-enclosures are to be replaced or newly installed. If new shutters are installed, it is the responsibility of the owner to have the old fasteners removed and the concrete repaired. Stainless Steel fasteners (non-rust) are required. If a cherry picker is required, planking must be used on the grass to protect the turf. NO scaffolding shall be left in place overnight! The contractor will be responsible for repairing any damage, holes etc. in the building structure caused by the installation and for waterproofing, and painting if necessary. The owner will be billed for any painting or other work required on the outside of the building after the work is completed, if the contractor does not repair the damages.

AIR CONDITIONERS

All A/C units are required to be strapped and bolted down. It is the responsibility of the apartment owner to have the A/C unit on the roof inspected to ensure that it is in good repair and that the bolts will hold in high winds. The A/C (air handler) unit in the apartment is required to be checked twice a year by an air conditioning contractor to make sure drain lines are clear.

ROOFS - Apartment owners, their families, guests, lessees, employees, agents and visitors shall not at any time or for any reason whatsoever go onto the roof of any building. Only Associations Officers, Maintenance Superintendent, and authorized persons are exempted from this rule, e.g. air-conditioning repairmen, roofers, etc.

WASHING MACHINES -A watta valve for hot/cold water is required on all washing machine water supply lines. The valve must be shut off when the washer is not in use to alleviate pressure on the hoses. Connection hoses are required to be stainless steel.

HOT WATER TANKS

All hot water tanks are required to be replaced by the 10th anniversary of their installation.

WATER LEAKS

Water damage caused by leaks are the responsibility of the apartment owner who suffers the damage unless it is caused by negligence on the part of another apartment owner. Main water valve should be turned off whenever the owner will not be using condo for long periods of time.

ALTERATIONS/MAJOR REPAIRS TO APARTMENTS

A description of the major repairs or alterations, and anticipated schedule, must be submitted to the Board of Directors for approval in advance of the commencement of work. Prior to the initiation of the work to be performed, the Management Company **must** be contacted to ascertain the specifications or requirements for the associated alterations, i.e. storm shutters, porch-enclosures, floors, bearing walls, etc. For interior space modifications, drawings should be provided. All contractors will be insured and bonded, and all required permits will be obtained.

Nothing structural can be altered nor can any pipes be moved that service other units.

The names of all people contracted to do work must be given to the Management Company. The General Contractor shall be identified, and is responsible accountable to monitor and assure that the ongoing work is in compliance with our Rules and Regulations. To assure who is on-site, workmen will contact the on- site Maintenance Superintendent before work commences in/outside of apartment.

No work shall be performed in the apartments before 8:00 am (Monday – Friday) and will cease by 5:00 pm. No work will be scheduled over weekends. Any exceptions require advanced approval.

All work equipment, building supplies, and materials must be stored inside the apartment. No cutting, sawing, or setups are permitted in the hallways. Any removal of equipment or other

items from boxes, etc, shall not be performed in common area hallways unless absolutely necessary. Contractors may not bring dumpsters on the property without advanced notice to, and approval, by the board. When the dumpster is removed, the area in which was placed shall be cleaned and restored to its original condition.

Common areas and elevator floors must be covered to protect painted surfaces/carpet/linoleum. Coverings must be removed before workmen leave for the day. All common areas are to be kept clean and damage free at all times, including hallways and stairwells. Failure to do so will result in billing the owner/contractor for common area cleaning/repair/replacement expenses. **No construction debris/boxes shall be placed in the common area dumpsters.** Arrangement for removal of debris must be made by the owner with the contractor. Essentially all common property should be in the same condition when the contractors leaves as it was when they arrived, and is the owners responsibility to assure that it is the case.

Workmen should park in front of the building only for loading/unloading of equipment/supplies. During the course of the day workmen's trucks should be parked in the striped spaces located at north or south end of the property close to or parallel to A1A in the spaces not designated for residents only.

Owners are responsible for informing their contractors of the requirements and actively assuring that they comply.

APARTMENT FLOORS

When a new floor consisting of any hard material, such as wood, tile, marble, etc., is installed on floors 2, 3, 4, or 5, an acoustical under layer of at least ¼" cork insulation or approved equal, shall be glued to the base concrete under the new floor. Material should adhere to the QuietWalk® material as a minimum with a Sound Transmission Class (STC) = 54, an Impact Insulation Class (IIC) = 58, and a Field Impact Insulation Class (F-IIC) = 60.

SIGNS

No signs, advertising, or notices of any kind or type whatsoever, including but not limited to "For Rent" or "For Sale" signs, shall be permitted or displayed on the exterior of any apartment; nor shall the same be posted or displayed in such manner as to be visible from the exterior of any apartment without the prior approval of the Board of Directors. 3" x 5" notices may be placed on the bulletin board. An "Open House" sign, can only be displayed on the day of the open house. In order to assure the safety and security of our owners and their property, the Board of Directors must be informed by the owners at least three days prior to holding an Open House, that way we are aware of who is authorized to be on the Oceangate property with access to, many times unoccupied units.

STORM PRECAUTION

All units are required to have **white** roll down, white accordion storm shutters or **white framed** Hurricane Impact resistant sliding glass doors on outside of terrace. Any installation of new storm shutters must be approved by the Board of Directors and meet Miami-Dade building code.

The following are **not acceptable**:

1. Roll down mechanisms for shutters on the outside of the building; Mechanisms must be on the inside of the terrace.
2. Accordion storm shutters on middle apartment kitchen windows. (Only railings with slide-in clear storm panels are acceptable. These panels are only to be put on when storm is approaching)

All storm shutters or hurricane impact resistant sliding glass doors must be in good working order, lubricated and all wheels working, no later than the start of hurricane season, June 1st.

OCCUPANCY

No single person under the age of eighteen (18) shall occupy an apartment except with the presence of an adult relative.

Visitors of tenants are not permitted to occupy the unit unless the tenants are also in residence.

SOLICITATIONS

Solicitations are prohibited at Oceangate. The Management Company or a director should be notified of any infraction of this Rule.

CLUBHOUSE

When maintenance supervisor leaves for the day, he will lock the entrance doors to secure the club house. . Locking doors is achieved by poking a key into the hole on the underside of push handle. That will release the handle and make it self-locking. If someone is using the area, they may ask him not to lock up but then they must take full responsibility for making sure everything is secure when they leave. Maintenance supervisor will record the name of the individual taking responsibility for securing the clubhouse. If you walk through the clubhouse after hours and turn on lights make sure they are turned off when you leave. After 4 pm and on weekends, it is advised that a key to the common areas be carried when going to the back patio or beach.

The furniture in the clubhouse is for the use of all members; has been situated to accommodate various groups and uses, and generally should not be moved. If necessary to move a few chairs to accommodate friends, all must be put back to the original seating groups when leaving.

Owners and guests may get water and ice while at the pool from the refrigerator in the kitchen. It is the owners/guests responsibility to provide and use only plastic or paper cups and glasses which are to be taken back to your own unit.

The clubhouse is for the enjoyment of individual owners, tenants and guests, however the **kitchen is intended to be used almost exclusively by the association for member gatherings**. Occasionally, an owner may desire to entertain a number of guests in the clubhouse and/or wish to use the kitchen facilities in the club house for this purpose. A **form**

must be submitted to the board of directors requesting a specific date and time, nature of the affair, duration, as well as the number of guests, along with a check in the amount of \$100.00 for security deposit. This deposit will be returned after facilities are found in good order after being inspected for cleanliness and damage. Your date of entertainment will be posted on the bulletin boards to inform others but the club house will still be open to other owners and for passing through to the ocean side.

Food is permitted inside the club house but you must use your own paper or plastic dishes and utensils and most of all **you must clean up the space that you have used.** There is to be no food or dishes taken to the pool area. For liquid refreshments only paper or plastic cups or bottles are permissible at the pool. Food and utensils used to cook on the grill are OK but food cooked must be eaten outside of the pool area. **Please refrain from sitting on cushioned furniture with wet suits.**

POOL REGULATIONS

Pool hours are 9:00 A.M. to 9:00 P.M. To legally maintain private pool status, owners, owner's guests, or tenants must refrain from inviting visitors to use the pool unless the visitors are accompanied by the owner or lessee. Houseguests of owners may use the pool without being accompanied by an owner. All pool users must conform to the posted rules, which are displayed in the pool area. Tenants will be limited to a maximum of four pool guests including both adults and children. Owners are responsible for actions of their visitors, guests and lessees. All who use the pool do so at their own risk; no lifeguard is provided.

Resident children over 14 years of age may use the pool alone, without the necessity of adult supervision; children under the age of 14 must be accompanied by an adult. When resident children are accompanied in the pool by non-resident children, adult supervision is required. No children's playthings shall be left in the pool area and no portable children's pools allowed. No large floating devices are permitted in the pool. No children with diapers are allowed in the pool unless they are

wearing "swim diapers

To comply with insurance regulations and to avoid accidents, users of the pool and pool area shall not participate in games involving ball playing or running. Boisterous behavior of any sort or loud noise in the pool or other areas is prohibited. In addition, no glass or china containers of any sort are permitted in the pool area. **No wheeled vehicles, except invalid wheelchairs, are allowed in the pool area.** Please place a towel on the pool and clubhouse furniture for protection when using sun tan or like products.

If moved, pool and patio chairs and tables should be returned to their original position. If the umbrellas are raised, they must be put down when leaving the pool area. There have been sudden storms come in resulting in severe wind damage and flying umbrellas. Draping towels over the furniture and leaving the area so as to "reserve" them for the day is not permitted as different folks use the pool at different times of the day, and residents and guests need to share. Please do not store bags, sun-block, water bottles, etc. on the tables at the pool while using the lounge chairs as this leaves little space for others.

BEACH

Sand, or tar are damaging to furniture, patios, and pool surfaces, as well as our pool pump. Everyone is expected to use the tar removal material which is provided in a box on the beach walkway when necessary as well as Beach walkers and Bathers shall rinse off sand and dry off before entering clubhouse and all, including Pool users, should dry off before entering elevators to avoid leaving puddles, which could be hazardous to others.

SEAWALL AND DUNE CROSSOVER

No one shall access beach except by way of the dune crossover. No one shall walk on dune or seawall. Jumping off the seawall or dune walkover is also prohibited. These actions could cause the association serious insurance problems.

MINIMUM CRITERIA FOR RESIDENCY

All perspective **Buyers, Tenants and Long-term non-1st degree related guests** must submit to a background check for each person to occupy unit. This check is only required one time and will not be required for returning Tenants and Long-term guests who had already been approved by the board. Tenants who were approved by the Board of Directors prior to the approval of this rule are exempt from the background check, but are required to pay the \$50.00 processing fee. Forms and instruction on how to initiate and pay for the background search are attached to the application, available on Elliott Merrill's website under documents.

No drug trafficking convictions, no multiple drug related or multiple DUI/DWI convictions, no child molestation, sexual assault or sexual battery charges, no domestic violence charges and convictions, no theft, burglary, criminal trespass, disorderly conduct or other misdemeanor charges, no felony charges will be accepted.

RESIDENT GUESTS

When an owner is **not** in residence and wishes a first degree relative, ie; Children, Parents, Siblings, to use his apartment and all common facilities, the Owner shall provide the Board of Directors, in writing, the names of guests, the length of stay in the apartment, and the time of their arrival and departure. Email is sufficient. Not knowing who is walking about the property and using our parking, pool, and other facilities can create awkward situations, for owners and guests, which are easily avoided with notification. If the guest is not a first degree relative, ie; Children, Parents, Siblings, and intends to spend **more than two weeks** in residence **without the owner present** they will be considered **tenants**. They must adhere to the tenant requirements of application and submit to the buyer/tenant background search. There is is special application for this category.

LEASING RULES

The board and/or owner shall advise all guest and lessees of the Rules and Regulations and the owner shall be responsible for any violations thereof.

1. An apartment may be rented by the lessee, provided that the term of such lease is for a minimum of three **consecutive** months.
2. Owners shall not be allowed to lease their apartment more than twice in any one calendar year.
3. No lessee shall sublet any part of the unit.
4. No individual rooms may be rented and no transient tenants may be accommodated.
5. The lessee may have guests; however, during the period covered by the lease, no one, including the owner, can occupy the apartment while the lessee is not in residence. Upon written request, the board may take into consideration extraordinary circumstances and make an exception.
6. At no time shall there be more than six (6) persons in residence in any apartment
7. A lessee or guest shall not be allowed to bring any pet of any kind on the Condominium property at any time.
8. Oceangate maintenance supervisor is not to be involved in any capacity to provide entrance to or introduce lessee to the rental unit. This is strictly the responsibility of the rental agent or the owner.

LEASING PROCEDURE

Owners are required to abide by the following time frame for leasing of unit; although a rental agent may be useful, **it is the responsibility of the owner to assure compliance:**

1. Owner or rental agent must get required forms and copy of Oceangate of Vero Beach, Inc. Rules and regulations from Elliott Merrill to be sent to and filled out by Lessee.
2. The following must be completed and delivered to Elliott Merrill 30 days prior to start of leasing period.

(a) Application for Lease

(b) Copy of Lease (It is recommended that owners make all leases subject to approval by the Oceangate of Vero Beach Association. Inc)

(c) Required fee

(i) \$50.00 application fee for returning tenants, previously approved by the Board of Directors.

(ii) Background search completed for those not previously approved. (Results will be sent directly to the board from the search agency)

3. Board will review application, completed background search and lease. If acceptable, a certificate of approval will be issued. **Lessee will not be permitted to occupy the unit until approval has been issued. Occupancy without approval will result in eviction of the occupant(s).**

LESSEE ORIENTATION

It is the responsibility of the perspective renter to contact Elliott Merrill or the owner of rental unit to get the phone number of the current Secretary of Oceangate and arrange the interview. Arrangements shall be made at least one week in advance for a board member or the designated greeter to meet with lessee for orientation within 24 hours of arrival. The requirement for a personal orientation may be waived for a second time lessee at the discretion of the Board.

Any violations of either the rental rules or procedures may result in withdrawal of approval of the lease and eviction of the lessee.

PROSPECTIVE BUYER

No prospective buyer will be able to close on/occupy a unit until a sales application is submitted along with a copy of the contract of sale. The background check has been completed and received by the Board, and an interview has been given by the Board or its committee. After all has been accomplished (30 days or more prior to closing) the board will issue a Certificate of Approval, if all is in order. It is the responsibility of the Realtor or perspective buyer to contact Elliott Merrill to get the phone number of the current Secretary of Oceangate and arrange the interview. A Certificate of Approval is

required by title companies to allow the unit to be sold and the closing completed.

MOVING IN/OUT OF APARTMENTS

The Maintenance Superintendent should be informed of move in/out date(s) of new/current owners to allow for coordination of other scheduled events (garbage/recycle trucks, common area repairs, and other household moving vehicles). Moving, requiring large trucks or large vans, should be completed between the hours of 8:00 am and 5:00 pm (Monday – Friday). No packing materials, boxes or cartons are to be placed in the common area dumpsters.

Owners are to be responsible for cleanup/removal of debris and any damage caused by movers to common area property. If cleanup is not performed satisfactorily or damage occurs, it will be cleaned/repaired/replaced and bill will be sent to the respective owner.

OUTDOOR GRILLS

No outdoor grills, including hibachis, etc., are permitted to be used on balconies, corridors, stair landings, patios, lawn areas or on driveways.

The Association's grill is available for Association functions as well as individual use. Users must insure that the grill and adjacent area are thoroughly cleaned after each use and the protective covering put back on the grill after it has cooled down.

PETS

Pets are restricted from the pool, clubroom, and adjacent patio areas as this has always been the practice and not fair to those who are allergic or afraid of animals. No animals, livestock, reptiles, or poultry of any kind shall be raised, bred, or kept on condominium property.

Unit Owners in residence may keep no more than one (1) dog of less than thirty (30) pounds at maturity and of gentle disposition or no more than one (1) cat per condominium unit; this limited exception specifically applies only to Owners of record of condominium units, not renters or guests. Pets may not be kept, bred, or maintained for any commercial purposes.

To avoid any health issues; and plant or grass damage to our common areas, pet owners will take their pets to the A1A grass areas just outside of our internal complex where the pets can relieve themselves. All pet owners shall be responsible for cleaning up any excretions of their pets and disposing of trash immediately to a dumpster or trash receptacle. Any pet causing or creating an unreasonable disturbance or noise shall be permanently removed from the property upon three (3) days written notice from the Association.

Any Unit Owner who maintains a pet under the limited exception of this rule shall be held responsible and liable for all acts of the pet. The Owner of any pet maintained under this exception shall compensate any other Unit owner or person hurt or damaged by the pet. Unit Owners who maintain pets under this rule shall also hold the Association harmless from any claim resulting from any damage or injury caused by their pets. **The following statement must be signed and submitted to the board if you wish to keep a pet in your unit.**

I have read and understand the restriction stated in the Rules and Regulations booklet regarding pets and agree to indemnify and hold harmless the Association, its officers, and its agents for any damage or injury caused by my pet.

Signature

Unit Owner Printed Name:

Unit #: _____ Date: _____

TRASH AND GARBAGE DISPOSAL

All garbage shall be placed in a securely tied plastic bag or trash in a heavy paper container before being deposited in garbage chutes or bins. Large cartons must be placed on the floor next to the trash container in the trash room on the first floor. If boxes contain "popcorn", they should be securely sealed and put in the garbage room. Recycling of newspapers, glass, plastic (no plastic grocery bags, please) and cans is recommended. Containers are located near north and south building garages. Each container has been clearly marked and no trash should be placed in the containers. Plastic bags are not considered non-recyclable and are not to be placed in any of the recycling containers

GARAGES

Garage doors shall be kept closed on all unattended garages. Garages are owned by the Association; however it is the responsibility of each owner to keep his automatic garage opener and motor in working order. The Association is responsible only for the tracks.

AVAILABLE APARTMENT KEY

It is highly desirable that an Official of the Association has access to a key for each apartment. Keys will be kept in a locked safe, accessible only to Board of Directors and the Maintenance Superintendent. If the Condominium doesn't have a key and an emergency requiring entry arises in an apartment, forced entry will be necessary and repair costs charged to the owner.

GROUNDS

Maintenance of the plants, shrubs, hedges, trees, etc., on the common property is the responsibility of the Board. No one, other than those hired by the Board, should plant anything on common property, nor shall they trim any common area plantings without prior approval from the Board of Directors.

MAINTENANCE SUPERINTENDENT

The Oceangate Maintenance Superintendent is responsible for the maintenance of all common elements of Oceangate.

Owners are responsible for the maintenance of their individual units. When there is a need for Association work within the unit, the following procedure is to be followed:

1. All maintenance requests are to be placed on a work order. Work order bins are located on the first floor walkway along with blank forms.

2. Suggestions to enhance the community or constructive criticism, concerns regarding work in progress or completed, and nuisance complaints should be written and sent to Management Company.

3. In an emergency, you must call Elliott Merrill (772-569-9853) who will immediately get in touch with the Maintenance Superintendent who will provide temporary assistance or services during duty hours provided the emergency requires him to protect the other units.

Private owner work should be discussed and performed during non-duty hours, at the owner's, lessee's or guest's expense, provided the employee is willing to render such services.

Private maintenance services requests and waiver of responsibility can be effected with a form provided by Elliott Merrill Management Company.

No owner, lessee or guest shall direct, supervise, or in any manner attempt to assert control over any maintenance employee of the Association, nor shall they attempt to send the employee on errands or to conduct the private business of any owner, lessee or guest.

EFFECTIVE

These revised Rules and Regulations were approved, by the Board of Directors, on June 28, 2013.