

St. Raphael Condominium

Rules And Regulations

July, 2004 Revision

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All forms referred to in the Rules & Regulations are available in the Management Office

- **Alterations**

- A. No Owner may make or cause to be made any structural addition, alteration, modification, penetration of, repair, replacement or change to the Common Elements and/or the Limited Common Elements or to any outside or exterior portion of the building or other structures, whether part of a Unit, the Common Elements and/or Limited Common Elements, without obtaining Board approval. The manager's office has the forms that must be completed in conjunction with such alterations.
- B. Repairs or alterations to Units may be conducted Monday through Friday, 8:00 a.m. to 5:00 p.m., except for bona fide emergency repairs for health, safety or property damage issues.

- **Antennas/Outside Attachments**

- A. Owners shall not cause or permit anything to be placed on the outside walls of any of the buildings or placed on windows which are visible from the outside of the building. No sign, canopy, radio antenna or television antenna shall be affixed to or placed upon the exterior walls or roof or any part thereof.
- B. No Owner or occupant of a Unit shall install wiring for electrical or telephone installations, nor install machines or air conditioning units, etc., that may affect the exterior of a Unit in any shape or manner without prior Board approval.
- C. No radio or television installation or other electronic equipment may be permitted in any Unit, which interferes with the television or radio reception of another Unit.
- D. Antennas or a satellite dish may be placed on a stand designed for this purpose on the floor of the terrace in accordance with the Association's satellite dish policy. No individual antenna or dish may be installed on the building's roof. In the future, a master antenna that would provide service to the entire building may be installed on the roof.

- **Apartment Close-Up/Summer Recommendations**

- A. Bring in all patio furniture, plants, etc.
- B. Lock the sliding glass doors with the door lock and pin lock at the bottom.
- C. Turn off circuit breaker for the hot water heater, the kitchen hot water and the recirculating pump (if applicable).
- D. Turn off the main water valves coming into the Unit (3 valves). The valves are located in your storage closet.
- E. Set refrigerator to a warmer setting. It is a good idea to refrigerate all spices, pasta products, etc. Also, lift the arm to the icemaker and empty out the ice in the bin.
- F. Pour a small amount of bleach (1/2 cup) in the toilets and seal the bowl with plastic wrap. The bowl will remain clean and the water will not evaporate.

- G. Leave the dishwasher door ajar for air movement. A small amount of vegetable oil may be placed in the bottom well to prevent the seals from drying out.
- H. Pour a small amount of vegetable oil in bottom of garbage disposal to prevent the seals from drying out.
- I. Open cabinets, dressers, etc., to allow air movement.
- J. If you're leaving a car in the garage, please provide a written memo to the manager stating where in your unit you will be leaving a set of keys in case an emergency arises.
- K. It is recommended that someone check the Unit and cabana (if applicable) regularly to ensure the air conditioner and refrigerator are running properly, and to detect any possible water damage.
- L. You should set air conditioner to 80 degrees. If a timer has been installed, set it for a two-hour run in the morning hours with the A/C thermostat set at 72-73 degrees. Humidistat – set the humidistat according to the manufacturer's directions. If you wish, you may also turn the fans on low to circulate air.
- M. Forward mail delivery and stop newspaper delivery.
- N. If you will be gone during the summer, you should disconnect electrical items and phones because of electrical storms.
- O. Leave closet doors, drawers and cabinets open for circulation.
- P. Change the batteries in your smoke detectors and your thermostat.

- **Automobiles, Garage and Parking**

- A. All motor vehicles shall be currently licensed and kept in good repair. No repair or maintenance of vehicles is to be done in parking spaces or within the Common Elements or limited common elements. No boats, boat trailers, all-terrain vehicles, recreational vehicles, or pick-up trucks shall be parked on the condominium property without prior written approval of the Association. This restriction does not apply to pick-up trucks parked temporarily on the Common Elements by workmen or subcontractors.
- B. All vehicles parking within the St. Raphaél property limits must have a St. Raphaél identification tag. Management must be able to contact the Owner, or Owner's designate, of each vehicle at all times.
 - 1. Residents: All residents will be given identification tags corresponding to their numbered garage parking spaces. These must be displayed on each car in residence. If an owner has two cars, but only one space, the same number will appear on both tags.
 - 2. Visitors: Upon arrival, all guests will be issued a temporary "visitor's pass." The pass will indicate the unit number they are visiting and an expiration date. This pass must be visible through the windshield.

3. Contractors: Upon arrival, all approved contractors will be issued a temporary one-day “contractor’s pass.” The pass will indicate the current date and the unit number in which they will be working. This pass must be visible through the windshield

C. All four (4) parking spaces at the main entrance circle have a two (2) hour limit. No vehicle may park in the following areas:

- Up the entrance ramp
- In the entrance circle
- In the lanes leading to the north and south garage doors (with the exception of the three designated spaces on the north side)
- In the garage turn-around areas.

Any violation of these parking regulations, after one written warning, may result in a fine of \$100.00 per incident being assessed to the owner of the vehicle or to the owner of the unit that the vehicle owner is visiting. The garage turn-around areas are for loading and unloading only. Vehicles parked for loading and unloading must be parked so as not to block the garage doors.

D. Garages attached to the Villa Units shall be constructed with doors that are equipped with operating, functioning automated door openers and closers. The garage doors shall remain closed except upon entering or exiting the garage.

E. Owners having social events who need additional parking spaces should consult with the Manager’s office at least one week prior to the event for procedures and the possibility of enlisting valet parking services for their guests.

F. The management company will develop and administer procedures asking owners who are not using their parking space(s) to offer them to other Owners during peak periods.

G. The speed limit on the property, including the garage, is five (5) miles per hour.

H. Vehicles may not turn left from the north exit gate.

• **Balconies**

A. Nothing is allowed to be placed on the balconies or balcony railings such as towels, bicycles, clotheslines, etc.

B. Feeding of birds from balcony or limited common areas is prohibited.

C. Nothing is to be thrown, swept or dumped from the balconies.

D. Area rugs are not to be shaken from balconies.

E. Barbecuing or grilling on balconies or screened terraces is prohibited.

F. Flooding or “hose” washing of balconies or screened terraces is prohibited.

G. Use caution when watering plants on the balconies to prevent dripping.

- H. Owners' use of the balconies is subject to interpretation based on common sense and courtesy.
- I. Loud noise (e.g., phone calls, conversations, parties, radios, etc.) is prohibited between the hours of 11:00 p.m. and 7:00 a.m.

- **Bicycles**

- A. Bicycles must be stored in bicycle racks or personal storage lockers located in the garage or are otherwise subject to removal. The Manager's office must be provided with a key or combination to any lock. Bicycles must be tagged. Tags are available in the manager's office.
- B. Bicycles cannot be stored in the foyers of any Unit.
- C. Bicycles must not be taken onto elevators. Arrangements can be made with the Manager to store the bicycle within the Owner's Unit or storage closet.
- D. Bicycles must be kept in good repair. After reasonable notice, dilapidated or abandoned bicycles may be disposed of.

- **Bulletin Boards**

The Owners' Bulletin Board is for the use of St. Raphaél Unit Owners only. Notices should be put on a 3 x 5 card, if possible, and given to the Management Office for approval and posting. Notices must be dated and will be posted for 30 days, after which notices will be removed by the Management Office.

- **Cabanas**

- A. Cabanas may be rented in either of two ways: 1) they can be rented in conjunction with the rental of the associated condominium unit; or 2) they can be rented separately from the associated condominium Unit but only to another St. Raphaél Owner. If the cabana is not rented but the associated Unit is rented, the Owner gives up the right to use the cabana for the duration of the lease.
- B. Fire regulations prohibit sleeping in the cabanas overnight.
- C. If phone calls are being made from the cabanas, the doors must be kept closed.
- D. When not in use, doors to the cabanas should remain closed at all times.
- E. All window treatments must be white, off-white or natural color, horizontal or vertical blinds. No window tinting is permitted without prior approval of the Board.

- **Common Elements**

- A. Smoking is not allowed in any common areas, except in the barbecue area or any other areas which may be designated, and so posted, by the Board.

- B. Common Elements shall not be obstructed, littered, defaced or misused and shall be kept free and clear of all rubbish, debris and unsightly materials. Repair or replacement to common elements due to damage caused by an Owner, their renters, guests, contractors or invitees, is the responsibility of the Unit Owner.
- C. If workers are retained to do work in the Owner's unit, they should be advised to keep all common areas clean. If common areas need to be cleaned or repaired after workers leave, the Unit Owner responsible will be charged for the clean-up and repairs.
- D. If an Owner is having major alterations done to his or her Unit, it may be necessary for the St. Raphaél to have a "common area" clean-up/damage deposit before work begins.
- E. Feeding of birds in common areas is prohibited.
- F. There are several Common Elements within St. Raphaél that may be reserved for social functions. The Board of Directors encourages you to use these facilities, and has adopted policies for their use. We recognize that they belong to all the Owners, and as such, we have a responsibility to preserve them. Several of these Common Elements are available for use by the owners for meetings, discussion groups, social functions and by the Association for Association-sponsored events. Common areas may not be used as a personal "work station."
- G. Reservations made on a recurring basis are subject to change to accommodate other requests. Reservations may have to be forfeited for Association-sponsored events. Any request by an Owner to use the Common Elements for a business function, business meeting, or any other business related purpose or use must be approved by the President, which approval may be withheld for any reason. If approved, whether in whole or in part, the President will set forth the conditions of approval, which are incorporated into and made part of the Reservation Agreement.
- H. Owners will be required to submit for the use of any of the Common Elements, specifically the Club Room, Grand Foyer, the Library, Billiard Room or Barbecue Area. Please contact the Manager's Office for the necessary form and deposit requirements. Following are additional policies applicable to these Common Elements:

- 1. Barbecue Area

In accordance with the North Naples fire code, no propane or charcoal may be stored or utilized within ten feet of the building (including the villas and garden units).

- a. The Association has two large propane barbecue grills for use by residents of St. Raphaél, which are located behind the tennis courts. This is the only area approved for barbecuing by residents. The valve to turn on the barbecue is located behind the unit.
- b. Persons using the barbecue are responsible for cleaning up after use. This should include picking up trash and scraping the grill using the brushes and tools supplied. Please do not use commercial cleaners on the grill.

- 2. Billiard Room

- a. Hours for the Billiard Room are 8:00 a.m. to 1:00 am.

- b. Please close the doors during the hours of 10:00 p.m. to 1:00 a.m. to minimize noise in the lobby.
- c. Children under 15 years of age must be accompanied by an adult.
- d. Beverages are not to be placed on the table ledge (moisture will stain the surface).
- e. Please brush the felt before playing, (brush toward each pocket).
- f. When finished playing, please return balls, cue sticks and chalk blocks to the rack on the wall.
- g. After playing, please brush felt (toward each pocket) and cover the table.
- h. Please return stools to their original positions before leaving.

3. Board Room

- a. The Board Room is available for use by the owners for meetings, discussion groups, social functions and by the Association for Association-sponsored events.
- b. Prior to use, an owner shall notify the management office so that scheduling can be coordinated. Any scheduling conflicts between owners shall be resolved in favor of the owner with the least number of prior uses, or if between an owner and the Association, in favor of the Association.
- c. Management has the authority to deny any request for use that is not considered an appropriate use of the Board Room (e.g., personal work station, tutoring, etc.). Any request to use the Board Room for a business purpose, business function or any other business related use must be approved by the President in accordance with paragraph G on page 6 hereof.

4. Club Room

- a. Prior to use, an owner shall notify the management office so that scheduling can be coordinated. Any scheduling conflicts between owners shall be resolved in favor of the owner with the least number of prior uses, or if between an owner and the Association, in favor of the Association.
- b. Persons using the Club Room are responsible for cleaning up after use.
- c. Furniture must be left in the position in which it was found.
- d. Alcoholic beverages must not be left in the refrigerator or freezer unless the owners are present. Any alcoholic beverages left will be discarded.

5. Grand Salon

- a. The piano may only be played between the hours of 9:00 a.m. and 10:00 p.m.

6. Health Club

- a. No children under the age of 13 are permitted in the Health Club.
- b. Children between the ages of 13 and 18 may use the Health Club only with direct adult supervision.
- c. There shall be a 30-minute time limit for use of all aerobic machines if people are waiting to use such machines.
- d. Proper attire is required, including shirts and shoes.
- e. Personal Trainers are welcome but must provide proof of insurance to the office.
- f. Machines are to be wiped down after each use, using the supplies provided.

- g. Persons receiving cell phone calls shall leave the workout room to carry on conversation. Calls originated by cell phone users will be made outside of the workout room.
- h. The emergency phone is to be used only for emergency calls or for urgent local calls. Such calls should be conducted quietly and should be short in duration.

7. Library

The Library is open twenty-four hours a day. See the Manager if you would like to reserve the Library for any special functions such as book or poetry readings.

8. Manager's Office

The Manager's office is open Monday thru Friday from 8:00 a.m. to 5:00 p.m. The office phone number is (239) 593-9611, and the fax number is (239) 597-3684.

9. Pool & Spa

- a. Pool hours: Dawn to Dusk.
- b. Swim at your own risk – no lifeguards are on duty.
- c. No diving or jumping into the pool is permitted.
- d. The bathing load for the pool is 60 persons. The bathing load for the spa is 6 persons.
- e. You must shower before entering the pool or spa.

When using lounge chairs, always cover them with a towel to protect them from suntan oil.

No food or drinks are allowed within four feet of the pool or spa. Glass is not allowed in the pool or on the pool deck. Beverages in plastic, styrofoam or aluminum containers are permitted.

No smoking is allowed in common areas, including the pool, spa, and pool deck.

The maximum water temperature for the spa is 104° F.

Maximum use of the spa is fifteen (15) minutes.

Children under twelve must have adult supervision in the pool or spa. No roughhousing or running is permitted on the pool deck. Parents/ guardians are responsible for the behavior of children. Any spills, messes or other such accidents on the pool deck must be cleaned up immediately by a responsible adult.

Persons with open sores, cuts, or communicable diseases should not enter the pool or spa.

No animals are allowed in the pool or spa area at any time.

Bathing attire must be worn at all times while in the pool or spa. Nudity is prohibited.

Swim diapers must be used when needed for all ages. Dirty diapers should not be disposed of at the pool. If there is an "accident" in the pool or spa, Management must be notified immediately so the proper Health Department procedures can be followed. If the office is closed at the time, please notify the security guard, who will then call the 24-hour emergency number.

Entry to and from the pool/spa is through the garage only. Please be sure to dry off thoroughly before entering the elevators to prevent water from dripping on the marble.

Radios, tape or CD players may be played in the pool or spa area or used with headphones.

No grilling or barbecuing is permitted in the pool or spa area.

Pool parties in excess of ten (10) guests require prior approval.

Please be aware that cleaning and maintenance of the pool/spa will be performed three times per week. During this time the pool/spa may be temporarily closed.

No large floating or inflated objects, balls, or diving gear are permitted.

Pool chairs or lounges should not be reserved with a towel, unless you expect to return to the pool area within one hour.

The emergency phone is to be used only for emergency calls or for urgent local calls. Such calls should be conducted quietly and should be short in duration.

Use of the spa is at your own risk.

Due to high temperature, small children should not use the spa.

Pregnant women, small children, people with health problems and people using alcohol, narcotics, or other drugs that cause drowsiness should not use spa pools without first consulting a doctor.

10. Salon

The St. Raphaél has arrangements with certain masseuses, manicurists, etc., who you may contact directly to schedule services. If you desire to bring in your own individual, he or she must meet all licensing requirements, and must coordinate use of the salon through the Management Office.

11. Tennis Courts

- a. Tennis courts may be reserved by use of a sign-up sheet to be kept in the mailroom. These sheets will only be used as needed, and otherwise, the courts will be used on a first-come, first-served basis.
- b. If players do not arrive within 10 (ten) minutes of their reservation, they forfeit their reservation.
- c. Courts may be reserved for 1½-hour time periods beginning at 8:00 a.m. and continuing at 1½-hour intervals through sunset.
- d. Reservations can be made up to 7 days in advance. Time sheets will be kept on a rolling 7-day period.
- e. One Owner or tenant per court (including members of the immediate family in residence at the St. Raphaél) must be playing with guests.
- f. Proper tennis attire, including shirts and footwear specifically designed for the court surface, is required.
- g. Players returning from the courts must clean their shoes before entering the building, and must enter through the garage.
- h. A non-resident guest policy may be considered in the future as the Board may deem necessary.

- **Delinquencies/Assessments**

Each Owner is obligated to pay the maintenance assessment established by the Board of Directors pursuant to a properly approved annual budget. The assessments shall be payable quarterly, in advance. All maintenance assessments that are unpaid for over 10 days after the due date shall include, in addition to interest as provided for in the Declaration of Condominium, the greater of 5% of each installment or \$25.00 as a late charge. Please refer to Section 6.3 of the Declaration of Condominium for a complete explanation of the collection of assessments and what transpires in the event of non-payment.

- **Deliveries**

UPS and other ground couriers will deliver all packages to the units. If no one is home, management will sign for all packages for unit owners who have signed a "Hold Harmless" letter, and will contact them to let them know they have a package. If a unit owner has not signed a "Hold Harmless" form and is not at home, the package will be returned to the carrier, who will then follow their organization's normal procedures.

All delivery people (pizzas, flowers, etc.) must be met at the lobby level entry door and if necessary, be escorted out.

- **Dress Code**

Proper attire must be worn in the lobby at all times by Unit Owners, their guests, employees, invitees and family. Proper attire shall be defined as to require shirts and shoes and shall exclude bathing suits, beach clothing, house slippers, and housecoats. Access to the swimming pool and spa for owners and guests in swimming attire is through the parking garage and not through the lobby.

- **Elevators**

A. Florida Law prohibits smoking in elevators.

B. If you are moving or having a furniture delivery, you must notify the Manager's office so that the proper covering can be placed in the elevator for protection.

- **Enforcement**

The Board of Directors may, pursuant to F.S. 718.303 (3), impose fines in such reasonable sums as they deem appropriate, not to exceed \$100.00 per violation, \$1,000.00 in the aggregate, against Unit Owners for violations of the condominium documents, including the rules and regulations, by Owners or their guests or lessees. Each day of a continuing violation shall be a separate violation. No fine shall be levied until the Owner (s) has been given an opportunity for a hearing. The hearing must be held before a committee of other Unit Owners. If the committee does not agree with the fine, the fine may not be levied. The procedure for the hearing shall be, at the minimum, as follows:

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

1. A statement of the date, time and place of the hearing;

2. A statement of the provisions of the declaration, Association bylaws, or Association rules which have allegedly been violated; and,
3. A short and plain statement of the matters asserted by the Association.

B. The party against whom the fine may be levied shall have an opportunity to respond, to present evidence, and to provide written and oral argument on all issues involved and shall have an opportunity at the hearing to review, challenge, and respond to any material considered by the Association.

- **Exterior Appearance**

Nothing shall be done in any Unit or in, on, or to the Common Elements which will impair the structural integrity of the buildings or which would structurally change the buildings, or which will change the appearance from the exterior.

- **Floor Coverings**

All Unit Owners are required to employ the following underlayings in all areas of the apartment where ceramic tile, marble, wood flooring, parquet or any other hard surfaces are used:

- A. The first underlayment or insulation alternative would be a layer of ¼” corkboard adhered to the slab with the hard surface material being laid on the cork, or
- B. The second underlayment possible would be a layer of “Laticrete,” a semi-liquid applied product.

- **Forms**

All forms referred to in the Rules and Regulations are available in the Management Office.

- **Garage** (see *Automobiles, Garage & Parking*)

- **Grocery/Luggage Carts**

- A. For your convenience, the Association has provided grocery and luggage carts located at each garage tower for your use. These are to be used by residents only and only for their intended purpose. Contractors are not permitted the use of these carts.
- B. After use, the carts should be returned promptly to the garage, to the tower and location where they were obtained.
- C. The carts are not to be taken outside the building premises.

- **Guest Registration**

Owners and Lessees who allow guests to occupy their unit without the owner/lessee present, must complete the “Guest Registration Form” and file it with the Management Office prior to the Guests’ arrival.

- **Guest Suites**

- A. Only Owners, (such term including Renters for purposes of this section), may reserve the Guest Suites.
- B. An Owner may reserve the Guest Suites for a maximum of 21 (twenty-one) days per year (unless there are no other reservations). Except as set forth in Paragraph D below, reservations may be made for 90 days in advance of rental.
- C. An Owner may reserve only one suite for the same period of time and for not more than seven (7) consecutive nights. However, if seven (7) days prior to the beginning of such reservation period other suites are vacant, the Owner may: 1) reserve other suites for not more than seven (7) consecutive days, or 2) extend the existing reservation for up to an additional seven (7) consecutive days, not to exceed a total of fourteen (14) days. The seven (7) day extension must not encroach on a Major Holiday Period. This paragraph shall not apply to reservation for Major Holiday Periods, which shall be governed by Paragraph D below.
- D. For major holidays, (defined as “Easter, Thanksgiving, Christmas and New Years”), reservations for a guest suite must be made by an Owner for seven (7) consecutive nights, including three (3) days before and three (3) days after the major holiday (called the “Major Holiday Period”). Reservations may be made up to ninety (90) days before the first day of a Major Holiday Period. The rental fee for the seven (7) day period plus tax must be paid in full by the Owner at the time the reservation is made and is non-refundable
- E. Should multiple requests exist concerning an advance reservation, the conflict shall be resolved at the end of the business day by a lottery drawing. However, if it is determined by the Manager that an Owner requesting the reservation had guests who occupied a guest suite for the same period in the prior calendar year, then the other Owner will be given the reservation.
- F. The daily rental fee (plus tax) is due at the time the reservation is made. Payment must be made by the host Owner in the form of a check made payable to the ST. RAPHAÉL CONDOMINIUM ASSOCIATION. If the reservation is cancelled more than thirty days prior to the day reserved, the entire rental fee will be returned; if cancelled between thirty and fifteen days, one-half of the fee will be returned and if cancelled less than fifteen days prior to the reservation date, none of the fee will be returned. If another Owner reserves the Suite for the canceled time period, a refund for only those days that were reserved will be issued to the Owner who canceled.
- G. The host Owner reserving the Guest Suite must be in residence at the building during the time period of the Guest Suite rental.
- H. Occupancy of a Guest Suite is limited to (3) persons.
- I. No pets are permitted.
- J. The host Owner is responsible for the care, condition and fees of the Guest Suite. Any damage is the responsibility of the host Owner. A bill for damages or missing items will be submitted to the host owner when it is discovered.

- K. Smoking is not permitted within the Guest Suites, or in any common areas, except as designated by the Board, and so posted.
- L. There is no daily maid service for the Guest Suites. If additional linens are required, the host Owner must provide them.
- M. Check out time is 11:00 a.m. Check in time is 3:00 p.m.

- **Inflammable Articles**

Except to the extent necessary for normal household use, no Unit Owner or lessee of a Unit shall use or permit to be brought into his Unit any inflammable oil or fluid such as gasoline, kerosene, propane, charcoal, naphtha, or benzene. Nothing that could create a fire hazard shall be placed in storage areas.

- **Keys**

- A. Unit Owners will be required to supply the Association with a key to their unit, cabana, and all storage areas.
- B. The Association shall maintain all Unit keys in a locked key file. A log shall be kept of the time and date of each occasion in which a key is obtained from this locked file, the company and/or individual requesting the key, and the identity of the person opening the file and/or obtaining a key. All Unit keys shall be identified only by a code number. The Unit address corresponding to the code number shall be kept in a separate secured location. Individuals requesting these keys will be required to leave their car keys or a driver's license with the office staff, which will be held until the keys are returned.
- C. Owners wishing designated persons to have access to their Units must provide written designation of the person(s) to whom the key is to be provided, and the date(s) they are authorized to enter the unit. If no date is provided, it will be assumed that they have indefinite permission for access until revoked. It is the responsibility of the Unit Owner to inform the Management Office of any changes to the access list for their Unit. Any Unit Owner or resident who makes arrangements for access to third parties in this manner will do so at their own risk. The Association assumes no responsibility for the key during the time it is signed out.
- D. If the Association has provided reasonable notice and the offending owner has not complied with the Association's demand for compliance, the Association has the authority to:
 - 1. Levy fines
 - 2. Proceed with legal action for damages and/or an injunction, and an award of attorney's fees and costs
- E. The Association reserves the right to enter a unit that has not provided a key, after reasonable notice to the owner and his/her failure to comply, without liability for any damage to the door. The owner shall be liable for any costs incurred. Prior notice shall not be required in the event of an emergency.

- **Leasing/Sale of Units**

- A. No Unit may be leased or sublet more than three times per calendar year for a minimum of thirty days each time.
- B. Each Unit Owner, each tenant and other invitee, shall be governed by, and shall comply with, the provisions of Florida Statute 718, the Declaration of Condominium, the Articles of Incorporation, these Rules and Regulations, and the Association Bylaws, and the provisions thereof shall be deemed expressly incorporated into any lease of a Unit. The Owner is responsible to provide the lessee with a copy of the Rules and Regulations.
- C. The Association is required to approve all leases and lessees and may charge a fee equal to the maximum permitted by Florida law. The Association may also require lessees to place a security deposit with the Association in an amount as permitted by Florida law.
- D. Use by a Family Member or a guest, without compensation, shall not be deemed to be a lease or subletting of a Unit.
- E. All sales of units must comply with Article XII of the St. Raphaél Declaration of Condominium.
- F. Lessees are not allowed to have pets on the premises.

- **Lockouts**

After hours, Owners or their renters or Real Estate agents who are locked out of a unit may contact Management for access to the unit. Management will respond as quickly as possible. The Owner/Lessee will be invoiced a charge of \$25.00 for this service.

- **Mail**

- A. If you are leaving for one month or less, you can fill out the green form located on the mailroom table so the post office will hold your mail until you return. The U.S. Post Office will return un-retrieved mail after ten days.
- B. If you are leaving for more than one month, you must complete a change of address form located in the “Movers Guide” on the mailroom table.

- **Manager**

- A. The office phone number is 593-9611. In the event of an after-hours emergency, you should call 774-0723.
- B. The Manager is responsible for employees’ assignments and supervision. No employee should be personally directed or reprimanded by an Owner. Complaints against any employee must be in writing, addressed to the Manager. No employee is permitted to do private work for owners; however, if both parties agree, staff may assist Owners when off duty.

- **Moving**

If moving, the owners must notify the Manager in advance so proper usage of the elevator and Common Areas can be arranged. Moving is allowed on Monday through Friday from 8:00 a.m. to 5:00 p.m. Moving vans and trucks shall only remain on condominium property when actually in use.

- **Noise**

Owners and occupants of condominium Units must be aware that noise is easily transmitted to other Units, especially the Units below. As good neighbors, everyone must exercise extreme care to minimize noise. For example, disturbing noise occurs when moving furniture (e.g., chairs dragged across floors), walking in hard-soled or hard-heeled shoes, playing loud music, etc. As a courtesy to your neighbor, owners should take the following steps to minimize this problem:

1. Place felt pads under furniture that is moved regularly (e.g., dining room or kitchen chairs). These may be purchased at hardware stores.
2. Do not walk on uncarpeted floors in hard-soled or hard-heeled shoes.
3. Keep the volume of music (and musical instruments) at reasonable levels so that your neighbors cannot hear it.
4. Do not allow children to run, jump, or horseplay in the Unit.
5. Do not allow pets (barking dogs, loud birds, etc.) to disturb others.

- **Open House and Real Estate Marketing**

A. Open House and Real Estate Marketing.

1. No "Open House" visitors will be permitted in the building without a licensed Realtor or homeowner at any time. Unit Owners or Realtors must meet their visitors at the main lobby entrance when arriving and return them to that entrance when leaving. At no time shall the doors at the St. Raphaél be "propped open" for any reason.
2. Realtors must complete a form kept by the Security Guard that shows their company, name, unit number(s) for which they placed advertisements in the paper, and a phone number where they can be reached during the open house. The Security Guard will keep a list of Realtors in order of the time they arrived. The Security Guard will ask each visitor which unit they are here to see, and will contact the Realtor who placed the ad for that showing. If they are not here for a specific showing, the Security Guard will contact the first Realtor who arrived, and for the next non-specific visitor will contact the second Realtor who arrived, and so on, on a rotating basis.
3. All solicitation for the purpose of marketing the unit must occur within the unit and not in the common areas of the building.
4. Open House hours are to be scheduled from the hours of 12:00 noon to 5:00 p.m. and limited to SATURDAY and SUNDAY.
5. All Realtors and visitors must park their vehicles in the guest parking EAST of the VILLAS. No parking will be allowed in the four spaces in front of the building.
6. Only one (1) sign meeting with Pelican Bay Association specifications is permitted at the entrance on Pelican Bay Blvd. This will allow one (1) sign to advertise for all Realtors. The Security Guard will remove any sign found in violation.

Security Guards will instruct visitors to wait at the lobby door entrance for the Unit Owners or Realtor to gain access to the lobby. Guards will call Unit Owners or Realtors by phone to meet guests at the lobby entrance. Realtors are to stay in the units they are showing until called by the Security Guard. Only units on the form of "OPEN HOUSE" units are allowed to be viewed by visitors. All visitors will be checked in by the Security Guard. If the Realtor is occupied with other guests the next guests will be advised by the Guard on duty to return when the realtor is free. A Realtor will accompany only one family at a time. All Realtors must show their business card to the Security Guard when entering the property. Security Guards will check you in when arriving.

Remember, all Realtors are responsible for their guests while on the premises.

B. Realtor Tours (Caravan)

The St. Raphaél manager must be notified at least forty-eight (48) hours in advance of any "Caravan Tour" preview of units. Tours will only be conducted from Monday through Friday, 8:00 a.m. to 5:00 p.m.

All touring Realtor visitors will come in and leave at the same time, and will be accompanied by the hosting Realtor at all times while in the building. Tours will be limited to one hour in the building. The tour is limited to five cars on a tour at one time. If this is a problem, advise the manager when notice is given for the tour.

At no time shall the doors at the St. Raphaél be "propped open" for any reason. Hosting Realtors must complete a form kept by the Security Guard which shows their company, name, unit number(s) they are showing, and a phone number where they can be reached during the tour.

No food or beverages will be served while in common areas of the building.

All Realtors must park their vehicles in the guest parking areas EAST of the Villas. No parking will be allowed in the four spaces in front of the building.

Security Guards have full authority to turn away Realtor cars if it appears that parking is becoming a problem.

• **Other Restrictions**

These rules and regulations do not purport to constitute all of the restrictions affecting the St. Raphaél. Reference should be made to all of the Condominium Documents including the Declaration of Condominium, Bylaws, etc.

• **Ownership of Units**

- A. Units may be owned by one person or by co-ownership. If co-owners are to be other than husband and wife, the Board shall condition its approval of not more than two persons as "primary occupants."
- B. Ownership by corporations, partnership or trusts, if approved, is to allow flexibility in estate, financial or tax planning and not to create circumstances in which the Unit may be used as short-term transient accommodations for several individuals or families.

- **Parking** (see *Automobiles, Garage & Parking*)

- **Pets**

- A. Animals may not be kept for commercial purposes. No pets shall exceed at adult age, twenty (20) pounds in weight. Except as otherwise provided herein, a maximum of two (2) domestic pets (dogs or cats), as well as two small caged birds, provided they are not kept, bred or maintained for commercial purposes, shall be permitted in each unit. All permitted pets must be registered with the Management Office.
- B. Pets must be leashed when outside of Units. With the exception of the garage, all pets must be physically carried when in Common Elements of the main residential condominium building, including the elevators. No pets shall be allowed at any time in the pool or pool deck area except that pets may be physically carried through the pool area to an Owner's cabana. No pets are allowed on the Lobby Level.
- C. Dogs must be walked in the designated pet walk areas on the north and south ends of the building, which must be accessed through the garage only. Dog owners must remove waste deposited by their dogs. Bags for this purpose are provided in those areas.
- D. Any pet that the Board in its sole discretion determines is creating a nuisance may be permanently removed from the Condominium property. The Board of Directors is empowered to adopt such further rules and regulations regarding pets within Units and at the Condominium as are necessary and appropriate.
- E. No pets are allowed at anytime for Lessees and Guests.

- **Refuse**

- A. All trash must be placed in appropriate plastic bags and tied before being placed in the trash chute. Specific recommendations regarding bags are available in the office.
- B. If the trash chute is not available, please do not leave your trash on the floor. You must return the bags to your unit until the chute is available.
- C. Cardboard boxes must be broken down and placed in front of the trash rooms on the garage level.
- D. Food and other garbage that may splatter upon impact must be taken downstairs and placed in the garbage containers outside of the trash room at each tower. Food which may rot before the trash is collected should be put in the garbage disposal in your unit when appropriate, or should be frozen until the evening before collection and then taken downstairs and placed in the garbage containers outside of the trash room at each tower.
- E. Place your recyclable materials in the containers provided in the garage. Newspapers must be bundled separately, and all other materials may be commingled.

- **Rule Changes**

The Board reserves the right to change or revoke existing Rules and Regulations and to make such additional Rules and Regulations from time to time as, in their opinion, shall be necessary or desirable for the safety and protection of the buildings and their occupants, to promote cleanliness and good order to the property and to ensure the comfort and convenience of Owners.

- **Security**

- A. The possession of gate openers and common area keys is restricted to Owners and their guests only.
- B. Trades people will not be allowed to enter unoccupied units unless permission is given in advance by the Owner to the Manager.

- **Shutters & Screens**

Before installing hurricane shutters or screen enclosures, the Owner must obtain from the Manager a copy of the specifications and forms that are required for installation. Please refer to Section 2.15 of the By-Laws for additional provisions with regard to shutters.

All forms referred to in the Rules and Regulations can be obtained in the Management Office.