

## REGULATIONS FOR USE OF CONDOMINIUM PROPERTY

Regulations for use of Condominium Property are derived from: 1) the original Declaration of Condominium and By-laws, 2) Amendments to the Declaration of Condominium and By-laws approved by the Board of Directors and members of the Association; and 3) items not directly related to the original Condominium papers but approved by the Board of Directors as deemed necessary.

For the making or amending of regulations for use of Condominium Property, the Declaration of Condominium, Section 15.1a and/or Amendment 8.2a - By-Laws of Ports O'Call Condominium Association, Inc., shall be followed. Amendments and new regulations are recorded in the Public Records of Palm Beach County. Amendments to the Articles of Incorporation are certified by the Secretary of State and also recorded in the Public Records of Palm Beach County as required by law.

The amendments to the Declaration of Condominium and to the By-laws, as approved at the annual members meetings and voted by the Condominium members have been recorded in the Public records of Palm Beach County and become effective when recorded.

### 1. GENERAL REGULATIONS:

- 1.1 Each Unit owner shall be governed by and shall comply with the terms of the ~~Declaration of Condominium, Articles of Incorporation and By-Laws, and the~~ regulations adopted pursuant to those documents, and all such as they may be amended from time to time.
- 1.2 In any proceeding arising because of an alleged failure of an Unit owner of the Association to comply with the terms of the Declaration, Articles of Incorporation of the Association, the By-Laws, or the regulations adopted pursuant to them, and the documents and regulations as they may be amended from time to time, the prevailing party shall be entitled to recover the costs of the proceeding and such reasonable attorney's fees as may be awarded by the court.
- 1.3 No immoral, improper, offensive or unlawful use shall be made of the Condominium Property nor any part of it; and all valid laws, zoning ordinances and regulations of all governmental bodies having jurisdiction shall be observed. The responsibility of meeting the requirements of governmental bodies for maintenance, modification or repair of the Condominium Property shall be the same as the responsibility for maintenance and repair of the property concerned.
- 1.4 No nuisances shall be allowed upon the condominium property, nor any use or practice that is the source of annoyance to residents or which interferes with the peaceful possession and proper use of the property by its residents. All parts of the condominium shall be kept in a clean and sanitary condition, and no rubbish,

refuse or garbage allowed to accumulate nor any fire hazard to exist. No Unit owner shall permit any use of his Unit or make any use of the common elements that will increase the cost of insurance upon the condominium property. Nuisance is a use of one's property that causes damage or annoyance to others using or enjoying their own property and that is subject to civil action.

- 1.5 The undivided property rights of all Unit owners in the common elements of his condominium must be recognized by all residents and guests. Obstructions of walkways and passages and long-term assumption of any portions of the common areas are prohibited.
- 1.6 Invoices for assessments will be mailed to unit owners and will specify the amount and date due. Assessments and installments on such assessments paid on or before the date when due shall not bear interest but amounts not paid or postmarked ten (10) days after the due date will be considered delinquent and bear interest at the rate of ten percent (10%) per annum from the date due until paid. Also a late fee of twenty-five (\$25.00) shall be charged on any assessment and installment on such assessment not postmarked on or before ten days after the date when due. All payments upon account shall be first applied to interest and the late fees and then to the assessment payment first due. If payment is not received or postmarked by the end of the ten (10) day period a First Notice of Delinquency will be mailed to the unit owner giving the amount due and a payment date. If payment is not received or post marked by the new payment date, a Second Notice of Delinquency will be mailed to the unit owner by certified mail giving the amount a final payment date and notice that if payment is not received or postmarked by the final payment date, the Association will refer the matter to its attorney to file a claim of lien and foreclosure.

## 2. UNITS:

- 2.1 Each of the Units shall be occupied only by a family, as a residence and for no other purpose. No Unit may be divided or subdivided into smaller Units, nor any portion sold or otherwise transferred without first amending the Declaration of Condominium to show the changes in the Units to be effected.
- 2.2 The Condominium is intended and operated for ownership and occupancy by adults who are fifty-five (55) years of age or older. Overnight guests of owners in residence must find sign the guest book in the clubhouse lobby. The purpose of this regulation is to improve security and to prevent unauthorized persons from using condominium facilities.
- 2.3 Guests when owner is not in residence. Owners who extend guest privileges while the owners are not in residence shall advise the office secretary in advance and instruct their guests to report to the office secretary or a director upon their arrival. These visits can be no longer than two weeks and cannot be extended more than twice a year. Children under sixteen (16) years of age are not

permitted unless the owner is in residence. Lessees are not permitted to extend guest privileges when they are not present. A guest-parking card must be displayed on the dashboard of each guest car remaining on the premises of POC overnight.

- 2.4 While the individual Units are the property of the owner, there is a common ownership of much of the property and recreation facilities. Owner should, therefore, use restraint in granting permission for guests to use his/her Unit when the owner is not in residence. When the unit owner is absent, no one may enter a unit unless he is accompanied by a board member or the unit owner's designee.
- 2.5 In general, the Association maintains all portions of an Unit (except interior surfaces) which contribute to the support of the Unit building, and all conduits, ducts, plumbing, and wiring which service in common more than one Unit. He/she may not paint or change the appearance of any portion of the exterior of the Unit building. The owner maintains all other portions of his/her Unit. Unit owners shall not paint or otherwise decorate or change the appearance of any portion of the exterior of the Unit building except that the owner shall have the option of changing the exterior windows and patio screen to an enameled white aluminum, samples of which shall be first approved by the Board of Directors prior to installation.
- 2.6 A Unit owner shall be liable for the expense of any maintenance, repair or replacement rendered necessary by his negligence or by that of any member of his/her family or their guests, employees, agents, or lessees.

## 2.7 Leasing

- 2.7a After approval by the Association, elsewhere required, only entire Units may be leased, provided at least one person fifty-five (55) years of age or older is an occupant during the entire period of the lease, and the Unit is used as a residence by only the lessee and his immediate family, none of whom shall be under sixteen (16) years of age. No rooms may be rented or leased. The minimum lease period shall be three (3) consecutive months. The total times the lessee may have house guests shall not exceed two (2) weeks in any three-month period, and no house guest under sixteen (16) years of age shall be permitted in a leased Unit.

Renewal or extension of a lease. A renewal or extension of a lease shall require Association approval, although the Association shall not require the application fee to be paid again for a renewal or extension.

Guests occupying unit where owner not present. A guest residing in a Unit for longer than thirty (30) days where the owner is not present shall be deemed to be leasing the Unit subject to all the restrictions on leasing including the application and approval requirements.

Exception: Occupancy by Parents or Adult Children of Owner. A Unit may for estate planning or tax purposes be occupied by the parent(s) or adult children of the Owner(s) and in such a situation the parent(s) or adult children shall not constitute tenant(s). However, in these situations where the Unit is occupied by the parent(s) or adult children the occupancy shall be subject to the tenant screening and approval process, which included the right of the Board of Directors to disapprove the occupancy and further subject to the age restrictions applicable to Ports O'Call.

Approval of all new residents. Association approval is required for every new resident of Ports O'Call occupying a Unit for longer than thirty (30) days. The new resident shall follow the same application procedures as for lessees or purchasers. This requirement shall apply to all new residents even if the resident is occupying the Unit with the Owner.

- 2.7b No Unit owner may dispose of a Unit or any interest in a Unit by lease without approval of the Association. Every application to lease a unit shall be accompanied by a screening fee in the amount to be determined by the Board of Directors not to exceed the maximum amount permitted by law. Every applicant to lease a Unit shall meet with a committee appointed by the Board for a personal interview to insure that they understand the Rules and Regulations. There are no exceptions to this rule. No Unit may be leased to persons having children under sixteen (16) years of age or to persons under age fifty-five (55) ~~unless at least one person fifty-five (55) or older occupies the Unit during the entire period of the lease.~~
- 2.7c No Unit may be leased earlier than two (2) years after the date that a Certificate of Approval of Ownership has been issued to the owner by the Board of Directors of the Association authorizing the transfer of ownership of the Unit or an interest therein. The Board of Directors, however, may in its discretion, allow an Unit to be leased earlier than one (1) year after the date that a Certificate of Approval of Ownership has been issued in the instance of transfer of ownership by inheritance.
- 2.7d No Unit may be leased more than once in any 12-month period.
- 2.8 Sale of Unit
- 2.8a A Unit owner intending to make a bona fide sale of his Unit or any interest in it shall give to the Association notice of such intention, together with the name and address of the intended purchaser and such other information as the Association may reasonably require. Since the Condominium is intended and operated for ownership and occupancy by adults who are primarily fifty-five (55) years of age or older, at least one person fifty-five (55) years of age or older must occupy the Unit in order to obtain approval of the Association for the

sale of the Unit. No Unit may be resold to purchasers having children under sixteen (16) years of age.

2.8b Every applicant to purchase a Unit shall meet with a committee appointed by the Board for a personal interview to insure that they understand the Rules and Regulations. A screening fee in the amount to be determined by the Board of Directors not to exceed the maximum amount permitted by law is required before occupancy is permitted. There are no exceptions to this rule.

2.8c A Certificate of Occupancy must be issued by the Association before a sale can be finalized.

### 3. TRAFFIC, PARKING, AND PROHIBITED VEHICLES

3.1 Residents and their guests shall obey all traffic regulations posted under the instructions of the Board of Directors.

3.2 Vehicles shall be driven front-end foremost into the parking spaces, otherwise the long rear-end overhang will extend into the space directly opposite.

3.3 No resident or guest may park in an assigned space without written permission of the person to whom the space has been assigned. Copy of this permission must be on file in the office.

~~3.4~~ ~~Vehicles~~ Passenger automobiles, sport utility vehicles with tires no larger than standard original equipment for the vehicle, and vans with windows on the sides and rear and which are designed and used only for carrying passengers, are the only vehicles that are permitted at the Condominium. In addition, the maximum permitted external size dimensions of any vehicle (including sport utility vehicles and vans) is as follow: 18 1/2 feet in length, 7 feet in width; and 78 inches in height. Commercial vehicles, vehicles with visible external signage or commercial paint schemes, motorcycles, pickup trucks, vehicles with pickup type beds in the rear including sport utility vehicles such as Ford Explorer Sport Trac, Honda Ridgeline, Chevrolet Avalanche and Cadillac Escalade Ext which have a rear bed outside the passenger compartment are not permitted to park overnight. Campers, motor homes, powered or unpowered vehicles having less than or more than four wheels in contact with the pavement in an at-rest condition, mopeds, skateboards, trailers of any type, personal watercraft and boats are prohibited. This provision shall not preclude the use of delivery trucks or other trucks, equipment or machinery necessary for the maintenance, care or protection of the condominium property. None of these vehicles are allowed to be parked overnight except in case of an Association project or emergency.

4. **CHILDREN — ATHLETIC ACTIVITIES:**

- 4.1 The condominium is intended for ownership and use by adults. No Unit or portion of the Condominium Property shall be occupied or used by children under sixteen (16) years of age; except an owner may have children as guests for a total time of not more than six (6) weeks in any calendar year, while owner is in residence.
- 4.2 Children are prohibited from playing in any of the common areas. Common areas are defined as any part of the Condominium Property outside the owner's Unit. It does not include the leased recreational area, which is regulated exclusively by the Board of Directors.
- 4.3 The common areas shall not be used for athletic activities unless sponsored as a community project.

5. **PETS:**

No pets are allowed on premises under any circumstances. Guests or tenants cannot bring pets to any portion of condominium property nor are they permitted on resale of units.

6. **GARBAGE AND TRASH DISPOSAL:**

- ~~6.1~~ Garbage not disposable in kitchen disposals must be well-wrapped, sealed and deposited through the chutes or directly into the trash bins provided in the trash rooms. Heavy objects and bottles are not to be dropped down chutes, but should be taken down to dumpsters to avoid noise nuisance to those having units adjacent to the trash bins.
- 6.2 Items such as loose newspapers or boxes, which may block the chutes, must be deposited directly into the trash bins on the ground level. Newspapers should be deposited in the smaller trash bins for recycling purposes.

7. **ELEVATORS, BULLETIN BOARDS AND SOLICITING:**

- 7.1 Elevators are primarily for the use of passengers. When used for movement of furniture or heavy objects, the maintenance staff must be informed so that protective pads can be installed. Use of the elevators for heavy materials shall be restricted to the hours of 8:00 a.m. to 6:00 p.m. Monday through Saturday, unless other arrangements are made with the maintenance staff.
- 7.1 a. Residents and guests must not enter the elevators wearing dripping bathing suits. Cover-ups must be worn on the elevators. Smoking is prohibited in all elevators.

7.2 Bulletin boards located in building lobbies and the recreation-building lobby are for the convenience of owners. However, to maintain proper decorum, permission to post notices must be obtained from a member of the Board of Directors.

7.3 Soliciting on condominium property by persons other than residents is prohibited. Soliciting by residents shall be limited to approved bulletin board notices or personal notes.

#### 8. LAUNDRIES, STORAGE AREAS AND LAWN FURNITURE:

8.1 Use of the laundries shall be limited to the hours between 8 A.M. and 9 P.M. In all cases, after use of the driers, both lint filters shall be cleaned,

8.2 All personal property not kept in the resident's Unit must be kept within his assigned storage area unless special permission is obtained from the Board of Directors. Exception is made for bicycles, which may be kept in the resident's assigned parking space, in bicycle parking blocks. Bicycles are not permitted in lobbies or elevators.

8.3 Lawn furniture may not be kept on the lawns except when in actual use.

#### 9 SIGNS, ADVERTISING, DECORATIONS:

~~9.1 For reasons of security and aesthetic appearance and to prevent deterioration of property values, no signs or advertising may be placed in the windows of Units or on any vehicle parked overnight at Ports O'Call.~~

9.2 For reasons of security and aesthetic appearance and to prevent deterioration of property values, no advertising may be placed on the outside walls of buildings or on any portion of common elements. The Board of Directors must approve all other signs, such as those directing traffic.

9.3 For reasons of safety and general appearance, Christmas or holiday lighting and decorations must be approved by the Director in charge of Lawns and Gardens before being placed on any portion of the common elements

#### 10. MAINTENANCE, ALTERATION AND IMPROVEMENT (Storm Shutters, Impact Windows, Sliding Glass Doors, Air Conditioners)

Please refer to the Declaration of Condominium No.6, Maintenance, Alteration and improvement - 6.b Responsibility by the Unit Owner. Forms are in the Ports O'Call office to be completed by the Unit Owner before starting any of the above listed project..

11. WATER DEVICES AND FLOOR COVERINGS:

Refer to 11.11 Water Devices and Floor Coverings in the Declaration of Condominium. Forms are in the Ports O'Call office to be completed by the Unit Owner before starting a project in your unit.

12. CONSTRUCTION AND REMODELING:

All instructions and forms to be completed regarding construction and remodeling are in the Ports O'Call office

12.1 Exterior doors must be numbered so that each unit is easily identifiable. Numbers can be in brass, tile or stick on variety as long as exterior door is attractive and in good taste. All exterior doors inside and out must conform in color to current POC codes. Painting of the outside of door, upon your request, will be completed by our Maintenance Department Exterior hardware must be brass in color including doorknob or S lever style.

13. RECREATIONAL FACILITIES:

13.1 The primary use of the recreational facilities, including the Clubhouse, the swimming pool and swimming pool area are for residents and their houseguests only.

~~13.2 Furnishings and equipment in the recreational facility are for the use of all residents and are not to be loaned or removed from their respective areas at any time without permission of the Board of Directors.~~

13.3 The facility may not be used for commercial purposes.

14. SWIMMING POOLS AND POOL AREA:

14.1 All bathers must take a shower before each entry into the pool

14.2 Pool hours are from 8 A.M. to 10 P.M.

14.3 The use of the pool by persons under 18 years of age must not interfere with its pleasurable use by adults. Children under the age of three (3) years or children not toilet trained are not permitted in the pool.

14.4. Each person using the pool under the age of 12 years must be accompanied by an owner or adult occupant who will be responsible for the child's safety, supervision, and compliance with regulations.

14.5 Running and playing around the pool are prohibited. Water recreational equipment and toys are prohibited in the pool.



- 14.6 Diving and/or jumping into the pool are prohibited.
- 14.7 All bathers are required to remove all hairpins, bobby pins and hair ornaments if swimming without a cap. All bathers are required to wear proper bathing attire. Cutoffs are not allowed.
- 14.8 Towels or robes must be used to protect chairs from suntan or other oils or creams.
- 14.9 Food will be allowed at the pool provided the residents/guests clean and dispose of their trash in the proper trash receptacles. No glass permitted in the area.  
(revised 4/12/16)
- 14.10 Ash trays must be used for depositing cigarette ashes and butts. Dispose of paper cups, ashtray contents and other refuse in the containers provided before you leave the area.
- 14.11 No bathers or persons in bathing attire shall go inside the Clubhouse except to the sauna bath entering from the outside door directly to the bath.
- 14.12 For your own safety, never swim alone. **THERE IS NO LIFEGUARD ON DUTY.**

## 15. **SAUNA BATHS:**

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Use of the Sauna Bath adds to more than normal dehydration during summer months. Residents are urged to use this part of our recreation facility with caution. Persons with any history of high or low blood pressure, heart or circulatory problems should consult their physician for guidance in the use of the baths. It is recommended that all potential users discuss their proposed use of the sauna with their doctor.

- 15.1 For your own safety, be sure that another individual is nearby and aware that you are using the Sauna Bath.
- 15.2 Be sure to read the instructions before using the Saunas.
- 15.3 Persons under 16 years of age are prohibited from the Sauna area.
- 15.4 After using the Sauna a shower must be taken before entering the pool.
- 15.5 Turn all switches to the "Off" position when you have completed your Sauna.

## 16. **BILLIARD ROOM:**

- 16.1 The billiard table is restricted to owners and their guests.

- 16.2 No child under 16 years of age is permitted in the Billiard Room unless accompanied by an owner or occupant who will be responsible for the child's supervision and consideration of others.
- 16.3 Residents and their guests must not monopolize the pool table when others are waiting to play but must yield the use of the table and take their turn in rotation on a single game basis. This applies to all residents, all ages, and their guests.
- 16.4 All persons using the Billiard Room facilities are responsible for damage to the equipment beyond normal wear and should report such damage to the Office Secretary or a Director immediately.
- 16.5 Cold drink containers of all kinds are to be kept off the playing tables and window sills. Replace covers on tables and cues in rack after play, unless others are waiting to play. Report any noticeable damage to the Office Secretary.
- 16.6 The Billiard room will close at 10 P.M. daily.
17. **SECOND FLOOR CLUB ROOMS:**
  - 17.1 Only owners and/or annual leases and their guests 18 years of age and over are permitted on the second floor. Permission for including children under 18 for special events must be requested from the Board of Directors.
  - ~~17.2 The appliances (stove, refrigerator, ice machine, microwave) may be used only for activities in the recreational area.~~
  - 17.3 Owners using the facility will be responsible for damage beyond fair wear and tear. They will also be responsible for removing any debris or trash incident to their use of the facility.
  - 17.4 Owners may schedule use of any portion of the second floor of the Clubhouse for a private party. Arrangements for a time and date must be made with the Ports O'Call office secretary.
  - 17.5 A fifty-dollar (\$50.00) deposit will be required for all private parties. The deposit will be returned if, in the opinion of the Board of Directors, the facility is cleaned and no damage beyond normal wear and tear has occurred.
  - 17.6 Owners scheduling a private party must obtain approval of the Director in charge of the Clubhouse for permission to use the following equipment: tables, table leaves, table pads, tablecloths, silverware, microwave, icemaker and refrigerator.
  - 17.7 Owners must be in attendance at all times during party.

- 17.8 Owners must arrange for guest parking.
- 17.9 Maximum number of persons allowed is one hundred (100). At least three (3) doors must be free for exit.
- 17.10 Owners are responsible for setting air conditioners at 80 degrees, and humidistat at 65 degrees, turning off all lights and locking all doors. Trash must be removed immediately after the party. The facility must be cleaned by 10 A.M. the following morning or, in the event of daytime use, immediately.

No smoking is permitted in any of the Clubhouse rooms, including office.

## USEFUL INFORMATION

### EXTERMINATING:

Ports O'Call Condominium Association has a contract with an exterminating company to spray each Unit every month. This monthly service is very important to control the overall insect situation for the entire complex.

At the time of becoming a resident each householder is to contact the Office in order to sign a form, giving permission (or not) for exterminating service. A set of keys kept in the Office is also necessary for the Exterminator to enter should householder desire service in his absence. (This service is included in your maintenance fee.)

### KEYS:

It is necessary to maintain a security file system of keys in the Office in case of emergency, lost or misplaced keys. These keys are separate from the keys used by the Exterminator.

### EXTENDED ABSENCES:

Mildew and mold are subtropical problems encountered in Florida living. Adequate ventilation, daylight (especially sunlight), use of air conditioning units and cleanliness will greatly reduce the formation of this fungus growth.

Leaving growing green plants in an unoccupied unit is not advisable, because if they are properly watered they are a source of moisture which enhances the formation of mold and mildew.

Air conditioner/heater filters should be changed every month during the summer season, otherwise at least twice a year. The office or the Maintenance Supervisor has replacement filters in stock that may be purchased at cost. Air conditioner drip pans should be treated periodically with pan tabs sold at the office.

Mildew and mold will quickly form behind floor length drapes, on the walls behind bookcases and in closed, poorly ventilated closets. Such fungus growth can be controlled by providing ventilation exposure to light, use of fireproof heating devices in closets, early cleaning of affected walls and application of anti-mold chemicals, such as Lysol Spray Disinfectant.

All units in a stack share sewage drain pipes. It is extremely important not to place grease, rags, or non-soluble objects, large or small, in any sink or toilet drain. PLEASE NOTE - do not put paper towels, kitchen wipes and any materials other than toilet paper in the commode as they DO NOT break down and therefore clog sewer pipes.

BEFORE YOU LEAVE - THE PORTS O'CALL OFFICE MUST HAVE

1. Correct change of address/telephone number
2. E-mail address/cell phone number
3. Two (2) sets of current door keys
4. Car key (if your car stays here) If you will be using someone else's covered parking space, written permission from the owner must be on file in the POC office.

Give the Post Office a change of address notice  
Stop newspaper

Empty all perishables from refrigerator and freezer. Extended power loss during storm will ruin all contents.

To prevent hurricane hazards remove all furniture and loose items from the balcony. Owners on the first floor must not leave plants or any objects outside the patio area.

Leave bedroom, closet bathroom and shower doors open to permit maximum air circulations.

Unplug televisions, computers and devices susceptible to power surges.

Set air conditioners at 78F to 80F to maintain dry atmosphere. Air conditioners/filters should be changed every month during the summer season, otherwise at least twice a year. The office or the Maintenance Supervisor has replacement filters in stock that may be purchased at cost. Air conditioner drip pans should be treated periodically with pan tabs sold at the office.

Unplug your hot water heater from electrical outlet or if hardwired, turn off the circuit breaker.

Place one cup of vegetable oil in your disposal and in your dishwasher drain.

Close all sink and tub drains.

To prevent sewer rats from entering your unit: Flush toilet, put one cup of Clorox or bleach in bowl. Cover bowl tightly with plastic wrap, put the seat cover down and place a HEAVY weight on the seat cover.

Water must be shut off at the ground level. Sign the book in the office if you want the Maintenance Department to do this for you.

Close and lock all windows and doors

Arrange with a neighbor to make a regular inspection of your unit to prevent any little problems from becoming big problems.

*We hope these hints will ease the hassle of "closing up". They will also help your unit weather any storms we might endure during your absence.*

**FOR AID AND SERVICES THE FOLLOWING NUMBERS MAY BE CALLED:**

**FIRE OR POLICE**            911 or 848-2525

**AMBULANCE**                911

**NOTE:**            *The fire alarms in the building are only to alert the owners, and are not connected to the fire station.*

The North Palm Beach Police Department advises that all police officers are qualified to render first aid and that breathing oxygen is carried in all police vehicles and fire apparatus.