

# **RULES AND REGULATIONS**

Updated March 2019

## **OCEAN HARBOR CONDOMINIUM ASSOCIATION**



**4753 Estero Blvd, #100  
Fort Myers Beach, FL 33931  
239-463-2385  
239-462-2345 (fax)  
Office hours 7:30 am – 3:30 pm Mon-Fri**

**Welcome to Ocean Harbor, the premier condominium association on Fort Myers Beach. Our residents are rightfully proud of our grounds, amenities and buildings and work hard to maintain them. We ask that you do so as well. Enjoy your stay but remember this is a residential community and not a resort, as such you will find that it is your responsibility to follow the rules and maintain harmony in the community. Should you have any questions or concerns during your stay, please contact the manager in room 100 of the building B lobby.**

**EMERGENCY CALLS 911**

## **SUMMARY OF OCEAN HARBOR RULES AND REGULATIONS**

Reasonable Rules and Regulations concerning the use of the condominium property may be made and amended from time to time by the Board of Directors. Copies of the Rules and Regulations and amendments shall be furnished by the Management to all unit owners of the condominium upon request. It is the responsibility of the owners to insure that all renters and guests receive a copy of the Rules and Regulations

### **ENFORCEMENT**

All residents, owners, renters, and guests are expected to act responsibly and assist in keeping the property clean and well maintained. Unfortunately, it is necessary to have a means of enforcement to ensure compliance. The Board of Directors may pursue legal action for damages or for injunctive relief, or both, levy reasonable fines against a Unit, or suspend for a reasonable time the right to use the common elements, common facilities, or any other Condominium Property for the failure of a Unit Owner, or his occupants, guests, licensees, or invitees, to comply with any provision of the Declaration, Bylaws, or these Rules and Regulations, or a Unit Owner who condones such violations of his occupants, guests, licensees, or invitees consistent with Florida Law. Fines may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing, in reasonable amounts deemed necessary by the Board to deter future violations, provided that no such fine exceed \$100 per violation or exceed \$1,000 in the aggregate.

### **DISRUPTIVE BEHAVIOR**

Ocean Harbor is committed to providing a relaxing location for all owners, guests and renters. Consequently it is necessary for all to refrain from causing any "Disruptive Behavior". Examples of disruptive behavior would include, but are not limited to, inappropriate language or actions, disrespecting others or their property, loud noises (especially) after 10:00 pm and allowing uncontrolled pet behavior (i.e. barking).

Anyone found to be causing disruptive behavior anywhere on the Ocean Harbor grounds or buildings will be directed by Management or an Ocean Harbor Board member to stop and may be warned to vacate the area. Any failure to do so may result in a call to the local police.

### **VEHICLE IDENTIFICATION AND REGISTRATION**

Security is of utmost importance at Ocean Harbor and one of our first lines of defense is monitoring vehicle traffic on our property. All vehicles on Ocean Harbor property must be identified by a permit obtained from the management office and parked in an assigned parking spot (or another spot with written owner permission, must inform office). A key must be left in the office if the vehicle is left at Ocean Harbor for more than 30 consecutive days. Any vehicle not displaying a properly issued parking permit and on Ocean Harbor property for more than 48 hours MAY BE TOWED at the expense of the person owning or leasing that vehicle. Owners may purchase remote gate openers from the office.

### **VEHICLE RESTRICTIONS**

Commercial vehicles, motor homes (vehicles which contain restrooms, showers, cooking facilities), boats, water craft, construction trailers, travel trailers or boat or water craft trailers are not allowed to be on the premises overnight, unless permission is granted by the manager or administration. At no time while on Ocean Harbor property will a restricted vehicle be permitted to be used as living or sleeping quarters. Vehicles parked or used on the premises in violation of this rule may be towed away at the owner's expense. Motorcycles are permitted to be parked on property provided they do not create a nuisance, have a permit, and are parked in an assigned parking spot. Residents (owners or renters) may not park in visitor spaces, these are for visitors only.

### **SPEED LIMITS**

The speed limit on the property of Ocean Harbor is limited to 10 miles per hour. Please observe the two stop signs, one near the pool and one across from the visitor parking by the Clubhouse. Repeated violations of this posted speed limit or stop signs may result in the vehicle being denied access to Ocean Harbor property.

### **BUILDING RULES**

1. Smoking is not allowed in any Ocean Harbor building, smoking is ONLY permitted inside condominium units.
2. Please clean sand off shoes, feet, pets, strollers, bicycle wheels and any other item at one of the two wash stations located near visitor parking by the clubhouse and the side gate by the tennis courts. Shoes are required while inside Ocean Harbor Facilities for your safety.
3. When coming from the beach, pool or spa, please dry excess water from body, clothing and towels before entering buildings. Wet floors are not only messy but also a safety hazard
4. Please return luggage racks to the storage area in the stairwell. No more than 3 shopping carts are to be left in the lobby area at any one time. Please return all other "Publix" carts to Publix.
5. Decorating condo entryways with wall hangings, seasonal decorations and plants is acceptable as long as the walls are not damaged. Please do not use glue to attach items to walls. Owners, guests and renters must keep a clear 44 inch (minimum) pathway in the hallway outside their unit. Anyone that causes Ocean Harbor to be fined for a violation of this shall be responsible to pay the fine and remove the obstruction. Please remove all items when leaving for more than two weeks.
6. Storage of personal property in the halls, parking areas, stairwells or by ramps, even for a few hours is not allowed. This includes items such as bicycles, shoes, fishing equipment, carts, strollers, etc.
7. Newspapers are purchased by individual owners, please take only the papers that are marked with your unit number.
8. Official Notices are posted in the elevators and the lobby bulletin boards. The Social event postings are located in the elevators. Please obtain management approval prior to posting in the elevators. If an owner wishes to post a notice of items for sale, for rent, buy, etc., there are bulletin boards located by the shopping carts in the lobbies of both buildings. Please date all postings and remove within four weeks. DO NOT COVER UP ANY OTHER POSTINGS.
9. No more than 2 pets (defined as dogs or cats ONLY) each weighing 20 pounds or less is allowed in any one condominium. Guests and renters who have pets are required to provide the manager's office with WRITTEN PERMISSION from the condo owner to keep the pets in their unit. Pet owners are responsible for their pet's behavior; however, the condo owner is ultimately responsible. Pet owners and condo owners are financially responsible for any damage done by pets to property, furnishings, landscaping, etc. PETS ARE NOT ALLOWED IN THE POOL AREA, CLUBHOUSE (dining room, theater, kitchen and bathrooms) OR ON LOBBY FURNITURE. Pets must be on a leash or carried while on Ocean Harbor property. Animal waste must be removed and deposited in one of the three pet stations located on the property for your convenience. Please do not deposit in dumpsters or other trash receptacles.
10. Do not sweep water over balcony.
11. Rollerblading, in-line skating, or skateboarding is not permitted anywhere on Ocean Harbor property.
12. Quiet hours are from 10:00 pm to 8:00 am. Respect your neighbors and refrain from carrying on loud discussions on your lanai or playing television or music at high levels, remember sound carries over a wide area. While in the parking areas please be considerate, especially after 10:00 pm.
13. Owners are encouraged to replace lanai door rollers at their expense when they are worn and become noisy. Noisy rollers can be a real annoyance to your neighbors
14. During January 1 through April 30<sup>th</sup> there shall be no major remodeling. All permitted work must be done during standard business hours Monday through Friday, 9:00 am- 5:00 pm except during holidays. Work projects must be submitted to the office and major work approved by the ARC

- committee before work begins. Do not paint over fire sprinklers.
15. No charcoal, gas grills or open flame grills are allowed on the lanai per fire code.
  16. Water is a valuable commodity in SW Florida and we ask that you do your part to help conserve it
  17. Do not use your garbage disposals for lettuce, carrots, coffee grounds, potato peels, grease, and cooking oil.
  18. When moving in or out or receiving delivery of large items, owners or contractors must use the elevator protective pads (contact manager's office).
  19. Defibrillators are located in both building lobbies, 6<sup>th</sup> floors, 12<sup>th</sup> floors, maintenance building, and by clubhouse restrooms. A training video is available in the office.
  20. Overnight occupancy is limited to 6 persons for a two bedroom unit (01, 02, 04, and 05), and 8 persons for a three bedroom unit (03 only).
  21. If you notice any suspicious or illegal activities, i.e.: trespassing, swimming in the pool after hours, vandalism, etc. please call the sheriff to report at 239-477-1000.

### **TRASH DISPOSAL**

1. Please recycle paper, cans, glass bottles, plastic bottles and containers. Recyclables may be combined and put in the recyclable bins located in the trash room on the ground floor. Recyclables should not be put down the trash chute.
2. Boxes and paper cartons should be flattened and taken to the trash room dumpster on the ground floor. Please do not throw these down the trash chutes as they might become stuck and create a back-up of trash.
3. Trash that is not recyclable is to be securely tied in a sturdy, plastic garbage bag before placing in the trash chute located on all floors. No loose trash down the chute.
4. Please do not place any large items into the trash chutes. These become dangerous items to anyone below.
5. Garbage chute hours are from 8:00 am - 8:00 pm. Absolutely no glass is to be put down the chute, this is a safety issue for anyone who may be in the trash room at the time
6. It is the responsibility of the owner to make arrangements for disposal of large items such as furniture, appliances, carpeting, etc. Please call Advance Disposal 239-334-1224 (or another disposal company of your choice) to schedule the pickup of large items. You may place the items by the trash room on the morning the pickup is scheduled, they must be gone by end of the day. Items left longer will subject the owner to a fine.
7. Contractors must supply their own waste containers.
8. Please contact the maintenance department when disposing of small quantities of hazardous waste such as spray paint and other household chemicals. Cans of paint may be disposed of AFTER they have been opened and allowed to solidify. Batteries may be disposed of in the receptacle provided in the dumpster room. Larger quantities of hazardous waste should be taken to the Lee County Toxic Waste site on Topaz drive, off Metro Parkway

### **OCEAN HARBOR FACILITY USE**

Ocean Harbor owners, their guests or renters may not give permission to other persons to use any Ocean Harbor facilities in their absence. Facilities include, but are not limited to, the pool and pool deck area, clubhouse, theatre, tennis courts, bocce ball courts, and fishing pier.

### **LIBRARY**

Used books, magazines and digital movies are located in the Ocean Harbor library on the ground floor of both Buildings. They can be borrowed by all owners, guests, and renters. Please return the items as soon

as possible after use. Contributions of used books, magazines and movies are always welcomed.

### **TENNIS/PICKLEBALL COURTS**

1. Courts are open from 8:00 am until dark.
2. Courts are available on a first come basis unless the Association has set aside specific times for Ocean Harbor events.
3. If others are waiting to use the courts, please limit play to one hour.
4. Pets are not allowed on the courts.
5. Proper attire (shirt, shorts, skirts, TENNIS SHOES ONLY which do not scuff) is required. Bathing suits are not permitted.
6. No rollerblading, skateboarding, or bicycling are allowed on the courts. Children under 14 must be accompanied on the courts by an adult.
7. Please keep gates closed at all times.
8. Pickle ball use is restricted to approved low noise equipment.

### **BICYCLES**

1. All bicycles must be registered with Ocean Harbor Manager's office, including guests and renters. There is an initial fee and thereafter an annual fee. Each owner who applies for a sticker will receive space in the rack for their registered bike.
2. Guests and Renters must take their bicycle with them upon departure. Bikes that are left unattended will be assumed to be abandoned and will be subject to removal.
3. All bicycles on the premises without a registration sticker or not parked in the appropriate parking racks will be considered abandoned and subject to removal by Management. Unregistered bicycles may be given to a charity 30 days from the date abandoned.
4. Bikes are to be parked properly in the racks, stored in the provided owner's storage, or within the condo. Absolutely no bikes should be left in the building hallways, walkways of the storage rooms, auto parking spaces, pool fence, next to the building, or ramps, or anywhere else on the property.

### **MOPEDS, GOLF CARTS, & OTHER MOTORIZED VEHICLES**

<sup>3</sup> Florida law defines a "golf cart" as a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and is not capable of exceeding speeds of 20 miles per hour. *See* §§ 320.01(22) and 316.003(27), Florida Statutes. By comparison, a "moped" is defined as a vehicle with pedals to permit manual propulsion, having a seat or saddle for a rider and designed to have no more than three wheels, with a motor rated not to exceed two brake horsepower and not capable of reaching speeds greater than 30 miles per hour. *See* § 316.003 (40), Florida Statutes.

1. These vehicles may be parked in authorized automobile parking spaces. As with all other vehicles, only registered visitors are allowed to park in spaces marked visitor.
2. Under no circumstances are petroleum powered vehicles allowed inside any Ocean Harbor building
3. Vehicles must be properly muffled and no louder than a standard automobile
4. Parking on the grass, sidewalk or other area not designed for automotive parking is prohibited.

## KAYAKS

1. All kayaks must be registered with Ocean Harbor Manager's office, including guests and renters. There is an initial fee of \$10.00 and thereafter an annual fee to cover costs for use and maintaining of storage facility. Each owner who applies for a sticker will receive space in the rack for their registered kayak.

## BOCCEBALL

The bocce ball equipment is stored in a storage container by the courts and the key to the storage container is in the clubhouse on a hook by the telephone. When finished, return the equipment to the storage container, lock it and return the key to the proper place in the clubhouse. The courts are open from 7:00 am to dark.

## FISHING PIER

1. Fishing is permitted ONLY on the fishing pier located at the END of dock A and not in the area of the boat slips. Please do not leave hooks, fishing line or other debris on fishing pier. Children under age 12 must be accompanied by an adult.
2. Please be respectful and do not use bait that does not belong to you.

## POOLS AND SPAS

PLEASE READ AND ABIDE BY THE SIGNS POSTED AT THE POOL

Pool and Spa hours are 8:00am - 10:00pm.

**There is no lifeguard at the pool or at the spas. Swim or use at your own risk.**

1. Adults are responsible for the safety and conduct of their children and guests.
2. Children under 12 years of age must be accompanied by an adult.
3. For safety reasons, no glass containers for food or drinks are allowed.
4. All infants and children not yet potty trained must wear bathing suits with waterproof pants or rubber pants/swimming diapers.
5. Radios and TV's are allowed on the pool deck only with the use of headsets. When using cell phones, remember your conversation can be an annoyance to others.
6. Shower before entering the pool and spas to wash off body lotions and oils. The heated shower is located next to the 2 spas.
7. Running in the pool area and diving in the pool is prohibited and can cause injuries to ourselves and others.
8. No yelling or playing throw games in the pool. Please be considerate of others enjoying the pool and spa area.
9. Animals are not allowed in the pool area under any circumstances (this includes carried and in a stroller/carriage/carrier, etc.).
10. If others are waiting to use the spa, limit your time to 15 minutes. There is a clock located by the clubhouse steps.
11. Return tables and chairs to original position and lower umbrellas. This is a residential community and not a resort. Please throw trash in the trash receptacles.
12. Lounges, tables, and chairs cannot be reserved with towels or personal items.
13. Smoking is not allowed inside the pool area except in the designated area. Ash trays are provided. Please do not use flower pots for trash, cigarette or cigar butts.

14. Barbecue grills may be used by owners, guests and renters and main gas valve MUST be turned off when finished. Please do your part to keep them clean.

### **OWNER'S STORAGE LOCKERS**

Do not store flammable or hazardous materials in the lockers. Nothing should be stored in the walkway areas of the owner's storage room lockers. These items will be removed and discarded on a periodic basis. Items stored above the locker must be identified with the owner's name and unit number and cannot extend out past the locker front or another storage locker, or within 18 inches of the overhead sprinkler heads. Fish bait or shells from the beach should never be stored in the lockers.

### **CLUBHOUSE**

1. The use of the clubhouse is available to owners, properly registered guests and renters over eighteen years of age.
2. The clubhouse and may be reserved at any time except when regular Association functions are scheduled, or another reservation has been made. Reservations are on a first come basis and can be made at the Manager's office during business hours. A deposit of \$100 is required to reserve the clubhouse for exclusive use. Upon satisfactory inspection of the premises, the \$100 deposit will be returned. An "Emergency Contact Phone Number" is required to reserve the clubhouse.
3. Adult Persons, over 18 years of age, who have made the reservation for the clubhouse, are financially responsible for the repair or replacement of any damaged equipment or contents and inappropriate behavior.
4. Persons wearing bathing suits are not allowed in the clubhouse.
5. Smoking is not permitted anywhere in the clubhouse building, bathrooms or inside the pool area except in designated area.
6. Food and beverages are allowed in the clubhouse and. It is your responsibility to clean up all areas used after use.
7. Clubhouse use is available until midnight. This excludes the pool area which closes at 10:00 pm. Please make sure all lights are shut off before leaving.
8. Any use of the clubhouse that causes disturbance to other owners or guests must be IMMEDIATELY DISCONTINUED. If this is not done, the property must be vacated.

### **SECURITY**

1. All guests and renters MUST register with the Manager's office within the first 24 hours or first business day of their stay. At that time, they will receive a short orientation concerning the property and be provided with a copy of the rules and regulations. All owners on property, seasonal and fulltime are encouraged to register with the office upon arrival and notify the office upon departure. There are three gates on the property that require keys to enter or exit. Only owners can purchase keys for the gates. There are codes for the building doors and front entrance gate which are assigned to each individual owner/renter. Please do not give out security codes.
2. Contractors must check in with the office upon arrival and departure and before beginning any work. Contractor's codes can be obtained in the office.

### **LEASE/RENTALS**

1. An owner intending to rent/lease their unit shall give Management written notice, accompanied by a

\$100 processing fee check, of such intention, accompanied by an executed copy of the lease, at least ten days (10) in advance of the first day of occupancy under the lease. Checks are nonrefundable and should be made payable to Ocean Harbor Condominium Association.

2. Lease/rentals are for a minimum of one month by the same party (not less than 30 days), and occupancy is limited to 6 persons for a two bedroom unit (01, 02, 04, and 05), and 8 persons for a three bedroom unit (03 only). All ads for lease/rental must specify the minimum rental period
3. Owner must inform renter of assigned parking space(s), only one parking pass will be assigned per owned space. Before receiving a parking permit, renters must verify that they have received and read a copy of the Rules and Regulations.
4. The Board of Directors may move to deny approval of rental by a majority vote for any of the following reasons:
  - owner is delinquent in payment of assessments;
  - has history of leasing/renting their unit without obtaining approval;
  - has history of leasing/renting to troublesome renters, or refusing to control or accept responsibility for the occupancy of their unit;
  - owner's real estate company has a history of inadequate screening of rental/leasing applicants or entering into leases without Association approval;
  - prospective renter has history of conduct which evidences disregard for rights and property of others;
  - has been convicted of a felony involving violence to persons or property
  - property has been publicly advertised as being available for a rental period of less than 30 days
5. Failure to give notice or obtain approval for the rental/lease may result in any rental/lease being treated as a nullity and the Board of Directors shall have the power to evict the renter without securing consent to such eviction from the unit owner and levy fines of \$100 per day or any amount allowed by law.

Unit owners who rent are obligated by law to collect and pay all required taxes to the proper authorities.

Only the renter, renter's family or guests may occupy the unit. If neither the renter or renter's family are present, no other persons may occupy the unit. A unit owner whose unit is leased may not use the recreation or parking facilities during the lease term except as a guest.

### **SALE OF UNIT**

1. Open houses or signs are not allowed on the property.
2. Please provide notice of intent to sell unit and listing agents contact information for Managements records. The listing agent will be assigned a gate code during the duration of the contract.