

CONDOMINIUM RULES

FOR OWNERS, GUESTS AND RENTERS

SANDPIPER CONDOMINIUM

NEW SMYRNA BEACH, FLORIDA

(UPDATED OCTOBER, 2020 – SUPERSEDES ALL PRIOR RULES)

I. INTRODUCTION

These Rules have been adopted to provide for the enjoyment, safety and best interests of the unit Owners, guests and renters at Sandpiper. They are not intended to create unnecessary or unreasonable restrictions or hardships, but instead to promote enjoyment and safety of Sandpiper. Courtesy and common sense are the foundation of our Rules. The intent of our Rules includes the Golden Rule – treat each other and the property of Sandpiper as you would want to be treated, including your property. The Rules also provide remedies for enforcement so that violation of the Rules has consequences. Sandpiper management and staff have been directed to enforce these rules equally, fairly and consistently.

II. GENERAL RULES

1. Smoking is **not** permitted anywhere on Sandpiper property, except in the parking lot (with proper disposal of butts, not thrown on the ground). We prefer there also be no smoking by Owners within their own unit, but as privately owned, Owners can decide for themselves **within** the unit only. Restricted areas of no smoking include all units (unless by Owner within their unit), unit balconies, all walkways, stairwells, elevators, pool and deck areas, grass courtyard areas east of the building, 7th floor recreation room and balcony, tennis court, shuffleboard courts and putting green.

2. An Owner that allows guests to use the Owner's unit without the Owner in residence must notify the office **in advance** of the use by the guests, and the guests must check in at the office upon arrival and obtain a parking permit. Overnight or multi-day guests must also fill out a registration form in the office. An Owner may not invite or allow guests to use the Sandpiper property (including parking, pool areas or for access across Sandpiper property to the beach), unless the guest has the use of the interior of the Owner's unit during their visit.

3. Owners who rent their unit through off-site rental agents, or who rent directly to the renter, must notify the office **in advance** of such use, and such renters must check in at the office upon arrival, fill out a registration form, and obtain a parking permit.

4. For guests of Owners and for renters, the number of overnight occupants of a condominium unit cannot exceed the bona fide sleeping arrangements of that unit.

5. No nuisances shall be allowed upon the Condominium property, including any practice that is a source of annoyance to Owners, guests or renters, or which interferes with the peaceful possession and proper use of the Condominium property by such persons.

6. Noise shall be kept to a minimum between the hours of 11:00 p.m. to 8:00 a.m. This includes stereos, televisions, radios or other such equipment being turned down to a minimum volume during the quiet hours.

7. Owners, guests and renters are responsible for the compliance with these Rules by their children. Supervision must be exercised with respect to young children on the condominium property. Children are not to play or race on the walkways, stairways or around the parking lots.

8. Any Owner or permitted guest or renter, intending to host a special group function at Sandpiper, shall advise the office **in advance**, including the type of function and number of persons attending. The office will provide the function host any special instructions and requirements for hosting the special function, including parking requirements.

III. BUILDING AND UNITS

1. No towels, clothing or other articles shall be hung or shaken from the balcony railings or walkway railings, nor from the beachside walls of the first floor units.

2. Sidewalks, hallways, walkways, stairwells and entrances must not be obstructed in any manner by order of the fire department.

3. All garbage must be properly bagged in heavy plastic bags, tied and deposited down the designated trash chutes. No boxes, cardboard or large items **of any type** are allowed in the trash chutes. If trash chutes are full or clogged, do not leave garbage bags on the walkways, but take the trash to the dumpster rooms and notify the office of a clogged chute. **Completely close the doors to the trash chutes after use.**

4. Luggage and grocery carts must be returned to the ground floor stair areas for use by others. Do not leave them on the upper floors or in the elevators.

5. Per Volusia County Fire Code, cooking/grilling is **NOT** permitted on unit balconies – with one exception: use of **electric** portable/tabletop grills that do not exceed 200 square inches of cooking surface are permitted. No gas or charcoal grills can be stored or used on the building premises nor on the condominium grounds. No cooking/grilling is permitted on the condominium grounds, including on the ocean side of the building, including on the grass or pool deck areas, nor anywhere in the parking lot area.

6. Nothing shall be thrown from windows, doors, balconies or walkways, including water balloons.

7. Skateboards, go-peds, scooters, roller blades or the like are not allowed to be ridden on the walkways, sidewalks, pool area, parking lots, or putting green. Bikes may be ridden out of the parking lot, and may be walked to the beach.

8. A washer/dryer is located in the laundry room on the second floor of the building. Please leave the laundry area clean. Empty lint filter on dryer after each use. Please be courteous and remove clothing as soon as cycle is completed. Use two tablespoons of soap per load or if using a cap to measure, use no more than 1/4th of the capful. Too much detergent will leave clothes soapy and clammy, and will cause a drainpipe to back up into the first floor unit.

9. No signs, advertisement, notice or other graphics or lettering shall be exhibited, displayed, or painted in, on or upon any part of the Sandpiper property, except signs used or approved in advance by the Board of Directors. The restrictions include, but are not limited to, real estate (for sale, for rent, open house, etc.) signs of any kind, except open house signs for sale or rent may be used by the Sandpiper in-house broker.

10. No item attempting to solicit may be placed anywhere on the premises, including on a unit door.

11. Use of the tennis court is for unit owners, guests and renters, and is to be used for tennis only. It will be available on first-come, first-serve basis. If others are waiting for a court, please limit play to one hour. No street shoes. Tennis shoes only shall be worn.

12. Seventh floor clubroom – the room is available for use by unit Owners only. Reservations for special function use must be scheduled through the office, including by filling out a reservation form and paying the required cleaning and damage deposits. There are special rules for reserving the clubroom for major holidays; please see the office for holiday reservation rules. The room has 24 hour video surveillance. The Owner reserving the room will be responsible for complying with all rules posted at the entrance of the room, or as listed in the reservation form if reserved for a special function. Any damage caused by the Owner or their family or guests, shall be the responsibility of the Owner. At no time are persons under the age of 21 allowed in the room without being accompanied by an adult.

13. Putting green – Use of the putting green is only for its intended purpose of putting. Remove your golf equipment after use. No food or drink is allowed on the green.

14. Shuffleboard courts – Use of shuffleboard courts is only for their intended purpose. Return shuffleboard equipment to the office area after use. No food or drink is allowed on courts.

15. No fireworks or loud noisemakers of any sort are to be used on the Sandpiper property.

16. If any Owner intends to undertake construction activities in their unit for renovation, remodeling and the like, the Owner must first advise the office **at least one week in advance** of the extent and timing of such proposed construction. The Owner must obtain the proper permit from Volusia County to allow such construction. **Before construction begins in any unit**, the office must receive a copy of the contractor's license (or evidence of other legal authority) to perform such construction in Volusia County, along with the contractor's Certificate of Insurance. And if a permit is necessary for the work to be performed in the unit, a copy of the permit must also be provided to the office. Any construction activity shall be limited to Monday through Friday (but not a holiday) from 8:00 a.m. to 5:00 p.m., so that the noise of such construction is limited to periods to not cause disturbance to other Owners, guests or renters during other times. Further, no sawing, tile cutting or similar activity that produces dust shall occur on unit balconies or walkways but must be performed in a remote area of the parking lot; and those areas used must be properly cleaned up of such dust.

IV. POOL AND GRASS COURTYARD AREAS OCEANSIDE

1. **There shall be no reserving of pool furniture by placement of towels or other articles.** Management is authorized and will remove any towels or other articles that are reserving beach furniture when it is clear that the furniture is attempting to be reserved without current use. Towels or other articles left unattended for more than 30 minutes shall be presumed to be a violation of this rule and will be removed to the designated area set aside for this purpose.

2. **No food of any kind is allowed in the pools, on the pool decks or grass area east of the building.**

3. **No glass bottles or glass containers are allowed in the pools, pool decks or grass area east of the building.**

4. **No beverages, other than water in plastic bottle or plastic cups, are to be consumed in the pools, or within four feet of the pools.**

5. **No smoking** in the pool area or the grass area east of the building.

6. No pool or beach furniture, including umbrellas/bases, lounge chairs, tents or the like are to be placed in the courtyard or pool area grass. The pool furniture is not to be removed and used on the beach.

7. Hours of use of the pools are 7:00 a.m. until 11:00 p.m. There is no lifeguard on duty; swim at your own risk.

8. Any child under 12 years of age must be accompanied by a responsible adult while on Sandpiper property, including the pools or pool area.

9. Children in diapers must use swim diapers for reasons of sanitation. In the event of a violation of this rule, Florida Statutes requires the Association to close the pool and drain same. Therefore, any Owner shall be liable for a fine of up to \$50 for a violation by the Owner's family or guests, and renter shall be subject to immediate eviction without deposit refund.

10. Proper swimming attire must be worn in the pools (no cut-offs).

11. Persons must shower to remove sand or lotion before entering the pools, and must wear an appropriate hair covering if their hair contains any artificial devices, such as hair pins, clips, etc. that could come loose to be a safety risk to pool users or the pool filter equipment.

12. No surf boards, boogie boards, rafts, or other such items are allowed in the pools. Noodles and small flotation aids are allowed.

13. No skating, bike riding, frisbee, football, baseball or other active sports is allowed in the pools, pool decks or courtyard area. No water balloons shall be allowed in the pools or anywhere on the condominium property.

14. No rowdiness, horseplay, cannon balls or ball playing is allowed in the pools or pool area.

15. Pets are **not** allowed on the pool decks, grass area east of the building or on the beach (the beach restriction is a law of, and enforced by, Volusia County).

16. When leaving the pool area, including at the end of a day, lower all pool deck umbrellas you were using, and remove all towels, beach chairs and other beach equipment from the pool decks, grass courtyard area and top of the seawall so that we have a clean appearance of our beachfront area for the evening and next morning.

V. PARKING

1. Owner's vehicles must visibly display an approved Sandpiper permanent parking permit on the driver's side windshield. Each parking permit number is uniquely identified to each Owner's unit. Sandpiper management and staff will periodically walk the parking lot to assure compliance with these parking rules, including parking permit requirements. **Unauthorized vehicles will be towed.**

2. Owners will be given a maximum of 4 permanent parking permits by providing a copy of the vehicle registration to the office. Owners may get up to 2 additional temporary parking permits for guests using the Owner's unit.

3. Temporary parking permits are available from the office. Renters are allowed a maximum of 2 permits, but no additional permits for guests of renters. Renters, and guests of Owners, must display the temporary parking permit on the dashboard or from the rearview mirror, with display side showing unit number and expiration date. Violators will be towed at their expense.

4. No vehicle shall be parked in such a manner as to impede or prevent access through the parking lot or to/from another parking space.

5. There shall be no parking on any grass areas located within the parking lot.
6. No commercial trucks or other commercial vehicles, mobile homes, recreational vehicles or campers of any description shall be parked in any parking space of Sandpiper overnight, and are allowed during the day only if space permits; and none of the foregoing, including boats and trailers, shall be parked anytime on the condominium property on the holidays of Memorial Day (Friday through Monday), July 4 or Labor Day (Friday through Monday).
7. Subject to paragraph 6 above, no vehicle which is unable to operate on its own power (including boats and trailers) shall be parked within the condominium property unless its user (i.e., Owner, guest or renter) is staying in a condominium unit during the time of such vehicle being parked.
8. Bicycles shall be parked in the rack at the south end of the parking lot.
9. No repair of vehicles shall be made on the condominium property.
10. Keep vehicle doors locked. Owners, guests and renters are responsible for any property stolen from their vehicle or any damage to their vehicle. Neither Sandpiper nor Sandpiper management shall have such responsibility.
11. Towing of vehicles, boats, trailers, etc. that violate these Rules will be at the expense of the owner of such item.

VI. PETS

1. Unit Owners shall be allowed to keep no more than 2 household pets in their units. Pets may not exceed 50 pounds. Exception—if before October 1, 2013, an Owner has more than 2 pets, or a pet that weighs more than 50 pounds, such pets shall be allowed until attrition eliminates such pet, which thereafter cannot be replaced if it would violate the foregoing limit on number of pets or pounds. Dogs may not be of a breed known to be dangerous, i.e., pit bull, etc. Renters may not have pets. Pets outside the condominium unit shall be kept on a leash and under direct control at all times. No pet shall be allowed to commit a nuisance in any public portion of the buildings or of the condominium property. This includes that dogs shall not be allowed on unit balconies if they constantly bark or howl. Pets shall be walked to relieve themselves only on the west side of the wall along A1A, and not on any grass areas of the parking lot.
2. No pet shall be allowed in the pool areas or on the grass east of the building or on the beach, or permitted to run unattended in the parking lot or grass related to the parking lot.

VII. ENFORCEMENT OF RULES

1. Sandpiper management and staff, including security personnel retained by the Association, have the authority necessary to enforce these Rules, equally, fairly and consistently. The Board of Directors has the powers necessary for the administration of these Rules, and may levy fines against unit Owners for violation of these Rules. Enforcement may also take place through use of law enforcement agencies.
2. Fines may be assessed to a unit Owner for all violations, including those of their family, guests and renters provided by the Owner. No fines shall be levied except after giving reasonable notice and an opportunity to cure the violation. If not cured, then as necessary, and upon proper notice, the Board can conduct a hearing for the affected unit Owner, and if applicable, his or her family, guest or renter. Any hearing for enforcement shall be held before a committee of three or more of the Board of Directors. If the committee does not agree that the unit Owner should be fined,

the fine may not levied. No fine that is approved may exceed \$100 per violation, however, a fine may be levied on the basis of \$100 each day of a continuing violation with a single notice.

3. Owners will be responsible and bear all costs of repairs and/or replacement for any damage to the condominium property, if it is determined that the damage was caused by the Owner, their families, guests, renters provided by Owners, contractors or other persons for which the unit Owner is responsible.

4. In the event a unit Owner or any other person violates or threatens to violate any Rule or provision of the Sandpiper Condominium documents (Declaration, By-Laws, Articles or Ch. 718 of *Florida Statutes*), the Board, in addition to the other rights under this Section VII, shall also have the right to proceed in a Court for an injunction, specific performance and/or damages.

5. In any proceeding instituted by the Board involving a violation of these Rules or the Condominium documents by a unit Owner, their families, guests or renters provided by the Owners, or other renters provided from whatever source, the Association shall be entitled to recover reasonable attorney's fees and costs.

6. The waiver of the Board to enforce any of these Rules or the Condominium documents shall not constitute a waiver of any future rights of enforcement.

7. The Board and Sandpiper management have all of the above rights of enforcement directly against guests of Owners, as well as renters of units, regardless of whether the renters booked through a unit Owner or a rental agent.