

THE DUNES OF NAPLES CONDOMINIUM ASSOCIATION
RULES AND REGULATIONS/ POLICY AND PROCEDURES
AMENDED MARCH 2007

The Rules and Regulations hereinafter enumerated shall be deemed in effect until such time amended by the Board of Directors of the Association, and shall apply to and be binding upon all unit owners. The unit owners shall, at all times, obey said Rules and Regulations and shall use their best efforts to see that they are faithfully observed by their families, guests, and invitees, contractors, lessees, and persons over whom they exercise control and supervision. **(Reference initial Rules and Regulations also; Bylaws Sect. 7 page -11-)**.

1. BUILDING APPEARANCE AND MAINTENANCE:

(a) The front entryways, lobby's, elevators, mailrooms, storage rooms, hallways building parking, emergency exits, unit entries and stairways must not be obstructed or encumbered or used for any purpose other than ingress and egress to and from the units, or what it is initially intended for. Nor shall any carriages, bicycles, wagons, shopping carts, chairs, benches, tables, toys, shoes, swimming equipment or any other object of a similar type and nature be left therein or thereon.

(b) Personal property of unit owners shall not be stored outside their unit's front entry within the common hallway, terrace bed areas and parking facility. The only approved item outside unit door is a door mat.

(c) No person shall sweep or throw any dirt, waste or other substances out of the unit onto the common elements. No unit Owner shall be permitted to cause water or other liquids to flow outside their lanai or unit. **(Refer Sect. 12.4 page-19-)**.

(d) No exterior radio or television antenna installation, satellite dishes or other wiring, shall be installed without the written consent of the Board of Directors.
(Refer Sect. 11.5 page -16-).

(e) No modification to the unit exterior such as hurricane shutters, storm doors, etched Glass, exterior painting shall be done without submitting proper application forms where applicable and receipt of written approval by the Association.
(Refer Sect. 11.11, 11.2 page -18-).

2. UNIT MODIFICATIONS, IMPROVEMENTS OR SERVICES GUIDELINES
(Reference Declaration Sect. 11.5, 11.6 page -16-).

(a) Unit owners must require all contractors, employees, and servants utilizing equipment and supplies to service units, to use the designated contractor elevator only. Proper covering and protection of floors, lobby, elevators, or limited/common elements shall **be mandatory** each and every time. Any damages to the building limited / common elements as a result of said action will be repaired at the expense to the owner.

(b) All service activity to units by contractor, and employees must enter through side entrance to building through parking garage. No hauling of equipment or supplies **will be permitted** through the main lobby entrance. All main doorways including garage doors must remain closed at all times.

(c) All contractors and employees working in building and units must park in parking lot in front of buildings as close as possible to the main road. No parking of commercial vehicles will be permitted on the sides of the buildings.

(d) No parking of contractor, employee or commercial vehicles will be permitted to be parked onsite overnight. **(Refer Sect. 12.6 page -19-)**.

(e) No unit owner can contract for installation of tile, ceramic, marble wood or any other floor covering without prior written application to the Association. Owner will be required to install sound proofing material as outlined in the sound proofing guidelines and Specifications. Before finish material is to be installed there, must be a pre inspection conducted and approved by the operations staff. No contractor will be allowed access onsite without proper written approval documents by Management Company.

(Refer Sect. 11.3 page-15-).

(f) Any owner wishing to post item on bulletin board in mail room may do so as long as it is on 4" x 6" post card.

(g) No live xmas trees are permitted, however, wreaths and garland are permitted as long as owners properly dispose items.

3. ALTERATION OF CONDOMINIUM (Reference Declaration Sect. 11.5 page -16-)

(a) Unit owners are specifically cautioned that their right to make any alteration, change, addition or decoration to the exterior appearance of any portion of the Condominium is subject to the provisions of the Declaration of Condominium. For example, no unit Owner may install screen doors, or apply any type of film or screening to the inside or outside of window or door glass without the prior approval of the Association.

(b) All additions, changes or alterations must be presented in writing to the Board of Directors C/O the Managing Agent for approval, accompanied by written plans, drawings and specifications. The Board of Directors will only approve such request if they are within the parameters of the Declaration of the Association. The Board of Directors and the Management Company will be required to be held harmless and Indemnified as to, mechanics, liens and or claims arising from such work.

4. PROPERTY ACCESS GUIDELINES

(a) Owners will be required to advise all contractors, guest, tenants and employees of Association guidelines relative to ingress and egress to property.

1. Owners must advise gate house of any contractor, employee, visitor, tenant or delivery coming to unit. Owner shall follow proper channels to notify gatehouse by means of phone, voicemail or internet.

2. All guests coming to visit will be allowed access to property if proper authorization has been given to gatehouse by owners. Gatehouse will only call unit should a contractor, guest, tenant or visitor arrive that is not authorized in advance by owner. Should owner not respond to call from gatehouse, contractor, guest or delivery services will be denied access.

3. Contractors and employees will only be allowed access to property after **8AM** Monday thru Saturday. All contractors and employees must be off site by **4:30PM** Monday thru Friday and **1PM** on Saturday. No access will be allowed on Sundays except for emergency situations.

5. RUBBISH PROCEDURES:

(a) No garbage cans, supplies, containers, or other articles shall be placed in or on the walkways, driveways, hallways, and entry ways, nor shall any linens, cloths, clothing, curtain, rugs, mops, or laundry of any kind, or other articles be shaken or hung from any of the windows, doors, walkways, entry ways, railings or exposed on any part of the limited /common elements. The limited common / common elements shall be kept free and clear of refuse, debris and other unsightly material.

(b) Refuse and garbage shall be bagged and properly deposited only by means of the compactor chute located on each floor. All garbage that can not be deposited in the compactor system must be bagged and placed in the Association designated area in the garage parking. Owners will be required to properly breakdown all large boxes and place all recycling items in proper containers labeled in the parking garage . Owners shall make the necessary arrangements to have packing boxes removed offsite by their contractor. Owners will be required to make the necessary arrangements through Association rubbish carrier for special pickup of large items such as furniture, appliances, and other miscellaneous items.

6. **BUILDING USE GUIDELINES (Reference Declaration Sect. 12.4 page -19-)**

(a) No unit owner shall make or permit any disturbing noises by his or her family, employees, tenants, agents, visitors, licensees and contractors, nor do or permit anything by such persons that will interfere with the rights, comforts, or convenience of other unit owners. No unit owner shall play upon, or permit to be operated, a phonograph, television, radio or musical instrument in such a manner as to unreasonably disturb or annoy other occupants of the Condominium. Owners should respect other owner's rights by monitoring any excess noise or activities at all times especially after **10PM**.

(b) Unit Owners should understand that noise in high rise buildings can be magnified. Owners, guests, visitors, tenants, and contractors should take the necessary steps to wear soft soled shoes, do not drag furniture across the floors or any other action that would cause unnecessary noises. Felt pads **shall** be installed on all furniture that is moved regularly on a day to day basis.

(c) Owners who are having deliveries such as furniture or other household items scheduled for delivery, should take the necessary steps to have deliveries arrive onsite no later than **6PM** daily and **3PM** Saturday. Owners must notify the gatehouse in advance of all deliveries. Owners shall take the appropriate steps not to tie up the elevators for periods of time no longer than **ten (10) minute intervals**. Deliveries must use the contractor elevator only utilizing proper steps to protect the elevator, lobby, and hallway floors. Owners must also respect the rights of all other unit owners in monitoring the noise of the delivery activity.

(d) All deliveries of large items such as (furniture) shall utilize the access through parking garage. Doors to lobby from parking garage are normally to remain closed at all times. Contractors are not allowed to prop open the doors and leave open longer than **ten (10) minute intervals**. Trucks must park outside of parking garage to unload and should not block ingress or egress of other vehicles utilizing the parking garage.

(e) No inflammable, combustible or explosive fluid, chemical or substance, shall be kept in any unit, storage, lanais or limited / common element, except those necessary for normal household use. No barbequing is allowed onsite, except in the barbequing area at the pool.

(f) Unit owner, residents, their families, guest, tenants, employees, agents or visitor **shall not** at any time or for any reason whatsoever trespass upon the roofs of the buildings. Access for service to an owner's cooling system on the roof must be obtained through the Operations Manager onsite.

(g) Owners should take the necessary precautions **not to assign or give out the access codes** to the buildings, parking, fitness facilities, pool area or any other area that has an access code to contractors, visitors, employees, tenants, or agents without proper verification and security measures so as to maintain the security of other unit owners. Tenants should not receive access codes until required lease application and fee have been processed and approved with the Management Company.

(h) No ball playing, rollerblading, skate boarding or bike riding shall be allowed within the buildings' hallways, lobbies, elevators, parking garage, parking lot or pool area at any time.

(i) No signage of any kind, such as For Sale signs, shall be allowed to be posted on the limited or common element which includes windows, doors, hallways and vehicles, except in the area designated by the Association. **(Refer Sect. 12.5 page -19-)**

(j) Parking of vehicles must be in assigned parking spaces only. Each owner is assigned two parking spaces within the parking structure. All other vehicles must be parked outside in designated parking area. **(Refer Sect. 12.7 page -19-)**.

(k) No commercial vehicles, motorcycles, boats, trailers, campers, mobile homes, golf cart or any other vehicle or recreational type vehicle may be stored, or parked overnight on the limited / common property at any time. No parking space may be utilized for any other purpose except for parking of one (1) licensed motorized vehicle only. No storage of any kind will be allowed in the parking garage or parking space except for licensed vehicle. **(Refer Sect. 12.6 page -19-)**.

(l) Owners who utilize the barbeques in pool area are responsible for making certain the gas is turned off after use. Owners are required when finished using the barbeques to clean up the barbeque and cooking area so other owners may enjoy use of the barbeques.

(m) Owners, guests and tenants are responsible to keep parking spaces clear of all oil spills of debris at all times.

7. RENTAL / LEASING PROCEDURE (Reference Declaration Sect. 13 page 19-22)

7(a) All rentals or leasing of units are at a **minimum period of thirty (30) days a maximum of twelve (12) times a year** or a one year lease. All rentals or leasing of units will require submitting rental/lease agreement to the Managing Agent for approval prior to execution. Owner will be required to pay the \$100 application fee prior to receiving written approval.

7(b) All tenants, guests, visitors, and rentals will be required to comply with all rules, regulations, policies and procedures of the Association. Owners should provide a copy of the Association's Rules and Regulations, policy and procedures to all guests and tenants within the unit.

The Dunes Communities Board of Directors believes that violation of these rules adversely affects many all residents and diminishes the value of the community as a whole. The Boards believe that action will be taken by all Dunes of Naples Communities, the Boards of Directors, the Management, and the Developer Signature Communities to ensure community-wide compliance with such Rules and Regulations.

The Communities Board of Directors have authorized formation of a Rental Compliance Committee and authorized that Committee to take the following actions:

- Identify the websites and other resources being used by owner/realtors to lease units and identify any rental or lease that is in violation of leasing Rules and Regulations.
- Notify potential renters that action will be taken to bar them from use of all community facilities and/or amenities if their rentals/leases are in violation of the Rules and Regulations.
- Work with the management company to determine if Rules 7(a) and (b) are being complied with and, if not, to take such action as approved by the Board.
- Owners violating the rental/leasing Rules and Procedures will be fined the maximum fine per violation and action will be taken to bar their tenants from using any of the facilities and/or amenities of the Dunes.
- Realtors/Agencies known to be violating Dunes of Naples Rules 7(a) and (b) will be advised that they will be barred from the premises and that other steps will be taken to stop their continued violation of these rules..

The Board urges all unit owners to advise any Rental Compliance Committee or Board member of any owners' violations of these Rules.

To comply with Rules 7(a) and (b), an unsigned copy of your proposed rental agreement and \$100 application fee payable to Benson's KT Management Group must be provided to:

Benson's KT Management Group
3050 N. Horseshoe Drive, Suite 275
Naples, FL 34104

at least 30 days prior to the proposed rental. You will be notified within (7) business days of the approval/disapproval of your proposed rental.

(a) All tenants, guests, visitors, and rentals will be required to comply to all rules, regulations, policies and procedures of the Association. Owners should provide a copy of the Association's Rules and Regulations, policy and procedures to all guest and tenants within unit.

(c) No pets will be allowed for any rental or leased unit at any time.

(d) Owners should provide proper access code and openers to guest and tenants which should be left in units upon leaving. Association will not assign additional openers other than initial (2) provided at closing. Any lost opener can be replaced at a charge of \$35. Upon receipt of new opener, your old opener code will be terminated. No opener will be given to anyone other than an owner.

(e) The Association, Management Company or Maintenance staff **will not** be responsible for providing access to units except for in case of an emergency situation. Owners must make own arrangements for access to their units for contractors, employees and guest.

8 PET PROCEDURES (Reference Declaration Sect. 12.3 page -19-)

(a) All pet owners will be required to follow the following guidelines pertaining to the ownership of a pet.

1. Owners will be required to maintain their pet in such a manor that does not create a nuisance to other unit owners, such as, noise, odor or excessive barking. Owners who keep pets will assume full responsibility for any personal injury or property damage caused by their pets, and shall indemnify and hold harmless the Association and its Agents for any loss of liability arising from said pets. This policy also extends to owners who have guest and visiting pets.
2. No pet shall be kept that may be vicious or an endangerment to other unit owners. No pet shall be allowed to be kept onsite that exceeds the weight restriction of 20lbs. All pets are required to have proper inoculations and be in compliance with all city /state ordinances relative to pets.
3. No pet shall be left unattended upon the limited or common elements. No pet shall be left out on the lanai unattended for any length of time. Any pet owner entering or exiting the building from the main lobby level must restraint the pet on a leash that will at all times control the pet. Pets will not be allowed to defecate anywhere in the front of the building or planter boxes. Pets must be taken to the assigned pet areas on the side of the building garage level or out in the greenbelt areas. Owners will clean up after their pet each and every time.
4. All pets while on the limited or common elements must be attended by a responsible adult and **on a leash at all times.**

5. All pets when in the elevators must be accompanied by a responsible adult leashed and kept at a restraint so as not to be able to lash out or jump on any other person or persons within the elevator. It is the request of the Association that pet owners please utilize the service elevator when taking their pets in and out of the building to help avoid any incident that may occur as a result of pets in an elevator with other owners and their guest that are not comfortable around pets.
6. All owners **are required** to clean up after their pet each and every time while on the limited and common elements. Existing pets at time of adoption of amended Rules will be grand fathered for life of pet.

9. POOL / AMENITIES

- a. Pool hours are from sunrise to dusk. Owners should take steps when using the pool amenities other than the pool after hours to keep noise to a minimum. Owners, guests and visitors should respect **10PM** as official pool area closing hours.
- b. No jumping off of pool waterfall. No running, jumping or diving within pool area is allowed at anytime.
- c. All children should be accompanied with an adult at all times.
- d. Children who are in diapers or not completely toilet trained must have proper swim attire (swim Diapers) on at all times while in pool and pool area so as to avoid accidents within pool.
- e. Any cost incurred above the normal day to day operations of the pool and spa that are a direct result of negligence, will be charged back to person(s) responsible for said damages.
- f. Pool equipment such as rafts, floating devices and other pool items shall be removed from the pool if necessary to accommodate an increase in number of people utilizing the pool. The same applies to throwing of balls and other pool toys.
- g. Owner should take proper steps to dry off properly before re-entering the building.

10. EMERGENCIES IN OWNERS ABSENCE

- a. In order that proper steps and procedures may be taken in a minimum amount of time during an emergency situation, the owner should provide the Management Company a key to their unit.
- b. Any unit key that is provided to Management **shall not** be used for any other purpose except for an emergency situation.
- c. Onsite staff **will not** be responsible for providing access to units for Owners,

guests, visitors or contractors except for emergency situations.

- d. Owners should also take the necessary steps to provide a key to a neighbor or a family friend, agent, or home watch service. The Association should be provided the contact numbers to be utilized in case of an emergency.
- e. It is advisable that owners who are going to be seasonal unit owners to employ the services of a home watch service. The home watch service should be instructed to follow precise guidelines outlined on a punch list that should include items such as.
 1. Inspect the air conditioning system / humidistat if installed, to be sure proper operation and settings are maintained so as to avoid situations such as mold.
 2. Properly secure the unit.
 3. Shut off water to unit to avoid emergency situation such as flooding from broken water line.
 4. Shut off hot water tank.
 5. Shut off Electricity Breakers to unit except for key operational needs such as Air conditioning, Humidistat, emergency items such as smoke detectors and required lighting.
 6. Upon inspection have home watch service run water in all drains, shower, toilets, sinks and tubs to prevent dry out that will allow gas fumes from entering unit. Toilets should also have added water installed, due to non use the water level drops.
 7. If hurricane shutters are installed be sure they are properly closed. If you do not have hurricane shutters removing patio furniture, plants and other objects from the lanais would be recommended.

Prepared 2007

The Board of Directors of the Dunes of Naples Condominium Association