

## **GENERAL RULES AND REGULATIONS APPLICABLE TO ALL RESIDENTS OF EMERALD AT SAPPHIRE LAKES**

### **GENERAL**

Any damage to the buildings, recreation facilities or other common areas or equipment caused by any resident, his/her guests, or contractor shall be repaired at the expense of the responsible unit owner.

### **RESIDENCE**

#### **a) Ingress/Egress**

Common entranceways, hallways, stairways, balconies and other common areas shall not be obstructed, littered, defaced, or misused in any manner. No carts, skateboards, bicycles, carriages, chairs, tables, plants or other similar objects shall be stored in or on them.

#### **b) Personal Property**

Each Unit Owner's personal property must be stored within the Unit or within garages assigned to the unit.

#### **c) Safety**

No flammable, combustible or explosive fluids, chemicals or other substances may be kept in any Unit or on the Common Elements, except such as are normally used in small barbecues or for normal household purposes. Charcoal and gas barbecues may not be stored or used in a Unit or in the lanai of a unit, but may be stored in the garage assigned to the unit.

Electric barbecues may be stored in all garages and lanais and may be used in garages and lanais.

#### **d) Appearance**

Curtains, drapes and other window coverings (including their lining) which face on exterior windows or glass doors of units shall be white or off-white in color unless otherwise specifically approved by the Emerald Board of Directors.

Only draperies or blinds shall be placed in windows and no aluminum foil may be placed in any window or glass door of a unit and no reflective substance may be placed on any glass in a unit except a substance previously approved by the Emerald Board of Directors for energy conservation purposes.

No clothes, sheets, blankets, towels, or other articles shall be shaken or hung from clothes lines, clothes racks, or over railings and pool fence, or otherwise exposed on any part of the common or limited common areas.

Hurricane shutters and storm doors may be installed by owners, with the approval of the Emerald Board of Directors, on their units but must conform with those shutters already installed and be of the same color and style.

With the exception of signs used or approved by the Sapphire Lakes Board of Directors, no signs, advertisements, notices or lettering may be exhibited, displayed, inscribed, painted or affixed in, or upon any part of the Common Elements or any part of a Unit so as to be visible outside the Unit. Additionally, no awning, canopy, shutter, air-conditioning unit or other projection shall be attached to, hung displayed or placed upon the outside walls, doors, balconies, windows, roof or other portions of the Building or on the Common Elements. "For Sale" or "For Rent" signs may not be displayed on a garage, in or on any vehicle, boat or other vehicle that is parked on the premises of the Association.

Holiday decorations may be displayed from Thanksgiving weekend through January 6<sup>th</sup> of the following year.

No exterior antennae shall be permitted on the Condominium Property unless authorized by the Emerald Board of Directors.

e) Contract Work or Owner Projects

No changes, additions or alterations of any kind shall be made to exterior surfaces of the buildings or grounds or interior of the unit without the approval of the Board of Directors.

Use of licensed Contractors. Whenever a unit owner contracts for maintenance, repair, replacement, alteration, addition or improvement of any portion of the unit, such owner shall be deemed to have warranted to the Association and its members that the contractors are properly licensed and fully insured and that the owner will be financially responsible for any resulting damage to persons or property not paid by the contractor's insurance.

Workmen and homeowners are not permitted to use saws, drills, or other noisy tools between 6 p.m. and 8 a.m. on Saturdays, Sundays, or holidays, except in the case of an emergency.

Any alterations for example, installation of tile or hardwood floors, renovation of walls, kitchens, and bathrooms, and any other changes must have the approval of the Emerald Board of Directors.

Employees of the Emerald Association or the Sapphire Lakes Master Association are not to be engaged by Unit Owners for personal errands or tasks.

## OCCUPANCY

### a) Purpose

Units may not be used for business or commercial purposes. Any person found doing so may be fined.

### b) Guests

Any owner permitting relatives to occupy their unit when the owner is not present must notify the management company at least one week in advance. Information required includes: name of unit owner, unit number, visitors' name(s), phone number and address, dates unit will be occupied, and year and make of vehicle (if any). The owner of the unit is responsible for notifying their guests of the Rules and Regulations. Anyone not notifying the Emerald Board of Directors of guests in their unit may be fined.

### c) Interference

No obnoxious or offensive activity will be permitted on Association property nor shall anything be done thereon which may be or become a nuisance or an annoyance to unit owners. All occupants should exercise care to minimize noise. Radios, televisions, musical instruments, etc. should not be used to disturb others, and should not be audible between units. No radio or television installation or other electric equipment shall be permitted in any Unit if it interferes with the television or radio reception of another Unit.

### d) Water

All condominium units within a building share a common water meter. Water expenses are included as part of the unit owner's maintenance fees so it is appropriate that each owner takes immediate action to correct any leaking toilets, faucets, and plumbing.

### e) Keys

The Property Management Company will retain a passkey to all residential Units and assigned garages. No Residential Unit Owner shall alter any lock, nor install any new lock, without notice to the Emerald Board of Directors. Unit Owners shall provide the Property Management Company a set of keys to both the Residential Unit and to the applicable garage service door.

### f) Garbage Disposal

Garbage and other refuse shall be placed only in designated refuse areas. Sapphire Lakes Master Association Rules will be followed to include breaking down of all cardboard boxes and placing all garbage, glass, metal and plastic containers, etc. in the designated containers. No furniture, televisions, paint and like objects shall be placed in the refuse area. These items are to be disposed of by the resident at County



locations. See Sapphire Lakes manager for a list of locations. *(Garbage bags cannot be placed outside the unit door, for disposal at a later time)*

g) Protection

All unit owners shall turn off main water supply to unit if unit is unoccupied for more than twenty four consecutive hours.

A unit owner must designate a responsible firm or individual (Property Watch Person PWP) to care for the unit and must furnish the Emerald Board of Directors with the name, address, and telephone number of that firm or individual.

A Unit Owner who plans to be absent during the hurricane season must prepare his/her Unit prior to departure.

**MINIMUM MAINTENACE SCHEDULE AND STANDARDS**

a) Hot Water Heaters

All hot water heaters shall be replaced no later than the tenth anniversary of the date of manufacture.

b) Shut Off Valve

All shut off valves are to be the newer lever handle type.

c) Plumbing Connections

All hoses for washing machines, dishwashers, sinks and toilets shall be braided steel cable flex hoses.

d) Smoke Alarms

The unit owner is responsibility that all smoke alarms installed within the unit must be in working order and maintained as recommended by the manufacturer.

**GARAGE**

a) Use

The unit garage must be used for parking one of the vehicles of the unit occupants and not for storage, shop or other uses. Each garage which is assigned to a particular unit may be used only by the owner of such unit, except when the owner has given written permission for use by a family member, guests, tenant or lessee.

b) Electricity

All garage units within a building share a common electricity meter. Electricity expenses are included as part of the unit owner's maintenance fees so it is appropriate that each owner doesn't use any electrical appliances in the garage assigned to their unit.

If a unit owner wishes to use an electrical appliance in their assigned garage 24 hours a day they can do so by first getting written permission from the Emerald Board of Directors and agreeing to pay a flat rate of \$15.00 per appliance per month or any part thereof. The Emerald Board of Directors will determine the amount and frequency of monthly charge increases based on local electrical utility company increases to its customers. If an appliance is discovered that does not have the written approval of the Emerald Board of Directors, it will be assumed that the appliance has been operating since the first of the year and the cumulative "usage charge" will be due immediately. Lack of payment by the Unit Owner or occupant can be the grounds for legal action.

c) Doors

Replacement of garage overhead and access doors must have the prior approval of the Emerald Board of Directors and the Sapphire Lakes Master Association to insure consistency in appearance and compliance with Florida Statutes. Each Emerald Unit Owner is responsible to keep the overhead garage door and access door of the garage assigned to them in good condition and are personally responsible to have them repaired or replaced when necessary.

d) Battery Chargers

Battery chargers can be used temporarily, but shall not be used on a continuous basis because of the Collier County fire restrictions.

## PARKING

The occupants of any unit shall park no more than two (2) vehicles at the condominium, including the one parked in the unit garage and one in the adjacent parking lot to the unit or in the general common element parking area.

In accordance with the Declaration for the condominium association, the use of a parking space may be regulated by rules and regulations promulgated by the Sapphire Lakes Master Board of Directors.

No motor vehicle belonging to an owner, tenant or guests shall be parked in such a manner as to impede or prevent access to another owner's garage. No motor vehicle which cannot operate on its own power shall remain for more than twelve (12) hours and no repair of motor vehicles, except for emergency repairs within the Sapphire Lakes Community

No commercial vehicle owned or driven by an owner or tenant shall be parked within the Sapphire Lakes Community. No boat trailer, camper or like vehicle shall be left or

stored within the Sapphire Lakes Community.

### **LANDSCAPING**

#### **a) Plantings**

All plantings require the advance approval of the Emerald Board of Directors. The Sapphire Lakes Master Association has the right to require an owner to remove plantings at any time upon written notification to that effect and the Unit Owner shall be responsible for restoring the landscaping to its original condition.

The Unit Owner shall be responsible for maintaining his/her own plantings, including but not limited to flower beds, at all times. If said plantings are not maintained in a timely fashion, the Sapphire Lakes Master Association has the right to have work done at the expense of the Unit Owner.

#### **b) Guidelines**

Foundation plantings in the front and side of any unit shall not protrude more than one foot from the foundation. Borders for flowerbeds must be in earth tones or white.

There are to be no flowerbeds or potted plants in the lawns or along the walkways.

### **CAR WASHING**

Cars shall be washed at the recreation area near the washrooms east of the tennis courts.

### **BARBECUE GRILLS**

All non-electric barbecue grills must be used on the parking lot side of the garage on a paved area, at least 10 feet from the garage, and they must be stored only in a garage and not in a unit.

### **CHILDREN**

Children shall be the direct responsibility of their parents or legal guardians who must supervise them while they are within the Condominium Property and on the Common Grounds of Sapphire Lakes. Full compliance with these Rules and Regulations and all other rules and regulations of the Emerald Association shall be required of children. Playing shall not be permitted in any of the stairways or walkways or on the Sapphire Lakes Master Association parking lots in accordance with the Sapphire Lakes Master Association Rules and Regulations. Loud noises will not be tolerated.

### **PETS**

Pets shall be kept under such care and restraint as not to be obnoxious on account of noise, odor, or unsanitary conditions. No owner/resident shall be permitted to maintain in his/her/their property any animal of a violent temperament or exhibits aggressive behavior



Pets shall not be permitted to become nuisances to Unit owners or occupants of Units and are subject to removal from the Condominium by Animal Control at the discretion of the Emerald Board of Directors after a hearing conducted in the same manner as hearing for fines. Dogs weighing over 30 pounds will not be permitted in the Owner's Unit or on the Common Property of the Master Association. Seeing Eye Dogs are exempt from any regulation on pets or dogs.

No dog or cat shall be permitted outside of its Owner's Unit unless attended by an adult and on a leash not more than six (6) feet long. The attending adult must pick up any droppings from the dog or cat and dispose of same in a sealed plastic bag in the designated areas for garbage and trash.

Two pets are allowed per Unit. However, a Unit Owner may keep no domestic birds that emit sounds that can be heard in contiguous units.

Pets are not allowed within any of the areas of the four fenced pools.

Renters may not keep pets in or on the Emerald Condominium property. Family members, invitees, and guests occupying the unit may not have pets while the Unit Owner is not in residence.

Dog owners should make every effort to have their animals relieve themselves on the commons areas near the street and not in or around the courtyards.

No fish tanks may exceed (55) gallon capacity. A Unit Owner shall be limited to one fish tank.

Exotic pets such as snakes, other reptiles and animals not normally considered as being domesticated (e.g., squirrels, raccoons and the like) are not permitted in or on the Emerald Condominium property or the Common Property controlled by the Sapphire Lakes Master Association.

Feeding of fish, wild or stray animals, (cats, birds, ducks, rabbits, geese, alligators, turtles, etc.) is not permitted anywhere or at anytime within the Sapphire Lakes community.

### **SWIMMING POOLS**

Owners and their respective family members, guests, tenants, lessees, using any swimming pool as part of the Recreation facilities do so at their own risk and obey the posted swimming pool rules. Children under fourteen (14) years of age using any swimming pool must be accompanied and supervised by a responsible adult.

Swimming is permitted between dawn and dusk.

Smoking is prohibited within the confines of each of the four swimming pools and the adjoining cabanas/pavilions.

### **BICYCLES**

Bicycles must be placed or stored in a garage or in a unit. Bikers must ride with the traffic, and walkers against the traffic.

### **ROLLER and IN-LINE SKATES, ROLLER BLADES, and SKATE BOARDS**

These items shall not be permitted on tennis courts, bocce courts, or any pool facilities. Anyone using this type of equipment will give the "right of way" to all pedestrians. The sidewalks and streets shall not be obstructed.

### **RENTAL OF UNITS**

In all instances of renting and selling a unit, the Unit Owner is required to obtain an application to rent or sell from the Property Management Company, complete the form, and submit the completed form with the applicable fees to the Property Management Company for processing.

- (a) If a Unit Owner intends to sell his Unit, an application completed by the prospective Buyer must be completed and submitted to the Property Management Company thirty (30) days prior to the real estate closing. Timing deviations are subject to the approval of the Property Management Company and the Emerald Board of Directors.
- (b) No lease shall be approved for a term less than 30 days or 1 calendar month, which ever is less and no single unit maybe leased more than 3 times in any one calendar year.
- (c) A new application for leasing a Unit must be submitted by the Unit owner to the property Management Company, along with applicable fees, for processing thirty (30) days prior to the "move in" date by the lessee. An application *and applicable fees* must be submitted each time a unit is leased regardless if the renter has previously leased the unit. . An application must be submitted each time a unit is leased regardless if the renter has previously leased the unit or repeatedly leases the same unit seasonally.
  - (1) Regardless of occupancy length, the unit owner is required to complete a lease application and submit it, along with applicable fees, to the Property management company for process thirty (30) days prior to the "move-in" date of the renter. Renters are defined as those you receive rent money or compensation from regardless of relationship.



- (d) If the unit owner allows immediate family members (i.e., adult children and grandchildren, parents, grandparents, brothers and sister, in-laws, aunts and uncles, and cousins) or close friends to occupy the unit while the unit owner is not present and the owner does not receive rent money or any compensation whatsoever, the owner must notify the Emerald Board of Directors before the non-owner(s) arrives.
- (e) Unit Owners must provide a copy of the Emerald Association Rules and Regulations to the occupant and review it with them prior to move in. Unit Owners will be held responsible for those occupying their unit to abide by Emerald Association Rules and Regulations.

### **REMEDY FOR VIOLATIONS**

Every Residential Unit Owner and occupant shall comply with these Rules and Regulations as set forth herein, as well as any and all rules and regulations which from time to time may be adopted. Additionally, all residential Unit Owners shall comply with the provisions of the Declaration, By-Laws and Articles of Incorporation of the Association (all as amended from time to time) to the extent applicable. Failure of a Residential Unit Owner or occupant to comply shall be grounds for legal action which may include, without limitation, an action to recover sums due for damages, an action for injunctive relief, and any combination of such actions.

In addition to all other remedies, in the sole discretion of the Emerald Board of Directors, a fine or fines may be imposed upon an Owner for failure of an Owner, his family, guests, invitees, lessees or employees, to comply with any covenant, restriction, rule or regulation herein or in the Declaration, or Articles of Incorporation or By-Laws, provided the following procedures are adhered to:

- (a) Notice: The Emerald Board of Directors shall provide at least 14 days notice to the Owner or occupant of the reported or alleged infraction or infractions, and include the date and time of the next Emerald Board of Directors meeting at which time the Owner or occupant shall present reasons why a fine should not be imposed. The Owner or occupant may be represented by counsel and may cross-examine witnesses.
- (b) Hearing: The non-compliance shall be presented to the Emerald Board of Directors and a committee of Unit Owners appointed by the Emerald Board of Directors. The purpose of the hearing is to hear reasons why a fine should not be imposed. A written decision of the Emerald Board of Directors and the Committee shall be submitted to the Owner or occupant no later than twenty-one (21) days after the Emerald Board of Directors' meeting.

- (c) Amount: The Emerald Board of Directors may impose a fine against the applicable person in such amount as may be permitted by the Association's By-Laws and by Florida Statutes.
- (d) Payment of Fines: Fines shall be paid no later than thirty (30) days after notice of the imposition thereof.
- (e) Application of Fines: All monies received from fines shall be allocated as directed by the Board of Directors.
- (f) Infractions: Each day an infraction or violation occurs after the applicable party has received notice thereof shall be deemed to be a new infraction or violation.
- (g) Non-exclusive Remedy: These fines shall not be construed to be exclusive and shall exist in addition to all other rights and remedies to which the Association may be otherwise legally entitled: however, any penalty paid by the offending Owner or occupant shall be deducted from or offset against any damages which the Association may otherwise be entitled to recover by law from such Owner.

#### **RULES AND REGULATIONS**

Owners are responsible for the compliance by their family members, guests, contractors, servants and lessees with the rules and regulations above and any or all in the condominium documents.

Sapphire Lakes rules & regulations must be observed for all "common areas".

The Emerald at Sapphire Lakes Rules and Regulations do not replace the Declaration, Bylaws, or Articles of Incorporation but are in addition to and reflect reasonable rules and regulations for the maintenance, conservation and use of the Condominium property and designed for the health, comfort, safety and welfare of the Unit Owners.