

CAPE SHORES RULES AND REGULATIONS

(EFFECTIVE NOVEMBER 6, 2021)

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USE RESIDENTS AND VISITORS

Each apartment unit is restricted to residential use by the owner or owners thereof, their immediate families, guests, invitees and tenants. There shall be no more than two persons per bedroom, on a permanent basis. Owners must be sure that their guests are properly registered on the sign-up sheet in the Clubhouse, and that all guests, visitors and/or tenants are aware of and will comply with the Cape Shores Rules and Regulations.

No nuisances shall be committed upon the condominium property. Cape Canaveral has an ordinance prohibiting noise after 10 PM. These shall include, but not be limited to, loud noises, parties, or practices, which interfere with the peaceful possession and proper use of the property by its residents. All parts of the property shall be kept in a clean and sanitary condition. No apartment owner shall permit any use of his apartment or make use of the common elements in any manner that will increase the cost of insurance upon the condominium property. (This includes but is not limited to, no open fires, gas or charcoal, on the back or front balconies or patios).

No immoral, improper, offensive use shall be made of the condominium property nor any part thereof, and all laws, zoning or ordinances and regulations of all governing authorities having jurisdiction of the condominium shall be obeyed.

PARKING

No vehicle is to be parked overnight on the Cape Shores property without a prominently displayed parking pass. All residents are to be issued a Residents Parking Pass for each of their vehicles, and be given Guest Passes during their formal interview process. The Resident Parking Pass should be mounted in the rear window of the vehicle. The Guest Pass must be prominently displayed on the dashboard. Resident and Guest Passes can also be obtained at the Cape Shores office located in the Clubhouse. Failure to obtain and properly display said passes could result in the towing of the vehicle at the owner's expense.

Passenger vehicles may be parked on the designated parking areas of the condominium property adjacent to or near the apartment building, but only in accordance with regulations of the Board of Directors of the Association. Said parking areas form a part of the common elements of this condominium.

Parking spaces may not be used for any purpose other than parking vehicles which are in operating condition, have a current license plate and current registration, and are in good repair with no obvious rust, corroded paint or fluid leaks.

The lettered parking area in front of each building is for the exclusive use of the occupants of the unit that corresponds to the letter of each space. No parking is permitted under the steps of the building. Each vehicle parked must be parked facing inward, toward the building and within the lines of the parking space.

No other vehicles or objects other than passenger vehicles including: but not limited to tucks, campers, camper-tops, recreational vehicles, motorcycles, trailers, and boats will be placed on such portions of the condominium property unless permitted by the Board of Directors and approved in writing.

Pick-up trucks will be permitted only under the following conditions: the pick-up is limited to 4 wheels and 2 axles; no modifications have been made to the suspension of the vehicle to increase the vehicles height; a permanent cap or cover to enclose the entire "bed" area of the pick-up truck; and complies with all other vehicle restrictions.

The Board of Directors reserves the right to restrict parking in the designated, lettered unit parking spaces in front of each building for vehicles whose dimensions are greater than 72 inches in height and/or greater than 20 feet in length, and/or 9 feet in width. Vehicles which do not meet these dimensional specifications may park in any other unlettered, appropriately designated parking spot as long as the vehicle complies with all other vehicle restrictions.

No commercial vehicles will be allowed unless in the process of conducting business for a unit resident or for the Association. Commercial vehicles will be defined as: all vehicles of every kind whatsoever (including regular passenger vehicles), which from viewing the exterior of the vehicle or any portion thereof, shows or tends to show any commercial, charitable, institutional, (i.e. church or social) markings, signs, displays, or tools, equipment, racks, ladders, apparatus or otherwise indicates a commercial or non-personal use.

ACTIVITIES PROHIBITED ON PROPERTY

No solicitation is allowed on the property. No car/truck repairs are allowed on the property, Vehicles and Sports Equipment which are not permitted on the property include, but are not limited to the following; Motorcycles, Motor-scooters, ATV's, "non-Cape Shores Maintenance" Golf Carts, Skateboards, Rollerblades, and non-motorized Scooters.

CAR WASHING

Car washing is to be done only in designated areas.

PETS

No unit may have more than two (2) small pets ("Small"=20 lbs. For dogs). All pets, including cats, shall be kept on a leash at all times when outside the owner's unit. All pet owners must clean up after their pets by scooping and bagging the deposit, and placing it in the dumpster. Pets shall be walked in designated areas along the perimeter roads and the area near the highway. No pets are permitted within the Recreational Area or upon the dock, provided, however, that pets may be carried via the dock between the shore and the boats moored at the dock.

APARTMENT RENTAL

If an owner decides to rent his unit to others—he either handles the rental himself, or uses an agent. No matter who handles the rental, the Cape Shores Documents and subsequent Board of Directors decisions require the following:

- a. Prospective tenants must be given copies of all "Rules and Regulations" and must be interviewed and approved by members of the Board of Directors prior to the letting of the lease. The owner (or responsible agent) must provide the Board with the Cape Shores Unit Registration Form, and the Condominium Rental Application Form, filled out by the prospective tenant prior to, or during the formal interview. This process must be completed prior to occupancy.
- b. Regardless of the rental unit's occupied/vacant status, the owner is responsible to assure that his maintenance fee is paid to the Cape Shores Condominium Association in a timely manner, as outlined in the Bylaws (Maintenance Fees are due the 1st of each month). Payments received after the 10th of the month will be subject to late fees and interest payments. If any owner is 3 months in arrears, they will be turned over to a collection agency. At six months, they will be turned over to our attorney for processing.
- c. Rentals may be for no less than three (3) consecutive months' duration. No rooms may be rented and no transient tenants may be accommodated.
- d. Owners of the unit must make sure that tenants are aware of and follow all the rules and regulations of the Association.

SIGNS, ANTENNAS, ETC

No sign, advertisement or notice of any type shall be shown on the common property or any unit, and no exterior antennas and aerials shall be erected except provided under uniform regulations promulgated by the Association. This shall not apply to master antennas and aerials constructed by the Association.

TRASH AND GARBAGE

All garbage must be wrapped well and all apartment refuse must be placed in the dumpster or proper recycle container. The dumpsters are not to be used to dispose of large items (i.e. furniture, water heaters, etc.) or construction waste—see Cape Shores Condominium Modification Form. No hazardous materials are to be placed in the dumpsters.

HURRICANE SHUTTERS PORCH ENCLOSURES or STRUCTURAL MODIFICATIONS

No owner of a unit shall make any structural modifications or alterations, enclose any balcony/patio/porch, install hurricane shutters, or make any major interior modifications which may adversely affect other unit owners without getting prior approval from the Board of Directors via the Cape Shores Condominium Modification Form.

SIDEWALKS, STAIRS AND BALCONIES

Residents shall not place or cause to be placed in or on sidewalks, stairways, walkways, and other areas of the condominium property and facilities of similar nature, both common and limited, any furniture, packages or objects of any kind. Such areas shall be used for no other reason than for normal transit on or through them. It is prohibited to hang garments, rugs, or other materials from the windows or from any of the balconies and railings of the condominium property. It is prohibited to dust rugs, etc., from windows or from balconies, or to clean rugs, etc., by beating them on the exterior portion of the condominium property.

LAUNDRY ROOMS AND STORAGE AREAS

Utility room storage areas are not theft proof. Secure your storage area commensurate with the value of the storage. Please keep the utility rooms neat and orderly and clean the washer and dryer after each use. Turn out the lights and lock the door when leaving. Hours for the use of the laundry room are limited to 7:00 AM to 9:00 PM. Bicycles are not to be stored in the laundry rooms, except in your storage cage. There will be no gasoline or other hazardous materials stored in condominium buildings.

RIGHT OF ENTRY

The Board of Directors or the agents and employees of the Association may enter any unit for the purpose of maintenance, inspection, repair, replacement, or improvements within the units or common property, to determine compliance with these restrictions, reservations, covenants, conditions and easements and the Bylaws of the Association, provided however, that access to the apartments shall be made only at a reasonable time.

MAINTENANCE REQUEST AND COMPLAINT FORMS

When you see any common area that needs attention from our maintenance department, please fill out a Maintenance Request Form available in the Clubhouse. Or if you find anyone not following Cape Shores "Rules and Regulations" or Bylaws, please fill out a Cape Shores Complaint Form, also available in the Clubhouse. We need input from all residents and owners at Cape Shores to keep this a desirable place to live.

POOL RULES

Use of the Pool and the rules pertaining to its use are posted in the pool area and in the "Rules and Regulations for Recreational Facilities".

BULLETIN BOARDS

There are bulletin boards in the Recreation Hall (Clubhouse) for the use of the Board of Directors and the Cape Shores Ladies Club, and for your personal advertisements (for sale, for rent, and other information).

The bulletin boards at each building are for use by the Board of Directors and the Cape Shores Ladies Club only. No personal ads are to be placed on these bulletin boards. .

WATER SHUT OFF POLICY

All owners are required to shut off their water supply when they are absent from the unit for 3 days or longer. This includes having a functioning (non-leaking) shut-off valve. Failure to do so is considered negligence, and the owner will be financially liable for all costs associated with any resulting damage.

ELECTRICAL SHUT OFF POLICY

When a unit is to be unoccupied for 30 days or more, it is the owner's responsibility to make sure that the circuit breakers to the dishwasher, stove and water heater have been tripped to shut off power to those appliances. Failure to comply is considered negligence, and the owner will be financially liable for all costs associated with any resulting damage.

WATER HEATERS

Leakage that is caused by water heaters that are not maintained or replaced when their useful life is over become the responsibility of the individual owner. If owners cannot show that their water heater is still under the manufacturers usage recommendations (warranty period), they will be held personally and financially liable for all damage caused to their unit, as well as other units, and to any common areas:

PORCH ENCLOSURES

The Association has responsibility for the original screened porch/patio enclosures. Once the porch/patio has been glass enclosed, however, it becomes the owner's responsibility, under state law, to maintain them insuring that the windows are watertight. Any damage caused by improperly maintaining the enclosure windows will be the owner's responsibility. Every unit owner is on notice that the installation of carpet, tile, etc., which may aggravate any water retention problem is discouraged for 2nd floor porches/patios and any resulting damage to the concrete slab will be the owner's responsibility.

Move that the Board adopt the following policy on screen enclosures: (February 15, 2016)

- a. That, in cases where the board has required the removal of a glass enclosure for any reason, the affected unit owner shall pay for all costs of removal and the association shall pay for the cost of replacement with a screen enclosure;
- b. That the unit owner shall be responsible for all costs of removal and replacement in cases where removal has not been requested or required by the board; and
- c. That a unit owner, may, at his option, remove a currently existing glass enclosure and replace it with a new, Board-approved glass or screen enclosure at the unit owner's sole expense

PLUMBING FIXTURES

All plumbing fixtures including but not limited to sinks, toilets, showers, bathtubs, refrigerators with water or ice cube hook-ups, must be maintained by the owners to keep them properly repaired and/or replaced so that leaks do not occur. Unit owners will be financially liable for any damage caused by intentional misconduct, negligence, or failure to comply with this Rule.

SCREEN AND WINDOW REPLACEMENT

The Association has the responsibility to replace, when needed, screens on porch/patio enclosures as originally constructed. All other window screens are the owner's responsibility. In addition, the installation of any new replacement windows is the owner's responsibility. Plans for any replacement windows must be approved by the Board prior to installation.

LIABILITY INSURANCE

The Association's liability insurance is intended to apply to covered losses only on the common areas of Cape Shores. It does not cover any injury that may occur to people within an individual unit. It is the individual owner's responsibility to have liability insurance to cover any accidents or injuries that occur within their individual units.

DEDUCTIBILITY RECOVERY

Florida statutes state that where a condominium has insurance coverage covering elements within the condominium (e. g. drywall, etc.), it is the Association's responsibility to repair/replace those elements. In other words, if you insure it you must repair/replace it. However, where negligence has occurred (by owners failing to prevent foreseeable damage, or failing to follow the Association's Rules & Regulations), the Association is entitled to recover any costs and financial damages from the individual owner---including the Association's deductible costs, which in Cape Shores' case is \$5,000.

PATIOS

Unit owners are responsible for cleaning their own patios.