

**TOPAZ OCEANFRONT CONDOMINIUM ASSOCIATION
POLICY RESOLUTION NO. 2**

RULES AND REGULATIONS

WHEREAS Section 5 of the Bylaws of the Topaz Oceanfront Condominium Association (“Association”) provides that the Board shall have all the powers and duties necessary for the administration of the affairs of the Association and may take all acts, through the proper officers of the Association, in executing such powers; and

WHEREAS Section 10.1.7 of the Declaration of Condominium of Topaz Oceanfront authorizes the Board to adopt and amend rules and regulations covering the details of the operation and use of the Condominium Property;

NOW, THEREFORE, BE IT RESOLVED THAT the Board hereby establishes the following Rules and Regulations for Topaz Oceanfront Condominium, which replace in their entirety previous Rules and Regulations approved by the Board of Directors on October 11, 2005 and those in Schedule A of the Association Bylaws. In the event of conflict between these Rules and Regulations and the Declaration of Condominium of Topaz Oceanfront, the Declaration of Condominium of Topaz Oceanfront takes precedence.

I. Ownership and Leasing

- A. No portion of a Unit (other than an entire Unit) may be rented.
- B. Subleasing of Units is prohibited.
- C. The leasing of Units shall be subject to the prior written approval of the Association which shall be based on an initial lease period of at least three months, only one family residing in the Unit, and no more than two residents per bedroom and which shall provide that the Association shall have the right to terminate the lease upon default by the tenant in observing provisions of the condominium’s governing documents.
- D. Owners delegate the right to use and enjoy the property to persons occupying the unit under a lease (a "tenant"). For purposes of these Rules and Regulations, a tenant is a non-voting member of the Association and is governed by the same rules and regulations as an Owner. Only those persons identified in an Association-approved lease may occupy a Unit other than as a guest or visitor registered with the Association’s Managing Agent.
- E. Each Owner must maintain on file with the Managing Agent a current owner directory form, identifying the Owner(s) and the identity and relationship of all persons living full-time in the Unit with the Owner(s), and of all tenants, if the Unit is leased.

- F. Owners and tenants must notify the Association's Managing Agent via email or telephone when a person not previously named in the Association's records will be residing in the unit or visiting as a guest, even for short periods of time.
- G. Any Unit Owner who transfers the ownership of their Unit, whether by sale, contract for deed, gift or other conveyance, shall at least ten days prior to the transfer of such Unit, notify the Association of the pending transfer of the Unit and provide the Association with the name of the person or the entity to whom the Unit is being transferred.
- H. Upon the transfer of ownership of a Unit, the new Unit Owner shall submit a new information sheet to the Managing Agent in order to update Association records. The seller shall relinquish all building keys and garage door openers to the new Unit Owner.

II. Common Elements and Limited Common Elements

A. General

1. Only residents, tenants, visitors and guests who have been identified to the Managing Agent via email may be given building keys or the passcode for the entry access box.
2. Visitors and guests who have not been identified to the Managing Agent must be accompanied by a resident when using the Topaz Common Elements (pool, grounds, beach walkway, and recreation room).
3. All common area doors, sliding glass doors and gates are to remain locked at all times they are not in active use.
4. Doors shall not be propped open.
5. The entranceways, passages, lobby, atrium, halls and similar portions of the Common Elements shall be used only for ingress and egress to and from the condominium property. No personal property shall be stored in them. Contractors shall not set up or operate any equipment on any portion of the Common Elements. Any work tools or equipment must be used only inside a Unit or on the Unit's balcony.
6. The Common Elements shall not be obstructed, littered, defaced or misused in any manner.
7. Unit Owners are responsible to see that their contractors or delivery personnel remove all debris and packing material from the condominium property.
8. No articles except suitable furniture, plants and planters shall be placed on balconies, terraces or similar areas.

9. Personal property on site must be stored within an individual's Unit or within storage lockers or spaces, if any, appurtenant to his or her Unit as limited common elements.
10. Nothing shall be hung, displayed, installed, affixed or placed upon the exterior of the building without prior written consent of the Association. .
11. No signs, advertisements, notices or lettering may be exhibited, displayed, inscribed, painted or affixed in, on or upon any part of the Common Elements or any part of a Unit so as to be visible outside the Unit with the sole exception of a professionally prepared and installed "For Sale" or "For Rent" sign which may be installed only upon the south property line immediately east of the public sidewalk or immediately to the west of the water main valve in front of the building.
12. 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.
13. Commercial advertisements, private announcements, pamphlets, petitions and solicitations shall not be posted, displayed or circulated in any of the Topaz Common Elements.
14. Smoking is prohibited in all of the Topaz Common Elements.
15. Property, equipment or furniture belonging to the Association shall not be removed from the room or area in which it is placed or from the Topaz Common Elements.
16. 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 for normal household purposes. Electric grills are permitted on patios or balconies, but gas and charcoal grills are prohibited.
17. No solicitation of any kind shall be permitted on the Condominium Property.
18. When the elevator is used to move large pieces of furniture or appliances, the Unit Owner, resident or tenant is responsible for notifying the association manager at least 24 hours in advance so protective pads can be placed on the elevator walls.
19. Exterior antennae are prohibited.
20. Glass beverage containers are prohibited in any of the Topaz Common Elements.

B. Pool

1. The swimming pool is available for all Unit Owners, residents, tenants and their guests from 8:00 AM to 10:00 PM daily.

2. There is no lifeguard; use of the pool is at the user's own risk. Without limiting any other provision of these Rules and Regulations, each Owner, resident, tenant and guest is personally liable for any injury.
3. Swimming is not allowed during thunder or electrical storms. No one is permitted in the pool for thirty minutes after the last sign of either thunder or lightning.
4. Minors under 12 are permitted to use the pool, but must be accompanied by an adult Owner, adult resident or adult tenant at all times. Use of the pool by minors may be limited to specific times at the discretion of the Board of Directors.
5. For health reasons, minors who are not fully toilet trained and incontinent adults must wear waterproof diaper pants at all times while in the pool. At no time may just a cloth or disposable diaper be worn while in the pool (either alone or under a bathing suit).
6. Inappropriate activities, such as running, throwing, rowdiness, or other conduct affecting the safety and/or comfort of others are strictly prohibited.
7. Diving, cannonballing and jumping into the pool are prohibited.
8. Chaise lounges and chairs are available for Owner, resident, tenant and guest use. When using suntan lotions, all persons using pool furniture must cover the furniture with a towel (the use of these lotions could stain or damage the furniture, and the responsible party must repair or replace damage caused by such products).
9. Beverages in the pool area must be in non-breakable containers. Glass containers are strictly prohibited. Alcoholic beverages of any kind are strictly prohibited. Food and eating are prohibited in the pool area. All trash must be properly disposed of in trash receptacles.
10. Radios, compact disk players, tape players and other audio players may be used only with earphones.

C. Recreation Room

1. The recreation room shall only be used by Unit Owners, residents and tenants for their own or their immediate family's private events. Unit Owners, residents and tenants shall not be permitted, under any circumstances, to use the recreation room on behalf of friends, extended family, commercial, or other types of, organizations.
2. The recreation room may be reserved only by a Unit Owner, resident or tenant in good standing. Reservation requests shall be accepted by the Managing Agent on a first-come, first-served basis. Requests shall be noted and filed by the Managing

Agent and marked on a calendar maintained by the Managing Agent. The applicant must agree to be present at the event from the time of entry to its completion.

3. Association and Board of Directors functions have priority over private use of the recreation room by any Owner, resident or tenant.
4. Any decorations used and the decorating of the rec room must be done in a manner so as not to cause damage to any area of the rooms. Decorations must NOT be attached to or hung from any sprinklers, ceilings or lights and must be fire retardant. The use of tape, nails, tacks, staples and any substance or item which may cause permanent damage are NOT permitted to be used to attach the decorations or other items to the walls, doors, door trim, windows, furniture or any other surfaces in the rooms.
5. Common area furniture, equipment, wall art and accessories may not be removed from the recreation room. Any items used or moved must be returned to the original position and in their pre-event condition.
6. All music and noise-making activities must conclude by 10 PM. The recreation room must be returned to its original condition, vacated by all event participants, and all lights turned off. The Unit Owner who reserved the recreation room is financially responsible for any damage caused to the facility and/or furnishings.
7. Open flames and candles are strictly prohibited. Food warming trays may be used only under the strict supervision of a caterer or attendant.

D. Quiet Enjoyment

1. No nuisances (as defined by the Association) shall be allowed on the Condominium Property, nor shall any use or practice be allowed which is a source of annoyance to residents or occupants of Units or which interferes with the peaceful possession or proper use of the Condominium Property by its residents or occupants. "Nuisance" is hereby defined to include loud noises, objectionable odors and indecent conduct.
2. No Unit Owner, resident or tenant shall make disturbing noises in the Building or permit his family, servants, employees, agents, visitors or licensees to do so. In particular, no Unit Owner, resident or tenant shall play (or permit to be played in his Unit or the Common Elements appurtenant to it) any musical instrument, phonograph, television, radio or the like in a way that unreasonably disturbs or annoys other Unit Owners or Occupants.
3. Shouting and loud noises are prohibited.
4. Children shall be the direct responsibility of their parents or legal guardians, who must supervise them while they are within the Condominium property. Full compliance with these Rules and Regulations and all other rules and regulations of the Association shall be required of children.

5. Playing and running shall not be permitted in any of the lobbies, hallways, stairways, elevators, garages, atrium and lobby areas.
6. Riding skateboards, scooters, motorized or not, or similar devices (such as hoverboards) is strictly prohibited in all of the Common Elements (entranceways, passages, lobby, atrium, halls, driveway, garages and parking areas). Bicycles may be ridden in the parking and driveway areas only during ingress and egress.

E. Pets

1. Dogs, cats and other pets are not permitted on any part of the common elements (except a balcony appurtenant to the Unit of the animal's owner) except when they are leashed and being walked or transported directly off the Condominium Property or directly to their Owner's Unit.
2. No animal may be kept on a balcony or terrace when its owner is not in the Unit.
3. Household pets must weigh less than thirty (30) pounds.
4. With the exception of birds and fish housed in a cage or aquarium within the Owner's Unit, no Owner may keep more than two pets on the Condominium property.
5. The Owner shall be responsible for picking up all solid waste left by his or her pet, or those pets that may accompany visitors, and properly dispose of such waste.
6. No pets shall be allowed to threaten a resident or guest in any manner.
7. No pet shall be allowed to incessantly and repeatedly bark or otherwise create a disturbance that annoys or disturbs other residents.

F. Parking

1. All enclosed parking spaces shall be kept in a neat and orderly fashion.
2. No vehicle shall be parked in such a manner that it impedes ingress and egress to garage areas. Back-in parking is prohibited.
3. Recreational vehicles, motorhomes, trailers, boats and trucks (other than small, non-work trucks used for transportation) may not be parked in any driveway or parking space or parked or placed on any portion of the Condominium Property, without prior approval by the Board of Directors.
4. In the event that the Board of Directors permits recreational vehicles or motorhomes to be parked in designated areas, overnight occupancy of these vehicles is prohibited.

G. Miscellaneous

1. Structural additions, alterations or improvements to a Unit require prior approval of the Board of Directors and a majority of the Owners.
2. Alterations to a Unit require prior written consent of the Association.
3. Rugs, laundry or any other articles shall not be shaken or hung from windows, doors, balconies, terraces or exterior walls.
4. No article shall be thrown from a balcony
5. Large items such as household goods, furniture, appliances and equipment will not be collected by the trash company. Unit Owners are responsible for removal of such items from the condominium property. (A landfill on Sarno Road will accommodate these items).
6. Access of pest control to all Units is required unless a Unit Owner has a medical reason to refuse pest control services. Should pest control services be refused for medical reasons, a periodic pest control inspection is still required.
7. A Unit Owner or resident who plans to leave their Unit vacant for more than two consecutive weeks must prepare the Unit by turning off the Unit's water heater and water supply, closing all shutters on exterior windows, and by providing to the association manager the name and contact information of a designated firm or individual to care for the Unit should the Unit suffer any malfunction or damage.

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SECRETARY'S CERTIFICATION: The undersigned, being the Secretary of the Topaz Oceanside Condominium Association, a Florida nonstock corporation, certifies that the foregoing Resolution was adopted by the Board of Directors on September 23, 2017 and in witness thereof, the undersigned has subscribed his name.

Topaz Oceanfront Condominium Association, Inc.

By: Marty Reagan

Name: Marty Reagan, Secretary, Topaz Oceanfront Condominium Association

Date: September 23, 2017