

**HIDDEN HARBOUR OF THE PALM  
BEACHES CONDOMINIUM  
ASSOCIATION, INC.**

**RULES**

**As Amended by the Board of Directors on February 27, 2018**

## **INTRODUCTION**

All of us in Hidden Harbour want to enjoy our homes, maintain our property value and enjoy good relationships with our neighbors. This is the main purpose of these rules.

A condominium association governs itself without an outside landlord to enforce the rules. The authority of the Board of Directors derives from the Florida Condominium Act and its statutes. \*

The Board of Directors has the authority and responsibility to manage the affairs of the Association and its property. Individual unit owners have the responsibility to familiarize themselves with these rules and to see to it that these rules are observed by themselves, their families, their guests and their lessees.

The Board of Directors of the Association ratifies these rules. The Board of Directors has the power to make amendments to these rules as long as the rules are in compliance with Federal and State laws. As long as the rules are in force, it is each unit owner's responsibility to see to it that they are obeyed.

Board of Directors

\*Florida Condominium Laws, the Declaration of Condominium and the Association Bylaws.

## **GENERAL GUIDELINES**

1. These rules made by the Board of Directors shall be distributed to each unit owner and lessee. The unit owner is responsible to have the rules available inside the condo unit and to ensure that the residents know the content of the rules.
2. **RESPONSIBILITIES** - The unit owner is responsible for the unit's interior maintenance and must correct all problems promptly so as not to cause damage to other units. See the Declaration of Hidden Harbour, Articles IV and XVII.
  - A. The unit owner is responsible for all windows, doors (including exterior doors), frames, glass and screens, equipment and appliances inside the unit, air conditioning units (including the compressor located on the roof), electrical wiring, electrical equipment and fuse boxes and balconies (patios), including the walls. The Association paints these walls at the time general painting is done. Otherwise, the unit owner paints these walls the original color only.
  - B. The Association assumes responsibility for common equipment, all structural walls and frames, roofs, exterior walls, wiring, cables, service lines, plumbing all the way to the unit, including sewer lines and sprinkler pipes between the units.
  - C. The Association's insurance covers only the buildings, structures and equipment described in B. above. Each unit owner is responsible for unit insurance, and is liable for any damages to the unit's personal property, including damage to the unit's interior walls, ceilings and floors caused by fire, water or other cause. The unit owner is liable for water damages caused by faulty plumbing or water overflows from other units.
3. **UNIT KEYS** - The unit owner must furnish the unit's key to the Association's agent. Condo Law 718 1115 grants the power to the Association to enter all units in the condominium if it is necessary to do repair work in order to avoid damages to Association's equipment and structures or to the other units. Also, the Pest Controller hired by the Association must have access to all units to exterminate. The Association shall not abuse the right of access. In the event of an emergency, if a key to the unit has not been furnished to the Association's agent, and it shall be necessary to enter the unit, the unit owner must pay all costs incurred and will not be able to be reimbursed for any damages done due to not having unit key.
4. **PEACEFUL LIVING CONDITIONS** - The unit owner is responsible for seeing that all unit residents, families and Visitors observe these rules so that their conduct or any unnecessary noise will not disturb other residents. Quiet time at the Association facilities must be observed between 10:30 p.m. and 7:00 a.m.

The Association officers or Board of Directors may be contacted/seen between 9:00 a.m. and 4:00 p.m. Monday-Friday to conduct business. IF an emergency arises beyond these hours, contact Management Company.

**561-641-8554**

5. Residents have no right to give orders concerning buildings or maintenance. All requests for service shall be made to a member of the Board of Directors. The unit owner is responsible for the maintenance of the interior of the owner's unit. The Association's maintenance man may work for residents privately after work hours. On those occasions, the resident pays the maintenance man directly.
6. **VEHICLES AND PARKING** - Each unit has one designated parking space in the parking area. Building 890 parking spaces are located west of the building between the tennis court and the building. They are marked A1 through A52. Building 896 parking spaces are located west of the building in the space between Building 890 and Building 896. They are marked B1 through B60. Guest parking spaces for both buildings are located between Building 890 and the tennis court. They are marked with yellow color and the word GUEST. Handicapped parking spaces are close to the main entrance of each building. They are marked with a handicapped sign and blue color. Parking in these spaces is allowed only if the vehicle has a handicapped permit displayed. The unit owner is responsible for seeing that residents and their guests park their vehicles properly. Temporary use of another unit's parking space is not allowed unless agreed to by the other unit owner.
7. **NOTIFICATIONS TO THE ASSOCIATION** - A resident must notify the Association when a unit is to be unoccupied for any length of time with address and telephone number where the resident can be reached. A resident who lives alone must give to the Association the name, address and telephone number of the next-of-kin or designated person who must be notified in case of an emergency or medical necessity. Notifications can be given directly to a member of the Board of Directors or can be mailed to the Association at Box 533, 896 North Federal Highway, Lantana, Florida 33462 or placed in the Association's box near the information board.

### **DRIVEWAYS, VEHICLE USE, PARKING AND USE OF ASSOCIATION COMMON AREAS**

1. Parking in driveways is not permitted, except for short periods of time to discharge passengers, or for loading or unloading. Entrance area fire lanes must be kept clear for emergencies. Towing will occur without notice if vehicle is left there for more than four (4) hours (especially weekends)
2. Vans and pickups, if less than 20 feet in length, which are for a resident's personal use only, may be parked in the parking space designated for the unit. Campers, trucks and cars which exceed 20 feet in length but are less than 26 feet in length, and are for personal use of a resident, must be parked near the tennis court. **Parking of large trucks**

**and commercial vehicles is NOT permitted except for the time of moving and delivering.**

1. Parking of **unlicensed** vehicles or motorcycles, any type of boat, any type of trailer, any type of RV or any type of tractor is **NOT** permitted without the entire Board of Director's approval. Only standard car covers and window sun shades may be used to protect vehicles-no plywood, cardboard, etc. Vehicles left in parking lot during owner absence must supply management with keys or have a contact person to move vehicle during lot repaving/repair. Tow- truck moving of vehicles will be at owner's expense.
2. Speed limit in all driveways is 10 miles per hour. Traffic signs posted on driveways must be obeyed. Drivers should always exercise caution when in Hidden Harbour.
3. Repair or maintenance of vehicles is not permitted in parking spaces or on condo property unless it involves acute repair or minor maintenance. Washing of vehicles is allowed only in the area designated for washing, and in accordance with county and town ordinances.
4. Radio controlled cars, airplanes or drones are **NOT** permitted on the Property.
5. Use of roller skates, scooters, bicycles and skateboards are **NOT** permitted on the building walkways.
6. Fireworks are **NOT** permitted on condo property or in the buildings.
7. Use of common areas for play and recreational purposes is prohibited unless otherwise designated. Children must not be allowed to run in the building walkways nor on the stairs. They must not make disturbing noises and throw rocks.

**CONDOMINIUM UNIT RESTRICTIONS**

1. Each condo unit is as much the owner's private home as if it were a single-family house. The owner is responsible for its use and maintenance. **UNIT USE FOR OFFICE OR BUSINESS PURPOSES IS STRICTLY PROHIBITED.**
2. Radio, television or other sounds must not be heard outside a unit thereby disturbing other residents. Loud laughter, talking or yelling and other noise is prohibited at all times and especially between 10:30 p.m. and 7:00 a.m. Disturbing voices and loud noises should be avoided when doors are open to the walkways or while outside an apartment on balconies, patios, walkways or stairwells.
3. Washers, dryers, garbage disposals or other noise making machines shall not be operated between 10:30 p.m. and 7:00 a.m. as the noise and vibration of these machines may disturb other residents.

## **CONDOMINIUM UNIT RESTRICTIONS**

1. Balconies, patios, parking areas or recreational facilities may not be used for cooking or barbecuing or for other similar purposes.
2. Advertisements or signs such as FOR SALE or FOR RENT, etc., shall not be placed in condo windows or doors.
3. Laundry, bathing suits, towels, carpets and other similar items shall not be hung or displayed on balustrades, clothes lines or similar devices to be seen outside the unit or above the balustrades.
4. Any plants on balconies or patios should look neat and well cared for. No water shall drip nor waste shall fall outside a balcony or patio.
5. One pet is permitted per Unit for owners or residents that do not exceed 30 pounds at maturity. Pet owners must follow the rules to ensure that their pets do not endanger or disturb other residents. All cats and dogs must be on a leash when outdoors. This is a Palm Beach County and Town of Lantana ordinance. Under no circumstances is an animal allowed to run loose on condo property including walkways. Owners are responsible for cleaning up their pet's droppings. Pets shall not defecate or urinate within 30 feet of the buildings. Pets are not to be taken in elevators unless carried by the owner. A pet making disturbing noises is not allowed in the buildings. All pets must be spayed/neutered. Palm Beach County requires that all dogs and cats be registered and that they be inoculated for rabies.
6. All household waste shall be wrapped and tied in plastic bags before depositing in chutes or canisters. A garbage disposal should be used as much as possible. Items to be recycled shall be divided and put in the proper recycling bin. Plastic bags or other packaging used to carry waste are not to be left in the recycling bins.
7. When residents leave for extended periods of time, they must remove all furniture and other items from balconies and patios unless they have storm shutters that are closed.
8. Balconies and patios shall not be used for storage of personal property except for bicycles. Furniture, plants and other items typically found on balconies and patios which are not placed there for storage shall be permitted.

## **REMODELING AND OTHER CONSTRUCTION MATTERS**

1. All repairs and structural alterations to the interior or the area governed by the owner require prior consent of the Board of Directors (Declaration of Condominium XVII, Alteration of Units). All requests presented to a member of the Board of Directors must be in writing and indicate type, color, location and any other pertinent information.
2. It is the responsibility of the Unit Owner to remove all remodeling/construction debris from the premises. Such material is not to be placed in the dumpster or left in the trash room.

3. A unit owner has the right to decide on hurricane shutters. If a decision is made to install shutters they must conform with the current color of railings on the terraces and balconies. The frame must be of aluminum and the same style as the current screens and adjacent balcony. Prior to installation, a plan must be presented to the Board of Directors for approval of installation.
4. Tile or parquet flooring is permitted if approved by the Board of Directors. Above ground floor (second floor and up) must have proper insulation or the tile must have a proper barrier. Any existing floors not conforming with insulation requirements must have 75% of the area carpeted.
5. An air-conditioning unit (compressor) located on the roof is each unit owner's responsibility as stated under General Guidelines 2.A. (page 4) and the owner must maintain the unit so that it does not become a source of annoyance to other residents. The Association has the right to correct any disturbing problems if the owner is away or does not comply. Any incurred repair costs are collected from the unit owner.
6. If a unit is unoccupied for an extended period of time, the main water valve to the unit must be shut off to prevent water damages. See General Guidelines 2.C. (page 4).
7. Carpets have been previously used to cover balcony floors. As carpets collect and hold moisture which causes damage to concrete and the iron supports within the concrete, the Board of Directors voted to eliminate carpets from balcony floors above the first floor. Balconies may be tiled.

## **USE OF SOCIAL AND RECREATIONAL FACILITIES**

8. **SWIMMING POOL, SAUNA AND CLUB HOUSE** - These facilities and equipment are owned by HIDDEN WATERWAY CLUB, INC. Shareholders are Hidden Harbour and Waterway Club. Unit owners and residents have a right to use and operate the facilities and equipment. Persons using these facilities or equipment do so at their own risk. The owners and the Association do not assume liability for accidents caused by use of these facilities and equipment. Rules and regulations for the use of these facilities and equipment are posted on the club house bulletin board and in the swimming pool area. These rules and regulations must be obeyed. They include the following:
  - A. A shower must be taken and all grease or oil based skin lotions removed before entering the pool.
  - B. Chairs in the pool area shall be covered with a towel or similar cover so as not to soil them with lotions.
  - C. Pets shall not be taken to the pool area at any time.
  - D. Glass containers of any kind may not be brought into the pool area.

- E. A person shall not appear in the club house in a bathing suit or bare feet. **SHOES AND A COVER-UP OR ROBE OVER A BATHING SUIT ARE REQUIRED TO AND FROM THE POOL AREA.**
  - F. The behavior of children in these facilities must be supervised by accompanying adults. Children under the age of twelve (12) are not allowed in the club house or to use the equipment unless supervised by an adult.
  - G. Only children three years or older are allowed in the pool.
  - H. Balls, toys or diving equipment are not allowed in the pool or the pool area.
  - I. Resident's guests, unless they are family members, are not allowed to use the swimming pool or aforementioned equipment, unless they are accompanied by the resident. A key to the pool area must not be given to visitors. The gate to the pool area must be locked at all times.
9. CLUBHOUSE RENTAL - Unit owners ,their families and their lessees are allowed to rent the club house for personal occasions. The person making the reservation is responsible for abuse, damage or misuse, and also that the facility is left clean. As guarantee, the renter is required to pay a \$100.00 security deposit two weeks in advance which will be refunded, provided that the facility is left clean and in satisfactory condition. If the facility is found in unsatisfactory condition, cleaning expenses will be deducted from the deposit. In addition the fee for parties or meetings is \$100.00 and weddings \$200.00. Use of the kitchen is \$35.00. These charges are nonrefundable.
10. DAMAGE TO FACILITIES AND EQUIPMENT - Minor children are not allowed to use the facilities or equipment unless accompanied and supervised by an adult owner or lessee. Anyone causing damage to the facilities or equipment shall be billed for the cost of repair or replacement unless it is caused by normal wear and tear from careful use.
11. TENNIS COURTS - A unit owner may have no more than three guests playing on a single court. Courts are for tennis only. Tennis shoes must be worn.

## **PAYMENTS AND OTHER TRANSACTIONS**

Maintenance payments are due and payable on or before the 10th day of each month. Multiple payments may be made in advance at any time. Payments are made by check payable to HIDDEN HARBOUR CONDOMINIUM ASSOCIATION, INC. The unit number should be written on the check. Checks are mailed to the address on your payment coupon provided by the Management Company. A \$25.00 penalty will be imposed for each late payment. Any owner three (3) months in default will automatically have a lien filed and the owner has to pay filing fees for the lien in addition to penalty and 15% per annum interest. The unit will have a lien on it until all expenses are satisfied.

## RESALES AND RENTALS

No sale, transfer or conveyance shall be valid without the approval of the Condo Association. (See Declaration of Condominium XII.) The seller must furnish the buyer prior to the execution of the closing sale with the following documents:

1. A copy of the Declaration of Condominium
2. A copy of the Bylaws of Hidden Harbour
3. A copy of these Rules (executed by Seller and Buyer)

Before the Association can approve the sale, the Association must have certification that the buyer has read the complete Bylaws and Rules and is willing to abide by their requirements. The buyer shall possess the above papers and produce them when called to do so. The owner submitting an application for resale or rental of the condo unit to an agent of the Board of Directors shall certify to or provide the following:

4. The number of persons who will occupy the unit
5. Name of the prospective buyer or lessee
6. **AT LEAST TWO REFERENCES FROM PERSONS WHO KNOW THE BUYER OR LESSEE (OR BACKGROUND CHECK IF NO REFERENCES AVAILABLE) AND THE CREDIT STANDING OF THE BUYER OR LESSEE**
7. 
8. When the unit owner submits an application for lease approval, the owner or the lessee shall certify that the lessee holds an executed copy of these Rules and that the lessee has read and agrees to comply with them
9. **No rentals or leases are permitted for LESS THAN TWO (2) MONTHS AND NOT MORE THAN TWO (2) RENTALS ARE PERMITTED PER CALENDAR YEAR**
10. A copy of these Rules must be available inside the condo unit when the unit is occupied by others in the absence of the unit owner
11. A Florida statute (Section 212.03) requires the owner to pay a 10% tax on the rental proceeds from a condo unit rented for six months or less to the State of Florida to be shared 6% by the state and 4% by the county. See notices posted on the bulletin board for details in paying this tax. Unit owners or their agents are responsible for payment of this tax.

12. All guests shall have written permission from the owner submitted to the Association before occupancy and notify Association name of guest(s) and how long guest(s) will be in the unit.

## **ENFORCEMENT OF RULES**

1. If a person, in violation of these rules, has parked a vehicle in someone's parking space, and the owner does not know the violator, the owner of the parking space shall leave a note on the windshield of the violator's vehicle and on the bulletin board. **IF THE VIOLATOR CONTINUES TO VIOLATE PARKING RULES CONTINUOUSLY – THEN OWNER HAS THE RIGHT TO CONTACT ASSOCIATION AND HAVE VEHICLE IMMEDIATELY TOWED WITHOUT FURTHER NOTICE.** The towing costs will be collected from the vehicle owner. The same will apply if the vehicle is parked in the driveway or elsewhere on condo property where parking is prohibited. If the violator is known, the offense should be brought to his attention in a friendly manner. If the violation is repeated or extended, the matter should be brought to the attention of a Board member who may proceed as previously described.
2. Unlicensed or unsightly vehicles must be removed from the parking area by the owner if requested by the Board of Directors. If the owner fails to remove the vehicle, the Board of Directors has the authority to have it removed by a towing company at the owner's expense. Towing requires ONE (1) written notice to the owner or on the owner's vehicle, and the Board's decision to tow. **CONTINUOUS VIOLATION WILL FORFEIT NOTICE AND AUTOMATIC TOWING WILL OCCUR.**
3. In case of the wrongful use of handicapped parking, a member of the Board of Directors may inform the police. The police may impose a fine of up to \$250.00.
4. Measures may be taken for not adhering to restrictions concerning noise and other disturbances in units and common areas. If the matter in question is not mentioned under these rules, the owner has the right to discuss the issue in a friendly manner with the disturbing party and attempt to resolve the problem. If this doesn't help, the owner should inform a Board member for further action. The Board member should make an effort to resolve the problem immediately by discussion or other means. The disturbing party should take notice that in Hidden Harbour continuous violation of the rules is unacceptable. Under Article V-B-1 of the Bylaws, penalties may be established for violations of rules. Under State Law 718.03 paragraph 3 the Board may assess a fine of \$100.00 per violation per day. Furthermore, the Board has the right to institute injunctive proceedings after due notice. Due notice shall be constituted when two (2) letters have been written to the disturbing party notifying such party of the violations.