



2366 East Mall Drive
Ft. Myers, Florida 33901

CONDOMINIUM RULES and REGULATIONS

Division of Florida Land Sales, Condominiums & Mobile Homes

Effective 2010

Since you are making the Towers your home the Board of Directors and residents extend to you a welcome hand and want your stay here to be a pleasant one. In order to provide congenial occupancy and to protect the value of the units, it is necessary to acquaint you with the rules and regulations of the Towers that govern the conduct of unit owners, tenants and guests.

1. RULES AND REGULATIONS:

- 1.1.** *The greens and walkways in front of the condominium units and entranceways to the condominium units shall not be obstructed permanently or used for any purpose other than ingress to and egress from the condominium units. The parking lot entrance, perimeter gates and pool area are monitored and recorded by security cameras.*
- 1.2.** *Neither the exterior of a condominium unit nor the appurtenant patio or balcony, nor any other area appurtenant to a condominium unit, shall be painted, decorated or modified by any owner in any manner without prior consent of the Association, which consent may be withheld on purely aesthetic grounds within the sole discretion of the Board of Directors.*
- 1.3.** *No article(s) shall be hung from the doors, windows or railings. Appropriate seasonal décor may be displayed with Association approval. Occupants shall not sweep, shake rugs, or throw any objects from balconies, windows, or passageways. Drying of clothes is not permitted on balconies or railings along passageways. **BALCONIES AND PATIOS MAY NOT BE USED FOR STORAGE.***
- 1.4.** *No bicycles, skateboards, scooters, baby carriages, shopping carts or similar vehicles, toys, or other personal articles shall be allowed to stand in any of the common storage rooms, common areas or driveways, except in areas specifically designated by the Board of Directors. All bicycles must be registered, have a Towers sticker / tag and locked in rack located in designated area of west side of building.*
- 1.5.** *The walkways and parking lots are to be used for pedestrian, automobile and vehicle traffic only. Riding on bicycles, scooters, roller-blades, skateboards, etc. on walkways and in the parking lots is not allowed for safety and insurance reasons.*
- 1.6.** *No resident or guest shall make any noises that will disturb or annoy the occupants of any of the other condominium units in the development or do anything which will interfere with the rights, comfort or convenience of other residents.*
- 1.7.** *No shades, awnings, hurricane or storm shutters, ventilators, fans or air conditioning devices shall be used in or about the building, except as shall have been approved by the Association. Except for hurricane or storm shutters which shall be approved if submitted in accordance with hurricane shutter specifications adopted by the*

Board in accordance with Section 718.113(5), Florida Statutes, which approval may be withheld on purely aesthetic grounds within the sole discretion of the Association. All draperies, liners, and shades, which are exposed in any way to view from outside of any unit, shall be white or light beige to the end that all shall be uniform in appearance. All balconies and patios must be screened. All screen enclosures are to use black screen with white aluminum frames.

- 1.8.** *Each condominium unit owner who plans to have his unit vacant during the hurricane season must prepare his unit prior to his departure by (a) removing all furniture, plants, and other objects from his balcony or terrace and (b) designating a responsible firm or individual satisfactory to the Board of Directors to care for his condominium unit, should the unit suffer hurricane damage. Such firm or individual shall contact the Board for permission to install or remove hurricane shutters.*
- 1.9.** *All garbage and refuse shall be placed in containers and deposited in the places provided so it will not become a nuisance or annoyance to others. For everyone's safety, sharp objects should be disposed properly wrapped in paper or in containers. Big boxes, pizza boxes, that can clog the chutes, must be taken to the recycle containers, located on the first floor. RESIDENTS MUST MAKE THEIR OWN ARRANGEMENTS FOR DISPOSAL OF ANY APPLIANCES, FURNITURE, ETC. Large items shall not be placed in or in front of the dumpster rooms or at the curb for disposal.*
- 1.10.** *Toilets and other plumbing apparatus in the buildings shall be used for their intended purpose only. No sweepings, rubbish, rags, papers, ashes, disposable diapers, sanitary napkins, or any other foreign objects shall be deposited in same. Any damage resulting from this abuse will be charged to the unit owner.*
- 1.11.** *No resident or guest shall request or cause any employee of the Association to perform any private business for them without prior written consent of the Board of Directors.*
- 1.12.** *Children under thirteen (13) years of age are not allowed to wander about the premises at night / dusk unless accompanied by an adult. Parents shall be responsible for the proper conduct of their children.*
- 1.13.** *No occupant shall maintain more than one (1) pet, exclusive of a bird or tropical fish, in his unit or limited common element. NO DOGS OR REPTILES SHALL BE ALLOWED.*

- 1.14. *The agents of the Association and any contractor or workman authorized by the Board of Directors may enter any condominium at any reasonable hour of the day for any purpose permitted under the terms of the Declaration of Condominium and By-Laws of the Association. Except in case of emergency, entry will be made by pre-arrangement with the resident.*
- 1.15. *IT IS HIGHLY RECOMMENDED that the Association be provided a set of keys to each condominium unit. If a set is not on file in the office, forced entry may be necessary in case of emergency, such as a water leak or fire.*
- 1.16. *All major repairs, renovations, and improvements, or other maintenance required or permitted by the City of Fort Myers / Lee County to be done by the condominium unit owner, shall be accomplished, done or performed only by personnel or firms approved by the Board of Directors, this includes all plumbing and electrical repairs or replacement. A scope of work is to be submitted to the Board of Directors prior to commencement for approval. STRUCTURAL CHANGES OR IMPROVEMENTS INCLUDING EXTERIOR DOORS OR WINDOWS SHALL BE APPROVED BY THE BOARD OF DIRECTORS PRIOR TO BEGINNING ANY WORK. The plumber, electrician or other tradesmen that are performing any work shall be licensed bonded and insured. The Association has the right to inspect all work performed in all stages up to and including completion of project.*
- 1.17. *All units shall require mandatory inspections as designated by the Board of Directors for the operation of smoke detectors (3 installed in all two bedrooms and 2 in all efficiencies and one bedrooms) of leaking water apparatuses, of electrical panels and water tanks.*
- 1.18. *All residents must obey displayed signs, parking regulations, flow of traffic direction, in regarding to the driveways and parking areas. Vehicles shall not be parked in a manner that would impede or prevent access by another resident, fire equipment, police, or ambulance. All vehicles must be in good repair, properly registered for operation on public streets and have the Towers sticker / tag, provided by the Association, place on the windshield. All registered vehicles must match owner's name on deed or title or lease. A copy of the registered vehicle shall be provided by all residents for the purpose of obtaining a permanent parking Towers sticker / tag. Overnight guest vehicle must have a temporary pass and or guest pass from the Association management or Board member. The Association will remove any vehicle without a current registration, or having expired tags, or not being in good repair, (at the Association's discretion), or without having a Towers sticker / tag, temporary pass, guest pass from 12 midnight to 6 am at the vehicle owner's expense. Flat tires will be given 48 hours notice for repair.*

- 1.19.** *Vehicle washing and repair are not permitted. The condominium complex has no water or drainage facilities, nor work areas for vehicle repair. Vehicle waxing or polishing is allowed as long as care is taken to properly dispose of polishing materials. Emergency actions such as jump-starting a dead battery or changing a flat tire are permitted along with careful checking of vehicle fluids such as water, oil, and wiper fluid. CHANGING OIL IS SPECIFICALLY FORBIDDEN.*
- 1.20.** *No resident shall bring into his unit or dispose of in the dumpster any flammable or toxic fluids or items, such as gasoline, kerosene, naphtha or benzene, batteries or other explosives or articles which may be hazardous to life, limb or property. Bug bombs must be reported to the office prior to use.*
- 1.21.** *Except as otherwise specified in the Declaration and By-Laws, all damage caused by any resident or work performed by a tradesperson shall be repaired or replaced by and at the expense of the unit owner.*
- 1.22.** *Complaints regarding management of the condominium units and grounds or regarding actions of other residents shall be made in writing to the Association.*
- 1.23.** *No outdoor cooking shall be permitted on the limited common elements, (balconies or patios) nor elsewhere on the condominium property, except on the gas grills provided in the pool area.*
- 1.24.** *No signs, notices of advertisement, or name plates shall be or exposed on or at any window or other part of the condominium units, common or limited common elements except as shall have been approved, in writing, by the Association.*
- 1.25.** *All plumbing leaks and electrical malfunctions shall be reported promptly to the Association management.*
- 1.26.** *Unit owners and their tenants, guests, and invitees shall comply with all federal, state, and local laws and regulations while on condominium property. Unit owners and tenants shall maintain their units in compliance with all federal, state, and local laws and regulations. Operating a house of ill-repute, dealing in drugs and noticeable drunkenness shall not be tolerated.*

1.27. *Water beds and aquariums over five (5) gallons are permitted only on the first floor.*

1.28. *The resident (unit owner or tenant) is required to immediately notify the Manager of any live-in guests and the extent of their stay for security reasons. (Please refer to 1.34. below). Guests will be given a temporary parking permit or guest pass to be displayed on their car window if needed.*

1.29. *No resident or guest shall bring upon the property any commercial vehicle, boat, trailer, camper, motor home, or motorcycle. Vehicles such as pick-up trucks may not have cargo or unsightly material in view. No magnets with lettering and or advertising of any kind on any vehicle will be allowed parked overnight (12 midnight to 6 am) on property otherwise vehicle will be towed at owner's expense. The Association on an individual basis upon showing of good cause and / or substantial hardship may approve exceptions in writing.*

1.30. **POOL RULES:**

- a) *POOL HOURS for adults are 8:00 AM to DUSK. Pool hours for children thirteen (13) years of age or under are from 10:00 AM to DUSK daily including Saturday and Sunday.*
- b) *POOL PASSES: Everyone, RESIDENTS AND GUESTS, must be in possession of the pool pass assigned to their unit when using the pool and/or pool area.*
- c) *Children thirteen (13) years and under MUST BE ACCOMPANIED BY AN ADULT AT ALL TIMES. POOL SAFETY ROPE SHALL BE CONNECTED WHEN CHILDREN (13) YEARS AND UNDER ARE IN POOL.*
- d) *Children that are not toilet-trained MUST WEAR PROTECTIVE GARMENTS.*
- e) *SHOES OR OTHER FOOT COVERINGS MUST BE WORN TO AND FROM THE POOL. No wet feet or wet bathing suits permitted in the clubhouse.*
- f) *Rafts are permitted only when there are four (4) or less people in the pool.*
- g) *NO GLASS OBJECTS PERMITTED AT POOLSIDE.*
- h) *SPLASHING WATER ON THOSE RELAXING AT POOL SIDE WILL NOT BE TOLERATED.*
- i) *SUNTAN LOTION MUST BE REMOVED BEFORE ENTERING THE POOL.*
- j) *POOL CHAIRS MUST BE COVERED WITH A TOWEL IF SUNTAN LOTION IS USED.*
- k) *NO DIVING INTO THE POOL AND NO RUNNING IN THE POOL AREA.*
- l) *NO ALCOHOL BEVERAGES OF ANY KIND IN POOL AREA.*
- m) *Close all umbrellas after use and gates after opening.*

1.31. **GRILLING RULES**

- a) **REMOVE COVER AND OPEN TOP OF GRILLE**
- b) **OPEN SWINGING DOOR BELOW**

- c) **TURN DIAL TIMER ON FOR GAS TO FLOW**
- d) **TURN GAS BURNERS TO LOW**
- e) **PRESS OR TURN IGNITER UNTIL BURNERS IGNITE**
- f) **AFTER COOKING BURN OFF REMAINING PARTICLES OF FOOD**
- g) **SCRAPE ENTIRE GRILLE GRATES**
- h) **TURN BURNERS OFF**
- i) **WIPE AND CLEAN EXTERIOR AFTER USE**
- j) **CLOSE GRILLE AND PLACE COVER AFTER GRILLE IS COOL**

1.32. *All unit owners will be notified for collection of any monthly maintenance fees or any assessment when balance exceeds \$400.00. Fees, late charges, interest, collection charges, attorney fees will apply and be the responsibility of the unit owner. All leased units must be current at all times. If unit is leased collection of rental income shall be collected to pay past due monthly fees, or assessments and other charges mentioned. All lease units shall have approval by Board of Directors and be on automatic payment monthly for maintenance or assessment fees. Any unit not current shall be denied for leasing.*

1.33. *Construction schedule for all remodeling and construction work in any Towers' unit is Monday - Friday from 8:00 am to 6:00 pm and on Saturdays from 8:00 am to 4:00 pm. No work shall be allowed on premises on Sundays.*

1.34. *Occupancy of Units; Single Family Residence.* *A condominium unit shall be used only as a single-family residence. As used in the Condominium Documents, "single family" means one natural person, a group of two or more natural persons who customarily reside together as a single family housekeeping unit, each of whom is related to each of the others by blood, marriage or adoption, or not more than two persons not so related, who customarily reside together as a single housekeeping unit. No more than five (5) persons may permanently occupy a two (2) bedroom unit. For purposes of these Condominium Documents, "permanently occupy" means to sleep in the unit for more than fourteen (14) nights during a calendar year. No unit may be divided or subdivided into a smaller unit, nor any portion sold or otherwise transferred. No person may occupy a unit as a unit owner, tenant, or family member thereof (i.e. occupy the unit on an overnight basis for more than fourteen (14) days in a calendar year) unless said person's occupancy has been specifically approved by the Association, through the Board of Directors. In considering such requests, the Board may consider factors set forth in Article 18 hereof, and may charge a reasonable fee for review of occupancy requests. Units may not be used for commercial or business purposes. Any other person, not a permanent occupant, who will occupy a unit for less than fourteen (14) days in a calendar year, must register at the Association office within seventy-two (72) hours of arrival. All new residents, guests, owners and tenants shall comply with a Board interview and shall be in receipt of a "Welcome Booklet" upon*

completion of interview. An application and background check shall be performed prior to occupancy of any unit. A uniform lease with the term of one year shall be used for all tenants. All move in and out schedules shall be pre-arranged with the Association. Forbidden times are after 9 pm to 7 am. Owners may use Units for "home office" or "telecommuting" purposes, provided that such uses do not involve customers or clients coming into the Condominium, the postage of any signage in the Condominium.

1.35. **ENFORCEMENT OF RULES AND REGULATIONS.** The Board of Directors has the authority and responsibility to enforce the rules and regulations of the Association. The standard fine is \$100.00 for a single infraction of the rules and regulations. Florida Statute 718.303 limits an individual fine to \$100.00. However, a fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing, up to a maximum of \$1,000.00.

1.36. **Unit Owner Insurance Responsibility.** Unit owner coverage is still mandated by the state, but the statute will also require individual unit owner policies to provide \$2,000.00 of loss assessment coverage per occurrence. The unit owner is required to provide proof of hazard and liability insurance upon request, but not more than once per year. The new statute also requires that the Association be named as an additional insured and loss payee on all casualty policies issued to unit owners. The new statute also provides that all improvements or additions to the Condominium Property that benefit fewer than all owners must be insured by the unit owners having the use thereof or may be insured by the Association at the cost and expense of the owners having the use thereof. This provision is subject to interpretation and could be interpreted to apply to limited common element, parking spaces, storage lockers, and even balconies and patios. The intent of this provision was to require owners to insure additions to the condominium property benefiting fewer than all unit owners that were not part of the original construction.

The Insurance Clause:

**The Towers Condominium Association
C/O Alliant Property Management, LLC
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Fort Myers, FL 33919
239-454-1101, Fax 239-454-1147**