



2366 East Mall Drive
Ft. Myers, Florida 33901

CONDOMINIUM RULES and REGULATIONS

Division of Florida Land Sales, Condominiums & Mobile Homes

Effective Date July 19, 2018

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 periodically and recorded by security cameras. All perimeter, bike and gates shall be secured at all times before and after use.**
- 1.2. Neither the exterior of a condominium unit nor the appurtenant lanai or balcony, nor any other area appurtenant to a condominium unit, shall be painted, decorated or modified by any owner or resident 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, lanais, windows, or passageways. Drying of clothes, towels or similar is not permitted on balconies, lanais or railings along passageways. **BALCONIES or LANAIS 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, walkways or driveways, except in areas specifically designated by the Board of Directors. All bicycles must be registered, have a Towers decal and locked in the fenced bike rack located in designated area west side of building or on lanai with Association approval.**
- 1.5. The walkways and parking lots are to be used for pedestrian, automobile and vehicle traffic only. Riding on bicycles, scooters or motorized scooters, roller-blades, skateboards, etc. on walkways and in the parking-lot is not allowed for safety and insurance reasons.**
- 1.6. No Guns / firearms shall be permitted to be discharged on any of the Association condominium property, except for lawful purposes. Guns / firearms for this purpose shall include, but not limited to, rifles, shotguns, pistols, dart guns, BB guns, sling shots, or any item which discharges a projectile.**
- 1.7. 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. This shall encompass talking loud on cell phones within your lanai or the pool area. Bass music can interfere with persons using hearing aids, therefore playing music with heavy bass amplifies through the building will be prohibited. Use headphones or earplugs.**

- 1.8. **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 or lanais must be screened. All screen enclosures are to use black screen with white aluminum frames when updating or repairing. Sliding white aluminum black screen doors are permitted on entrance doors which require approval prior to installation within the sole discretion of the Association**
- 1.9. **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 lanai 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.**
- 1.10. **Roof Access shall be given by Board approved air-conditioning vendor from 8:30 am to 4:00 pm with limitations, Monday through Friday. For service on Saturday and Sunday are directly through Board approved vendor with keys. Vendor will have to submit license, bond and insurance. Workers compensation is required. Towers Condominium Association, Inc., has to be named as insured.**
- 1.11. **All garbage and refuse shall be placed in containers and deposited in the places provided (garbage chutes or dumpster room when given access) or recycle bins so it will not become a nuisance or annoyance to others. Placing garbage or refuse outside your entrance door or lanai is prohibited. Use bags no larger than 13 gallons or grocery store plastic bags that must be securely closed in chutes. No loose garbage, brooms / mop handles or similar, or cardboard boxes shall be placed in any garbage chute. 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, along with bottles / plastic containers must be taken to the recycle containers, located on NW and SE corners on the first floor. Boxes / containers must be broken down to lay flat and placed in recycle bins. RESIDENTS MUST MAKE THEIR OWN ARRANGEMENTS FOR DISPOSAL OR REMOVAL OF ANY APPLIANCES, FURNITURE, ETC. Large items shall not be placed in or in front of the dumpster rooms or at the curb of this property for disposal or be subject for fines for illegal dumping or the cost of the removal of items. Garbage chutes and recycle bins are monitored by security cameras.**

- 1.12. Toilets and other plumbing apparatus, this includes sink drains in the buildings shall be used for their intended purpose only. Pouring grease in any drain is prohibited. No sweepings, rubbish, rags, papers, ashes, disposable diapers, sanitary napkins, or any other foreign objects shall be deposited in same. Any damage repair costs resulting from this abuse will be charged to the unit owner.
- 1.13. 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.
- 1.14. Children under fifteen (15) 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.
- 1.15. No occupant or resident shall maintain more than one (1) pet, exclusive of a bird or tropical fish, in his unit or limited common element. NO DOGS, FARM ANIMALS OR REPTILES SHALL BE ALLOWED on property to reside or visit by a guest.
- 1.16. 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.
- 1.17. 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 or not, such as a water leak, fire or required inspections. All units that are leased or not occupied are required to provide the Association with keys.
- 1.18. All major or minor 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, additions of or replacement. A scope of work is to be submitted to the Board of Directors prior to commencement for approval. An ARB form must be submitted to the Association for approval with requested documentation. An insurance policy-bond must be issued to the Association. Verification of all paperwork by the Association submitted and liability and workers compensation are required before projects begin.

The Insurance Clause for the "insured" must read:

The Towers Condominium Association, Inc.

2366 E Mall Drive

Fort Myers, FL 33901

STRUCTURAL CHANGES OR IMPROVEMENTS INCLUDING EXTERIOR ENTRANCE 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. The Board will meet with the contractor, tradesman or their personnel for location of electrical, plumbing and other inside wall items; to know where proper disposal location and where cleaning of items is to be done, (i.e. paint, grout and any cement disposal location). A tradesmen can also be classified as CARPENTERS for the purpose of installing or removal of, baseboard, window trim, inside doors whether bathroom, closet or bedroom doors, screen sliding doors, installing vanities or kitchen cabinets, wall cabinets, countertops - whether granite (other stone), wood or other material, wood flooring with approval of sound underlayment; TILE installers for bathrooms, any walls or flooring or for the removal of or installing with approval of sound underlayment; PAINTERS; DRYWALL-texture finishers; CARPET INSTALLERS with tack strips; and REFRIGERATOR ice maker line installers. No contractor or tradesman shall bring onto the property any commercial vehicle, trailers or half trailers without prior designation of parking and permission of the Association.

1.19. 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 devices or panels and water tanks.

1.20. Condominium Parking is not intended for storage of vehicles in Guest spaces at any time. The purpose of guest parking is to have parking spaces available only for bona fide guests to park in. Guest parking should not and cannot be used by owners or residents as other parking is available (Deeded Carport Space) for their use. Furthermore, if a unit is leased, the Association is requiring tenants to use their assigned parking space and not the guest spaces. Therefore, each unit may have the maximum of two (2) vehicles. Unit owners or residents with three vehicles must have three licensed occupants residing in the unit to allow the two vehicles to be parked with Association approval in Guest spaces. Assigned parking spaces are Carport spaces marked "Reserved". Reserved Carport spaces are limited to one vehicle per unit unless arranged with other unit owner's permission in writing to the Association. The Reserved Carport spaces shall be used at all times by the unit owner or during tenant's residency. Any vehicle parked in a Reserved Carport space must display a Towers decal or Guest Pass any time of day or will be subject to towing, with the owner of the vehicle responsible for all costs of towing. AN OWNER allowing permission to use the designated assigned Reserved Carport spaces marked "Reserved" must be used by the resident and NOT be parked on the spaces marked "Guest". Guest marked parking spaces are intended for visitors or guest vehicles or the owner / occupant's second or third vehicle by this restriction as outlined with three licensed occupants residing in the unit. All residents must obey displayed signs, parking regulations, flow of traffic direction as clearly marked with signs and direction arrows, in regarding to the driveways and parking areas. The speed limit is 5 MPH.

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 fit in designated parking spaces and may not extend past the painted parking lines. All vehicles must be in good repair, properly registered for operation on public streets and have the Towers decal provided by the Association. The Towers decal must be displayed in a clearly visible location (i.e., lower left front driver's side windshield). The decals are for purpose of controlling parking and will be updated periodically. All registered vehicles must match owner's name on deed or title or lease. A copy of the vehicle registration shall be provided by all residents for the purpose of obtaining a permanent parking Towers decal. Overnight guest's vehicle must have a guest pass issued from the Association management or Board member to the unit owner or tenant. 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 decal or a guest pass from 12 midnight to 6 am at the vehicle owner's expense. The guest pass must be displayed face up with number showing, on the driver's side on the dashboard of the vehicle. Guest parking passes cannot be altered or copied in any manner, either by the host resident or the person the parking pass is issued to. Unit owners who lease their units are not permitted to park their vehicles on the condominium property, unless they are visiting the Unit that they own or another resident. This rule does not apply to owners of multiple units in which the owner resides in one of the owned units. Flat tires will be given 48 hours notice for repair. ANY VEHICLES PARKED IN VIOLATION OF THE PARKING RESTRICTIONS OUTLINED ARE SUBJECT TO TOWING, WITH THE OWNER OF THE VEHICLE RESPONSIBLE FOR ALL COSTS OF TOWING. NO WARNINGS WILL BE GIVEN.

- 1.21. No one shall be permitted to operate motorized vehicles upon the condominium property which are not properly muffled or which are modified to produce loud exhaust noises, this includes such vehicles being commonly known as "souped up vehicles" or "hotrods". Loud music from vehicle radios shall be turned low when entering property. The same applies when on property loud music from vehicles is prohibited.***
- 1.22. 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. Emergency auto repair is permitted only by insured mechanics.***
- 1.23. No resident shall bring into his unit or dispose of in the garbage chute or 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.***

- 1.24. ***Except as otherwise specified in the Declaration and By-Laws, all damage caused by any resident or work performed by a tradesman shall be repaired or replaced by and at the expense of the unit owner.***
- 1.25. ***Complaints regarding management of the condominium units and grounds or regarding actions of other residents shall be made in writing to the Association.***
- 1.26. ***No outdoor cooking shall be permitted on the limited common elements, (balconies or lanais) nor elsewhere on the condominium property, except on the gas grills provided in the pool area. Cooking on grills is permitted up to 9:30 pm in pool area, no dining or use of pool area tables or chairs in pool area past dusk or while cooking. Dusk is when pool lights come on.***
- 1.27. ***No signs, notices of advertisement, flags 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.***
- 1.28. ***All plumbing leaks and electrical malfunctions shall be reported promptly to the Association management.***
- 1.29. ***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.***
- 1.30. ***Waterbeds and aquariums over five (5) gallons are permitted only on the first floor. No waterbeds or aquariums are permitted on any other floor.***
- 1.31. ***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 1.39. below). Guests will be given a guest pass to be displayed face up with number showing, on the driver's side on the dashboard of the vehicle.***
- 1.32. ***No resident, or guest, shall bring upon the property any golf carts, ATV's, commercial vehicles, boats, trailers, semi trailers, house trailers, tractors, tractor trailers, truck campers, campers, motor homes, motorized scooters or motorcycles. Vehicles such as pick-up trucks may not have cargo or unsightly material in view. The Association on an individual basis upon showing of good cause and / or substantial hardship may approve exceptions in writing. No magnets with any lettering and or advertising of any kind, this includes rear window advertising 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 vehicle may be covered with a vehicle canvass cover specified for that vehicle. Plastic tarps may not be used. No resident or guest shall have any vehicle running, radio blasting or headlights on while parked in carport / guest space located on the condominium property

- 1.33. Bulletin Boards are for exclusive use of the Board of Directors and Association manager.**
- 1.34. Satellite Dish or Antennae may be placed within the lanai. Any damage due to the install or removal will be the responsibility of the owner for repair.**
- 1.35. The use of fireworks is prohibited on property. This will include sparklers or similar.**
- 1.36. POOL RULES:**
- a) POOL HOURS for adults are 8:00 AM to DUSK. Pool hours for children fifteen (15) years of age or under are from 10:00 AM to DUSK daily including Saturday and Sunday. Dusk is when pool lights come on.**
 - b) POOL PASSES: RESIDENTS must be in possession of the pool pass assigned to their unit when using the pool and/or pool area. All residents must be in pool area with their guests using the pool at all times and not to be unattended. Owners leasing their units may not use the pool.**
 - c) Tampering with pool equipment this includes thermometers, pool grates, plugs, lifesaving items, cleaning nets and temperature setting are prohibited.**
 - d) Pool chairs, chaise lounges and tables may not be reserved.**
 - e) Children fifteen (15) years and under MUST BE ACCOMPANIED BY AN ADULT AT ALL TIMES. Pool rope is not to be used as a "play" device or to hang on or for acrobatics.**
 - f) Children that are not toilet-trained MUST WEAR PROTECTIVE GARMENTS.**
 - g) SHOES OR OTHER FOOT COVERINGS MUST BE WORN TO AND FROM THE POOL. No wet feet or wet bathing suits permitted in the clubhouse.**
 - h) Rafts are permitted only when there are four (4) or less people in the pool.**
 - i) NO GLASS OBJECTS PERMITTED IN POOL AREA.**
 - j) SPLASHING WATER ON THOSE RELAXING AT POOL SIDE WILL NOT BE TOLERATED.**
 - k) No squirt guns or ball playing is permitted in pool area.**
 - l) SUNTAN LOTION MUST BE REMOVED BEFORE ENTERING THE POOL.**
 - m) POOL CHAIRS MUST BE COVERED WITH A TOWEL IF SUNTAN LOTION IS USED.**
 - n) NO DIVING INTO THE POOL AND NO RUNNING IN THE POOL AREA.**
 - o) NO ALCOHOL BEVERAGES OF ANY KIND IN POOL AREA.**
 - p) Open drink cups or containers are only permitted on pool tables and not on pool ledges.**
 - q) Battery operated or plugged-in (where located under Clubhouse covering) personal radios / CD / tape players, telephones or other devices are permitted with the use of earplugs / headphones. The use of any sound equipment, audible to others, is specifically prohibited.**
 - r) Smoking is permitted only by the ashtrays in the pool area by the gates.**
 - s) When inclement weather is apparent (black clouds, lightening and or thunder), the pool area, including cooking on grills, will be closed during any severe or dangerous conditions.**

Swimming is prohibited when these conditions are present or being told to vacate the pool and pool area by any Board Member or its representative. The Association management uses the APP "WeatherBug" for lightening monitoring.

t) Close all umbrellas after use and gates after opening.

1.37. 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**

1.38. Fees, late charges, interest, collection charges, attorney fees will apply and be the responsibility of the unit owner if account becomes past due. All lease units shall have approval by Board of Directors. Any unit not current shall be denied for leasing.

1.39. Construction. The 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.

1.40. 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; three (3) persons in a one (1) bedroom unit; two (2) persons in an efficiency unit. For purposes of these Condominium Documents, "permanently occupy" means to occupy and reside in the unit for more than fourteen (14) days during a calendar year. Any person, or 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. 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 or daytime 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.

A uniform lease adopted only by the Association with the term of one year shall be used for all tenant's occupancy. All lease applicants shall have a minimum credit score of 720 to be considered for occupancy. No guest may permanently occupy any unit if leased. The guest will have to be placed on lease for that term. 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 for applications. Units may not be used for commercial or business purposes. All residents, guests, owners and tenants shall comply with a Board orientation prior to occupancy and shall be in receipt of a "Welcome Booklet" upon completion. For any sale or lease applications a background check shall be performed prior to any occupancy of any unit. 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.

1.41. 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.*

1.42. 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 required amount by Florida Statute 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 for the "insured" must read:
The Towers Condominium Association, Inc.
2366 E. Mall Drive
Fort Myers, Florida 33901*