

**FAIRWAY TRACE AT PERIDIA HOMEOWNERS' ASSOCIATION, INC.**

**RULES & REGULATIONS**

**Effective: July 2023**

The Board of Directors enacts Rules and Regulations to preserve and protect Unit Owners capital investment in Fairway Trace and so that all residents benefit from an aesthetically pleasing and orderly community.

These Rules and Regulations supplement Florida Statute 718 (in part), the By-Laws, and Articles of the Declaration of Condominium for Fairway Trace at Peridia I and II and apply to all owners, tenants, occupants, their children and guests.

Any infractions of the Rules and Regulations should be reported to AMI - Advanced Management of Southwest Florida, Inc., (941) 359-1134.

Suspicious occurrences should be reported to 911 immediately.

For purposes of simplification in these Rules and Regulations:

- "Unit" means the living area and covered parking space provided to that Unit and is an indivisible entity for purposes of sale or rental.
- "Board of Directors" means the Board of the association having jurisdiction over the Unit or facility such as Fairway I, Fairway II or Homeowners.
- "Association" means the association in which the Unit or facility is located.

## Part A - General

1. Units shall be used for single family residential purposes only. Single family residential use means a single housekeeping unit composed of no more than six persons sleeping over on any night. In the case of Fairway Trace I only, this limitation excludes visitors whose stay does not exceed two weeks.
2. Unit Owners are entitled to the peaceful possession of their property. No nuisances or practices that are a source of annoyance to residents or which interferes with the peaceful possession and proper use of the property by its residents is permitted. Nuisances include noise from any source, e.g. - TV, stereo, radio, musical instruments, motorcycles or any noisy vehicle whatsoever.
3. There shall be no business or commercial use of any Unit and no business signs of any kind (excepting warning signs of security systems in place) are permitted on any portion of the Unit.
4. No unlawful, immoral, improper or offensive use shall be made of the condominium property nor any part of it, and all valid laws, zoning ordinances, and regulations of all governmental bodies having jurisdiction shall be observed. The responsibility of meeting the requirement of governmental bodies for maintenance, modification, or repair of the condominium property shall be the same as the responsibility for the maintenance and repair of the property concerned.
5. No Unit Owner shall permit any use of his Unit or make use of common elements that will increase the cost of insurance on the condominium property.

6. ONE DOMESTICATED ANIMAL may be kept as a pet. Pets must be no more than 25 pounds in weight, properly vaccinated for rabies, and must be licensed. Pets must be registered with the Board of Directors prior to being brought onto the Condominium Property. Pets are not permitted to be walked near the pool area, and are not permitted to be "staked out" unattended on Condominium property. State law requires that pets must be kept on a leash when outside the home, and the pet owner must carry equipment for the immediate clean-up of his or her pet's waste. Unit Owners are responsible to ensure that their pets make no noise which could be a nuisance to other Unit Owners in their Units. Any violation of the rules governing the right to have pets may result in the revocation of the right to keep the pet. Potentially dangerous animals are not permitted, whatsoever.
7. All drying or hanging of clothes, towels, or other unsightly objects by line, rack, or otherwise, which is visible outside the Unit, is prohibited.
8. (Fairway Trace I only) Antenna or antenna dishes of over 18 inches in size are prohibited. Satellite dishes of 18 inches or less in size may be allowed upon approval of the Board of Directors or its designated committee. The Board reserves the right to review and approve the location of the antenna to minimize its view from the street side or adjoining properties. The Board may require reasonable architectural guidelines which do not impair the signal reception, including painting of the antenna and landscape or other visual screening. For purposes of "approval", impair shall be defined as: (1) unreasonable delay in installation, maintenance, or use of antennas; (2) unreasonably increasing the cost of installation, maintenance, or use; or (3) precluding acceptable signals. A written request for approval shall be submitted to the Board of Directors, including a picture of the proposed antenna and an identification of the proposed location.
9. No rubbish, refuse, garbage, or trash shall be allowed to accumulate in places other than the receptacles provided therefor, so that each Unit, and the common elements shall at all times remain in a clean and tidy condition.
10. (Fairway Trace I only) Rubbish, refuse, garbage and trash shall be placed at curb side in trash containers or in securely fastened sturdy plastic, non-see-through, garbage bags, the morning of pickup. Yard waste will be picked up by contractor on regular work days. County picks up bundled yard waste on Saturdays.
11. (Fairway Trace II only) Rubbish, refuse, garbage, and trash shall be placed in securely fastened sturdy plastic bags and deposited in the dumpster designated for Unit Owner's building. Condo yard waste should be placed outside the dumpster enclosure in the area designated by the Board and will be picked up by the landscape contractor on a regular work day.
12. No discharge of hazardous waste products including paint, gasoline, oil, anti-freeze, solvents, cleaning fluids, or similar solutions shall be made on the common elements as all street drains discharge into our ponds and lakes.
13. Window tinting is allowed, but must be approved in advance by the Board of Directors and must be of Gray Llummar Window Film R-30 G SR CDF or equivalent.
14. It is in the interest of all Unit Owners to maintain uniformity in the exterior window appearance of our Units and buildings. Any draperies, curtains, blinds, or other window coverings whatsoever placed or installed in an exterior window of any Unit shall have a neutral (white or off-white) colored surface or drape lining facing the outside. NOTE: There shall be no attention-getting object visible through a window to the outside to destroy the uniformity of the condominium appearance.
15. All exterior doors shall be painted the color approved by the Association. The addition of storm doors, screen doors, vinyl, glass and screen enclosures, and hurricane shutters shall be approved in advance by the Board of Directors, and shall conform to Association standards. NO CHANGES OR ADDITIONS SHALL BE MADE to the exterior of any building or Unit without approval of the Board of Directors and if required by the state and county whose permits shall

be obtained by the Unit Owner and posted on site. Maintenance of any Unit Owner added addition and insurance coverage thereof shall be at the cost of the Unit Owner.

16. HURRICANE SHUTTERS SHALL REMAIN OPEN DURING DAYLIGHT HOURS EXCEPT DURING VIOLENT STORMS OR THROUGHOUT THE HURRICANE SEASON.

(Fairway Trace I only) HURRICANE SHUTTER GUIDELINES follow:

- An Architectural Request Form must be submitted prior to approval of installation
- Shutters must be white or clear.
- Shutters may only be installed or closed not more than 3 days before a hurricane is forecast to hit the area
- Shutters must be removed or opened not more than 5 days after a hurricane has hit the area

(Fairway Trace II Only) The Hurricane Shutter Policy is available at [www.amiwra.com/](http://www.amiwra.com/)

17. (Fairway Trace I only.) Proposals for all Security Light Installations must be submitted to the Association Board of Directors prior to installation. Each written request must include a sketch of the proposed installation. Those installations that are to be hard-wired to the electrical system must be accompanied by a licensed, insured and qualified electrician's proposal. Security Lights shall be of the "Motion Sensitive" type intended for Security only, and shall not be used as "flood lights" or be turned on for extended periods. Fixtures shall be either white or metallic (silver) in color and shall be installed in such a way that the illumination will not be a nuisance to neighbors.
18. All contracted repairs to any plumbing or to electrical wiring or heating and air conditioning equipment within a Unit shall be made by persons authorized, insured, and licensed by proper government authorities to do such work. Such persons will also provide evidence of proper current insurance coverage.
19. All barbecuing must be done at a safe distance from buildings sufficient to preclude fire or smoke damage. No barbecuing shall be permitted in covered lanais, covered entries, garages or within 10 feet of any structure. Cooking equipment shall not exceed 200 square inches of cooking surface and must be attended at all times. **Per Florida Prevention Code**, storage of residential 20 LB LPG cylinders is not allowed. Cylinders are limited to 2.7 LB X 2 = 5.4 LB capacity. When barbecuing, a fire extinguisher must be readily available. The storage of propane and inflammable substances is not allowed in garages or Units as **per Fire Department requirements**.
20. Nothing of a combustible nature may be kept or stored in a Unit or garage which will increase the cost of insurance or pose a danger to residents.
21. (Fairway Trace II only) Lawn ornaments or statuary of any kind, decorative flags, wind chimes, windmills, bird houses, or bird baths are not permitted outside the Unit. Any object that could become a missile during a storm or, which might interfere with lawn care, are not permitted outside the Unit. Flowers, planted in the ground, are permitted in the veranda courtyard areas as well as around the garages and the back of the buildings. No vegetables, herb plants, or fruit trees are permitted. Two Shepherd's crooks are allowed for each 8-plex building, and three are allowed for the 12-plex building. The Shepherd's crooks may be either single or double and with white only hanging basket and these must be stored inside when an owner leaves for the summer. Two decorative garden stones in the limited common element are permitted. No personal plants are permitted in the center courtyard.
22. (Fairway Trace II only) All furniture on verandas must be white, beige, or brown in color. Two (2) chairs and one (1) small table, or one (1) two-seat bench and one (1) decorative plant no taller than 36 inches are permitted. Three (3) decorative plants, collectively no taller than 36 inches are permitted. Furniture must be against the wall and at least a 36-inch egress is required from the edge of the furniture to the railing or end of the veranda. All loose outdoor items **MUST** be moved indoors during storms or when the Unit is vacant. Storage under the stairwells is prohibited.

23. The Unit Owner or occupant shall shut off the flow of water to the Unit any time any plumbing work is carried out in the Unit and any time the Unit is to remain unoccupied for seven days or longer. In the event a Unit owner does not comply with this rule or does not cause the occupant of the Unit to comply, and damage to a Unit or Units or the common elements or personal property results from such noncompliance, that owner shall be liable to the Association for all such damage not covered by Association insurance, as well as the reasonably estimated increase in the Association's utility bill associated with that damage.
24. It is the responsibility of the Unit Owner to see that all guests comply with the restrictions, rules and regulations of the Board of Directors. Any guest who violates the restrictions, rules or regulations may be required to leave the Condominium property and the owner shall be responsible for any damages.
25. Garage Sales are not permitted. However, Estate Sales may be held but only with prior Board approval. An Estate Sale is generally considered to be a sale of goods and contents of a Unit in conjunction with the sale of the Unit or the liquidation of a Unit Owner's personal property. Board approval must be received in advance of the sale date.

## Part B - Vehicles and Parking

1. RESIDENT VEHICLES ARE LIMITED TO TWO PER UNIT, which does not include vehicles of overnight guests. Parking any vehicle at any time on lawns or an unpaved area not intended for parking is prohibited as the sprinkling system pipes are not set deeply in the lawn area and could become damaged.
2. The covered parking spaces are intended for vehicles. Unit Owners and lessees or tenants shall park at least one of their vehicles inside the covered parking space provided to the Unit. The open (outside) parking spaces are intended for visitors and service vehicles. Passenger automobiles, passenger station wagons, custom vans, and non-commercial trucks only are permitted. Motor homes and trailers may not be parked overnight in open parking spaces.
3. Garage doors are to be kept closed except for ingress and egress, or when garage is otherwise in use. (Fairway Trace I only) Doors may be left open no more than six (6) inches, if desired for ventilation.
4. Vehicles with lettering denoting a commercial business or enterprise are prohibited from open parking spaces. This prohibition shall not apply to temporary parking of commercial vehicles required for pickup, delivery, repairs, and any commercial service to the condominium, Associations, Unit Owners, and Residents.
5. (Fairway Trace I only) All golf carts shall be electric powered and shall be parked and stored within the garage when not in use.
6. (Fairway Trace II only) Because the electricity in garages is a community expense, Unit Owners will be billed for excessive usage such as for major appliances and riding golf cart or electrical car recharging.
7. It is prohibited to use open parking spaces to perform mechanical work on any motor or recreational vehicle.
8. Car washing is allowed. Only clearly labeled biodegradable cleaning products may be used for this purpose because all street drains discharge into our ponds and lakes.
9. THE SPEED LIMIT within Fairway Trace is 12 miles per hour.

## Part C - Rental and Sales

1. Approval by the Board of Directors, or their designated representative, is required prior to the sale, lease, transfer, or occupancy of any Unit. Approval is obtained by application to the Board and must be accompanied by a non-refundable fee of one hundred dollars (\$100.00) from the tenant, purchaser, or present owner, made payable to the Association, and forwarded to the management company. Lease and sales transactions may also be subject to local and state taxes.
2. Prior to the sale of any Unit, the seller must furnish the buyer a copy of the condominium documents and the latest copy of the Fairway Trace Rules and Regulations, as required by Florida statute.
3. No Unit may be rented for a period of less than three (3) months. Subleasing of a Unit is not permitted.
4. Units that are rented shall be occupied only by those persons identified on the lease application. Overnight guests may stay in the Unit only when the lessee is present.
5. No Unit shall be divided or subdivided for any purpose
6. Upon entering a lease agreement, the Unit Owner waives in favor of the tenant any right to use the Fairway Trace recreational facilities. A tenant of any Unit Owner shall have the same right to use said recreational facilities as the owner of said Unit had. The owner may (optional) relinquish golf, tennis, and clubhouse privileges to the tenant by supplying a notification letter to Peridia Golf and Country Club with membership card attached.
7. THE UNIT OWNER WILL FURNISH THE LESSEE OR TENANT A COPY OF THESE RULES AND REGULATIONS, AND WILL ADVISE THE LESSEE OR TENANT THAT COMPLIANCE IS REQUIRED OF ALL OCCUPANTS OF THE UNIT.
8. (Fairway Trace II only) Posting of "For Sale" or "For Rent" or other displays or advertising is not permitted on any part of the common elements, or Units, excepting for space specially provided for such signs on the notice board in the cabana.
9. (Fairway Trace I only) A "For Sale" sign will be allowed so long as it meets the following specifications: the sign must be an 18" X 10" green oval with a white border and white lettering. The top line is to contain 2" lettering, the second and third lines are to contain 1" lettering, and the fourth and final line is to contain 1.25" lettering for the contact phone number. The sign must be mounted on a metal pole and may be placed in a conspicuous location. No "For Rent" signs are permitted.

## **POOL RULES**

Pool for use of residents and guests only.

Pool Hours – 7:00 A.M. to 10:00 P.M.

Pool Limit – 17 persons. Pool area limit – 6 from any one Unit.

Diapered persons are not permitted in pool. Children must be toilet trained.

Portable wading pools permitted for children not toilet trained.

Children under age 14 must be supervised by an adult.

Swimmers must wear bathing suits – no cut-offs, jeans, etc.

Persons with open sores or bandages not permitted in pool.

Shower required before entering pool.

Skin must be free from suntan oil.

No diving, jumping, running, or boisterous behavior permitted.

No animals allowed in pool or cabana area.

Radios or stereos may only be used with headsets.

Food restricted to cabana (except at Board approved functions). Drinks are to be in unbreakable containers.

Pool furniture is to be covered by towels during use. No towels are to be hung on fence.

Holding lounges and chairs for persons absent is not permitted.

Arrange lounges neatly in upright position when leaving.

Pool may not be reserved for private use. (Also, see Cabana information below.)

Smoking is not permitted anywhere within the fenced pool area, or in Cabana.

## **SPA RULES**

Caution: Persons with health problems are advised to consult physician before using spa.

Persons with open sores or bandages not permitted in spa.

No person under age 12 permitted in spa. Ages 12 - 14 must be supervised by an adult.

Maximum recommended time in spa – 10 minutes. Maximum temperature – 103°.

Spa limit – 7 persons.

## **CABANA INFORMATION**

The Cabana may be reserved for private use except for holidays. See bulletin board for information.

Rest rooms are for key holders only.

"Fridays at Five" - Fairway Trace residents are welcome to gather for drinks in the Cabana starting at 5:00 P.M. Fridays. Bring your own favorite beverage and an hors d'oeuvre to share with your neighbors.

No glass containers are allowed in the Cabana.

Before leaving, participants are asked to return furniture to its proper place and to dispose of any leftovers and trash in plastic bags in the dumpster. Tables, counters, and floor shall be left free of crumbs to control insects.