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**CONDOMINIUM OWNERS ASSOCIATION OF PINE BAY FOREST****RULES AND REGULATIONS**

Florida condominium law is governed by the Florida Condominium Act, Chapter 718 of the Florida Statutes, together with rules and regulations promulgated by the Department of Business Regulation, Division of Florida Land Sales, Condominium and Mobile Homes, Bureau of Condominiums. In addition to the rules and regulations promulgated by the State of Florida, your duly elected Board of Directors may from time to time establish new rules and regulations or change existing ones to meet the needs of the Association.

It is the Board's obligation to see that the condominium community operates in accordance with the governing documents. Pine Bay Forest's rules are designed to promote and preserve the health, happiness and peace of mind of the unit owners, and to help preserve the quality and character of Pine Bay Forest.

NOTE: Please refer to the Pine Bay Forest DECLARATION and the BY-LAWS for full recitation of these rules and regulations. Please see website: Online Sunshine for annual State Statute Updates

Policies and rules promulgated by the Board and Directors are subject to change. New Board approved policies and rules may be added to meet the needs of the Association. Amendments approved by the membership may be added. Please check with Management or your Board of Directors for any changes since the date of this publication.

**RECREATIONAL FACILITIES****POOL, SPA, SAUNA, TENNIS COURT, PICKLE BALL COURTS, SHUFFLE BOARD COURT, LENDING LIBRARY and OVERLOOK DECK ON PALMA SOLA BAY****For use by Residents and their Guests only.**

All persons using recreational facilities do so at their own risk. **In case of emergency, dial 911.** Recreational facilities are restricted to use by owners, residents, their guests and families. In order to facilitate identification and control, all persons using the recreational facilities are requested to have their key at all times—this includes owners, tenants, guests and family members. Owners are required to accompany guests and family members who are not overnight house guests when such persons are using the recreational facilities. Overnight house guests may use the facilities without resident hosts—key required. It is suggested that all who use the pool and spa wear cover-ups while walking to and from the pool and spa area.

**RECREATION ACCESS KEY**

Each unit receives one key. A second key may be purchased for \$15. Any additional keys requested or lost key replacement after the 2<sup>nd</sup> key may be purchased at a cost of \$25 per key. Keys are obtainable from the Property Manager's office or Pool Board of Director.

**TENNIS COURT/PICKLE BALL COURTS**

1. Non-marking soft soled shoes are required. No wet bathing suits
2. Use Sign-Up White Board to reserve courts
3. Do not sign up before 8AM two days prior to play.
4. Remove your name from sign up roster if your plans change.
5. A reserve time player who has played shall yield the court to a player who has not had court time that day.
6. Show courtesy and good sportsmanship at all times, especially when others are waiting to play.
7. Close gate during play and after leaving the court.
8. Place dead balls and other trash in the receptacles provided.

**POOL**

Open between the hours of 7AM and Dusk. Swim at your own risk. No lifeguard.

Pool capacity is limited by permit to 24 persons. Parties of more than 4 non-resident guests at any one time may be admitted only with permission of the Board of Directors.

1. Children must be supervised by adults at all times.
2. Babies and toddlers allowed only if wearing approved swimpants.
3. Shower before swimming.
4. Keep food and drinks away from pool.
5. No glass containers, pets, loud noise, running or rough play.
6. Dispose of trash appropriately.
7. Make way for lap swimmers.
8. Parties require permission. (See EVENTS AT RECREATION AREAS)
9. Chairs must be kept 4 feet from edge of pool for safety.
10. LEAVE THE POOL/SPA IMMEDIATELY IN THE EVENT OF LIGHTENING OR THUNDERSTORM.

**SPA**

Spa capacity: 6; Maximum temperature 104F

Children under 12 must have adult supervision. Pregnant women, small children, people with health problems or taking certain medications which may cause drowsiness should not use spa without first consulting a doctor.

**SAUNA**

Recommended temperature is 170-180F.

1. Pour water over rocks to achieve recommended humidity of 75%.
2. Remove clothing and jewelry and wear towel loosely.
3. Do not exceed thirty (30) minutes in sauna.
4. Elderly persons or those in poor health should consult with physician before using sauna.

**EVENTS AT RECREATIONAL AREAS**

To schedule a personal event: Check calendar on the PBF website or contact the Association Services Chairperson for date and time availability. Forms are available from the PBF website or see Association Services Chairperson or the Property Manager. Send completed permission form to Property Manager's office for approval. After approval is obtained, send or bring approved

permission form to Association Services Chairperson to have date and time placed on PBF website calendar, All rules and regulations for use of recreational facilities must be observed.

### **CONDOMINIUM LIVING**

#### **PRIVATE PROPERTY VS COMMON ELEMENTS**

Inside your unit is your personal property, but outside, beginning with your exterior walls, are the COMMON ELEMENTS: sidewalks, grass, ornamental beds, trees, carports, parking lots, overlook, pool, pool house, shuffle board court, tennis court, trash corrals, fences, wells, light fixtures, light poles, and flag pole.

#### **PETS**

Manageable\* pets meeting the following guidelines are permitted to use the Common Elements:

1. Maximum of thirty (30) lbs. at maturity
2. Limited to one (1) pet per unit.
3. Must be leashed on Common Elements.
4. Owner is responsible for picking up and disposing of solid pet waste from Common Elements.
5. Move pets well into grass when passing pedestrians on the sidewalk.

\*Any pet judged a nuisance by the Board after an investigation of complaints must be removed from the premises within 10 days.

Any resident acquiring a pet that uses Common Elements, subsequent to moving into Pine Bay Forest shall register that pet with the Property Manager. A PET REGISTRATION FORM may be obtained from the Property Manager or PBF website. Return completed form to the Property Manager.

#### **CHILDREN**

Pine Bay Forest does not qualify as “housing for older people” under the Fair Housing Amendments Act of 1988. Families with children are welcome. We ask that parents encourage their children to act with courtesy and respect when using the Common Elements.

#### **ANTENNAE & AERIALS**

The placement of any antenna, aerial, or satellite dish constitutes an Architectural Change to Common Elements and must be approved by the Board of Directors prior to installation.

#### **VISIBLE UNSIGHTLINESS**

No unsightly objects are allowed around the perimeter of units. This includes, but is not limited to: Laundry, toys, chairs, etc. Such items may also be a hazard to residents and a hindrance to the grounds crew.

#### **VEHICLES**

No commercial vehicles, trucks, motorcycles, watercraft, campers, trailers, mobile homes and similar vehicles may be parked in any carport or parking area (except service vehicles during the time in which they are servicing a unit or Common Element). No major repair, painting, or maintenance of any vehicle is permitted in any carport or parking area. Violations are subject to vehicle removal at owner’s personal expense.

**GUEST PARKING**

Please park between lines. Do not block Dumpster Corral. Unit owners of vehicles (their own or guests) that block dumpsters so as to prevent trash pickup are subject to vehicle removal at owner's personal expense.

**PODS**

PODS (Portable On-Demand Storage) containers are permitted under the following conditions:

1. Property Management must be notified in advance of the dates for POD use.
2. PODS must be parked in Guest Parking, NOT in the carport.
3. The POD must be small enough to occupy no more than one guest parking space.
4. No more than one (1) POD per driveway is allowed at a given time.
5. The period of POD use for moving may be no longer than seven (7) days.

**NUISANCES AND LAWFUL USE**

No objects shall be left unattended on Common Elements, except as properly stored in carports. Any object placed in common areas which in the judgement of the Grounds Committee or Property Manager, interferes with grounds maintenance may be considered a "nuisance" and be removed.

No nuisance, such as noise, odors, accumulated debris, fire hazard or other objectionable practices which are a source of annoyance to residents, interfere with residents, or increase the rate of insurance upon the property, are permitted. No immoral, offensive or unlawful use shall be made of the condominium property or any part thereof.

**GARBAGE**

All garbage other than dry paper must be in "tied" plastic bags when placed in the dumpster and not left loosely on the ground. Empty cardboard boxes and other bulky items should be flattened before placing in the recycle bins. Items left outside the dumpsters will not be picked up. If the dumpster closest to you is full, please use another.

Reminder: **DO NOT PARK IN FRONT OF DUMPSTER CORRAL.**

**LARGE ITEMS AND CONSTRUCTION DEBRIS**

Remodeling and construction debris must be hauled away by your contractor immediately.

Large usable items can be donated to a local charity that provides pick-up. Do not place at dumpster. You may also call the Property Manager for pickup of mattresses.

Large unusable items: notify management for instructions.

**WINDOW DRESSINGS**

Drapes, curtains, vertical blinds or other window dressing or treatment must be lined in white.

**FLAGS, BANNERS, AND OUTDOOR DECORATIONS**

Residents may display a flag, banner or outdoor decoration under the following conditions:

1. A standard size American flag (not to exceed 36" x 60")
2. A seasonal or other decorative flag or banner (not to exceed 28" x 40")
3. Only one flag or banner may be displayed at any one time.

4. Flag shall be mounted in a bracket attached to the wood frame section of the unit.

Flags, banners and outdoor decorations shall conform to generally accepted standards of good taste. Armed Forces Day, Memorial Day, Flag Day, Independence Day and Veterans Day flags may be displayed in a respectful way (portable, removable official flags, not larger than 4 ½ feet by 6 feet that represent the United States Army, Navy, Air Force, Marine Corps, or Coast Guard) regardless of any declaration rules or requirements dealing with flags or decorations.

### **RELIGIOUS OBJECTS ON DOORS**

Residents may display religious objects on the unit owner's door frames not exceeding three (3) inches in width, six (6) inches in height, and one and a half (1.5) inches deep as permitted by the Condominium Act.

## **CHANGES TO PROPERTY**

### **BUILDINGS**

No changes shall be made to any exterior wall, door, window or any exterior surface without approval from the Board of Directors. A request For Architectural Change Form must be completed and submitted to the Property Manager or Building chairperson. Forms are available from the Property manager or the PBF website.

### **LANDSCAPE AND HARDSCAPE**

Residents who wish to add plantings and personalize individual areas directly in front of or behind units are allowed to do so. Consultation is required with the Grounds Chairperson or Property Manager. Owner installation of Hardscape/Patio Pavers requires a REQUEST FOR HARDSCAPE APPROVAL FORM. Please complete the application form on the PBF website and submit for approval.

### **HURRICANE SHUTTERS**

The Florida Statutes require that the Association shall permit owners to install hurricane shutters if they choose to do so. Forms and specifications are available from the Property Manager's office.

## **ESTATE SALES/SIGNS**

### **ESTATE SALES**

Estate sales are limited to the beneficiaries of a deceased resident whose goods are on sale, or "Moving Sales", limited to the resident whose goods are on sale and who is vacating the unit.

1. Registration with the Property Manager is required.
2. No more than one registration on a given driveway on a given day.
3. Notification of all other residents of the sale driveway.
4. The sale is to be held totally inside the unit of the vendor, with no displays of goods in carports permitted.

### **SIGNS**

No signs shall be displayed from a unit or placed upon common elements or displayed from a vehicle parked in the common elements without prior written approval of the Board of Directors except those of the Association itself

**OPEN HOUSE SIGNAGE**

In regard to OPEN HOUSE SIGNAGE, the Association does not wish to hinder the efforts of an owner to sell his home, but we reserve the right to control the amount and type of signage used and therefore the following must be followed:

1. The Property Manager must be contacted 72 hours prior to holding an open house if signs are to be placed on the Common Elements. Written approval will be issued at that time.
2. There is no limit to the number of requests to allow open house signs.
3. There will be no flags, banners or balloons or other “unusual” devices.
4. There will be no more than one sign on 75<sup>th</sup> Street.
5. Only one sign per broker/unit owner allowed on Manatee Ave at the corner nearest the Open House
6. There will be only one sign per driveway. There will be only one sign at the unit.

**ASSOCIATION RIGHT TO ENTER INDIVIDUAL UNITS**

By law, Florida Statutes 718.111(5), the Association has the authority in an emergency to enter a unit by whatever means necessary:

“The Association has the irrevocable right of access to each unit during reasonable hours, when necessary for the maintenance, repair, or replacement of any Common Elements or of any portion of a unit to be maintained by the association pursuant to the declaration or as necessary to prevent damage to the Common Elements or to a unit or units.”

**INSPECTION OF UNITS**

By law, Florida Statutes 718.113 “a unit owner shall not do anything within the unit or on the Common Elements which would adversely affect the safety or soundness of the Common Elements.”

Under no circumstances shall an owner allow the interior of his/her unit to deteriorate as it may affect adjacent units. In the absence of compliance, the Property Manager or Building Maintenance Director may be called upon to inspect any unit.

**OWNER’S FAILURE TO ACT**

If an owner fails to maintain and repair his unit properly, including Limited Common Elements and appurtenances for which a unit owner is responsible, the Association:

1. May enter into any unit upon reasonable notice during reasonable hours to inspect.

2. May make necessary repairs and maintenance.
3. Owner will be responsible for the expense of the repairs and maintenance.

Please refer to the Declaration for a complete recitation of the regulations governing these matters.

### **LEASE TERMS AND APPROVAL**

Unit may not be leased during the initial year of ownership from date of title transfer.

1. A completed APPLICATION FOR LEASE FORM must be submitted by unit owner to the Management Company fourteen (14) days in advance.
2. Application Process includes: An interview and background check.
3. \$100.00 non-refundable application fee per applicant must accompany LEASE FORM. (A married couple or parent/dependent child are considered one applicant.)
4. Resident children over the age of 18 must undergo the application process with a background check fee.
5. Lease shall be an entire unit and for a period of not less than three(3) months.
6. Owner will provide prospective tenants with a copy of Forest Pathways.
7. Owner(s) accept ultimate responsibility for the actions of his/her tenant(s), guests, and/or family members.

**RENEWALS** require filing an application for approval/disapproval thirty (30) days in advance, but no interview, background check or fee.

### **LENDING OF UNITS**

A GUEST/FAMILY REGISTRATION FORM will be filed with the Property Manager's office when an owner/tenant, not in residence, arranges to loan the unit to a guest or family member.

1. A loan is the granting of permission of unit occupancy **without** the payment of rent, in the absence of an owner of the unit or the "designated occupant."
2. No unit may be loaned for a term of more than three (3) weeks.
3. No unit may be loaned more frequently than three (3) times in any calendar year.
4. With a loan, time limitations do not apply to a child, grandchild, parent or grandparent of the owner and spouse.

### **PURCHASE APPROVAL**

1. Owner shall notify the Association Services Chairperson when unit is placed on the market.
2. When the owner(s) has a prospective purchaser, owner(s) shall provide the Property Manager with an APPLICATION FOR PURCHASE FORM and the \$100.00 application fee per applicant.
3. When APPLICATION FOR PURCHASE has been approved, owner(s) must provide prospective purchaser(s) with a copy of Forest Pathways.
4. Interviews are conducted to assure that prospective owners know and understand rules and regulations. They are not intended to screen for race, color, creed, religion, gender, or national origin.
5. After the closing, a copy of the deed must be sent to the Property Manager's office.

### **MAINTENANCE FEES**

Timely receipt of quarterly maintenance fees is absolutely essential to the orderly administration of the affairs of our Association. The annual budget is based on anticipated receipts being sufficient in amounts to cover anticipated expenditures. Failure to do so could result in our losing discounts or borrowing to cover



expenses. Reserve funds are earmarked for specific long range projects and may not by law be used for other purposes.

The fiscal year for Pine Bay Forest is October 1 through September 30<sup>th</sup>. Maintenance fees are due quarterly (October 1, January 1, April 1, and July 1). Late payments may be subject to late charges, interest, a lien, attorneys' fees, acceleration of all remaining assessments for the fiscal year, and other penalties as provided in the Statutes such as: the Association may suspend the right to use Common Elements, common facilities; may suspend voting rights; and if the unit is leased, the Association may demand the tenant pay future monetary obligations related to the unit to the Association until the monetary obligation of the unit is paid. Please refer to the Declaration, By-laws, and Statutes for a complete recitation of the rules and regulations governing these matters.

## RULES ENFORCEMENT

The rules and regulations governing the Condominium Owners Association of Pine Bay Forest, Inc. are derived from the condominium law described in the Forward to this manual. All rights and opportunities for enforcement are, likewise, derived from these documents and any enforcement mechanism must be consistent therewith.

All persons who occupy, own or use the condominium or any of its Common Elements must comply with the use restrictions recited in these documents; this includes owners, their guests, family members and tenants alike. A unit owner may be liable for a violation of the rules and regulations made by any one of these persons.

**Voluntary compliance** is the goal the Association strives to achieve. This compliance not only promotes that which is inherent in the condominium concept, "the health, happiness and peace of mind of the unit owners," and helps preserve the quality and character of Pine Bay Forest, but also avoids the threat or actuality of legal action and exposure to attorney fees, etc.

It is the Board's obligation to see that the condominium community operates in accordance with the governing documents. It must **consistently** enforce restrictions or risk losing the right to enforce them. The Board of Directors has no discretion in the matter, and continued violations will leave it no choice but to exercise its duty to all unit owners of Pine Bay Forest by taking all appropriate legal steps to stop the violations, including recovery of any attorneys' fees and costs incurred by the Association.

Rule enforcement at Pine Bay Forest is primarily the responsibility of our off premises Property Manager. The Property Manager can deal with serious or continuing violations only if informed of them. It is, therefore, the responsibility of us, the residents to report such violations and the name of the violator (or host, should the violator be a guest). This system probably means that the violation will not be corrected on the spot, but the matter will be pursued in a practical time frame.

This arrangement does not preclude any owner from politely reminding others of a particular rule. We do not, however, encourage confrontations – just a simple reminder followed by a report if the reminder doesn't work. Nor do we wish our volunteer Board members to be burdened by confrontations. So the resource is the Property Manager.