

# ESPRIT II CONDOMINIUM ASSOCIATION, INC.

## RULES & REGULATIONS

In accordance with the Declaration of Restrictions and Protective Covenants for Esprit II Condominium Association, Inc., the Association will, as necessary, amend Rules governing use of the common areas and facilities. This document is a guide to assist residents in managing activities which will, in turn benefit all of the residents of the community. It is not, however, intended to be all inclusive.

Each property owner will be given a copy of this document. Additional copies may be obtained at a cost.

The Board of Directors will attempt to provide a copy of this document to all non-resident property owners and will consider its obligation fulfilled upon mailing to the address on record. It is the property owner's responsibility to provide the Association with any new address.

Landlords are responsible for providing a copy of this document to their lessees in Esprit II.

Please keep in mind that the Board of Directors is authorized to establish any and all necessary fines for those who do not follow Esprit II Rules and Regulations.

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A. **DECALS:** The decals are to be displayed either on the front or rear window on the driver's side; decals must be displayed at all times while on property. If you have tinted windows in the rear, please place decals in the front window on the driver's side. Units may receive up to two decals per unit (\$5 per decal). The decal that is displayed in the car must match the tag number that was presented at the time of pick-up, if the information does not match the decal it will be considered in violation and is subject to be towed. Any vehicle not displaying a decal will be considered unauthorized and will be towed away, without further warning, at the owner's expense.

B. **VEHICLES/PARKING**

1. Common areas: no vehicle may be parked on any area including grass, landscaping or any other area designated as common area for the use and benefit of the residents or guests of Esprit II (with the exception of designated paved parking spaces). All vehicles parked in these areas for any period of time will be towed without further notice at the owner's expense.
2. Roadway: no vehicle(s) may be parked on the roadways of Esprit II. All vehicles impeding access or ingress to a parking place will be towed away immediately. No advance warning is necessary and the owner will be liable for all towing charges.
3. Prohibited vehicles: no trucks, commercial vans, campers, mobile homes, jet skis, boats or trailers of any description shall be permitted to be parked or to be stored any place on any lot on this property. Government, County and Police vehicles are excluded.
4. Commercial vehicles: the term "commercial vehicle" shall include, but not be limited to, all vehicles and trucks containing any trade or business name, advertising, signs or any type of lettering, or any vehicle with equipment, including but not limited to, racks, tool boxes, storage bins or camper tops used for service. Hydraulic lifts or equipment (except for any ramps or lifts needed for access by handicapped persons) will be considered a commercial vehicle and will not be allowed on the premises of Esprit II. This prohibition of parking shall not apply to temporary parking of trucks and commercial vehicles engaged in picking up, delivery and other commercial services.
5. Vehicle(s) under repair: any vehicle repairs more extensive than changing a flat tire, putting water into a radiator, or changing a battery, will not be done on any property within Esprit II. Any vehicle found to be in a state of repair which renders the vehicle inoperable, poses a nuisance to the community, a threat to the safety of residents or children, or is sufficiently noticeable and which detracts from the aesthetics of the community will not be allowed to remain on any parking space within Esprit II.  
Residents, upon notification, will be towed 24 hours to make arrangements to remove or repair such vehicle to the guidelines of the Association. Any vehicle not removed within the 24 hour time period will be towed Esprit II at the owner's expense.
6. Foot traffic only: all areas with grass, trees or plants of all types and amenities will be maintained by the Association for foot traffic only.
7. Illegal parking: all vehicles illegally parked (i.e. fire lanes, reserved spaces, handicapped spaces, service area lanes or green (lawn) areas will be immediately towed without further notice at the owner's expense.
8. Derelict/disabled/abandoned motor vehicles: a disabled or abandoned motor vehicle may not be parked, stored or kept in the Parking Areas. The term "disabled motor vehicle" shall include, but not limited to, any motor vehicle which cannot operate on its own power. The term "abandoned vehicle" shall include, but not limited to, any motor vehicle with expired license plates, missing license plated, flat tires or broken windows. All vehicles which fall under this section will be towed away, without further warning, at the owner's expense. If a derelict vehicle is parked in an assigned space, the Association will sticker the vehicle and attempt to contact the resident holding that assigned space either by telephone or posting a

note on the door of the unit. If the resident does not answer within 24 hours, the vehicle will be towed away, without further warning, at the owner's expense.

9. Towing: the Association shall have the right to authorize the towing away of any vehicle in violation of the Association's Parking Rules and Regulations. Residents/Guests should be aware that vehicles improperly parked on the common area of the community are in violation of parking rules and subject to towing. Should a vehicle be towed away, costs will be charged against the vehicle owner and must be paid prior to repossession of the vehicle. Our authorized towing company is Whitts Towing, 7051 SW 30 Road (305-226-9333).

#### C. STREETS

1. Ownership: Streets within the subdivision of Esprit II are owned and maintained by the Association. Property owner/renter assumes all responsibility and liability for the actions of guest(s) for any violation of this section. In the event of a renter's failure to take responsibility for the action of a guest, the property owner assumes all responsibility and liability for all violations of this section.

#### D. PROPERTY OWNER/RENTER LIABILITY

1. Liability: unit owners shall be responsible for the actions of their children, their tenants and their guests. Any damage to the buildings, streets, amenities or common elements caused by Unit Owners, their children, tenants or guests, shall be repaired at the expense of the Unit Owner. Any damage to other units or common areas caused by the negligence of the Unit Owner, his children, tenants or guests, such as plumbing back ups, leaks, etc., shall be repaired at the expense of the Unit Owner responsible.

#### E. PETS

1. Laws/ordinances: residents who own pets are required to comply with all applicable County ordinances relevant to pets.
2. Leash: pets will be leashed at all times when not within the resident's home.
3. Other information: pets shall not continue or present a problem or create a nuisance to neighbors, either by noise or sanitary habits. Any animal which is allowed to roam on Esprit II property in violation of the above provisions of this section shall be considered abandoned and will be reported to, and removed by, the appropriate authorities.
4. Livestock: no livestock, poultry or animals of any kind (with the exception of cats, dogs and other household pets) shall be kept on any property of Esprit II.
5. Number of pets allowed: only one (1) will be permitted per unit.

#### F. USE OF PREMISES/NUISANCES

1. Responsibilities of residents: residents of Esprit II will not use, or permit the use of, their property, in any manner which is disturbing, a nuisance, or potentially injurious, to any resident of the community. Residents of Esprit II will not use, or permit the use of, their property in any manner which is injurious to the reputation of the Association. Residents of Esprit II will abide by all Florida Statutes, County Ordinances and Association By-Laws, Rules and Regulations while on Esprit II property.
2. Noise ordinance: residents of Esprit II will abide by all of the provisions of the Dade County Noise Ordinance.
3. Garage sales: garage sales or any type of auction is prohibited on Esprit II property with the exception of auctions involving the sale of a unit. Any auctions under this category must comply with all of the rules set forth.
4. Business: no business of any type will be conducted on any property of Esprit II.
5. Storage: no storage of material will be done on any property of Esprit II considered to be "Common Area".
6. Car washing: no car washing is permitted on the premises. The buildings' water supply may only be used for the watering of plants/lawns. Watering of plants/lawns is permitted only in accordance with Dade County regulations/guidelines.

#### G. TRASH

1. Garbage/trash: disposal of garbage or trash will be done only by placement in appropriate trashcans. Any trash, placed for pick up, not deemed appropriate for removal by County Solid Waste personnel, will be retrieved by the resident and lawfully disposed of by the resident no later than 24 hours after pick up is denied.
2. Special Items: Removal of trash items considered appropriate by county solid waste personnel, such as large quantities of plant or tree cuttings, construction material, furniture or appliances, will be the responsibility of the resident. Any trash as detailed in this section which is removed by the Association as a result of the

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resident's failure to do so will be the responsibility of the property owner. All costs associated with the Association's expense in the removal of such trash will be assessed against the owner.

#### H. SIGNS

1. For sale/for rent signs: "for sale" or "for rent" signs will be 12" X 12" and must be placed on a post inside the property owner's courtyard. No other signs, notices or advertising of any type will be permitted to be displayed on the exterior walls of any unit, the common areas of the community or in any location visible to the public.

#### I. MODIFICATION OF PROPERTY

1. Exterior change: no structural modification or alteration of any type will be made to any building or any property, including the common ground, without the written consent of the Board of Directors. Such modification and alteration include, but are not limited to, security bars, screened enclosures, trellis, antenna, and satellite dishes. All structural modifications must be in compliance with all Dade County Building and Zoning requirements. Further, building permits are required prior to construction. Without limiting the provisions of paragraph 11.2 of the Declaration of Condominium for Esprit II, except with written consent of the Association as elsewhere provided, no Unit Owner shall cause or permit his terrace, balcony, garden area or patio increased in size, the configuration thereof altered or awnings installed thereon, or the exterior of his unit to be modified or removed, nor shall any Unit Owner in any manner change the exterior appearance of his unit or any building or common element, except for the purpose of repair or replacement required to be made by the Unit Owner, and any such repair or replacement shall be in substantial conformity with that originally installed by the developer or last approved by the Association, no unit Owner shall install or permit to be installed in his Unit electrical wiring, television or radio antennae, machines or air conditioning equipment which may protrude through the roof or walls of his Unit or Building.
2. Exterior appearance: no Unit Owner shall install any trees, shrubbery, flowers or other landscaping on the exterior of any Condominium Property, and no Unit Owner shall remove or alter any such landscaping installed by the Association. Unit Owners may place tasteful patio furniture and plants on their terraces, balconies, garden areas or patios, but shall keep same neat and slightly condition. The Association shall have the right to require any Unit Owner to remove any personal property placed on any terrace, balcony, garden area or patio, or otherwise on the exterior of the Condominium Property which the Association deems unsightly or potentially dangerous.

#### J. SWIMMING POOL RULES

1. Hours: the pool will remain open from sunrise to sunset only. Also, the gate to the pool must remain closed at all times.
2. Pool equipment: the life ring and safety hook are required Life Safety equipment and are not to be played with or removed from the pool area. This equipment is to be used for emergencies only.
3. Safety: Swim at your own risk, no lifeguard is on duty. Also, please adhere to the following:
  - a. Running and unnecessary noise is prohibited.
  - b. Children under the age of 12 years must be accompanied by a parent.
  - c. Children in diapers are not permitted in pool without wearing rubber pants.
  - d. Diving into pool is not permitted.
  - e. Playing ball in or around the pool is not permitted.
  - f. Glass containers are not allowed in the pool area.
  - g. No food or drink allowed in pool or on pool deck.
  - h. No animals permitted in pool area.
  - i. No loud music.
4. Parties: Private pool parties are not permitted. Also, contact and organized sports activities are not allowed in the fields, parking lots or other common areas of Esprit II.

#### K. OWNER/TENANT

1. Required information from owners: proof of ownership of the property (i.e. warranty deed, quit claim deed), current vehicle registration and current Florida driver's license.
2. Required information from tenants: copy of current lease with the following information:

- a. Terms of lease and expiration date
  - b. Property owner's name, current address, phone numbers (home, work and emergency contact)
  - c. Renter(s) legal name and legal name(s) of all person(s) who will reside in the unit
  - d. Current vehicle registration
  - e. Current Florida driver's license for all motor vehicle operators residing in the unit
3. Other resident information: the Association must be notified in writing, within 30 days of the end of the lease, if the lease will or will not be renewed. The Board of Directors will refer, to the appropriate authorities, all violations of this ordinance and will request aggressive enforcement of this ordinance.
- NOTE: Florida statutes require driver licenses and vehicle registrations to reflect the current address within 10 days of moving to a new address.

L. SCHOOL BUSES/VANS (PUBLIC/PRIVATE)

1. Definition: public school buses which are licensed and operated by Dade County. Private school buses/vans are those that are privately owned for profit or non-profit.
2. Public school buses/vans: public school buses/vans will be allowed in Esprit II for the purpose of picking up children for school. Residents utilizing public school buses/vans within Esprit II assume all responsibility for the safety and welfare of their children.
3. Private school buses/vans: any vehicle speeding or operating dangerously within the community will be prohibited in Esprit II. Residents utilizing private school buses/vans within Esprit II assume all responsibility for the safety and welfare of their children.

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RULES AND REGULATIONS ACKNOWLEDGEMENT

We (I) have received and read the Rules and Regulations for Esprit II Condominium Association. I understand that these Rules and Regulations are strictly enforced.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Unit address

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Signature

Note: The Association has the power to take legal action against violators of the Rules of the Association for each infraction.