

THE ASSOCIATION OF PELICAN POINT, INC.

RULES AND REGULATIONS

(Please keep a copy of these rules inside your unit for easy access)

INTRODUCTION

These revised Rules and Regulations were approved and adopted by the Board of Directors of the Association of Pelican Point, Inc. on November 21, 2002, with revisions in December 2005, May 2013, January 2014, March 2019, and October 2020.

They are intended to maintain the value of our property and to ensure the quality of life that is anticipated and expected in a well-maintained residential community. These Rules and Regulations are in addition to and are not inconsistent with the provisions as set forth in the Declaration of Condominium for Pelican Point. These rules were and are authorized to be adopted by the Board by virtue of Article 24 (D) of the Declaration of Condominium as well as Article II, Section 2 (p) of the Articles of Incorporation and Article III, Section 6 of the Bylaws. These Rules and Regulations supersede and replace any and all Rules and Regulations as they apply to the Association of Pelican Point, Inc. published and issued prior to the above date of adoption. The Board of Directors may from time to time add new Rules and Regulations to address new issues or to make changes to these Rules and Regulations as deemed appropriate. When this occurs, you will receive notice of the meeting at which the rule changes will be considered, and you will receive an as-adopted set of the revised rules and regulations.

The Condominium Documents provide that each unit owner is a member of the Association, thus providing certain rights and requiring certain duties and obligations. Each owner is entitled to the quiet enjoyment of his or her property and the common areas without any undue interference or disturbance from other owners or their guests. To this end, each individual owner (and the owner's tenants and guests as well) must do his or her share to ensure this right is protected and to cooperate in order to maintain the quality of our financial investment. **We urge you to participate in this joint responsibility by following these Rules and Regulations and contributing your support in our efforts. If you feel that compliance with any of these rules is being overlooked, please bring it to the attention of Management or a Board Member in writing. Please also be sure to sign your letter, as the Association cannot act on anonymous reports.**

I. GENERAL

1. No owner or lessee shall make or permit noise that will disturb or annoy the occupants of any other unit or do anything that will interfere with the rights, comfort or convenience of other owners. Loud noises, abusive language and inappropriate conduct will not be tolerated. Noise levels shall be lowered inside and outside of units between the hours of 10:00 PM and 8:00 AM such that noise coming from activities conducted inside or outside the unit cannot readily be heard inside other units. Unit owners are responsible for the conduct of their tenants and the invited guests of the owner and the owner's tenants at all times.
2. Sidewalks, entrances, driveways and passageways, as common elements, must be kept **open and unobstructed**. No scooters, skateboards, bicycles or roller skates/blades are to be ridden on sidewalks or passageways but are acceptable in the parking lot of Pelican Point. No outdoor mats are allowed on walkways when unit is unoccupied.

3. Bicycle racks have been placed in the first floor stairwells of each building for the owner's use. These are to be used at each owner's risk and it is recommended that locks be used to secure the bicycle. Bicycles must be in good working order, and it is mandated that the owner marks the bike with their unit number.
4. No towels, clothing, rugs, or mops shall be hung up or shaken from windows, doors, passageways or balconies. Nothing shall be thrown from windows, passageways, or balconies.
5. Acts of vandalism to private or common element property should be reported promptly to a member of the Board of Directors in written form. The approximate time, date, and a description of the incident should be included so that we can check the security camera footage.
6. Florida Statute 718 provides that Condominium Associations have the right of emergency access to individual units. Article 14(c) of the Declaration provides the same rights. Therefore, individual owners must provide the Association with a key to their unit. The Association requires that the keys to the individual units be maintained in a secure and locked cabinet and are to be used only by bonded Association employees or Board members, and except in an emergency, only after giving the best practical notice to the owner and occupants.
7. No awnings, shutters or other projections, including additional air conditioners, television and radio antennas or wiring shall be attached to or extended from the outside of the buildings without approval of the Board of Directors. Over-the-air television reception devices, including all wiring to supply power and to carry the received signals, must be installed wholly within the confines of the unit that is lawfully within the exclusive use and control of the owner or lawful unit occupant. No installation shall create conditions which may impair the structural integrity of the building. The unit owner shall in all cases be and remain fully liable for damage caused by any such installation, including all extra expenses incurred by the Association as a result of such installation.
8. No alteration or changes shall be made to the entry doors or patios/balconies without prior written approval of the Board of Directors. Doors and screens are to be properly maintained in good condition by owners. The main door is to be painted standard bronze or current approved color. The paint is provided by Association. All unit numbers must be brass and adhere to standard font used, and unit numbers must be visible from the walkway for emergency responders and delivery people. No tinted storm door glass may be used if it blocks the ability to see the unit number on the door. Numbers may only be placed on the door itself, not on the building.
9. Access to the roofs of the buildings is limited to authorized maintenance personnel.
10. Suggestions for improvement regarding the management of the Association or complaints regarding the actions of other owners shall be submitted in writing to the Board of Directors. No owner, lessee, or visitor will use loud, vulgar, obscene language or gestures to any Board member or other owners, lessees, or visitors. Police will be called, and the offender will be notified of their required meeting with the fining committee.

11. No signs, signal, advertisement, notice or any lettering or equipment shall be exhibited, inscribed, painted, affixed, or exposed on or in any window or any part of the outside of the unit, unless approved by the Board of Directors, or unless permitted by law.
12. Fishing equipment shall not be left unattended at the seawall for more than a few moments and must not be left out overnight. They will be removed by maintenance or a Board member if they are left out.
13. The electrical outlets at the shed, as well as in the laundry rooms and near the office, are available for temporary use by residents during daylight hours.
14. Feeding of birds or any other wild animal is prohibited for health and safety concerns.
15. Occupiers of units are required to shut off the main water valve and the electrical circuit to the water heater when leaving the unit for longer than three days, and must leave the air conditioning on at a temperature of under 80 degrees Fahrenheit. Failure to take these steps may subject the unit owner and the occupant, if different, to liability for any damages to the Condominium Property that result from water damage and/or the absence of climate control.
16. No drones or remote-controlled aircraft of any kind are allowed.
17. Charcoal, electric, and propane grills are not allowed **within 15 feet of any structure**. No grills allowed in the pool area. There is a grilling pad located outside the C-Building by the dumpster.
18. Smoking is permitted only inside personal units. All other smoking must take place 20 feet from the buildings. **NO SMOKING** is allowed on the front walkways, in or near the elevators, or anywhere within 20 feet of the buildings. There are picnic tables near the seawall that are available for smokers' use, but you must take all debris with you when you leave the area. No cigarette butts can be left, and if ashes fall on the table or benches, we will expect the smoker to completely clean up after themselves before leaving the area.

II. LEASING / RENTING

1. Units are for single-family residency. The common element facilities are defined as all of the Pelican Point Condominium Complex except for the individual condominium units. The common element facilities are for the exclusive use of owners, lessees and guests. Owners and tenants shall be responsible for the actions of any family member, guest, or visitor.
2. No lease or rental of a unit shall be made for a period of less than one month. A copy of the rental agreement and a completed renter profile must be on file in the Association office at least 10 days before move-in.
3. An owner relinquishes all rights and privileges to the use and enjoyment of all common element facilities during the period of rental unless the tenant waives the tenant's rights to use the common amenities in writing in the lease agreement and a copy is given to the Association office.

4. Owners or tenants cannot refuse the services of the pest control company when they are scheduled to spray the interiors of the units.
5. Owners are to provide a copy of the Rules and Regulations to all lessees, tenants, and guests.

III. CLUB ROOM AND DECK

1. The club room and the patio deck area are for the use and enjoyment of unit owners, their families and invited guests, or their lessees. Vulgar or profane language is not permitted in the club room or the deck area.
2. Normal hours of use are from 8:00 AM to 10:00 PM daily. Adults wearing bathing suits in the clubroom must wear a cover. No wet bathing suits or other wet attire is permitted in the club room.
3. Use of the club room after normal hours must be scheduled in advance on a first come basis. Those using the club room after normal hours must obtain a key from the office or a member of the Board of Directors. Those using the club room after hours must ensure that all doors are locked, and the area is returned to its normal setting after each use. The key must be returned on the next business day. Persons using the club room after-hours shall be liable for damage occurring as a result of such use or the failure to secure the clubroom after use.
4. A resident of Pelican Point may reserve the club room for special occasions by filling out the form, signing the calendar at least 48 hours in advance of the event, and informing management or a board member. Regularly scheduled activities shall take priority over special occasion use. The resident shall be responsible for the conduct of his or her guests and must be present at all times during the event. A resident may not schedule or sponsor any event for any outside group. The club room shall not be used for any commercial purposes. The club room must be left clean and returned to its original setting. The Association reserves the right to require payment of a security deposit and the execution of a written use agreement.
5. Smoking is not permitted in the club room at any time.
6. Non-folding chairs and tables are not to be removed from the club room or deck.

IV. POOL

Normal hours of use are from 8:00 AM to DUSK daily, weather permitting. After-hours use of the pool is not permitted and will be considered a trespass.

1. Since there is no lifeguard on duty, persons using the pool do so at their own risk. Running in the pool area, diving or jumping into the pool and horseplay are strictly prohibited.

2. Beverages may not be consumed within 4 feet of the pool area. Food may be consumed only within the area of the covered cabana. Per state regulations, NO GLASS of any kind is allowed inside the pool gate and fencing. No grilling in the pool area.
3. No animals of any kind are permitted in the pool area except to the extent permitted by law.
4. Everyone must shower before entering the pool; especially if they have lotions or oils on their skin.
5. Subject to religious dictates as to what is appropriate, proper bathing attire is required for swimming. Cut-offs may not be substituted for bathing attire.
6. Non-toilet trained children and incontinent adults must be in impermeable swimming diapers to be allowed in the pool.
7. No one is allowed in the pool with an open cut or skin infection.
8. An adult (over 18 years of age) who is physically capable and emotionally mature enough to render meaningful emergency assistance must accompany children under the age of 14 years and all other persons who either do not know how to swim or who have infirmities that may prevent them from exercising appropriate care in the pool.
9. Chairs and loungers are available on a "first come" basis and may not be reserved for others. Chairs and loungers are not to be moved from the pool area.
10. Cover chairs and loungers with a towel before applying any suntan lotion.
11. Radios and personal audio equipment shall be at a level so as not to annoy others.
12. All litter is to be placed in the proper waste receptacles.
13. The public bathroom facilities near the pool area are to be kept by the users in a clean and sanitary condition.
14. Entrance gate to pool must be kept latched except for entrance and exit by latch to comply with state law.
15. Vulgar or profane language is not permitted in the pool, on the pool deck, or in the pool bathrooms.
16. Smoking is not permitted within the fenced pool area.

V. TENNIS COURTS/SHUFFLEBOARD

Normal hours are 8:00 AM to 10:00 PM daily.

1. Use of courts before or after normal hours must be scheduled in advance and approved. After hours use of the courts without prior approval is not permitted and will be considered a trespass.
2. Proper foot attire must be worn to prevent deterioration of the court surface.
3. No bikes, rollerblades, skates or skateboards are allowed.
4. Persons using the courts after sundown must turn off the lights after play is completed.
5. These courts are to be used on a first come basis. Out of respect for other users and for safety reasons, it is required that tennis and shuffleboard not be played simultaneously. If other players are waiting, use must be restricted to no longer than one hour.
6. No one under the age of 15 is allowed to use the tennis/shuffleboard courts without the supervision of a legal guardian over the age of 18 years.

VI. LAUNDRY ROOMS

Normal hours of use are 8:00 AM to 10:00 PM. After-hours use of the laundry facility is not permitted and will be considered a trespass.

1. Rules for use of washers and dryers are posted and must be followed. Said rules are incorporated herein by reference and made a part of these rules as if fully set out herein.
2. No food, drinks, or smoking are allowed in the laundry rooms.
3. No trash or garbage except laundry refuse should be discarded in the laundry rooms.
4. Clean washer gaskets before and after cycle and leave washer door ajar after cycle has stopped.
5. Clean lint traps in dryers before and after your cycle.
6. Individual washers and dryers are prohibited in any unit at Pelican Point.
7. ONLY 2 tablespoons of liquid HE Detergent can be used in the laundry machines. Detergent HE PODS are highly recommended. Regular detergent (non-HE detergent) will cause the washers to malfunction. No powder detergent or powder fabric softener is permitted.
8. Keep laundry room doors closed when not inside.
9. FYI: Washer cycle takes about 30 minutes and dryer cycles are approximately 45 minutes.

VII. PETS

1. Not more than two (2) pets are permitted in each unit, not to exceed 24 pounds each at maturity, unless otherwise permitted by law. No exotic birds, snakes, nor other creatures or animals are allowed.
2. Pets must be walked in the designated pet walk areas, must be kept on a leash at all times when in the common areas, and all droppings must be immediately cleaned up and disposed of by the pet owner. The current pet relief area is around the retention area next to the tennis courts. The parking lot can be used for exercising a pet. No pets allowed on the grassy areas.
3. The unit owner and/or approved lessee or occupant shall indemnify the Association and hold it harmless against any loss or liability whatsoever arising from having any animal in the condominium.
4. The owner or approved lessee shall keep their pet(s) under immediate and direct physical control at all times. If a pet becomes obnoxious to other residents by barking or otherwise, the pet owner must correct the problem or permanently remove the pet from the condominium property.
5. A current copy of the rabies certificate, showing the weight of the animal, must be presented to Board member or management upon first visit by animal.

VIII. PARKING

1. The Association shall have the right to restrict and designate the parking of any and all types of vehicles (automobile, trucks, vans, motorcycles, water crafts, trailers, campers, etc.) on any portion of Pelican Point Condominium property.
2. All vehicles remaining parked overnight (i.e. between sundown and sunrise) or longer must be registered in advance with the office and display an approved vehicle parking permit issued by the Association. All vehicles must display a current valid registration. Any vehicle lacking such identification will be considered to be illegally parked and shall be subject to towing at the vehicle owner's expense after proper notice is given. (See Section 715.07, Fla. Stat.)
3. Unit owners or lawful lessees (but not both) may park one (1) vehicle (automobile, van, light truck or motorcycle) in spaces designated as "Owner" spaces. All other vehicles belonging to unit owners or lessees (but not both), and vehicles belonging to guests, are to be parked in "Visitor" or specially designated areas. November 1st through April 30th, one car per unit will be strictly enforced. May 1st through October 31st, each Unit will still only have 1 parking spot, but there will be an option for a second space if the parking is available
4. Any unit owner or lawful lessees not complying with the parking rules shall be given written notice of the violation. If after 24 hours the vehicle in violation is not moved to comply with parking rules, a certified letter will be sent to the unit owner and/or lawful lessee. Seven days after mailing the certified letter, if the unit owner or lawful lessee has not complied, the vehicle not in compliance shall be towed at the owner's expense after proper statutory notice. Any notice to the same unit after that first letter will be properly noticed, and 48 hours later the vehicle will be towed.

5. Motorcycles are not to be parked in the parking spaces located along sidewalks.
6. All "Owner" spaces and other designated spaces are open parking. Therefore, there will be no special parking privileges except for vehicles displaying approved handicapped designation and vehicles belonging to maintenance personnel.
7. Spaces marked as "Handicapped Parking" are reserved for vehicles displaying a current and approved handicapped designation.
8. Vehicles are not permitted to be backed into parking spaces along the sidewalks except for loading and unloading.
9. Oversized vehicles that are larger than the standard 14-foot parking spaces must park in the "Long Term Vehicle Storage Area" which is the row to the north of the storage trailers. These vehicles must have a current Pelican Point permit on their dash or windshield to stay overnight (i.e. from sundown to sunup) or longer.
10. Pelican Point Condominiums does not provide long term storage of boats or recreational trailers. Vehicles such as these may be on the premises for no more than 12 hours, with approval from the Board.
11. RV's, boats, campers, jet skis, kayaks and trailers over 14 feet long can only be parked with prior written approval of the board and only for two (2) weeks at a time, up to four (4) times per year. This is for storage only. No power use or occupancy is allowed.
12. Pelican Point currently allows long term parking for a maximum of twenty-two (22) "enclosed cargo trailers" along the southwest fence between Pelican Point and the post office. Advanced written Board approval is required and the trailer must be kept in good condition, licensed and not longer than fourteen (14) feet overall, no wider than eight (8) feet, and no more than eight (8) feet tall. These spaces are granted on a "first come" basis. The Board reserves the right to charge a fee for the exclusive use of these spaces.
13. Parking of vehicles in front of the dumpsters or on any grass area is strictly prohibited.
14. Only emergency repairs are permitted to vehicles in the parking areas.
15. The vehicle owner (or the unit owner, if different) shall pay for any damage done to the parking areas due to oil leaks, repairs, or faulty vehicle equipment.
16. No washing of vehicles is permitted on Pelican Point property due to the high cost of water.
17. Parking spaces designated as "Maintenance Parking" shall not be occupied by anyone except the maintenance person.
18. Vehicles must not be left running unattended.
19. Owners who leave their homes for a period of 5 days or longer must park their vehicles in the "Visitor" parking area during their absence.

20. The Association of Pelican Point must comply with the Titusville Municipal Code of Ordinances (Section 39-71) concerning residential parking. Section 39-71 states “ (a) Districts in which parking is prohibited: It shall be unlawful for any person, either as an agent, owner, occupant, lessee, tenant or otherwise, to park, store, deposit or allow, cause or permit to be parked, stored or deposited on any public or private property in any residential zoning districts of the City any road tractor, semi-trailer, truck tractor or any combination thereof or any other truck or special mobile equipment or other heavy equipment of whatever type, size or nature.” Further stated: “a commercial vehicle designed as a van, pick-up truck or similar vehicle may be parked on a legally recognized parking area” where it does not interfere with individual owner residential parking. The foregoing is a minimum standard and does not operate to supersede the more stringent standards contained in these Rules and Regulations. To the extent of any inconsistency, these Rules and Regulations, as from time to time amended, shall govern parking on the Condominium Property.

21. When an owner leases or loans their unit, they give up the right to park a vehicle or trailer on the Condominium property unless the tenant/guest waives the right, in writing, to use the parking area.

22. Except as otherwise provided in these Rules and Regulations, vehicles left on the Pelican Point property longer than one month without being driven off the premises must park in the “long term parking” area across from the cargo trailers. Long term parking space use is subject to Board’s choice of space and the vehicle owner must give name and phone number of a local contact in case the vehicle must be moved.

23. While parking is not currently a problem issue, the Board reserves the right to limit the number of vehicles allowed per household if needed.

24. Vehicles parking in the front row by the sidewalk are not to allow their vehicle to overhang the sidewalk.

25. No vehicles with signage will be allowed in “Owner” parking, at any time, unless engaged in work on the property.

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