



Myrtle Trace Condominium Association, Inc.

Rules and Regulations

Revised: March 2010

Myrtle Trace at The Plantation is a condominium association and, as such, is owned by the unit owners who make up the membership. Because the actions and behavior of any single member have the potential to impact other members of the community, a condominium association needs rules and regulations governing the rights of unit owners and restrictions on their behavior. They are necessary for the safety and enjoyment of our homes and neighborhood.

Consistent with the Articles of Incorporation and Bylaws of Myrtle Trace, the Board of Directors has full authority to establish and revise the Rules and Regulations to manage the Association.

It is the responsibility of each unit owner to be familiar and comply with the Association Rules and Regulations. More detail on rules, regulations, authorities, responsibilities, and operating arrangements of the Association can be found in the Declaration of Condominium, Bylaws, and Articles of Incorporation.

A. OCCUPANCY

1. Unit owners are responsible for familiarizing guests and lessees with the Association's Rules and Regulations.
2. Homeowners will be held responsible and liable for destruction, damage, or defacement of buildings, facilities, and equipment caused by their actions and/or the actions of their families, guests, lessees, or contractors they employ.
3. No owner, tenant, or other occupant of a condominium unit shall:
 - a. Use a unit for other than a single-family residence;
 - b. Commit any nuisance or illegal act in the unit or on the common elements;
 - c. Use a unit, or any portion thereof, for any business or commercial endeavor that is illegal in the State of Florida, or may be seen, heard, smelled by the neighbors, or causes additional traffic;
 - d. Use a unit or any common element in any manner which violates any laws, ordinances, or regulations of any governmental body;

B. VEHICLES AND PARKING

1. Vehicle operators shall not exceed the posted speed limit (20 MPH) on any street.
2. No vehicle, which is inoperable, not currently licensed, or so deteriorated as to be unsightly, may be parked in any parking area (except a garage).
3. Parking on lawns or grass areas is not permitted at any time. Unit owners are responsible for any damage to lawns or sprinkler systems caused by their parked cars or those of their guests or lessees.
4. Unit owners or lessees who discolor driveways (e.g. with rust, oil, paint) are responsible for arranging prompt cleanup. Otherwise, the Board will arrange for cleanup at the owner's expense.
5. No owner, lessee, or other occupant of a condominium shall perform mechanical repairs (except in an emergency) to motorized vehicles within Myrtle Trace.

Service Vehicles, Trucks, RV's, Boats, and other Watercraft

6. No one shall park a truck (with more than four wheels), boat, camper, trailer, mobile home or recreational vehicle, van (other than one equipped with passenger seats behind the driver and windows on all four sides), motorcycle, or motorized scooter, in any parking area within Myrtle Trace, except in a garage.

Exceptions:

- a. Pickup trucks may park in striped parking areas and driveways within Myrtle Trace during daytime hours, but must be parked in a garage overnight.
- b. Service vehicles are permitted only during the time service is being provided. A service vehicle is any vehicle with commercial markings or one that is otherwise evidently used for commercial purposes.

Motorcycles, Scooters, Mopeds

7. Motorized, two-wheeled vehicles such as motorcycles, scooters, and mopeds may not be operated on the premises except to enter or leave the condominium. They may be kept on the premises in garages only. Motorcycles must be operated with good muffler systems.

Special Terrain Vehicles

8. Neither All-Terrain Vehicles (ATVs) nor Off-Road Vehicles (ORVs) are permitted on the premises.

Bicycles and Tricycles

9. Bicycles and tricycles must be stored indoors or in a garage.

C. BUILDINGS

Building exteriors are owned by the Association. The interior, defined as everything within the area between the walls, the ceiling, and the floor, is the responsibility of the homeowner, as defined in the Condominium Document, page 5, paragraph 10(b)(1). The attic space is a common element, not intended for storage. Any actions taken by residents that lead to personal injury or damage to the structural integrity of the building in the attic area will be the full responsibility of the involved owner or resident. In such event, the Association shall bear no responsibility.

Proper Work Order Procedures

1. A work order must be initiated for work to be authorized and accomplished by the Association. There is only one correct procedure:
 - a. Contact the Property Management Company.
 - b. A work order will be initiated.
 - c. The Myrtle Trace Maintenance Supervisor will then contact the unit owner and an inspection is made to determine the nature and scope of the problem. The Maintenance Supervisor will leave a doorknob tag with feedback.
2. Emergency procedure: If, upon contacting the Property Management Company, no response is forthcoming, contact a member of the Board.
3. Not every problem is the responsibility of the Association; therefore, either of two actions will be taken:
 - a. If it is determined that the problem is the responsibility of the Association, a contractor of the Association's choice will be engaged to correct the problem at no cost to the unit owner.
 - b. If it is determined that it is the unit owner's responsibility, he may engage a contractor of his choice at his own expense.
4. If a unit owner does not follow the correct procedure for initiating a work order and contacts a contractor directly to correct a problem, that problem becomes the owner's responsibility and he is liable for any expenses incurred.

Requests for Modifications, Alterations, and Enclosures

5. Unit exterior modifications, alterations, and enclosures must reflect construction standards consistent with the current unit design and architecture. Homeowners who wish to modify, alter, or enclose any exterior portion of their unit must obtain prior written approval of the Board.

(REQUESTS FOR CHANGE TO THE ORIGINAL "FOOTPRINT" WILL NOT BE APPROVED.)

6. The homeowner must obtain a current "Approval Request and Waiver of Responsibility" form by contacting the Property Management Company or from the Myrtle Trace Web site at <http://Myrtletrace.org>.
7. The homeowner must then complete and submit the form with plans to the Property Management Company who will forward the completed application to the Board for consideration.
8. Following approval, the homeowner assumes complete responsibility for the conformity, installation, maintenance, replacement, and cost of the approved changes relevant to any portion of the unit altered or enclosed.
9. The Association's maintenance and/or replacement responsibility for that portion of the unit terminates.
10. In all cases, prior written Board approval is required before work begins.
11. The original approved application and plans must be filed permanently with the Association records for that unit.

12. A request for an alteration that will result in any change, modification, reconfiguration, or an alteration that will otherwise alter the structural integrity of the building must be submitted, along with detailed plans, for approval of the Board. The homeowner is responsible for any/all costs associated with the review of plans and the alteration.

"Enclosing" or "Enclosure" of a Myrtle Trace Condominium

13. Terms and Definitions:

a. Lanai enclosure includes installing complete walls, partial walls, or frames with variations of screening, acrylic, vinyl, or glass.

b. Patio enclosure includes installing complete walls, partial walls, or frames with variations of screening, acrylic, vinyl, or glass, with a solid or screen roof.

c. Courtyard enclosure includes a screen, acrylic, vinyl, or glass wall installed on the open side with either a screen, acrylic, vinyl, or glass ceiling or a concrete block wall and roof to match the rest of the unit.

d. Entryway enclosure includes screen, acrylic, vinyl, or glass with a door installed across the entry.

14. In every case, building materials and practices must meet current Florida Building Code, and a licensed contractor shall accomplish the work after obtaining a building permit. Building permits are issued by the Sarasota County Development Services Permitting Center and are required for all structural, electrical, plumbing, or mechanical additions, alterations, or new construction.

15. If a contractor performing work for a unit owner or resident opts to place a portable toilet on site, the toilet will be positioned on a hard surface and not on any grass area. Damage to any structure and/or the common element/limited common element caused by the contractor will be repaired by the contractor to the satisfaction of the Board. Otherwise, the Association will accomplish the repairs and the cost will be assessed to the unit owner.

General Appearance of Buildings

16. In the interest of maintaining a uniform appearance and assuring occupants' safety and security, garage doors must be kept closed at all times after entering or exiting the garage except for short periods when the resident is temporarily working in or about the garage.

17. To maintain a uniform and pleasing exterior appearance of the buildings, owners, lessees, or other occupants shall not:

a. Paint or otherwise change the appearance of any exterior wall, door, window, patio, or any other exterior structure;

b. Hang laundry or unsightly or hazardous objects outside of units or where they can be seen from the outside;

c. Store such items as garden hoses in plain view when not in use;

d. Color or otherwise treat or apply anything to any window other than Board-approved window film;

e. Place any sunscreen, shade, blind, or awning on the exterior of any unit without Board approval;

f. Erect/install any exterior lighting, except when approved by the Board and installed by a licensed electrician, except that homeowners may install a photocell or motion sensor activated security light fixture or low voltage (12 volt) accent/landscape lighting after Board approval;

g. Erect, construct, or maintain any wired device, antenna, electronic transmitting or receiving equipment or structure on the exterior of any building or on the common elements of the condominium without prior approval of the Board.

Hurricane Shutters

18. If a Myrtle Trace homeowner chooses to install exterior hurricane shutters/panels, they must conform to current Florida and Miami-Dade County Building Codes and submit a completed "Approval Request and Waiver of Responsibility" form to the Board for approval.

19. Clear or white shutters may be put in place at any time during the officially designated Hurricane Season, as announced by the State of Florida. Requests for approval of other colors that blend in with the building may be submitted to the Board for consideration. Shutters must be removed at the close of each annually designated Hurricane Season.

20. Other types of shutters that have been approved by the Board may be put in place prior to an impending hurricane and removed after the threat has passed.

D. GROUNDS

Limited Common Elements

1. Limited common elements are reserved for the exclusive use of the unit owner. They include the driveway, original patios, courtyards, and entry areas. A more detailed definition can be found in the Condominium Document on page 3, paragraph 6.

2. Owners of units having original patios or courtyards may install landscaping within the boundaries thereof, except that any such landscaping that is visible from other units or the street may not be installed without approval of the Board.

Common Elements

3. The common elements related to grounds (any/all grassed and/or landscaped areas within Myrtle Trace) are owned by, and intended for the use of, all Association members. Therefore, a unit owner may not grant, seize, or otherwise adopt any portion of the common elements solely for individual use.

4. Alterations to the common elements may not be made without prior, written approval of the Board.

5. Unit owners shall not allow anything to remain in or on the common elements that would be unsightly or hazardous.

6. To prevent damage from high winds, seasonal residents, and/or residents on absences longer than 14 consecutive days, are required to store portable items such as flower pots, planters, decorative objects, portable grills, and the like indoors during their absence. These precautions should also be taken by all residents when severe weather is forecast.

7. Tables and chairs are neither to be left outside overnight nor left outdoors permanently, except on a lanai or patio that is part of the original footprint (a limited common element).

8. Swimming, boating, or aquatic sports are not permitted in or on the lakes of Myrtle Trace.

Plants and Landscaping

9. All shrubs and trees in Myrtle Trace will be maintained by the Association.

Placements and Replacements

10. Owners, lessees, or other occupants shall not place any in-ground or potted plants outside the unit other than within an original patio or courtyard area (limited common elements) without permission of the Board. At the Board's discretion, non-approved plantings or other items may be removed from the common elements at homeowner's expense.

11. Owners, lessees, or other occupants shall not transplant, remove, prune, cut, or damage any trees or shrubs, or mow any grass areas within the condominium grounds without approval of the Board.

12. Homeowners may, at their own expense, plant and maintain annual flowers in beds immediately adjacent to their unit.

13. Homeowners may request additional shrubs, trees, or replacements for dead or damaged items by following these guidelines:

a. Contact the Property Management Company to obtain an "Approval Request and Waiver of Responsibility" form. As a convenience to the homeowner, these forms are also available on our Web site at <http://Myrtletrace.org>.

b. Complete and submit the form to the Property Management Company for the Board's consideration. Indicate on a sketch the location for the items, plant species type, contractor name, and if the request is at owner expense. In no case will plants on the State of Florida Invasive Species List (on the Web site) be approved.

c. The Property Management Company will notify the homeowner of the result of the Board's consideration.

d. The original approved application and plans must be filed with the Association records for that unit.

Stoops

14. With Board approval, homeowners may construct a small ground level stoop composed of removable cement or patio bricks. Stoop materials must be maintained in good condition at all times, without exception. The following guidelines apply: The stoop will not exceed 36 inches wide by 48 inches deep where the side/rear doors measure 36 inches wide. The stoop will not exceed 72 inches wide, 36 inches deep, where the side/rear doors measure 72 inches wide.

15. Any non-conforming stoop must have documentation on file. Those without documentation are subject to removal.

Signs

16. No homeowner or occupant may place a sign or symbol in a window or in any area visible from the exterior (medical alerts and security signs excepted).

17. **FOR SALE** signs are never permitted anywhere within Myrtle Trace.
18. **OPEN HOUSE** signs will be approved for placement provided they meet the following criteria:
 - a. An "OPEN HOUSE" sign may be displayed at each Myrtle Trace entrance.
 - b. Only one "OPEN HOUSE" sign may be displayed in front of a residence.
 - c. Signs may be displayed only on Saturdays and Sundays between the hours of Noon and 4 PM.
 - d. No adornments (e.g. balloons, ribbons, flags) may be added to any "OPEN HOUSE" sign, vehicle, the common elements, or any portion of the unit exterior.
 - e. Up to four directional arrow signs to open houses are permitted.
 - f. The unit owner will pay the cost of repairs for any damages resulting from an "OPEN HOUSE".

E. PETS

1. Owners' pets are limited to caged birds, small marine-life in aquariums, and not more than one cat or one dog. Cats and dogs are not to exceed a full-grown weight of 25 pounds. These Rules and Regulations do not apply to an Official Guide Dog. A medical statement may be required.
2. A dog must be kept on a leash and accompanied by a responsible party at all times when outside the confines of their owner's unit. Owners are responsible for the immediate and sanitary removal of any excrement.
3. If the Board determines a pet is causing excessive disturbance and annoyance to other residents, the owner will be required to rectify the problem. That could include permanent removal of the pet from Myrtle Trace.
4. Lessees with contracts longer than six (6) months may have one conforming pet with written permission from the homeowner and with Board approval.
5. Dogs and other pets are not permitted in the clubhouse and pool areas. This rule is mandated by the State of Florida and Sarasota County.

F. NOISE ABATEMENT

1. To ensure your comfort, and that of your neighbors, loud and objectionable noises (as from amplified devices, radios, televisions, record/tape/CD players) must be reduced to a minimal volume level between the hours of 9PM and 8AM. No electronically amplified musical instruments or similar devices such as organs, guitars, or keyboard instruments shall be used at any time to the annoyance of neighbors.
2. Radios, cassette tape, CD, DVD, MP3 players, or other similar amplified devices shall not be played aloud in the common areas except for Board-approved activities such as aerobics and social gatherings. The use of earphones is recommended.

G. SAFETY AND LIABILITY

1. No occupant shall permit any activity or keep anything in a condominium unit, or in or on the common elements, that would be a fire or health hazard or in any way increase the Association's liability or

insurance rates.

2. No occupant shall discharge any materials into any street, surface water drain, or portion of the common elements, so as to harmfully affect any landscaping or plants, or pollute The Plantation drainage system and lakes.
3. The detonation of fireworks or other pyrotechnic devices is not permitted in Myrtle Trace.
4. Due to the potential for problems to occur in vacant/unoccupied units, any residence not occupied for more than two weeks must be under the care of a House Watcher. Residents are required to provide the Property Management Company the name and phone number of their House Watcher for the purpose of emergency notification.

Use of Portable Grills

5. Portable grills, or similar cooking devices, may not be operated within the confines of a porch, garage, lanai, or covered patio, (courtyards and original patios excepted) or within four feet of any building.
6. Ignited grills or similar devices must be attended at all times.
7. Charcoal or propane grills, or similar cooking devices, shall not be permanently installed outside residential units in or on any of the common elements, (courtyards and original patios excepted). When not in use, portable grills, or similar cooking devices, should be stored in a location not visible from the street.

H. SANITATION

Garbage/Refuse/Recyclables

1. Garbage or refuse containers may not be installed or maintained outside in or on any of the common elements. If a unit has no garage, garbage or refuse containers must be stored in a location where they are not visible from the street.
2. Occupants shall not allow garbage, litter, or trash to accumulate to excess. Each unit and the common elements shall be kept clean and sanitary at all times. All trash shall be sealed in waterproof bags or similar containers and placed in plastic bags or covered containers for curbside pickup.
3. Occupants shall use the appropriate containers for curbside pickup when participating in the county mandatory recycling program.
4. Garbage, refuse, and recyclables must be disposed of properly prior to leaving for vacation or extended periods. Notify the House Watcher to return receptacles to the garage after pickup.
5. Garbage, refuse, and recyclables will be placed outside for pickup on the evening prior to scheduled collection on the following day.

I. CLUBHOUSE AND POOL FACILITIES

Use of the Myrtle Trace Association clubhouse and pool facilities is limited exclusively to the immediate Myrtle Trace family-in-residence, lessees, and their occasional guests. Under no circumstances will these facilities be used for commercial enterprise by anyone at anytime.

Clubhouse

1. A unit owner or lessee may request use of the Clubhouse for a private function (e.g. birthday, anniversary, or gatherings of friends and relatives).
2. Requests for use of the Clubhouse must be submitted to, and received by, the Clubhouse Chairperson not less than seven days prior to the event to avoid scheduling conflicts.
3. There is no charge for use of the Clubhouse. However, a refundable cleaning deposit of \$30 is required when obtaining a key from the Clubhouse Chairperson who will provide specific requirements.

Swimming Pool Facilities

4. Hours of operation: 8AM - 10PM when air temperature is 60 degrees or higher.
5. The facilities are used at one's own risk. Access to the gated pool area is by key only. Anyone using the swimming pool is required to comply with the posted rules.
6. Before using the Aqua Access Pool Lift, unit owners, other occupants, and guests should familiarize themselves with operating instructions and safety precautions associated with use of the Lift.
7. An Emergency - 911 -- telephone is located in the Clubhouse lanai.
8. The following rules should be reviewed and made known to all family members, guests, and lessees:
 - a. Wear cover-ups when walking to and from the pool.
 - b. Shower before entering the pool if you are wearing sunblock (keeps oils out of the pool).
 - c. Put a towel on the furniture before sitting to prevent staining of chairs.
 - d. Glass (including glass beer or soda bottles) are not permitted in the pool area.
 - e. Animals are not permitted in the pool area.
 - f. No more than 19 bathers may use the pool at any time.
 - g. An adult, 18 years or older, must accompany children under 13 years of age.
 - h. Floatation devices are not allowed. (Noodles and children's armbands are acceptable.)
 - i. Children in diapers are not allowed in the pool unless wearing an appropriate "leakproof" swim garment.
 - j. Diving or jumping into the pool is not permitted.
 - k. Eating in the pool is not permitted.
 - l. Use earphones for radios or disk players.
 - m. After swimming, the safety rope must be returned to the center position. The Association is liable for a \$500 fine if an inspector should find the safety rope missing with children in the pool area.
 - n. Before leaving the pool area, clean up your surroundings. Trash cans are available.
 - o. Return chairs and lounges to original positions. Umbrellas should be closed and tied shut.

p. Keep gates locked at all times.

q. Unit owners will be held responsible for destruction, damage, or defacement of building, facilities, and/or equipment that is caused by their action(s) and/or those of their family members, guests, or lessees.

9. NOTE: Clubhouse washrooms and the pool shower are for the express use of those participating in pool/clubhouse related activities. They are not to be used as a substitute for residential facilities. Therefore, soap and/or shampoo products may not be used on the premises.

J. LEASING OF UNITS

1. The Board must approve in writing all leases, or other occupancy, of a unit before such lease, or occupancy shall be valid and effective.

2. No unit may be leased for a period of less than one month. Transient tenancies are not permitted.

3. An owner shall not lease a unit without first providing written application to the Board and obtaining written approval. Lease application forms are available from the Property Management Company. A \$100 application fee must accompany the application. Owners are cautioned to inquire about possible tax liability to Sarasota County and the State of Florida in connection with the leasing of the unit.

4. A lessee may not sublet a unit.

5. Unit owners, or their agent, shall provide a copy of these Rules and Regulations to their lessees. Each lease application shall include the lessee's signed agreement to comply with all rules and regulations. For additional information regarding the leasing of units, see page 10, paragraph 14 of the Declaration of Condominium.

6. Owners and rental agents should be aware that rental applicants are screened for felony charges and other unfavorable history based upon their Social Security Number. No approval will be given without that number.

K. SALE AND TRANSFER OF UNITS

1. The Board must approve in writing all sales, transfers, or other occupancy, before such sale, transfer, or occupancy shall be valid and effective. A \$100 application fee must accompany the buyer's application for the sale of any Myrtle Trace unit. For additional information regarding the sale or transfer of units, see page 10, paragraph 14 of the Declaration of Condominium. No transfer fee is required when a current owner buys another unit or transfers his own property to his own Trust, or to members of his immediate family. Owners and selling agents should be aware that buyers are screened for felony charges and other unfavorable history based upon their Social Security Number. No approval will be given without that number.

2. All violations of the Rules and Regulations shall be corrected prior to the Board's approval of the sale of any unit. The Board and the seller are jointly responsible for insuring that such corrections have been made. During this process, the Board will review the "Seller's Property Disclosure Statement", the "Application for Sale/Transfer of Unit", and the Association records for that unit. Thus, upon completion of the closing on the sale of the unit, the new owner will be assured that there are no outstanding violations on that unit.

L. INFORMATION SOURCES

1. **BULLETIN BOARD:** The Association Bulletin Board outside the Clubhouse and notices posted at mailbox clusters should be viewed frequently for official postings of Board meetings and other important Association information. A secondary bulletin board is provided within the Clubhouse lanai for non-official, owner-related postings.
2. **THE MYRTLE TRACE GAZETTE:** This neighborhood newspaper is published and delivered to in-residence members the first day of each month. It is available for mailing to seasonal residents and may also be viewed on the Myrtle Trace web site.
3. **WEB SITE:** Our community maintains a web site dedicated to our needs. It is available worldwide and contains both official and unofficial information such as forms, schedules, projects, financials, and social activities. Passwords to the PRIVATE site are available from the Webmaster.

M. SOLICITATION

Solicitors are prohibited anywhere on the condominium property for any cause whatsoever.

N. FLAG AND HOLIDAY DISPLAYS

1. Unit owners may display one portable, removable, United States flag in a respectful way. On Armed Forces Day, Memorial Day, Flag Day, Independence Day, and Veterans Day, unit owners may display, in a respectful way, portable, removable, official flags not larger than 4-1/2 feet by 6 feet that represent the United States Army, Navy, Air Force, Marine Corps, or Coast Guard.
2. To reduce owner liability for damages to the stucco exterior and to ensure consistency of installation, the Myrtle Trace maintenance personnel will install the owner-purchased flag mounting hardware. Residents must call the Property Management Company to schedule such installation.
3. Residents may display holiday wreaths and/or lights on unit exteriors (other than rooftops) during traditional holiday seasons.

O. MAINTENANCE PERSONNEL

1. Residents are prohibited from interfering with, or otherwise delaying, on-site maintenance personnel. Maintenance requests, whether of a major or minor nature, shall be directed to the Property Management Company. A work order will be issued upon receipt of a resident's request.
2. Employees and contractors (e.g. landscapers, roof maintenance personnel) are assigned specific tasks to be performed under the supervision of the Property Management Company. Residents must not interfere with such personnel. All requests for work, no matter how insignificant, must be accomplished by work order. Contact the Property Management Company to initiate all work requests.

P. FEEDING WILDLIFE

1. Owners, lessees, or guests of owners or lessees, are strictly prohibited from feeding any/all wildlife, anywhere, at any time, in Myrtle Trace. The term "wildlife" is all inclusive of non-domesticated animals, alligators, waterfowl, and other birds. Accordingly, birdfeeders are prohibited within Myrtle Trace.
2. Feeding wildlife interrupts their natural feeding habits and causes them to lose their natural reluctance to get near humans; this can easily lead to aggressive and often destructive behavior. For your own safety, the safety of others, and the well-being of the wildlife, **DO NOT FEED WILDLIFE.**

Q. ENFORCEMENT

1. It is incumbent upon unit owners and other occupants to report violations of the Rules and Regulations. Unit owners, as Association members, share a responsibility with their neighbors to assist in appropriate enforcement.
2. Violations should be reported, preferably in writing, to the Board for consideration and action. Specify the violation and include your name and telephone number. Under no circumstances will your identity be revealed to the violator.
 - a. Where violations are evident, the first step will be to engage in personal dialogue with the unit owner in an effort to resolve the problem.
 - b. If the unit owner displays a lack of cooperation, an escalation of remedial action will be taken, as appropriate.
3. The Association and officers and agents of the Board are empowered to relieve and remedy any noncompliance of the Condominium Document and these Rules and Regulations as provided by the Florida Condominium Act (718) and by other Statutes of the State of Florida and the County of Sarasota.