

COAKLEY BAY ASSOCIATION RULES AND REGULATIONS

March 10, 2003 Revision

The following Rules and Regulations have been written and approved by the Coakley Bay Board of Directors. They will be administered by the Manager and enforced, when necessary, by the Board and its "Owners' Committee." Please help our community and yourself by becoming familiar with these rules and doing your best to comply with them.

1. APPEARANCE

It is important that a pleasant, uniform appearance be maintained for the complex as a whole. Therefore, certain reasonable restrictions need to be placed on what we may and may not do with the galleries and exteriors of our units.

Accordingly:

(a) Exterior window treatments of any kind are prohibited, with the sole exception of hurricane shutters. Hurricane shutters of the same type and style as those installed on the galleries may be installed on side and rear windows.

(b) Exterior antennae of any kind are prohibited.

(c) Interior window dressings, which are visible from outside the unit, must be appropriate.

Considered inappropriate would be the use of bed sheets, blankets, towels, etc. - things that tend to demean the appearance of the building.

(d) Only appropriate furniture, plants and decorative items may be kept on the galleries.

1. Laundry or kitchen appliances and other obtrusive items are prohibited

2. Only Gas Grills are permitted. (The ashes or coals from charcoal grills are apt to be blown about by our brisk trade winds.)

3. Gallery railings are not to be used for the hanging or drying of towels, clothes and the like. Portable drying racks no more than 4 feet in height may be used; permanent clotheslines are prohibited.

(e) Walkways, stairways and entrances:

1. Shall not be used for the storage of personal property.

2. Shall not be painted, tiled or altered in any way without the written permission of the Board of Directors.

3. Any alteration or replacement requires the written approval of the Board of Directors.

(f) Security Grates:

1. Security Grating shall be used only on windows at ground level and those, which open directly onto walkways or entryways.

2. Owners wishing to replace existing Security Grates or to add new Grates may do so only with the written approval of the Board of Directors. Requests should be submitted in writing; each request should include a drawing of the proposed style to be used.

- (g) Privacy Screens:
 - 1. Owners wishing to attach Privacy Curtains to their gallery railings may do so with the written approval of the Board of Directors.
 - 2. Such Privacy Curtains shall:
 - a) Be made of white, sun-resistant material.
 - b) Cover the entire section of the railing.
 - c) Be tightly laced to the railing.
 - d) Be removed along with all other gallery items any time the unit is unoccupied during hurricane season.

2. DESIGN STANDARDS

The following design standards apply:

- (a) Entryway Tiles:
 - 1. Only terra cotta tiles are permitted
- (b) Security Grates: Only two (2) styles are permitted
 - 1. The "Coakley Bay" curlicue
 - 2. A design similar to that on the doorway of C-4.

3. UNIT ALTERATIONS

- (a) Any alterations made to units **must** be cleared through the General Manager.
- (b) All work shall be done between the hours of 8:00 am and 5:00 pm Monday through Friday. **Work is not to be done on holidays observed by the administration office.**
- (c) **Start and finish dates should be supplied to the Coakley Bay Office. The contractor is responsible for removing all debris, and returning the Common Areas to its original condition.**
- (d) **Any alterations that alter the original specifications of the unit becomes the responsibility of the unit owner. All electrical and plumbing alterations must be certified by a licensed professional. Proof of this must be presented to the General Manager.**
- (e) **Applications for installation of washers and dryers must be presented to the Board of Directors for approval prior to installation.**

4. ANNOYANCES AND SUCH

- (a) When sweeping, watering plants or mopping, think of the people in the units below you. Sweepings should be picked up and disposed of inside your unit, rather than swept over the side where they could be blown onto someone else's gallery. Likewise water from plant watering or mopping should not to be allowed to drip down on the galleries below you.
- (b) The noise level from radios, stereos, TVs, parties, or whatever else you may do, must not be annoying or disturbing to your neighbors.

- (c) The number of persons permanently occupying any unit shall not exceed:
 - 1. Four persons in a two-bedroom unit, and
 - 2. Six persons in a three-bedroom unit.
- (d) No one, other than persons specifically authorized by the Manager, is permitted on the roof of any Coakley Bay building.

5. TOILETS, BATHROOM/KITCHEN DRAINS & WASTE WATER

- (a) At Coakley Bay we have two separate water systems: 1) potable water which we use for cooking, drinking and washing and 2) treated wastewater which is used to flush our toilets and water the landscaping. Our potable water comes from cisterns under each building, and is piped to the kitchens and bathroom basins and showers/tubs. The wastewater from these fixtures plus the toilets flows into our on-site water treatment plant where it is treated to a clarified, but non-potable state; it is then re-used throughout the complex for toilet flushing and irrigation.
- (b) Our water treatment system is not capable of handling any but the normal bathroom and kitchen wastes. It cannot handle such things as chlorine bleaches, paint, solvents, rags, diapers, contraceptives, cigarette butts, sanitary napkins and the like. The microorganisms that purify the water simply cannot break some of these things down, and others, such as chlorine bleaches, will kill them outright. Our biggest source of "indigestible" objects is our toilets. **Therefore, nothing other than body waste and toilet paper shall be put into the toilets.**
- (c) Use of kitchen disposals should be kept to a minimum. Whenever possible, the garbage can should be used instead.

6. PETS

- (a) Each owner may keep one pet having a mature weight of no more than 16 pounds.
- (b) A pet cat or dog while outside its unit on Coakley Bay property must:
 - 1. Be on a leash controlled by a competent person, and
 - 2. Bear a tag showing the name and unit number of its owner.
- (c) Dog droppings shall be picked up immediately, bagged and placed in a refuse can.
- (d) Pets are not permitted in the restaurant or pool areas.
- (e) Renters are not permitted to keep a pet of any kind.
- (f) Pet owners shall be liable for any damage that may be caused by their pets.
- (g) The Board of Directors shall have the right to require the removal from the Coakley Bay property any pet that has become a nuisance.

7. MOTOR VEHICLES

- (a) Vehicles shall be parked in marked parking spaces only.
- (b) The parking area adjacent to Building A is reserved at all times for the occupants of Buildings A, B, and C. Restaurant patrons and pool users should use the parking area marked off for the restaurant.
- (c) If you have two vehicles, don't park both of them in the more desirable, close-in spaces. Think of your neighbors and leave the other one in the outback.

- (d) Vehicles left at Coakley Bay while owners are off-island:
 - 1. Vehicles shall be parked away from the buildings in the lesser desirable parking spaces; spaces adjacent to the buildings are reserved for building occupants.
 - 2. To permit the moving of a vehicle in an emergency:
 - a. The Manager shall be furnished with a set of keys for each vehicle.
 - b. Each set of keys shall be clearly tagged by the owner with the owner's name, and the make, style and license number of the vehicle.

8. ENTRY KEYS

It is important that the Manager be provided with keys to provide for entry into a unit when the owner is not readily available. It will occasionally become necessary, perhaps on short notice, to enter a particular unit to gain access to utilities, or for maintenance or repair of the exterior of a building. Therefore, the owner of each unit shall provide the Manager with two sets of entry keys.

9. MAIL BOXES

- (a) A mailbox is assigned for each unit at Coakley Bay.
- (b) Matters pertaining to the boxes and their keys shall be handled directly with the U.S. Postal Service.
- (c) The Manager and Staff are not permitted to handle the mailbox keys for any Unit.

10. RENTALS

Units may be rented, as the individual owner may desire; however, it is essential that the Manager be aware of status and occupancy of rented units. To this end:

- (a) Each owner who rents her/his unit shall inform the Manager of each rental as early as practicable, and no later than the first working day after renter takes occupancy of the unit. The information to be furnished to the Manager shall include:
 - 1. Name of the renter.
 - 2. Name and phone number of the rental agent and agency, if applicable.
 - 3. Copy of the lease or rental agreement.
 - 4. Number of persons expected to occupy the unit.
 - 5. Dates of the rental.
 - 6. A statement signed by the owner stating:
 - (a) That the renter has received a copy of these Rules and Regulations, and
 - (b) That the renter is able and willing to abide by these Rules and Regulations.
 - 7. The owner is responsible for ensuring compliance regardless of whether the rental is handled personally or through a Rental Agent or Agency. Owners must post a copy of the Tenant Rules and Regulations if their unit is a rental. Owners are also responsible for stocking recommended cleaning items and laundry detergents, and for posting a list of these items in plain sight of their tenants.
 - (a) In each rental agreement, a clause shall be included to the effect that continued violation of Coakley Bay Rules and Regulations by a renter, or a

renter's family members or guests, shall be sufficient basis for termination of the rental contract.

- (b) All matters pertaining to rentals shall be handled directly between the owner or the owner's agent and the renter. Neither the Manager nor any staff member shall become involved in any way as an intermediary between a renter and an owner or agent.

11. HURRICANE SHUTTERS

On the approach of a hurricane, it is of the utmost importance that all precautions be initiated in a timely manner. Different situations will exist with respect to unit occupancy, and each must be addressed in its own time frame. As a hurricane approaches, it is a common tendency to wait until the last minute to begin "buttoning up". But with many owners off-island during hurricane season and many units unoccupied, it is essential that the process be started early. Not only is it necessary that all hurricane shutters be closed, but also it is also mandatory that all furniture, plants and other objects not firmly secured be cleared from unprotected galleries. Winds of hurricane force are capable turning any loose object into a dangerous or even lethal flying missile that could pose a threat to adjacent units. **It is the responsibility of each unit owner to take such precautions as may be necessary to minimize the potential for hurricane damage.**

The following procedures shall be observed during the period 1 June through 30 November:

- (a) **Occupied units**
 - 1. On the approach of a hurricane, occupants are encouraged to "button up" as early as possible, and certainly no later than at such time as the winds have risen to 30 mph.
- (b) **Units unoccupied and unattended**
 - 1. All hurricane shutters shall be closed for the entire period.
 - 2. All entryways, and all galleries not enclosed by hurricane shutters shall be cleared of all furniture, plants and other objects.
- (c) **Units unoccupied but under the care of someone on island**
 - 1. Each owner shall provide the Manager with the name and telephone number of the person caring for the unit.
 - 2. When winds of hurricane force are predicted within 48 hours:
 - a) All hurricane shutters shall be closed.
 - b) All entryways, and all galleries not enclosed by hurricane shutters shall be cleared of all furniture, plants and other objects.
- (d) **Unoccupied units with open hurricane shutters when winds of hurricane force are predicted within 36 hours:**
 - 1. The Manager shall take such steps as may be necessary to close the shutters and clear the entryways and galleries of all such unoccupied units.
 - 2. Should this action become necessary, the owner of each unit involved shall be

charged a fee of \$250.

12. LAUNDRY FACILITIES

Laundry facilities are provided in the basements of buildings A, E, G, H, J and M. These facilities are for the personal use of the residents of Coakley Bay and their guests only.

- (a) All washing machines and dryers are token-operated; tokens are available at the Office.

13. POOL

- (a) The pool shall not be used earlier than 8 AM nor later than 8 PM.
- (b) Use of the pool area is available primarily for residents and their in-unit guests. Non-residents may be invited to use the pool, however they must be accompanied by their host/hostess.
- (c) Non-swimmers must be accompanied by a swimmer.
- (d) Children under 12 years of age must be accompanied by a responsible adult.
- (e) Toddlers in diapers are not permitted in the pool.
- (f) The operation of radios, tape decks and CD players is not permitted unless earphones are used.
- (g) Masks, snorkels, and individual rafts are the only devices permitted in the pool.
- (h) There shall be no running, throwing of balls or other objects, or boisterous play of any kind in the pool area.
- (i) Glass containers of any kind are prohibited.
- (j) Bicycles, skates, and skateboards are prohibited.
- (k) Only proper bathing attire (Bathing suits) is allowed in the pool.

14. STORAGE SPACES

- (a) All structures are a part of the common properties. They are not individually owned.
- (b) An owner desiring a Storage Space shall submit a request in writing to the Board of Directors.
- (c) An owner shall be assigned no more than one Storage Space for each unit owned.
- (d) It is important that the Manager be provided with keys to provide for entry into a unit when the owner is not readily available. It will occasionally become necessary, perhaps on short notice, to enter a particular unit to gain access to utilities, or for maintenance or repair of the exterior of a building. Therefore, the owner of each unit shall provide the Manager with two sets of entry keys.
- (e) At such times as there are no Storage Spaces available for assignment, requests shall be placed on a waiting list which shall be maintained by the Manager. Requests shall be listed in order of the date received, earliest date first.
- (f) When a Storage Space becomes available, the owner whose name is first on the list shall be assigned that Space.
 - 1. In the event that more than one Space is available, selection will be at the

- choice of the owner.
2. Should the owner decline the Space, it shall be offered to the next listed owner. The name of the declining owner shall remain at the top of the list.
- (g) In the instance of the sale of a Unit to which a Storage Space is assigned:
1. To prevent unauthorized use, the association reserves the right to place a lock on the cage at such time as the Unit is placed on the market. The key to this lock will be available to the owner.
 2. The cage must be vacated at the time of the sale. The Manager shall have the cage cleared of any remaining items no later than 30 days following the date of the sale.
- (h) Usage
1. Cardboard boxes and other non-waterproof items must be placed on shelves.
 2. Under no conditions may gasoline or other hazardous materials be stored. (In this instance, properly sealed paint containers are not considered hazardous.)
 3. Spaces are to be kept neat and clean. The association reserves the right to rescind the assignment in the case of any owner who has allowed a Space to become a "junk-bin".
- (i) A fee will be charged for each assigned Space, such charge to begin with the first monthly statement following acceptance of the Space by the Owner.
- (j) Each owner shall sign a usage agreement prior to the assignment of a Storage Space.

15. GENERATORS

- (a) One generator per unit is authorized for emergency power during electric power outages.
- (b) The generator shall have a maximum rated output of 2.6 kW.
- (c) Generators may be operated only from 6:30 AM until 9:00 PM.
- (d) Only one fuel container with a maximum capacity of 5 gallons is allowed within each unit, gallery included.
- (e) Generators must be adequately muffled. While the electricity may be a delight for you, the noise may be a nuisance to your generator less neighbor (see Article 3).
- (f) With the written approval of the Board of Directors, generator connections may be hard wired through a transfer switch to the circuit breaker box within a unit. In such instances the electrical work must be done by a licensed electrician.

16. RELATIONS WITH THE STAFF

- (a) The Manager and Staff are employed by the Coakley Bay Association to perform tasks as delineated in their individual job descriptions. Staff employees are under the supervision of the Manager; the Manager reports to the Board of Directors. Accordingly:
 1. Coakley Bay employees are not permitted to perform any tasks for individual unit

- owners or renters during the employee's working hours.
2. No owner or renter shall interfere with Coakley Bay employees, nor attempt to supervise or direct employees in the performance of their work, except in specific instances when so authorized by the Manager.
 3. Any discrepancies or suggestions concerning employees, or any other aspect of the operation or maintenance of Coakley Bay properties should be reported to the Manager for appropriate action.
 4. Owners are permitted to engage Coakley Bay employees for private projects, provided arrangements for such projects are made directly with the employee and performed outside the employee's working hours.
- (b) At Coakley Bay's discretion, work can be done in units for \$30.00 per hour, plus materials, and a 15% Administrative charge.

17. INTERPRETATION & ENFORCEMENT

- (a) The enforcement of these Rules and Regulations is the responsibility of the Manager.
- (b) Any dispute arising from the enforcement of these Rules and Regulations shall be referred in writing to the Owner's Committee for resolution.
- (c) Any decision or ruling of the Owner's Committee may be appealed in writing to the Board of Directors. However, immediate and continued compliance with the Manager's request is required even though the matter has been referred to the Owners' Committee or appealed to the Board of Directors.
- (d) **Fines will be implemented ten (10) days after written notice by the Manager, as per the By-laws of the Association Article XII, Section 3: allows for the fine to be based on "seven percent (7%)" of the "Unit Owners monthly maintenance charge for any one violation provided, however, that for each day a violation continues after notice, it shall be considered a separate violation."**

ADDENDUM

WATER HEATER MAINTENANCE AND REPLACEMENT

Water heaters are owned by the unit owners, therefore, unit owners are directly liable for any damage to their unit, or any other unit, as a result of water heater failure.

The standard operational life of water heaters is six (6) to seven (7) years. To prevent water heater failures, unit owners are encouraged to check the metal plate on their water heaters to determine the date of installation. Any heaters that are beyond the standard operational lifespan should be replaced.

It is recommended that when heaters are replaced, catch pans be installed to collect overflow resulting from heater failure.

Prior to replacing heaters, see Rules and Regulations, Item 3 for requirements relating to unit alterations.