

Duchess Condominium Owner's Association

Rules & Regulations

*Revised & Changed
As of 04/01/08*

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DUCHESS CONDOMINIUM OWNER'S ASSOCIATION

HOUSE RULES AND REGULATIONS REVISED

The Board of Directors has the responsibility of maintaining a quality lifestyle for the enjoyment of all owners, while at the same time running a fiscally responsible, not-for-profit organization, and protecting the investment of 79 owners of the Duchess Condominium.

These rules & regulations have evolved from the experience of the Board of Directors and management, other condominium associations, and appropriate laws of the State of Florida, (Condominium Act, Chapter 718). They supersede all preceding House Rules of the Duchess Condominium, including exhibit "G" of the original documents.

Violations of our Rules & Regulations should be promptly reported to the management office. If the Manager deems the violation serious, or if it has been repeated, he will refer the complaint in writing to the President of the Board of Directors or in his absence the Vice President. If the President concurs with the Manager he will refer the complaint to the Fines Committee for appropriate action. The recommendation of the Fines Committee will be submitted to the Board for their decision. If the Manager judges the reported violation to be neither serious nor repeated, he will resolve it by giving both an oral and written warning to the offender, and a copy of that warning will be kept on file. It is in the Manager's discretion to deem a reported violation without merit, and report that to the person who submitted the complaint, in which case the complaining party may refer the complaint to the President or in his absence the Vice President.

Truly compatible condominium living requires that all residents respect the privileges and privacy of each other. The following rules have been made in order to enhance the safety and enjoyment of all Duchess residents and must be adhered to by all.

Please report all violations to the office as soon as possible.

EMERGENCY PROCEDURES

1. In case of a serious emergency, call 911.
2. To contact the Manager:
 - a) Call (239) 394-5363 during office hours Monday- Friday.
 - b) If no contact, call Resort Management at (239) 642-5466, and dial "0" to reach the manager assigned to the Duchess. Available 24 hrs a day, 7days a week.

NOTICES

1. Official notices by the Condominium Association are posted in the glass enclosed bulletin board in the mail room.
2. Other notices and information of interest are also posted in the glass enclosed bulletin board in the mail room. Also, check the house TV channel for special notices including mail arrival. The channel is posted in the glass enclosed bulletin board in the mail room.
3. All notices must be submitted to the manager for posting.

SECURITY CAMERAS

Motion activated security cameras are located in the social room, media room, exercise room and other designated common areas. The cameras record activity and are monitored by management during regular office hours. The cameras will be used to assist management in the enforcement of the Duchess House Rules and Regulations. Recordings are saved for 7 days.

GENERAL HOUSE RULES

1. Condominium staff is not allowed to accept gratuities. All reasonable requests for service are considered part of their job.
2. All owners and overnight guests must register immediately upon arrival at the Manager's office and check out upon departure. During off hours, owners, renters and/or guests must sign in/out using the registration forms provided outside the office.
3. The total number of residents and guests permitted overnight shall not exceed 7 persons in a two bedroom unit or 9 persons in a three bedroom unit.
4. Parking is not allowed in the circular driveway except when loading or unloading. Designated handicapped parking spaces shall only be used by vehicles with State issued handicapped parking permits.
 - a). The garage is for motor vehicle parking only, except the areas designated for bicycles and beach chairs.
 - b). PARK ONLY IN THE SPACE RESERVED FOR YOUR UNIT.
 - c). Beach chairs and other paraphernalia are to be removed from the racks when owners are not in residence.

d). Motor homes, boats and trailers are not allowed in the outside or inside parking areas. Outside parking for cars is available on a "first come, first served" basis, except as indicated in some parking spaces.

5. All outside doors shall be kept locked at all times and shall not be blocked open for any reason. Non-residents shall obtain entry by using the outside entry phone.

a). Owners are responsible for controlling building fobs. Fobs are not to be given to cleaning people, contractors, realtors, etc.

b). Do not admit people to the building unless you know who they are. Use the TV channel posted to monitor the front door. The channel is posted on the bulletin board adjacent to mail boxes.

c). All tradesmen must register at the office or with the manager before work and after completing work. Normal work hours between 8:00 AM and 4:00 PM, Monday through Friday shall be observed unless special prior arrangements have been made with the manager. No one will be admitted to an unoccupied unit without specific authorization.

d). Delivery people must check in at the office. All deliveries shall be made through the garage and service elevator. No deliveries shall be done through the front door. After office hours, owners will meet the delivery men at the front door, and direct them to the garage service elevator.

6. Common elements shall not be obstructed, littered, defaced or misused in any manner. Furniture, plants, shoes, etc, shall not be in the hallways. Seasonal decorations are permitted.

7. Cover-ups and footwear are required in hallways, elevators and lobbies at all times. REMOVE ALL SAND BEFORE ENTERING THE BUILDING OR POOL AREA. Residents wearing wet clothing must not use the main elevators. (use the service elevator or stairs).

8. Smoking in all enclosed common areas is prohibited, including the Social Room and the Media Room.

9. Use your garbage disposal unit for all raw garbage (except for citrus rinds, banana peels, celery, etc.) Other non-recyclable trash is to be bagged in plastic, tied securely, and dropped down the trash chutes. Containers shall be emptied before being bagged. Please do not place glass in bags to be dropped down the trash chute. If you are going to recycle your glass, please place it in the container provided in the crossover by the trash chute.

Large boxes for disposal should be broken down and placed in the crossover.

Recycling bins for your use are located in the garage level by the service elevator. Waste materials to be recycled include all glass jars and bottles, plastic beverage bottles, aluminum

beverage cans, steel food cans, newspapers, magazines, catalogs, phone books, cardboard cereal boxes and junk mail. (DO NOT put plastic grocery bags in the recycle bins.)

10. Outdoor cooking is allowed only on grills provided in the upper pool deck area. Please be considerate and clean the grills after each use.

11. Return grocery carts and luggage carriers to the cart corrals outside the garage elevator lobby immediately after use. Do not leave them in the elevators, main lobby, garage lobby, hallways or parking lot.

12. Balconies

a) No new floor coverings on balconies may be installed without specific prior written approval by the maintenance committee.

b) After receiving written approval, storm shutters may be installed following the installation guidelines, (see page 16 for example) provided on the acknowledgement form which is available from the office. This form is required prior to the installation and should be submitted to the maintenance committee for written approval.

c) Nothing shall be hung on or from balconies.

d) Do not throw anything from the balconies, especially cigarettes and ashes.

e) Do not feed birds anywhere on the property.

f) Grills or fires are prohibited.

g) Glass tops on furniture are prohibited.

13. Units may not be used for commercial or business purposes.

14. Range exhaust fans are to be used when cooking to eliminate odors.

15. No pets are allowed on the premises at any time.

16. When leaving the unit to be unoccupied for more than one week, the main water valve (in A.C. closet), hot water heater and countertop hot water heater shall be turned off.

17. When leaving for more extended periods, (two weeks or more) all furniture, plants, etc, must be removed from balconies. If this is not done an appropriate fee will be charged to cover the cost associated with this service. If a vehicle is left on premises, a duplicate key must be left with the office for emergency purposes.

18. When tile or other hard surface is used as floor covering, in accordance with Section 19, item E, of the Declaration of Condominium for the Duchess, the following products are to be placed

under such flooring; Super Sam, Proflex, or Requipol QT. Manufacturer's installation instructions must be followed exactly in order to maintain warranty and guarantee, including ¼" clearance between flooring and wall, and filled with an acoustical sealant.

19. When owners wish to service or install an air conditioning unit, they must complete the service form required (available at the office) and turn it in to the office prior to having the work begin.

20. Washing machines are required to have only burst proof hoses. The water is to be turned off when washing machines are not in use. The Association supplied an on/off valve arrangement that must not be changed without approval.

RENTAL RULES

1. There shall be no more than one rental occupancy of a unit in any 6 month period, with a minimum rental period of 3 months. Such period shall begin on the first day of physical possession of rental occupancy.

a) The term "rental occupancy" means the occupancy of a condominium unit by a person or persons paying compensation to or for benefit of the owner.

2. Owners are to provide a minimum 48 hours advance notice to management of anyone using their unit when not in residence, and must submit a copy of a rental lease to management for approval, prior to occupancy.

3. All guests, renters and lessees are required to register immediately upon arrival, and the owners shall be held responsible for the actions of their guests or renters in violation of these rules.

GUEST ROOM

We have a guest room available for the use by an owner/renter on a first come basis. An owner/renter reserving this room must be in residence during the entire reservation period. The guest room may be reserved for no more than 5 consecutive days. Reservations may be made not more than 90 days in advance.

UNITS MAINTENANCE, DECORATION AND/OR RENOVATION WORK

For the protection of all owners and of the Duchess Condominium Association, it is mandatory that any unit maintenance, decoration and/or renovation work in the building, regardless of size and cost, be undertaken strictly by licensed and properly insured trade contractors and, where applicable, permitted by the City of Marco Island.

To ensure compliance with the above, a project request form must be completed by any owner contemplating such renovation work and submitted to the maintenance committee for review and approval, prior to the commencement of work. The project request form can be obtained from management.

Access to the building will be barred to any contractor or workmen assigned to projects that have not been approved, as per the above procedure.

TENNIS COURT

1. Duchess residents are requested to register to reserve the court on the reservation sheets available in the office. The court is reserved by the hour and may not be reserved more than 48 hours in advance. Residents are requested to register for only one hour per day, but they may continue to play until the next reserved users arrive.
2. The court is for Duchess residents only. Guests must be accompanied by a resident.
3. Proper tennis shoes, and shirts are required during play.

BABY EQUIPMENT

The Condominium has a selection of baby furniture and equipment which has been donated by residents over the years. The use of the equipment is at your own risk. The Duchess is not responsible for any injuries. You will sign an agreement holding the Association, its Board of Directors, Officers and Individual Members harmless from all claims, actions proceedings, causes, costs, damages and liabilities including attorney's fees arising from, connected with or otherwise resulting from this agreement and use of the baby equipment by the unit owner, invitees and guests. A complete list of equipment is available in the office.

The equipment is stored in the seventh floor lockup. It may be reserved by residents seven days in advance by contacting the office. After use, it is requested it be cleaned and returned promptly, so it will be available to other residents.

SOCIAL ROOM

The social room is intended as a private gathering place for all owners and renters. The room is designed to permit multiple uses at the same time. Be considerate of others using the room.

Social Room hours are: 7:00 AM – 11:00 PM daily.

1. Owner/renter must fill out a Duchess reservation form indicating kind of event. (I.e. birthdays, weddings or anniversaries of immediate family, family get togethers or gatherings of friends such as bridge clubs, funeral lunches for owners, renters and previous owners, etc.)

Further the unit owner agrees and shall indemnify the Duchess, board of directors, officers and individual members against and shall hold the Duchess and its board of directors, officers and individual members harmless from all claims, actions proceedings, causes, costs, damages, and liabilities, including attorneys fees, arising from, connected with or otherwise resulting from use of the social room by the unit owner, renters or their invitees and guests.

2. No furniture or furnishings are to be removed from the room without prior permission from management.
3. Care should be taken to avoid spills and damage to the furnishings. Report all incidents to management in order for clean up and repair to be initiated immediately. Before and after the event management and the owner/renter should inspect the facility. The Duchess will deduct from the deposit any costs to repair or replace damaged items.
4. No one under the age of 18 is permitted in the social room without appropriate supervision.
5. Wet clothing is not to be worn in the social room.
6. Smoking is not permitted in the social room, even if it is a private function.
7. The people door (swinging door) to the pool deck is to remain locked from the outside and used as an emergency exit only.
8. The slider door is not to be used as a normal entry/exit door for the social room. The slider door may be opened during functions (only if the air conditioner is turned off) but is to be relocked at the conclusion of the function. The air conditioner will then be reset to 76 degrees.
9. If the tablecloths are used, the Association will have them washed and pressed. The owner will be billed for the cost.
10. If you use some of the supplies in the kitchen storage closet, please leave a cash donation in the office to cover the cost of replacing them.
11. No beer, wine or liquor is to be held in the social room or social room refrigerator overnight.
12. It is the owner's responsibility to make sure the social room is left clean, orderly and without damage. Should it be left otherwise, the Association will have it cleaned, and/or repaired and have the cost deducted from the deposit.
13. Turn off lights and set air conditioner at 76 degrees when leaving the room.
14. The social room may be reserved no more than 90 days in advance, on a first come first serve basis.
15. The social room is for private functions only, as outlined below:

a) Private functions are gatherings hosted by an owner or renter. Such functions can range from family functions, such as weddings or anniversaries of immediate family, family gatherings or gatherings with friends.

b) Only an owner or renter can reserve the social room for a private function, and that person must be present at the function. A private function in the social room must follow all Association rules listed in the House Rules & Regulations. Attendance at the function cannot exceed the capacity of the Social Room, which is 80, as determined by the board of directors.

c) At the time of the reservation the owners/renters will be given a list of rules that apply to the private function held in the social room and will be asked to sign an application acknowledging that they have received the rules and accept responsibility for damages. The owners/renters accept personal responsibility for seeing that the rules are obeyed.

d) No doors to The Duchess may be left open for the convenience of guests entering, no advertising material for the function may be displayed anywhere on the property, and no furniture is to be moved outside the social room during the function.

e) The use of the social room does not include the use of the pool.

f) The media room may not be reserved in conjunction with use of the Social Room. Only one of the two rooms may be reserved by an owner/renter for a single private function.

16. The kitchen facilities shall not be used unless the social room is reserved by the same owner. Food can only be warmed, and no cooking is allowed. This is based on the Fire Marshall's regulations. Use of the outside grills and the adjacent tables is allowed.

17. An owner/renter can reserve the Social Room for outside organizations, once per calendar year. An "outside organization" is defined as any corporate, charitable, educational, social or religious group that is incorporated, registered, chartered, or otherwise formally constituted with bylaws or which has a defined membership. The owner/renter is subject to all Duchess Rules and Regulations. The sponsoring owner/renter will sign a written indemnification and waiver of liabilities arising from such use to protect the Association, and its directors, officers, and owners. The indemnification shall include all claims, actions, proceedings, causes, costs, damages, liabilities, court costs or counsel fees. If the sponsored function of such an outside organization is to be attended by more than 35 persons, the organization, through the owner/renter sponsor, shall furnish evidence of a special events insurance policy, in the amount not less than \$1,000,000 covering the function, plus an umbrella liability policy of at least \$3,000,000.

18. No outside organization is entitled to use the social room more than once per calendar year, regardless of the number of unit owners belonging to the organization.

19. No use of the social room is allowed for commercial or fundraising purposes, or by those that charge a fee to attend.

MEDIA ROOM

MEDIA ROOM HOURS ARE FROM 8:00 am TO 10:00 pm DAILY

1. The media room houses billiards, ping-pong, television, library shelves and other gaming materials. It is for the use of all owners, renters and guests.
2. No one under the age of 15 is permitted without appropriate adult supervision.
3. Wet clothing is not to be worn in the media room.
4. The kitchen in the media room will remain locked. Requests to use the kitchen should be directed to management. Owners will be responsible for the care and cleaning of the kitchen facilities. Food can only be warmed. No cooking is allowed per the Fire Marshall's regulations.
5. The kitchen facilities shall not be used unless the media room is reserved by the same owner.
6. Smoking is not permitted in the media room, even if it is a private function.
7. It is the owner's responsibility to ensure the media room is left clean and orderly, with no damage to the furnishings, games and television. Should it be left otherwise, the Association will have it cleaned, or repaired at the cost of the owner.
8. Turn off all lights and television when leaving the room.
9. The media room capacity is 25 as authorized by the board of directors.
10. The media room may be reserved no more than 90 days in advance, on a first come basis. The media room is for private functions only and is subject to the same rules and regulations that apply to the social room reservations. (Refer to item 15 under social room)
11. The media room may not be reserved in conjunction with the social room nor does it include use of the pool. Only one of the two rooms may be reserved by an owner, for the same time period.

EXERCISE ROOM

1. Please register in the log book.
2. There is no trainer on duty. Use of the equipment is at your own risk.
3. No one under the age of 18 is permitted unless accompanied by an adult; the adult will be fully responsible for the safety and actions of those under 18. Children under the age of 10 are not allowed in the exercise room.

4. Wet clothing is not to be worn in the exercise room.
5. Proper attire is required to be worn when exercising: shorts, shirts, sweats, and sneakers. (no sandals).
6. Absolutely no horseplay.
7. Machines must be wiped off by the user, including treadmills and bikes, after each use.
8. Pick up after yourself. Return weights to proper racks. Place cups and paper towels in waste basket.
9. The television is for all to enjoy. Be courteous of volume control.
10. Do not use weight machines as rest areas between sets. Allow for other participants to work out with you.
11. Please report any damaged equipment to management.
12. No food or drinks except bottled water allowed.
13. Weights, equipment, and furnishings are not to be taken out of exercise room.

POOL AND SPA

POOL AND SPA HOURS ARE 9am TO DUSK

1. There is no lifeguard on duty; anyone entering the pool and/or spa does so at their own risk. All non-swimmers must be accompanied at all times by a competent swimmer. No one under 15 is permitted without an adult.
2. Only owners, renters, and their guests are permitted to use the pool and spa. The pool and pool deck may not be used in conjunction with the social room or media room.
3. A phone (for emergency use only) is located on the wall by the social room and a first aid kit/AED machine is available in the hallway in front of the service elevator.
4. Children not toilet trained are not allowed in the pool or spa unless they are wearing a protective covering under their bathing suits.
5. Shower and remove body lotion before using the pool or spa.
6. No glass items are allowed on the patio pool/spa area.
7. Running, scuffling and excessive noise are forbidden in pool/spa area. Please report all violations to the office as soon as possible.

8. Toys, floats and other such items are not allowed in the pool or spa.
9. Radios, tape players, CD players, etc, may be used only with earphones.
10. NO DIVING and NO JUMPING.
11. Persons with open or bandaged cuts, sores, or communicable disease are not allowed in the pool or spa.
12. Throwing of balls, Frisbees or other objects is not permitted on the pool/spa deck or the lawn. The beach is available for this.
13. Maximum pool occupancy is 24 persons.

SPA SPECIFIC RULES

1. Maximum water temperature is 104 F.
2. No one under the age of 15 is permitted without adult supervision.
3. Pregnant women, people with health problems, and people using alcohol, narcotics or other drugs that cause dizziness should not use the spa without first consulting a doctor.
4. Maximum spa occupancy is 4 persons.
5. Spa is not to be used as a wading pool.
6. Please report all violations to the office as soon as possible.

STORM SHUTTER INSTALLATION GUIDELINES

The following guidelines were prepared by W. J. Johnson and Associates, Inc. on behalf of the Duchess Condominium Association.

The Duchess was built in 1980 using a post-tensioned method of reinforcing the concrete slabs, plus reinforcement bars.

The post-tensioned cables are under tension and extremely dangerous if severed by drilling or cutting into the slab.

When installing shutters at the railing, or slab edge, the contractor must be aware of the existence of this system, and use extra care when installing fasteners. The "anchors" for the cables are located at the slab edge, and assumed to be in the center of the slab thickness.

The shutter installation contractor should:

- 1 a. Contact the property manager and get his approval prior to drilling on the balcony floor.
- b. Contact an engineer if any doubt exists as to the location of the cable ends.
- 2 Exercise extreme caution when pre-drilling the fastener holes.
- 3 Use fasteners that will not penetrate beyond one third of the slab thickness.
- 4 Use stainless steel fasteners in pre-drilled holes set in a sealant such as Sonneborn NP- 1.
- 5 Allow for water drainage under the shutter system.
- 6 Provide the Association with engineering documentation attesting to the storm shutters' ability to meet current wind codes at the particular location of the installation (must meet Dade/Broward code). The requirements vary, depending on the location and height of the balcony. The contractor is required to obtain a permit to install the shutters.
- 7 All shutters whether installed against building or at the slab inside the railings will be bronze in color.
- 8 All shutters must be either a roll-up or accordion type.
- 9 Shutters must be installed against the building wall or at the slab edge of the inside railings, subject to the provisions contained herein.
- 10 Only those with the required licenses for such installation may do the work.
- 11 This form must be signed by both the unit owner and the contractor installing the shutter prior to the commencement of any installation.

GRANDMA'S CLOSET
Baby Furniture Request Forms

Further the unit owners agrees and shall indemnify the Duchess, Board of Directors, Officers and individual members against and shall hold the Duchess and Its Board of Directors, Officers and Individual Members harmless from all claims, actions proceedings, causes, costs, damages, and liabilities including attorneys fees arising from, connected with or otherwise resulting from this agreement. The owner/renter is responsible for all damages caused to the furniture.

**Please be sure to clean all baby items, before returning
to Grandma's Closet.**

Owners Signature: _____ Unit# _____

Date Requested: _____ Dates Needed: _____

Items owner is requesting:

_____	_____
_____	_____
_____	_____
_____	_____

Duchess Condominium
Guest Room Reservation Form

Name: _____

Unit: _____

Dates Needed: _____

Date Requested: _____

Further the unit owners agrees and shall indemnify the Duchess, Board of Directors, Officers and individual members against and shall hold the Duchess and Its Board of Directors, Officers and Individual Members harmless from all claims, actions proceedings, causes, costs, damages, and liabilities including attorneys fees arising from, connected with or otherwise resulting from this agreement and use of the Guest Room by the unit owner, invitees and guests. The owner/renter is responsible for any damages caused to the guest room.

The guest room shall be reserved on a first come basis. The owner reserving this room must be in residence during the reservation period. The guest room may be reserved for no more than 5 consecutive days. Reservations may be made not more than 90 days in advance.

The undersigned acknowledges the receipt of the *Duchess Condominium Rules and Regulations*, and the Host accepts the responsibility that these rules are obeyed.

Owner/Renter Signature

Office Confirmation

Date

Date

Owners and/or guests can pay at time of use by check or cash. Otherwise charges will be applied to the unit owners' next quarterly statement.

Charges

1st Night \$70.00

\$50.00 each additional night

X ___ # nights \$ _____

Total \$ _____

(Guest Room Phone Number: (239) 394-5363 / Outgoing calls limited to Local calls.)

SOCIAL & MEDIA ROOM RESERVATION REQUEST

NAME: _____

UNIT #: _____

DATE OF FUNCTION: _____

ANTICIPATED # GUESTS: _____

LOCATION: SOCIAL ROOM / MEDIA ROOM (circle one)

TIME REQUIRED: _____

FUNCTION: _____

(i.e. weddings, anniversaries, birthdays of immediate family members, family gatherings or gatherings with friends such as bridge clubs and funeral receptions, etc.)

The undersigned acknowledges the receipt of the Social Room / Media Room and Pool / Spa Rules and Regulations from the Duchess Condominium Rules & Regulations. The Host / Owner accepts the responsibility that these and all Condominium rules and regulations are obeyed. When deemed necessary, the owner will be charged for any damages, repairs, replacement or cleaning required.

Further the unit owners agrees and shall indemnify the Duchess, Board of Directors, Officers and individual members against and shall hold the Duchess and its Board of Directors, Officers and Individual Members harmless from all claims, actions proceedings, causes, costs, damages, and liabilities including attorneys fees arising from, connected with or otherwise resulting from this agreement and use of the Social Room by the unit owner, invitees and guests.

The Social Room cupboards / closets are locked. If you need to use any of the dishes, silverware or linens, please request the key from the office prior to use.

Deposit: A deposit of \$200.00 shall be paid to the Duchess by the unit owner/renter upon execution of this agreement. Management will walk through the Social Room before and after all events and evaluate condition. If returned to original condition. Deposit will be returned within 3 days of walk through.

Owner/Host Signature

Office Confirmation

Date

Date

Key Received: _____

Key Returned: _____