

Rules and Regulations to be discussed 2021-04-10

C. ARCHITECTURAL ALTERATIONS, ADDITIONS, OR MODIFICATIONS

1. Exterior modifications are not allowed by owners/tenants.
2. All structural interior modifications or improvements, replacement materials, interior renovations, modifications, improvements or additions must be approved by the COA prior to commencement of any project. The COA establishes standards and specifications that include durability, color, style, make and model so that all changes are uniform. The proposed improvements are also evaluated on the effect of other units, and whether the improvement could cause leaks, unacceptable increases in noise, heat, limit ingress or egress, or create other problems. The COA shall approve alteration only if it determines that the alteration:
 - a. will not impair the structural integrity of any part of the property,
 - b. will not interfere with any mechanical or water flow systems.,
 - c. is consistent with governing documents,
 - d. will not detract from the appearance, harmony, attractiveness and enjoyment of the property and neighboring properties,
 - e. will not impose unreasonable maintenance fees on the association, and
 - f. meets all existing City codes
3. Construction materials, tools and equipment must be removed from the site or brought inside a unit, after working hours.
4. Owners will be responsible for hauling away or disposing of construction debris. If a contractor does the work, contractor must haul away construction debris to a site outside of Surfside III.
5. Construction hours are between 8:00 AM and 7:00 PM Monday through Saturday, and 10:00 AM to 6:00 PM on Sundays.

Commented [EF1]: Andy comment: Do we differentiate between contractors working and owners working?

6. When an owner discovers construction defect(s) that affect the structural integrity or mechanical systems on the interior of a unit, the owner must repair the defects per the governing documents and report same to the COA. The repair obligation exists whether a previous owner or the current owner was responsible for the defective work and if the defect was owner initiated rather than an original construction defect or under the supervision of the COA. The repair obligation exists whether a previous owner, current owner, or real estate agent violated disclosure laws. If an owner fails to repair the defect, the COA may do so and assess the costs against the owner via a personal reimbursement assessment.

7. There are standards on the website under “Committees / Architectural / Architectural Standards”, for the following items. Others may be added from time to time. These standards must be met when doing Architectural upgrades and/or repairs, and submitting applications for:

- a. Satellite Dish installation
- b. Condo Security Door and Screen Door Installation and Locks
- c. Replacement Windows and Doors
- d. Town House gate Locks
- e. Patio Wrought Iron Gates (for first floor units)
- f. Patio Blinds
- g. Plumbing must comply with Ace Duraflow procedures
- h. Privacy Screens
- i. Installation of flooring in second and third floor condominium units

Commented [EF2]: Andy comments: How can this be proven?

Commented [EF3R2]: This was to be clear that even if the current owner tries to say it was not their fault because it wasn't disclosed. They can take previous owner/agent to court if they want.

D. BALCONIES AND PATIOS

1. Balconies or patios must be maintained to preserve and protect the attractive appearance of the complex, to preserve unobstructed views of neighbors and to ensure that all residents can enjoy their personal outdoor space equally. Balconies and patios of the multi-story condominium units may have more stringent rules due to the location and proximity to neighbors.
2. Balconies and patios shall not be used to store items openly. A maximum of two storage units, cabinets, garden tool or utility boxes are allowed. They may extend above the wooden fence or railings so long as the view of any neighbor is not obstructed. Items must be a neutral color. These must be maintained in good condition and without overflow of contents.
3. Articles of clothing, linens, towels, or bathing suits may not be hung on patio fences, gates, landings, balconies, railings or from windows. Wetsuits may be hung to dry on a balcony or patio temporarily (generally 24 hours or less).
4. Furniture and plant stands on balconies and patios shall be limited to the normal types of outdoor furniture. Items in a state of disrepair (i.e. torn cushions, rusting frames, and faded or torn umbrellas) are specifically prohibited. Furniture and other items may not be placed in common areas or on roof tops that are not approved as a patio/balcony.
5. Gas/propane barbeques which are maintained in good condition are permitted. All open-flame barbeques/smokers utilizing wood, charcoal or any other similar fuel are prohibited on patios and balconies.
6. No items or substance shall be allowed to cascade or fall or be thrown off any balcony at any time. This includes but is not limited to cigarette butts, trash, water and toys.
7. Balconies and Patios shall be kept clean. Trash and garbage may not be stored on either. Due to possible structural damage to buildings and railings, balconies and patio decks [other than concrete] caused by excessive water force, these items may not be washed down or cleaned by hose or power washing. Mopping and soft floor brushes are allowed.
8. Decorative items may be hung from wood beams on balconies, framing structures or overhangs using existing hooks as long as the hanging objects are not unsightly, offensive, unsafe, noisy, and do not substantially obstruct neighbors' views. No new holes can be made into the exterior structure. Holiday decorations shall be permitted 30 days prior to a holiday and shall be removed within 15 days following the holiday. Installing any decorative item on any stucco surface exposed to wet weather is prohibited. No items may be attached to or hung from railings. When any hanging or mounted object is removed, the perforation into the wood or other surface must be filled and the surface must be returned to its original condition.
9. Homeowners are responsible to maintain balcony surfaces. Any damage will be the financial responsibility of the owner. This includes, but is not limited to, water damage from floor coverings, outdoor furniture, BBQ's, and plants. Plants on balconies must be in containers which retain water and

be slightly elevated above the floor to prevent water damage to balcony surface. All plants and containers must be maintained in good condition. Trees and shrubs may not be planted in the ground due to extensive destruction to foundations and concrete caused by the roots. No plants can be allowed to climb or damage surfaces of the railings, fences or walls. Climbing vines are forbidden. Some common examples include, but are not limited to, Morning Glory, Honeysuckle, Wisteria and all climbing vines.

