



BAYTREE CONDOMINIUM ASSOCIATION

Digest of rules, regulations, standards, and general information

Since Baytree is a community where we all have our own private units and share in the security and care of common property, there must be rules and regulations to ensure Baytree continues to be a premier community. This digest is presented for your easy reference.

ASSOCIATION DIRECTORY

The addresses and phone numbers within this directory are for social contact between owners, or for Baytree Association business. The information may not be used for sending any unsolicited mail or phone solicitation not pertaining to Baytree Association business. Information other than addresses is provided only with the consent of the owner.

ACTIVITIES

The Activities Committee provides a wide range of programs in season: water aerobics, book club and a monthly cocktail party are the basic programs and these are supplemented by a variety of special affairs. The dates, times and description of the programs are posted on the website, sent by email and posted on the bulletin boards.

APPLIANCES & A/C REPAIRS

The appliance and air-conditioning systems in each unit are the responsibility of the individual resident. Lessees should contact the owner or their realtor for required repairs. Owners should include these appliances in their own homeowners insurance.

AUTOS/VEHICLES, SPEED LIMIT

The speed limit on Baytree roadways is 16 miles per hour. In many places a slower speed is judicious. Please be careful of walkers and dogs on a leash.

BULLETIN BOARDS AND WEBSITE

There are two main bulletin boards. The one on the west side of A1A is located at the corner of Chinaberry Road and Red Bay Court. The other one is located in front of the east side mailboxes. There are two other bulletin boards and they are located at the tennis courts and in the clubhouse.

The password-protected section of our website, FSR Connect, enables homeowners to access minutes of Board meetings and Committee meetings, calendar of activities, and other information of interest to the Baytree community. The protected area of the site contains all matters of community governance. For access, enter **www.BaytreeVeroBeach.com** in your browser, and click on the 'Log In' tab.

To request changes or add new items to FSR Connect, please email Charity Tull, Property Manager, at Charity.Tull@fsresidential.com.

CHILDREN

Children of all ages are permitted, with adult supervision, to reside permanently at Baytree as part of a family unit.

CLUBHOUSE

The clubhouse and pool area are available for private parties by homeowners, although some holiday dates may not be available and the pool reservation is limited to four (4) hours.

1. The clubhouse is a smoke-free facility.
2. When you take a book out of the clubhouse library, please return it.
3. When the clubhouse or pool is reserved for private parties, homeowner use is restricted for that period. Private party signs are posted. A \$200.00 deposit is required which is refundable if the clubhouse is left cleaned and undamaged. Please submit your request in writing to the Property Manager for confirmation of availability.
4. *Furniture:* Folding tables and chairs are available to be borrowed. A \$100 deposit is required which is refundable when the chairs and tables are returned undamaged. Arrangements should be made at the gatehouse. Furniture should be borrowed no longer than two (2) days.
5. Groups of 10 or more should reserve the clubhouse pool rather than use pools on the eastside.

COMMON PROPERTY REPAIRS

If you believe repairs or maintenance are needed on land, buildings, or equipment that is the responsibility of the Association, please click on the 'Log In' tab on the home page of www.BaytreeVeroBeach.com. You will be directed to the home page of FSR Connect. Log in and go to "My Community." Click on "Submit a Work Order" in the drop down menu, complete the form accordingly and submit. Owners without email access may obtain a form from the gatehouse staff, put their work order request in writing, and leave it at the gatehouse. Within five (5) days, you will be contacted to advise the status of your work order project. Completed work request forms should not be given to onsite maintenance staff or vendors.

Emergency repairs should be reported at once to the Property Manager, Charity Tull, via email at Charity.Tull@fsresidential.com or via phone by calling 772-562-9031 or the FSR 24-hour help line 800-927-4599. Please use this procedure. It is the primary way the Association management is made aware of problems and we maintain a data base of the work backlog.

It is the individual unit owner's responsibility to survey his premises and to report any cracks, sinking or disturbance to any common property. The Association is not responsible for damage due to any owner's failure to report in a timely way.

CONDOMINIUM FLOORING

Flooring installed in the 2nd and 3rd floor units of the oceanside condominium building will have 85% coverage by carpeting or sound deadening material in accordance with the documents. Owners wishing to install flooring other than carpeting, must have the sound deadening material approved by the Architectural Review Committee and Board. Sound deadening material must achieve a minimum Impact Insulation Class (IIC) of 60.

CONTRACTORS

Contractors working on homes, other than on common property, should be supervised by the homeowner even if the work is paid for by the Association. Although the Association will do their best to supervise, recent legal rulings establish that the responsibility for any damages lie between the homeowner and the contractor, not the Association. Homeowners should also be careful to see that there is no damage or theft of their personal property resulting from contractors working in their premises. Only licensed contractors are permitted to work at Baytree.

COURTYARDS

Owners have discretion in the landscaping, planting and pavers used within their courtyards. They may attach planters or art to the interior walls, but these attachments must be removable for painting. However, homeowners should be aware that the Town of Indian River Shores has in place ordinances which prohibit the cutting down or damaging of trees. Please contact the Town of Indian River Shores before you deal with trees in your courtyard.

DUNE SYSTEM

Owners, renters, guests and pets must stay off our fragile dune system. Any owner who walks on the dune or whose guest, tenant or pet walks on the dune will receive a warning from the Property Manager and a \$100 fine may be levied against any person who commits a second or further offense against the dunes. Everyone must use the dune cross-overs to access the beach from Baytree.

ELEVATORS AND

OCEANSIDE CONDOMINIUM BUILDING

Homeowners wishing to transport furniture or other bulky items in the building elevators must first advise the Baytree gate attendant and have the protective curtain installed in the elevator so as to prevent scratching and wall damage.

ENCROACHMENT ON COMMON PROPERTY

The policy of the Board shall be to limit encroachment by homeowners on common property. Although each situation requires an individual assessment and there may be valid reasons for accepting an encroachment, the general policy is to prohibit encroachment and to direct the Property Manager to enforce Baytree regulations.

EMPLOYEES

All maintenance, housekeeping, landscape, and gate attendants are employees of an outside independent contractor. These Baytree staff report to the Property Manager who manages their compensation at the direction of the Baytree Board and who supervises their work and assignments. Please do not request or direct Baytree staff to provide services to any homeowner during normal work hours. Homeowners are welcome to employ Baytree staff after working hours. The Baytree staff is not covered under the Association insurance and workers compensation policies for after-hours work. The homeowner will protect the Association for any claims made by Baytree staff in connection with services provided to the homeowner after hours.

The Association does not have a manager living on the property. General questions about the property

and Association rules can be answered by calling Property Manager Charity Tull (772-562-9031) or emailing her at Charity.Tull@fsresidential.com. Gate attendants may be reached at 772-231-3478.

FLAGS

Florida State law permits the display of the American flag under prescribed conditions. If you wish to display the American flag, contact the Property Manager for details.

GARAGE DOORS

Garage doors are to be kept closed. Owners are responsible for the repair, maintenance and replacement of garage doors. The Architectural Review Committee must approve color, design and materials of garage doors.

GARBAGE DISPOSAL, TRASH, AND RECYCLING PROGRAM

Trash pick-up for villas: Pick-up by Association staff occurs on Tuesday and Friday mornings. All trash should be in tied plastic bags and placed beside the road at the end of your driveway by 9:00 a.m. on these days. Please do not put trash out for collection except on trash days and do not put out the night before due to animal intrusion. If you have trash on other days, you may take it to the dumpster which is located by the maintenance building. Reasonable amounts of brush and clippings can be put out for collection in tied plastic bags. Pieces too large for plastic bags should be taken to the dumpster for disposal by the renter or homeowner.

Trash pick-up for units in buildings D, E & F: Trash is picked up on Tuesday and Friday. Units in these buildings have trash rooms where the trash should be placed. All the other rules with regards to tied plastic bags, size, etc. also apply to these units.

Recycling: Baytree participates in the municipal recycling program. Newspapers, plastic bottles, cans, and glass are not to be placed for the trash pick-up. We have provided a recycling area adjacent to the maintenance building for these recyclable type items. Please deposit these items at this location in the appropriately marked containers.

Contractors are not allowed to use the Baytree dumpsters.

GATE ENTRY

Guests desiring entry when access personnel are not on duty or available, may call owners from the entry board. Homeowners with local land line or cell phone numbers can provide entry (lift the gate) by requesting their local number be programmed into the system, and then by pushing #6 on their telephone pad. The exit gates lift automatically.

GOLF CARTS

Owner/renter golf carts must be kept in owner's garage or parked in Baytree designated parking areas. Golf carts may not be parked on sidewalks, grass or by the pool decks.

GRILL RULES

Due to Fire Department regulations, there shall be no barbecuing in Baytree Oceanside Condominium buildings D, E and F. However, the Association provides a grill for use by Oceanside Condominium residents subject to the following rules:

1. Grill can only be used in two designated areas and will be placed by the gatehouse attendant either at the tennis courts or at the oceanfront pool in the space provided.
2. The gatehouse attendant will record the name of the owner and user.
3. Owner will clean up the area including the picnic tables after the cookout.
4. If the area was left a mess after the cookout, the staff will advise the property manager and user may lose subsequent BBQ privileges and/or be billed for the cost.
5. Refilling the propane tank will be handled by staff.
6. The grill is locked, however all owners in the condominium building have keys for their own use.
7. Grilling is permitted inside the courtyards of other Baytree dwellings.

GUESTS

All guests entering Baytree for the first time must stop at the gatehouse to be registered and to have their identification checked against the listing provided by the homeowner. Vehicles belonging to guests will be given a pass for the length of the visit to be displayed in the dashboard window. Authorized guests will be provided with Baytree identification so as to allow them to use the Baytree pools, clubhouse or tennis facility.

So that we may control unauthorized renting and distribution of keys to groups, all guests including family not regularly living at Baytree and renters must be registered by the homeowner at the gatehouse.

Owners wishing to host groups of ten (10) or more individuals at a pool should reserve and utilize the clubhouse pool. The oceanside pool is used heavily by residents and is very close to adjacent units, and therefore is not appropriate for large gatherings.

IMPROVEMENTS/ALTERATIONS

No unit owner may cause any improvement, changes, or decorations to be made to the exterior of their unit. This includes but is not limited to painting, planting vines or other plant life growing outside the walls, installation of electric wire, antenna, “for sale” signs, or advertising on the buildings or grounds of the condominium.

No awnings, canopy, shutter, or other protection shall be attached on the outside walls or roof without written consent of the Board of Directors. Window treatments are also restricted to white, off white or beige.

Before any changes to a unit are made affecting the exterior of the unit, unit owners must have the written approval of the Board of Directors. If you wish to make a change, you must submit your request in writing with the complete details of the change, the materials to be used, and the dimensions of the requested change to the Architectural Review Committee (ARC) who will render a recommendation to the Board. The Board will consider the ARC recommendation at its next scheduled meeting and the Property Manager will advise the decision.

The contractors must clean up the outside area of the unit and in general remove all equipment and materials from the outside of the unit at the end of each workday. All contractors hired to work at Baytree must be licensed and insured and all work must meet all code requirements of the Town of Indian River Shores. Obtaining a permit from Indian River Shores is the responsibility of the homeowner or his contractor.

All work must be done between the hours of 8 a.m. and 5 p.m. Monday through Saturday. No work may be scheduled for Sunday.

Major Construction:

Any work that will disrupt parking or that will create noise and disturbance to one’s neighbors is considered major construction.

Construction, building, demolition or renovation is limited to the off-season May 1 through October 31. In advance of May 1, homeowners are strongly encouraged to have developed plans, obtained permits and contractors, and to have confirmation their intended scope of work is achievable by October 31. Baytree is unlikely to grant extensions for construction beyond October 31.

Exceptions:

a. Repairs involving construction, building, demolition or renovation which are urgent in nature (repairs are limited to fixing or mending an element of a home which is no longer performing in the manner intended);

b. Replacement of a roof where repair is impractical;

c. Construction, building, demolition or renovation which is undertaken in conjunction with a project required by the Board; and

d. Any construction, building, demolition or renovation to the interior of a unit which, in the opinion of the Property Manager and the Chair of the Maintenance Committee (determined prior to the start of the project), will not create noise and disturbance to one’s neighbors nor will it disrupt parking.

INSURANCE

All homeowners are advised to maintain homeowners insurance on their contents, improvements and internal finishes. Those items are not covered by the Baytree insurance policies. Homeowners are also advised to purchase Federal Flood Insurance on their units since the Federal limitation value is only \$250,000, the maximum amount the Association can purchase. Homeowners who are not in residence all year long should consult their homeowner’s policy to determine if there is a requirement for weekly or monthly inspections of the property.

The Association maintains liability, wind, fire and flood insurance on all common property. Copies of these policies are available in the Property Manager’s office. Insurance deductibles are established annually by the Board.

LEASING OR SALE

There shall be only two (2) tenancies per year per unit and each tenancy must be for a period of 30 days or more unless permission for a shorter tenancy is authorized by the Board. This prohibition shall not apply to homeowners who rent their units to other homeowners within Baytree who wish to use the unit for overflow guests while that homeowner is in residence. For leases overlapping year-end, the lease should be considered effective on the date the tenant takes possession.

No resale, lease or rental of a condominium shall be valid without the prior written approval of the condominium Board of Directors. Any attempt to do these without prior approval is deemed a breach of the condominium Declaration. Any lease approved by the Board of Directors shall provide that it may not be extended, assigned, or rewritten without the re-approval of the Board of Directors.

The liability of the unit owner shall continue, notwithstanding the fact that he/she may have leased or rented that unit. Every tenant shall take possession of a unit subject to the condominium documents and all the rules and regulations of community. A copy of this Owner’s Directory is to be furnished to all renters. Owners are responsible to ensure that all renters understand and comply with the Baytree rules.

MAINTENANCE RESPONSIBILITIES OF THE UNIT OWNER AND OF THE BAYTREE CONDOMINIUM ASSOCIATION

In the oceanside condominium building, the condominium Association is responsible for sheetrock of exterior walls, doors, windows and roofs (but not including owner's changes to the original structure).

Unless there is a showing of negligence, the Association and its insurers are not responsible for damage to personal property resulting from a failure of the common elements such as a water leak which may damage a carpet.

Homeowners in all other areas of Baytree are responsible for maintaining the structure from the unfinished exterior surface inward, and from the finished concrete slab upward. The unfinished exterior surface is the surface before the stucco was applied. The homeowner is responsible to maintain the roof, windows, and doors. The homeowner is also responsible to maintain the air conditioning system both inside and outside the structure. The courtyard is considered inside the structure and is maintained by the homeowner. The Association maintains the stucco, the trim applied over the stucco, the paint and the gutters, including those items which are inside the structure in the courtyard. The homeowner is responsible for maintenance of the roof and the Association can recommend approved contractors if desired. The homeowner is responsible for cleaning leaves and debris from the roof.

On the westside villas, the owner is responsible for maintaining gazebos, fences and gates, however the Association is responsible for painting.

MEETINGS OF THE BOARD OF DIRECTORS

Other than the summer recess, the Board generally meets monthly. These meetings are generally held the last Tuesday of the month, but are subject to change. The date and time of the meetings are posted on the bulletin boards (by law) at least 48 hours prior to the meeting. The Board encourages all owners to attend these meetings. For owners wishing to participate by telephone, there are toll-free call-in numbers provided. At least once a year there is a meeting of owners to review the annual budget and to vote on reserves. Proxies are provided by mail for owners who do not wish to attend in person.

OCCUPANCY

All units shall be used as single-family residences only and shall be occupied by a unit owner, spouse, children, servants, renters and guests only. The owners shall not permit anything to be done or kept in a unit, which obstruct, annoy, or interfere with the rights of residents. This includes making or permitting disturbing noises from TV, radio, recorders, musical instruments, sound amplifiers and excessive barking dogs.

PARKING/VEHICLES

Unapproved Vehicles:

All homeowner vehicles shall be parked in garages with the garage door closed. In the event there are two cars belonging to the homeowners and the unit only has one garage, the additional car may be parked in available parking spaces throughout the property or on the garage apron. All vehicles parked outside overnight shall have a Baytree parking pass (available at the gatehouse) in clear view. Homeowners who have vehicles in excess of their garage space can obtain a permanent outside parking permit.

No trailers, boats, recreational or habitable vehicles, any type of truck except a sport utility vehicle or van (where the vehicle is primarily designed to carry passengers and the cargo space is smaller than the passenger space may be kept, stored or parked on the property. Trucks are permitted temporarily for the purpose of providing services for residents or transportation for their guests and will receive a pass at the gatehouse.

No vehicle repairs may be made on the property. Inoperative vehicles may not remain on the property for more than 24 hours.

Anyone having an unapproved vehicle on the property overnight will be notified by posting on the vehicle or by mail. If the vehicle continues to be parked on the property, the owner shall be fined \$100.00 per day for continued infraction. After three fines in a six month period, if parking on the common property continues, the Association may tow the offending vehicle without further notice.

Oceanside Condominium Building Parking:

All of the outside parking spaces for the oceanside condominiums are deeded to the owners of the oceanside condominiums.

Out of season (May 1 to Oct 31) there will be extra spaces which can be used for up to one week with a vehicle guest pass. In season temporary parking is permitted along the roadways. Please do not park in the oceanside condominium parking lot in season.

Moving Trucks:

Due to the narrow roads and overhanging trees, the size of moving vans entering Baytree property on either the east or west side is restricted to 25' long by 11' high. Moving vehicles that exceed that restriction may park on A1A and unload from that location to a small truck.

Vendor Vehicles:

Must display a pass in the windshield and may park temporarily along the edges of the roadside. Vehicles may not block any street or residence and double roadside parking (both sides) is not permitted.

Parking on the grass is prohibited. Any damage to the common area will be the responsibility of the owner and his/her vendor. It is essential that the roads be kept open for emergency vehicles.

Dumpsters parked on site:

Approval must be obtained for a dumpster to be located on site. Upon delivery, the on-site manager must be contacted to coordinate delivery location. Dumpsters are not permitted during season, November 1 to April 30. Dumpsters must be emptied regularly and any damage from the removal or dumping will be the responsibility of the contractor.

PETS

Baytree is a “pet friendly” community. The rules concerning pets are either Baytree rules set forth in our by-laws and documents, ordinances of the Town of Indian River Shores, or the State of Florida.

1. Dogs must be leashed at all times according to Indian River Shores Leash Law.
2. Pet waste must be placed in an air-tight plastic bag by owner or dog walker.
3. Pet waste can be disposed of inside the condo or villa unit, or inside the dumpster near the clubhouse.
4. Pet waste cannot be placed in the trash rooms in the condo buildings (these rooms are shared by neighbors) or bushes, gardens, lawns, restroom trash receptacles, receptacles at north, south and central pools.
5. Owners must ensure that any pets placed in the condo elevators are fully controlled.
6. Pets are not permitted in the pools or on the pool decks. Homeowner will be assessed a \$500.00 fine if the pet enters the pool.
7. Pets creating a nuisance, which includes excessive barking, will not be tolerated at Baytree. A warning letter will be sent upon a first offense and a \$100.00 fine may be levied against the owner for further offenses.

POOL RULES

All homeowners, their family and guests must either wear a blue identification bracelet (available at no charge from the gatehouse) or have the identifying band attached to a bag, or carry a Baytree towel or tote bag (available for purchase at the gatehouse) when using any of the Baytree pools. The staff is instructed to ask anyone unknown to them and not showing identification to advise their status. Persons who are not entitled to use Baytree amenities will be asked to leave. The Indian River Shores Police have addressed the problem of unauthorized entry into beachside communities and have requested to be called on “911” for any unauthorized entry. Homeowners are not to confront unauthorized persons but to advise the gatehouse attendant who will call 911.

1. Shower before entering the pool.
2. No animals in pool or on deck. If an animal goes into a pool the pool must be shocked and cleaned and the homeowner will be assessed a \$500.00 fine if pet enters the pool.
3. Food and drink are permitted on the pool deck but **not** in the pool. No glassware, including service dishes, is permitted inside the fenced-in area of the pool. If glassware is brought into the pool area, the owner (not the renter) may be fined \$100.00.
4. An adult must accompany all children under 12.
5. Babies or untrained children must wear “swimming diapers.” If a pool must be shocked and cleaned “due to a mistake” an assessment of \$500.00 will be made to the offending unit owner even if it is the homeowner’s tenant, family or visitor.
6. No diving.
7. Emergency assistance: **Call 911.**
8. Bathing load regarding the number of persons is posted at each pool.
9. Pool hours are 8 a.m. to 10 p.m.
10. Radios are to be used with earphones only.
11. Lounges and chairs cannot be reserved. When you leave the pool area, please take your towels and other personal belongings with you.
12. Gate combinations are changed periodically. The gatehouse can provide the current numbers.

RAIN STORMS

If there is a hurricane, staff will inspect and report on all residences. However, routine inspections after rain storms are only made in the condominium building. Owners should make their own arrangements for inspections in other units as desired.

RENTAL AGREEMENTS

Rental agreements must include a lease, two references, a \$100.00 application fee, completed application, pet, and vehicle registration forms, and a copy of Baytree Rules, Regulations, Standards and General Information (all available as a package on the home page of BaytreeVeroBeach.com or from the gatehouse). Please notify your broker that the Association will not accept partial or faxed applications. Ten working days are necessary to process the paperwork.

RIGHT OF ENTRY & KEYS

The Association and its agents have an irrevocable right to enter each unit when necessary for maintenance, repairs, or emergencies. Emergencies are anything that threatens damage to persons, other units, or the common elements.

Additional keys for units are not available from the security or management staff. Lessees should obtain these from the owner or their realtor.

SAFETY OF THE BAYTREE COMMUNITY

The most constant concern of the Baytree community is security. In order to protect the safety of the community, and your unit, it is important that the gatehouse be kept informed of any guest, visitors, tenants, or workmen that will be entering the community. In your absence, a written authorization for any guest or visitor staying in your unit as well as the names of people who will be entering your unit for any other reason must be filed with the gatehouse. This authorization form will be kept at the gatehouse in your unit file.

Please do not provide the gatecode to vendors. It is important that vendors check in at the gatehouse (both east and west sides) to be logged in and to receive a vendor's pass for their vehicle. We also have safety issues of delayed traffic extending into A1A when vendors attempt to contact homeowners using the entry board.

STORAGE

No items of personal property shall be stored anywhere on the condominium property except in units and designated storage units.

No towels, swimsuits, carpet, rugs, clothing, mops, laundry, clotheslines, or any other personal items may be hung or draped, from any window, door, balcony, or fence nor should they be shaken from any window, door, or balcony. The common area of walks, stairs, landings, roadways, and hallways shall be kept free and clear of personal possessions, rubbish, and debris at all times, except door mats, door knockers and seasonal door decorations are permitted.

Owners who desire storage or to locate personal items in common areas must obtain approval from the Board of Directors.

STORM SHUTTERS

Owners are requested to raise their storm shutters during the season (December 1 through April 15).

TENNIS COURT PROTOCOL

Baytree offers a tennis program organized during the season by a tennis professional. Additionally, our courts are maintained year-round by a tennis-maintenance professional.

In an effort to maintain Baytree's standards, we appreciate your respecting and adhering to the following:

1. Our courts are for the exclusive use of our residents, their families and their house guests. Residents must accompany all outside guests. *It is the responsibility of Baytree owners to inform their renters of Baytree's tennis protocol.*
2. Proper tennis attire and tennis shoes are required. (No cross trainers).
3. After play, please brush and line your court and replace the equipment.
4. Please use the sign-up board to reserve a court. Reservations may be made up to one week in advance.
5. If you have any suggestions or concerns, which we welcome, please email or call John Stringer, current chairperson of the Baytree Tennis Committee: john@jmstringergallery.com or (908) 377-1626.