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# 650 ISLAND WAY RULES AND REGULATIONS

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Updated May 2023



**650 Island Way Condominium Association  
Rules and Regulations  
As of May 2023**

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**INTRODUCTION:**

The Board of Directors of the 650 Island Way Condominium Association, Inc. established these Rules and Regulations to ensure the security, privacy and comfort of the entire 650 Island Way community. The Rules and Regulations also ensure that the Association upholds the laws and regulations of the State of Florida, the City of Clearwater and Pinellas County. It is the responsibility of Residents to ensure that their guests and/or employees comply with Association's Rules and Regulations. For clarification of any item or for further information, please consult the Condominium Documents, including the Association's Declaration and By-laws which may be found on the 650 Island Way website, or contact the Association's Property Management Office.

**AMENDMENTS AND UPDATES TO THE RULES AND REGULATIONS:**

The Rules and Regulations, will be reviewed and, as needed, updated by the Association's Board or a Board-appointed Committee. The Association's By-laws supplant the Rules; any changes in the By-laws will be reflected in the Rules and Regulations. These amendments will be mailed to the Owners (with a courtesy copy sent to Renters) and posted on the 650 Island Way website ([www.650islandway.org](http://www.650islandway.org)).

**COMPLIANCE WITH THE RULES AND REGULATIONS:**

Non-compliance with any of these Rules, which govern the Association, may subject a Resident to a fine. The decision as to whether a fine is to be imposed or the amount of the fine shall be determined by the Board of Directors and a Grievance Committee appointed by the Board as described in Appendix 1 of the Rules and Regulations.

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**1. Signs, Banners, Flags:**

Without prior written approval of the Board of Directors of the Association, no unit owner shall cause any sign, poster, banner or flag of any nature whatsoever to be posted within the common elements or in any unit if such sign may be seen from the exterior of the unit.

**2. Damage, Alterations:**

A unit owner shall be liable to the Association for damage to the common elements caused by the unit owner, his/her family, and his/her or their invitees or lessees.

**3. Duty to Maintain:**

All fixtures and equipment installed within a unit shall be maintained and kept in good repair by the owner of such unit. No owner shall perform any act nor allow any condition to exist that may impair the structural soundness or integrity of another unit or impair any easement, or which will adversely affect the value of other units, or which will inversely affect the value or other units, or which will alter the exterior appearance of any unit, except as permitted under these rules and the Declaration of Condominium.

**4. Storage:**

All common stairways and passages shall be kept clear and may not be used as storage areas, either on a temporary or permanent basis.

**5. Drying:**

No clotheslines, hangers or drying facilities shall be permitted or maintained on the exterior of any unit or in any part of the common elements, and no clothing, bedding or other similar items shall be dried or aired in any outdoor area, nor in any unit where such items may be seen from the common elements.

**6. Solar Film:**

No solar film shall be placed on any window of a unit which is visible from any portion of the common elements. This rule may be waived in writing by the Board of Directors where circumstances justify such waiver.

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**7. Draperies:**

All draperies, blinds and other window treatments visible from the outside exterior must be in a white, natural tans, browns or wood tones. Hurricane, security, and other outside shutters must be cream color and approved by the Board. The Board may require any such window treatment to be removed where no prior approval of the same has been obtained.

**8. Rights of Others:**

Each owner and occupant, and their guests and invitees, shall use the common elements in such a manner as shall not abridge the equal rights of the other authorized users of the common elements to the use and quiet enjoyment thereof.

**9. Noise and Nuisances:**

- Occupants of units shall not make noises or permit noises, such as from musical instruments, radios, televisions, amplifiers or blue tooth speakers that disturb others.
- Pets must not be allowed to bark excessively over long periods of time (i.e., when pet owner is not home and pet is left alone) and should not be left on balconies unsupervised.
- No trash, rubbish, debris, waste material or other refuse shall be deposited on the common elements, nor in any place not specified in Rule 12 below.
- No unit owner shall permit any use of his/her unit or make any use of the common elements which will increase the cost of insurance above that required when the unit is used for approved purposes, or which will cause any such insurance to be cancelled or threatened to be cancelled, except with the prior written consent of the Association.
- No bicycles, tricycles, scooters, wagons, carriages, shopping carts, chairs, benches, tables, toys or other items shall be parked or permitted to stand for any period of time on the common elements, except in accordance with these regulations.

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**10. Control of Second-Hand Smoke:**

- The Condominium Association is committed to providing a safe and healthy environment for all residents. We have allocated two outdoor areas, those being at the Tiki Bar, and on the wooden deck adjacent to it, where smoking is permitted.
- We ask that residents and guests limit their use of smoking materials in all other common areas (such as elevators, walkways, atrium, stairwells, pool deck, and outside bathrooms) so others are not affected.

**11. Smoking on Balconies and Patios:**

- Balconies and Patios are “Limited Common Areas” for the exclusive use of the occupants of the unit to which they are attached.
- The Association requests that anyone smoking on their balcony or patio take appropriate measures to dissipate the smoke so that it does not drift into the airspace of neighboring units. One excellent way of doing this is through the use of a small electric fan on the patio/ balcony whenever you are smoking. The Association will provide a fan for this purpose to any resident who requests one, free of charge. Again, we are committed to providing a healthy environment for all residents, free of second-hand smoke.

**12. Trash:**

- All garbage and trash must be placed in plastic garbage bags, tied or otherwise secured, and placed in the dumpster by means of the trash chute located on each floor across from the elevators.
- Cardboard boxes are to be flattened and placed in the first-floor trash room for removal by maintenance personnel. Recycling is strongly encouraged.
- Any appliances, countertops or other construction material must be hauled away or placed at the curb for collection per 12d below.
- Curbside Trash Pickup: The City of Clearwater will pick up unwanted items from the curb on Thursday mornings. Per the City, Place trash/discarded items on the curb on Wednesday Nights only, after 7 pm. They will not pick up televisions, computers, or electronics, unless you call them and schedule that specifically. Refer to [www.myclearwater.com](http://www.myclearwater.com) for details.

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- Trash-Chute Rooms: The trash chute rooms are located on floors 2 through 8, across from the elevators. There is a shopping cart in each trash chute room for the convenience of residents. Cart must be returned to the room from where it was taken after each use. Also, each room is supplied with a long-handled squeegee which may be used by residents to remove rainwater from walkways.

**13. Pets:**

- In no event shall more than two (2) household pets, each weighing no more than 20 pounds, be maintained in any unit. No pet will be allowed to create a nuisance to other owners.
- Each owner must clean up and remove from the common elements any pet waste of their pet(s). Pets must only be allowed to relieve themselves in approved, common area (see below).
- All pets must be on leashes while within the common elements. Any exceptions must be approved by the Board.
- No pet shall be left unattended outside a unit at any time.
- These rules apply to all pets, including those who reside here year-round, seasonally or are here on vacation, as well as all pets who accompany visitors to the property.

**14. Dog Walk Area:**

- We have established one area of the property on which dog owners may bring their animals to urinate and/or defecate. That is the lawn area on the northeast corner of our property, bordered by the condo next door and Island Way. A bench has been provided for the convenience and comfort of residents and guests while in the dog walk area. A dog waste station has also been installed for the convenience of our residents who may find themselves without a waste bag – so there is no excuse for not cleaning up after your dog!
- No other area of the property/common elements may be used for this purpose. As such, do not allow your dog to relieve itself in the parking lot, on sidewalks, walkways or in elevators. Do not walk your dog across any other sections of lawn to get to the assigned area. Between the sidewalk and the street is suitable and convenient for this also, and anywhere else that's not on our property. Of course, you must pick up after your dog every time.



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- To reiterate, these rules apply to all dogs, including those who are here year-round, seasonally or here on vacation, as well as all dogs who accompany visitors to the property.

**15. Aerials:**

No exterior radio or television mast, tower, pole, wire, aerial, antenna or appurtenances thereto, nor any other exterior electronic or non-electronic equipment, structures, or devices or wires of any kind shall be installed or maintained on the roof of any unit or upon the exterior of any unit or on any other portion of the common elements, except by approval of the Board of Directors as may be permitted by Florida Statutes.

**16. Electrical Interference:**

No electrical machinery, device or apparatus of any sort shall be used or maintained in any unit which causes interference with the television or radio reception in any other unit.

**17. Parking:**

- Vehicles shall be parked in designated, marked parking spaces. Parking spaces may be used only for private passenger vehicles. Dual wheeled vehicles, campers, recreational vehicles, boats, trailers, motorcycles commercial vans/vehicles and any vehicles with exterior signage or lettering MAY NOT be parked on condominium property, unless authorized by the Board of Directors. All residents and guests are asked to drive with care through our parking lot, follow all directional signage, abide by one-way directional arrows on the pavement, and only park in appropriate designated spaces.
- Electric charging stations may be installed by owners at their designated, marked parking space at owner's expense. Owner will be responsible for reimbursing the Association for electricity used by said charging station. Before installation, approval must be received by the Board.

**18. Car Covers:**

No car covers, except custom-fitted car covers, may be used on any automobile parked within the common elements.

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**19. Mechanical Repairs:**

There shall be no major mechanical repairs performed on the property.

**20. Alteration of Common Elements:**

Unit owners shall not make any alterations or attach anything to the common elements. This includes exterior siding along walkways, the exterior patio/balcony walls/ceilings and balcony railings which are limited common elements, and therefore maintained by the Association. As such, Residents shall not cause anything to be affixed or attached to, hung, displayed or placed on the exterior walls, balcony ceilings or railings of the building (see Rule 36 for exceptions).

**21. Leasing and Rentals:**

- Only entire units may be leased or rented, and only the lessee, and his/her family and guests may occupy the unit under authority of any lease.
- No lease shall have a term of less than six (6) months and only one lease or rental is permitted during any 12-month period.
- Our Management Company will thoroughly check to ensure that no exceptions to the Rental/Leasing Policy are permitted
- All leases shall provide an undertaking on the part of the lessee to be familiar with and abide by the Declaration of Condominium and these rules and regulations.
- Any unit owner desiring to lease his/her unit shall first give written notice to the Association through its Board of Directors or an officer thereof by submission of a copy of the proposed lease, which shall include the names of the proposed lessee(s) and all occupying the unit, along with \$100.00, in the form of cash or a check payable to the Association, to cover all costs associated with the processing of said application. The application process will include an interview/orientation session between the lessee(s) and two members of the Board of Directors or Association management company. Association Rules and Regulations will be reviewed with lessee(s) during this interview.
- The Association shall have ten (10) days from the submission of the proposed lease and the required application fee within which to approve or disapprove of the proposed lease by written notice.
- If disapproved, the proposed lease shall not be made.

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- In the event the Association fails to give written notice of its disapproval of such lease within said ten (10) day period, then the lease shall be deemed approved without the necessity of further action by the Association.
- Owners leasing their units shall be fully responsible for any damage to the Condominium property caused by the lessees and for such lessees' compliance with the terms of the Declaration of Condominium and all rules and regulations promulgated by the Association.

**22. Negligence:**

A unit owner shall be liable for the expense of any maintenance, repair or replacement rendered necessary by his/her negligence or by that of any member of his/her family or his/her or their invitees or lessees, but only to the extent that such expense is not met by the proceeds of the insurance carried by the Association. A unit owner shall pay the Association the amount of any increase in its insurance premiums occasioned by use, misuse, occupancy or abandonment of a unit or its appurtenances, or of the common elements, by the unit owner.

**23. Costs and Attorney's Fees:**

In any proceeding arising because of an alleged failure of a unit owner or any member of his/her family or his/her or their invitees or lessees, or the Association, to comply with any of the terms of the Declaration, or its exhibits, or the regulations adopted pursuant to them, as they may be amended from time to time, the prevailing party shall be entitled to recover the costs of the proceeding and reasonable attorney's fees.

**24. Rugs and Mops:**

- No rugs or mops shall be shaken or hung from or on any of the windows, doors, walkways, deck railings or balconies. No clothes, sheets, blankets, towels, bathing suits, laundry or any other kind of articles shall be hung out of a unit or exposed on the common elements.
- No materials (cleaning items, brooms, mops, trash, plastic bags, coolers, storage containers, etc.) shall be left in the common walkways. Decorative items may not be hung in common areas, walkways or on exterior balcony/patio walls or railings.

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**25. Obstructions:**

Sidewalks, entrances, driveways, passageways, patios and courts, if any, must be kept open and shall not be obstructed in any manner.

**26. Flag Display Policy:**

650 Island Way Condominium Association makes the following regulations concerning the display of flags and banners from balconies and patios:

- Our display policy conforms to Federal and Florida State law. We quote Florida Statute 718.113 as follows:
- Unit owners/residents may display one portable, removable official United States flag (in accordance with US Flag Code) in a respectful way, as determined by the Board of Directors, not larger than 4 ½ feet by 6 feet AND on Armed Forces Day, National Peace Officers Day, Memorial Day, Flag Day, Independence Day, Veterans Day and September 11th, may display in a respectful way, as determined by the Board of Directors, one portable, removable official flag, not larger than 4 1/2 feet by 6 feet, that represents the United States Army, Navy, Air Force, Marine Corps, Coast Guard or "Thin Blue Line" flag (on National Peace Officers Day), regardless of any declaration rules or requirements dealing with flags or decorations.
- Any display of flags is limited to the hours between sunrise and sunset.
- In no case may any flag or banner be directly attached to a balcony railing or any part of the exterior of our condominium building. All flags must be flown from their own independent, removable mounting stand.

**27. Boat Flag Display Policy:**

No flag, pennant, burgee or banner may be attached to or displayed within marina/dock area of the Condominium property, on any boat lift, dock or vessel which is docked, stored or moored at such times as the boat lift, dock or vessel is unattended by the owner.

**28. Destruction of Property:**

Neither unit owners, their lessees or guests shall mark, mar, damage, destroy, deface or engrave any part of the condominium building(s). Unit owners shall be financially responsible for such damage.

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**29. Exterior Maintenance:**

- In order to maintain a uniform and pleasing appearance to the exterior of the building(s), no awnings, glass enclosures, projections or other enclosures shall be attached to the outside walls, patios, porches, balconies, if any, except with the prior consent of the Association. This shall exclude any type of screen or umbrella as provided by the Developer.
- Standard exterior colors of the building(s) shall not be altered. Exteriors of Carports cannot be altered except with the prior written consent of the Association.
- New exterior doors must comply with standard exterior colors.
- Owners are required to keep their storm/screen doors in proper operating condition.

**30. Responsibility for Deliveries:**

- Members shall be liable for all damages to the building(s) caused by receiving deliveries, moving or removing furniture or other articles to or from the building(s). All truck deliveries shall be through the entrances provided by the management of the Condominium, if any.
- Notify the management company in advance of the day you intend to move furniture, appliances, etc. into or out of your unit.
- Pads will be hung in the freight elevator and a key may be requested to lock the freight elevator for the purpose of your move. There is a \$100 returnable deposit that will be collected if the elevator key is requested during any move.
- Only the freight elevator may be used for this purpose. It is extremely important that during any moving of large items or deliveries, that the elevator door NOT be held open by any means other than the elevator key. Do not hold the door open with a foot, box, hand/arm or any other item as that leads to elevator door malfunctions.
- The other elevator MUST be kept free for all residents to use during your move.
- Moving into or out of our building can take place ONLY between 8:00 AM and 5:00 PM Monday through Friday.
- Deliveries of furniture, appliances, construction materials, etc. can only be made Monday through Friday between 8 AM and 5 PM as well.

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- Owners are responsible for any damage to common areas caused by their move.

**31. Roof:**

Members are not permitted on the roof for any purpose.

**32. Solicitation:**

There shall be no solicitation by any person anywhere in the building(s) for any cause, charity or any purpose whatsoever, unless specifically authorized by the Board of Directors.

**33. Levying of Fines:**

- A \$100 per day fine (up to a maximum of \$1,000 or maximum allowed by State statute) may be levied against any unit for failure of the owner of the unit or it's occupant, licensee or invitee, to comply with any provisions of the Declaration, by-laws, or reasonable rules.
- A separate fine may be levied for each recurrence of the initial violation or any new violation. Payment of fines for infractions does not constitute permission to deviate from the rules.
- An independent grievance committee of three owners shall review the charges and make their recommendation to the Board before a fine will be levied (see Appendix 1 for details).

**34. Pool and Pool Area:**

- Pool hours are from 9:00 AM to Dusk daily (or 9:00pm, whichever comes first). "Dusk" is defined as one hour after sunset. Night swimming is not allowed since per state statute, our pool does not have adequate lighting to allow for night swimming. Maintenance personnel will attempt to treat and clean in hours when the pool is in least demand.
- In consideration of all residents, quiet hours are in place for the tiki hut area as well as the dock area and boat slips. Quiet hours are from 9:00pm – 9:00am
- Maximum capacity of the pool is ten (10) persons at any given time. Maximum capacity of the deck area is twenty (20) persons.
- Pool facilities and common areas are for the exclusive use of owners, lessees, their immediate families and authorized guests.

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- Diapered infants or non-toilet trained children will not be permitted in the pool except under the following conditions:
- Swim diapers are required for all infants and toddlers. Infants and toddlers must be closely supervised by a responsible adult (parent or a qualified proxy) for the purposes of safety and sanitation.
- Parents of infants and small children will be held responsible for any accidents of nature that result in body waste being deposited in the pool. A charge for the actual cost for the cleaning and decontamination of the pool will be assessed to the unit owner or lessee with custody of the child.
- By Florida State Law, no food or glass containers are permitted on the pool deck directly surrounding the pool. Residents may only eat and/or drink at the tiki hut, the tiki table or at their lounge chairs (plastic containers only). Glass is NOT allowed anywhere on the pool deck, including in the tiki hut area, tiki table and wooden deck just outside gated pool area.
- No cooking of any kind is allowed on the pool deck. Unit owners or lessees are responsible for the clean-up of all spillage or litter in the pool area.
- Showers are required before entering the pool, especially the rinsing of feet. Showering after the application of tanning or sun screening materials prior to entering the pool, will reduce possible clogging of filters and pool contamination.
- The pool furniture may not be reserved or removed from the pool deck. Towels should be used on pool furniture if persons have applied tanning or sunscreen lotion to their bodies. If, during use, pool furniture is moved to a different area of the pool deck, it must be returned to its original position.
- No running, diving, boisterous play, ball playing (to include football, baseball, corn hole, frisbee), or unnecessary noises are permitted on the pool deck or tiki hut area. Residents and guests may play with noodles, kick boards, nerf balls, small beach balls and children's' pool toys while in the pool. These items may not be used on the pool deck. Rafts, floats, inner tubes, water guns are not allowed. No organized sports/multi-player games may be played in the pool (such as water volleyball, frisbee, basketball, water polo) as this prevents other residents who may wish to use the pool from doing so. Nothing may be attached to the pool coping (edging around pool).
- Music may not be played via radios, external speakers, smart phones, or Bluetooth devices. Headphones/ear buds are required.

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No audible media of any kind may be played on the pool deck or in and around the tiki hut.

- A parent or guardian or responsible adult must remain with and supervise young children (12 years of age or younger).
- Swim at your own risk. No lifeguard on duty. All persons using the pool do so at their own risk and without liability to the 650 Island Way Condominium Association, Inc., and/or its Board of Directors.
- Umbrellas are provided for the convenience of pool patrons. When finished using an umbrella it must be cranked down to the closed position and securely tied. Then position the umbrella base under the nearest metal railing and secure it with the provided bungee cord to keep it from being blown over and damaged (and damaging the pool as well).

**35. Cooking and Barbecuing:**

- Barbecuing is authorized only in the designated area. It is the responsibility of residents who utilize the barbeque grill to clean up after themselves, empty used briquets once cool and to leave the area in good condition for next user. Charcoal briquets should not be left in the BBQ area or in any the common area. BBQ utensils may not be left in the BBQ area or in any common area.
- Children under the age of 18 are not permitted to use the barbecue grill.
- Cleanup of the designated grilling area is the responsibility of the users. Electric Grills may be used for cooking and barbecuing on balconies and patios. They must be kept clean and covered when not in use. Gas and Charcoal Grills are prohibited and may not be placed or stored on balconies or patios.

**36. Balconies:**

- Feeding Birds or throwing of any object on or from the balconies is prohibited. Balconies must be kept clean and free of any items that could fall or blow off during high winds related to storms. Screens cannot be stored on open balconies.
- Balconies/patios are limited common areas for the exclusive use of unit owner, lessee(s) and invited guests. This includes exterior siding along walkways, the exterior patio/balcony walls and ceilings and balcony railings which are limited common elements, and therefore maintained by the Association. As such, Residents shall not cause anything to be affixed or attached to, hung, displayed or



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placed on the exterior walls, ceilings or railings of the building. Screened pet/infant guards attached to balcony railings ARE allowed (they must be brown or black in color).

- Additionally, balconies/patios may be decorated during the following holiday seasons:
  - Memorial Day
  - Independence Day: The week of July 4<sup>th</sup> (Sat-Sun)
  - Halloween: The week before and during Halloween
  - Thanksgiving: The week before and during Thanksgiving
  - Christmas: The day after Thanksgiving through the first week in January
- Half umbrellas designed for balcony use are allowed. All umbrellas must be closed and secured when not in use. Umbrellas must not be left open when unattended.
- When watering plants on balconies, residents must ensure that water and soil does not fall onto balconies below. Additionally, water should never be thrown from or allowed to run off of balcony floor (i.e. water from a bucket, hose or water from washing windows, floors, walls, etc.). No resident shall sweep or throw any dirt, cigarette butts, water or other substance from, onto or into any of the balconies or elsewhere in the building or upon common areas.

**37. Registration of Guests:**

- Guests of absentee owners MUST be registered at least seven (7) days in advance of arrival.
- Registration by owners shall be submitted in writing (email or text is acceptable) to any Board Director and must include the names of each guest, and duration of stay of the guests on the premises.
- People who use the premises without compliance with this rule concerning notification would be subject to Circuit Court action for an injunction and assessment of costs and attorney's fees.
- Renters are not permitted to have guests in residence during their absence. This rule is formulated for the protection of unit owners and the Association.

**38. Outdoor Games:**

No football, soccer, baseball, corn hole, frisbee, etc. is permitted to be played on common property or property maintained and controlled by the

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Association. This includes the lawn, pool area, pool deck, tiki hut and dock areas.

The Board has designated one “play area” which is located in the grassy area on the far Southwest area of our property (alongside the seawall and dock).

**39. Bicycle Use and Bicycle Racks:**

- Residents are not permitted to store bicycles on balconies or patios or on walkways.
- Residents must store bicycles in their storage closet, someplace in their unit, or on the bicycle racks provided in the parking lot.
- All bikes stored on bike racks must be kept in good repair, (such as no flat tires, or missing parts) or in any condition that makes them unfit for immediate use.
- Covers may be used for bikes, but ripped covers are not allowed, as we will not allow the bike rack area to become an eyesore.
- Bike owners using bike rack MUST identify their bikes with name tags, so that in the event a bike is deemed unfit or abandoned, it will not be removed and discarded without the owner being given a chance to remedy the situation. Any bicycle that is not marked and deemed to be unfit, will be removed, without notice, by the Association management.

**40. Use of Dangerous Materials:**

The use of fireworks, sparklers or any type of pyrotechnics on balconies, patios or in the common areas is prohibited.

**41. Proper Attire:**

- Good judgment is expected of building occupants and their guests in the common areas
- Unclothed children are not permitted in the common areas. The changing of children's diapers in the common areas is not permitted.

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**42. Responsibility to Know:**

It is the responsibility of the owner to fully inform guests and renters of the Rules and Regulations governing the use of all private and common properties of the Condominium.

**43. Keys:**

Owners must supply the association with a key to the entrance door of the unit. Should an emergency arise, requiring entrance to a unit, a Board member and one other person must be in attendance. Keys will be kept in a lockbox within a locked secure place and will be accessible only by Board members and management.

**44. Construction Noises:**

Any disturbing construction noises such as sawing, drilling, hammering, that can be heard outside your unit must be restricted to the hours of 8:00 AM to 5:00 PM Monday through Friday, unless special permission is granted by the Board. Residents are responsible for ensuring that all common areas are thoroughly cleaned daily and after the construction and maintenance is completed.

**45. Window Replacement Policy:**

- Recognizing the need for one standard type of replacement windows for our building we establish the following:
- Pursuant to the Florida Building Code for thermal efficiency in multiple-family dwellings, all replacement windows, including sliding glass doors, must meet U-Factor 0.40, and SHGC rating of 0.25, which is the standard for Solar Heat Gain Coefficient.
- U-factor is a measure of thermal transmittance, the lower the number meaning the better the glass resists temperature loss or gain.
- All replacement windows must be identical in style to the building's original windows. All exterior window frames must be the same brown color as the building's standard. It is noted, however, that new, replacement windows must be the double-pane, argon-gas filled type, as approved by Florida Building Code. Argon-gas filled windows have a light green hue when viewed in direct sunlight, but the hue is not noticeable when in shade. That is why no other type

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of window installation can be permitted. The appearance of every unit's windows must be kept uniform.

- The Board of Directors and management company must be notified prior to the installation of windows. Additionally, owners must provide documentation that includes window specifications in order to confirm compliance.

**46. Private Parties:**

- The Pool and Tiki Hut may be reserved for private parties by residents. Parties must be approved by the Board.
- Written notice must be given to the Board no later than one week (7 days) prior to the planned gathering or event.
- Unit sponsors will be required and held responsible for all cleanup of the area used for the gathering or event.
- A returnable deposit of \$100.00 will be required.
- Notice of approved parties will be posted by party host 48 hours before the party.

**47. Sound Proofing:**

- Floors above the first floor that are being replaced (with carpeting, tile, hardwood, etc.), must have an approved sound proof layer installed between the finished floor and the concrete floor. The standard for soundproofing material installed is a minimum rating of STC 60.
- The Board of Directors and management company must be notified prior to the installation of any new flooring. Additionally, owners must provide documentation that includes flooring and sound-proofing specifications in order to confirm compliance.

**48. Unoccupied Units:**

When the unit owner is not in residence, it is the responsibility of the owner to safeguard the unit by shutting off the water, controlling humidity and air conditioning, and turning off power to the water heater. The owner must provide for periodic inspections of the unit (*at a minimum monthly*) so that all requirements of their homeowners insurance are met as required by Florida State Statutes.

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**49. Safety Rules for Construction Work on Walkways/Balconies/Patios:**

- No interior unit construction work is permitted on the walkways. Power tools, electric cords and even hand tools may pose a safety hazard for people walking to and from their units. All work for the interior of the unit is to be performed inside the unit or on the ground level away from walking areas. No tools or materials can be left on walkways, sidewalks, stairways, or any other passageways and they shall not be obstructed in any manner.
- Any work that creates debris or dust that could land on neighbor's balconies cannot be performed on the balconies unless dust shields are installed during the work.

**50. Alterations:**

According to the condominium association's documents, any alterations, changes, or additions to the common or limited common areas including but not limited to, balconies, walkways, sidewalks, stairways, parking lot, car wash, boardwalk dock, wood deck, pool and Tiki areas, atrium, building exterior including unit balconies/patios must be approved by the Board of Directors in writing. This includes placement of any storage units on balconies and new or replacement storage units on the common dock.

**51. Resident Parking:**

- Residents are allowed to park a maximum of two (2) vehicles per condominium unit in our parking lot. They may use their own assigned parking space for one, and a second vehicle may be parked in a guest space, or in another owner's assigned space (with permission from that unit owner), as long as the total number of vehicles per household does not exceed two.
- Also, no vehicle that is leaking any kind of fluid may be parked on the property. A leaking vehicle must be removed until the leaks are repaired. This does not include condensation dripping from vehicle air conditioners, which is normal, and is only water that evaporates.
- The Association has a legal right to remove any vehicle by tow truck which violates Rule # 51. Such towing expense will be charged to the vehicle's owner.

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**52. Long Term Usage of Guest Parking Spaces:**

Residents who will be out of town for more than one week, and who are leaving a vehicle or vehicles in our parking lot must first utilize their own assigned parking space before leaving any of their vehicles in a guest space.

### **53. Boardwalk and Dock Rules:**

- a. No ball playing, games, or horseplay is permitted on the boardwalk or cat walks.
- b. No bicycles, skateboards, or roller-skating is permitted.
- c. The boardwalk is considered common area and is for the use of residents and their guests. Cat walks and slips are limited common areas for the exclusive use of boat slip owners and their invited guests.
- d. All boat owners MUST provide proof of ownership before docking a boat. A copy of bill of sale and/or registration must be provided to Board, as well as proof of insurance.
- e. Boat slips may only be rented/leased to residents of 650 Island Way; subleasing is prohibited. There is a minimum rental period of six months.
- f. Commercial use of boats moored in slips is prohibited.
- g. Unit owners who are leasing their condominium unit may not store a boat on their slip – slips are for the exclusive use of resident owners, their lessees or other residents who are renting slip from an owner.
- h. The Board of Directors and the Management Company must be notified in sufficient time to authorize the docking of guest boaters for more than twenty-four (24) hours. Such authorization must be gotten by a majority vote of the Board of Directors.
- i. The following rules apply to guest boaters:
- j. Guest boaters may live aboard for a maximum of three nights, unless they obtain a permit from the City of Clearwater Harbor Master in which case the maximum live aboard is fifteen (15) days.
- k. No waste except potable water may be discharged overboard.
- l. If dock electricity is used for air conditioners, there will be a usage fee of \$5.00 per day.
- m. Cooking of any type is prohibited on the boardwalk or cat walks.
- n. No sails, dinghies, surfboards, jet skis, kayaks or similar type of personal watercraft may be left on the boardwalk, catwalks, or common areas. In addition, no other items may be left on the boardwalk or catwalks if not in immediate use. Kayaks must be stored in the provided kayak storage area which is available on a first come, first serve basis.
- o. No flag, pennant, burgee or banner may be attached to or displayed within marina/dock area of the Condominium property, on any boat lift, dock or vessel which is docked, stored or moored at such times as the boat lift, dock or vessel is unattended by the owner.
- p. Installation of boat hoist, davits or alterations to the boat slips must be approved by the Board of Directors. All construction must

conform to the City and County standards, and in addition, to the upgraded specifications of the Condominium standards, a copy of which is filed with the Secretary.

- q. Slip owners are liable for any damage that they or their guests cause to their cat walks, tie poles or support structure that is not covered by the condominium insurance or their boat owners' policy.
- r. Any dredging of a boat slip by an owner(s) of the slip must be approved by the Board of Directors in writing and documentation is required by a licensed contractor that all permits have been acquired.



#### **54. Appendix 1:**

### **COMPLIANCE AND ENFORCEMENT VIOLATIONS OF RULES AND REGULATIONS**

1. The Condominium Documents of the Association and the Florida Statute 718 (Condominium Act) permit the levying of fines for violations of the Rules and Regulations of The Association.
2. In accordance with Florida Statute, should a fine be deemed appropriate by the Board of Directors, the administrative process is as follows:
  - a. Upon violation of the Rules and Regulations, a request from the Association or the Board of Directors, delivered either by regular mail or by hand delivery, shall be made to an Owner to cease the violation of said Rule & Regulation.
  - b. Should the Owner continue the violation, the Board of Directors will proceed to hold a duly noticed Board meeting to vote on whether to impose a fine or suspension. If the Board votes to impose a fine or suspension, a letter shall be sent to the Owner by Certified Mail and regular mail to the legal address provided to the Association advising the Owner of a Grievance Committee\* meeting to be convened for the purpose of confirming or rejecting the fine or suspension imposed by the Board. The notice shall contain the date, time and place of the meeting which shall be held not less than fourteen (14) days from the date of mailing the notice. The notice shall also contain a statement of the provision of the Declaration, By-Laws or Rules and Regulations, which the Association alleges to have been violated and a short and plain statement of the matters asserted by the Association. A Notice with the agenda for a Grievance Committee hearing shall be posted at least forty-eight (48) hours prior to the hearing.

\*\*The Grievance Committee shall be comprised of 3 impartial Owners, not on the Board of Directors, nor persons residing in a Board member's household
  - c. Hearing: As in any administrative hearing, the Resident shall have an opportunity to respond, present evidence, and to provide written and oral arguments on all issues involved in connection with the alleged infraction. The Resident shall also have the opportunity to review, challenge and respond to any material considered by the Association. Formal rules of evidence shall not apply. At such hearing, the person against who the fine

or suspension is sought to be imposed shall be entitled to be represented by counsel (at his or her expense), and present witnesses and other evidence and testimony. If the party sought to be fined and/or suspended fails to attend the hearing, the Grievance Committee may proceed to determine whether to confirm or reject the proposed fine and/or suspension levied by the Board. Pursuant to Section 718.303(3)(b), Florida Statutes, if the Grievance Committee does not confirm the imposition of a fine and/or suspension, the fine or suspension may not be imposed.

d. A written decision of the Grievance Committee shall be submitted to the Resident no later than twenty-one (21) days after the Grievance Committee's meeting confirming or rejecting the proposed fine and/or suspension levied by the Board. After the fine or suspension is approved by the Grievance Committee, should the Owner ignore the mandates of the Board of Directors, or continue the violating behavior, the Board of Directors shall proceed to cure the violation through the legal process, with all fees and costs of said corrective process to be the responsibility of the violating Owner.

### **PENALTIES AND FINES:**

The Association may impose a fine not to exceed the amount allowable by law per day for each day that the violation exists.

1. Payment of Penalties: Fines shall be paid no later than thirty (30) days after notice of the imposition or assessment of the penalties.
2. Application of Penalties: All monies received from fines shall be allocated as directed by the Board.
3. Non-exclusive Remedy: These fines shall not be constructed to be exclusive and shall exist in addition to all other rights and remedies to which the Association may be otherwise legally entitled. However, any penalty paid by the offending Resident shall be deducted from or offset against any damages which the Association may otherwise be entitled to recover by law from such Resident.

### **Penalty Assessment:**

The Board may impose fines against the applicable Unit in the amount of \$100.00 per violation or up to such other maximum as may be allowed by the laws from time to time. Each day during which a violation continues shall be deemed to be a separate violation subject to a separate fine up to \$100 per day (or up to such other maximum amount per day as may be allowed by law).

Every Unit Owner, tenant, occupant, guest, family member, invitee or licensee shall comply with these rules and regulations as set forth herein. These rules may be amended from time to time along with the provisions of the Declaration, Bylaws and Articles of Incorporation of the Association. Failure of any person to comply shall be grounds for action which may include, without limitation, an action to recover sums due for damages, injunctive relief, fines, administrative and/or attorneys' fees or any combination thereof.

**RULE CHANGES:**

The Board of Directors of the Association reserves the right to change or revoke existing rules and regulations and to make such additional rules and regulations from time to time as, in their opinion, shall be necessary or desirable for the safety and protection of the Building and its occupants, to promote cleanliness and good order of the Property and to assure the comfort and convenience of members; provided that such changes, revocations, or additions must be adopted in accordance with the procedures set forth in the By-laws of the Association before such changes, revocations, or additions become effective. After adoption, changes may be overridden in the manner described in the by-laws

End of document.