

Rules and Regulations
For
Porter Court Condominium Association

These Rules and Regulations for the Porter Court Condominium Association are intended to ensure the comfort and safety of all Porter Court Residents, the enjoyment of the premises by all Residents whether Owners, guests or tenants and to promote Porter Court as a premiere residential community within the Truman Annex.

For the purpose of this document, an Owner is defined as the person or entity who legally owns the Unit. A Resident is defined as any person who is in residence for any length of time, whether an Owner, guest or tenant.

All Residents are reminded that living within a condominium association and in close proximity to neighbors requires a spirit of cooperation with and consideration for each other. All Residents are encouraged to be mindful of the peace and well-being of all persons in the complex. Owners are responsible for the actions of any resident in their Units.

Finally, it is anticipated that on occasion the Board of Directors may find it appropriate to grant temporary waivers to some or any of these rules, except as otherwise required by applicable law, if so requested by an Owner and approved by the Board in proper fashion.

- 1) In accordance with Article VIII, Section A of the Declaration of Condominium, all Units shall be used for single family residential purposes only. There is a maximum occupancy of six (6) individuals for those units with two full bathrooms and a maximum occupancy of five (5) individuals for those units with one full bathroom.
- 2) The Board shall approve a Porter Court Residential Policy Guide which shall be consistent with these Rules and Regulations and which shall be duly posted on the Condominium property. Each Owner shall maintain a copy of the Porter Court Residential Policy Guide within the Unit. The Porter Court Residential Policy Guide is attached hereto as Appendix A.
- 3) The Porter Court Condominium Association is not a clothing optional complex. Residents must wear proper attire at all times in the pool area, Common Areas, porches, balconies and rear yards.
- 4) Unit Owners may lease Units in accordance with applicable ordinances of the City of Key West and under the terms of the TAMPOA Approved Leasing Policy attached as Appendix B with the following modifications:
 - a) Under Rule 5 below, the pool and spa hours in Porter Court are from dawn to 9:00 PM only.
 - b) Under Rule 1 above, the maximum occupancy of a Unit in Porter Court is limited to five (5) persons for those Units having one (1) full bathroom and six (6) for those Units having two (2) full bathrooms.
 - c) A copy of the Porter Court Residential Policy Guide as approved by the Board shall be posted in a conspicuous place in each Unit that may be leased. Every Owner shall have a copy of these full Rules and Regulations within the Unit for reference by guests and tenants
- 5) The pool area and the pool and spa of the Condominium property are for the exclusive use of Porter Court Residents. The pool and spa hours in Porter Court are from dawn to 9:00 PM. In order to ensure the enjoyment of the pool and spa for all Residents, no more than six (6) persons from any one Unit may utilize the same at any one time. Residents may not reserve lounge chairs by placing towels or other items on the chairs. All such personal items must be removed by their respective owners when exiting the pool area. To protect the enjoyment of the pool, spa and pool area by all Residents, the use of radios, music players or amplified music of any type is prohibited in the pool area unless used with appropriate earphones in accordance with Rule 16. For the comfort and safety of the Residents, the Board shall adopt the Porter Court Condominium Association Pool Rules which shall be posted in the pool area. Such Pool Rules are attached hereto as Appendix C. Such Pool Rules shall include but are not limited to the following:
 - a) No glass containers or breakable containers of any type shall be permitted in the pool area or on the pool deck including on any tables and/or chairs.
 - b) Smoking of any type in the pool or in the pool area including on any chairs, lounges or at any of the pool tables is prohibited.
 - c) No dogs, cats, pets or other animals are permitted in the pool or are permitted to remain in the pool area whether or not in the presence or supervision of owners.
- 6) Children of Owners and Residents are welcome in the community. However, to ensure the safety of the children and the peace and comfort of all Residents, young children shall at all times be supervised by their parents or by the Owner or Resident they are visiting especially in the pool area and other Common Areas.

- 7) Parking on the Association grounds is limited to one parking spot for each Unit. No guest or occasional parking spots are available. The parking rules are as follows:
 - a) The Association provides one designated parking spot per Unit. All Residents shall park in the assigned space provided for the applicable Unit. All vehicles must prominently display on the windshield a valid TAMPOA parking decal or a valid temporary parking permit issued by TAMPOA security;
 - b) No motor vehicle which cannot operate on its own power shall remain on the Condominium Property for more than forty-eight (48) hours;
 - c) No oversized trucks, trailers, mobile homes, vans, campers, buses or similar vehicles shall be parked on the Condominium property;
 - d) The designated parking area shall not be used to store boats, canoes, kayaks, rafts or similar craft; and
 - e) All parking facilities shall be used in accordance with regulations adopted by the Board.
 - f) Notwithstanding the above rules, Unit Owners are encouraged to make available designated parking spots when not in use to other Unit Owners, guests or contractors.
- 8) Owners are responsible for the conduct of all construction, maintenance and landscaping contractors. Owners must arrange suitable parking and take all reasonable measures to ensure that construction and maintenance work does not disturb or disrupt other Residents.
- 9) In order to ensure the comfort and safety of all Residents, all house pets or other animals must be registered with TAMPOA. Residents who are not Owners and will be in residence for at least 30 days may apply to TAMPOA for permission to maintain an animal under this section. Any such dog, cat or other animal shall not be allowed free access outside of a Unit or be permitted in any portion of the Common Areas unless carried or on a leash. No dog, cat or other animal otherwise permitted is allowed to remain in the pool area whether or not leashed or otherwise under the control of its owner. Dogs and cats may be walked only in designated areas. No animal shall be allowed to make an unreasonable amount of noise that would constitute a nuisance. No structure for the care, housing or confinement of any such animal shall be maintained so as to be visible from any neighboring property. Those animals which may be expressly authorized by TAMPOA shall be kept as a conditional license, and not by right, revocable upon a finding, which finding by TAMPOA shall be final, that such animal is an unreasonable source of annoyance or danger.
- 10) Except as otherwise permitted in these rules, the personal property of Owners must be stored in their respective units. Limited storage of personal items such as pool floats, tools, or supplies is available to Owners in the Owner section of the pool shed. Under no circumstances shall Owners permit guests or tenants to access the Owner section of the pool shed unless under the direct supervision of the Owner. Bicycles shall be stored only in the bike racks provided by the Association or in the rear yard of a Unit.
- 11) It is expressly stated herein that maintenance of a clean and neat appearance of the condominium complex is a primary object of these rules. Therefore, no trash, rubbish, garbage or debris shall be kept or placed in any yard, porch or deck area. No garbage cans, supplies or other articles shall be placed in or on the yards, balconies, decks or staircase landings, nor shall any towels, linens, blankets, clothing, curtains, rugs, mops or laundry of any kind or articles be shaken or hung from any of the windows, doors or balconies. No visible clothes lines or other outside facility for drying or airing clothes shall be erected.
- 12) All garbage must be deposited in bags and together with all other trash and refuse disposed of in the dumpster area designated for such purpose. TAMPOA subscribes to mandatory recycling. All recyclable materials shall be separated and deposited in the appropriate receptacles within the dumpster area.
- 13) To ensure the safe passage of all Residents the sidewalks, entrances, passages, stairways, and the like portions of the Common Elements or Limited Common Elements shall not be obstructed and shall not be used for any purpose other than ingress and egress. Residents shall not store carts, carriages, bicycles, chairs, tables or any other similar objects therein unless expressly permitted in these rules.
- 14) All balconies and decks shall be kept in an orderly, clean and sanitary fashion at all times. Consistent with the foregoing, the placement of any chairs, benches and tables on same that are of such a number, nature and type as are customarily used for leisure purposes shall be permitted. For Units facing the pool area the preferred color for any front balcony or deck furniture is white. Door mats and decorative plants and flowers which do not interfere with access and are kept in good order shall be permitted. No bicycles, pool equipment, or other goods, materials, fixtures, paraphernalia or the like are to be affixed, placed or stored on said decks or balconies.

- 15) In order to comply with the fire code regulations of the City of Key West, cooking with open flame grills such as wood or charcoal is prohibited. Gas grills and electric grills may be used but must be located in the rear yards of the respective Unit. Furthermore, gas grills when in use must be at least ten (10) feet from the nearest side of any of the buildings. If a rear yard does not have said ten (10) feet of clearance, then a gas grill is hereby prohibited for that Unit. Electric grills may be used without restriction.
- 16) Radios, music players, amplified music of any type and any other similar device shall not be permitted in the pool area or in other Common Areas unless such device is used with appropriate earphones. No Owner shall make or permit any disruptive noises including television, radio or sound amplifier of any type or make or permit any noxious fumes in a Unit, yard or porch, or permit any conduct of any person that will interfere with the rights, comforts or conveniences of other Residents. For the safety and comfort of all Residents, smoking of any kind is prohibited in the pool area and in the Common Areas.
- 17) Cooking shall be allowed only in the kitchen of each Unit and on those Common Areas of the Condominium Property which are designated by the Board for such use. Outside cooking appliances must conform to the provisions of Rule 15 above.
- 18) Food and beverages may not be consumed outside of a Unit and its appurtenant yard or porch except in certain designated areas which shall include any large or small tables situated around the pool area.
- 19) No radio or television installation shall be permitted in a Unit, porch or yard which interferes with the television or radio reception of another Unit. No antenna or aerial, or satellite dish may be erected or installed by an Owner on the roof or exterior walls of the buildings. If the same is erected or installed, it may be removed, without notice, by the Board at the cost of the Owner installing same. Citizens band and ham radio installations shall be prohibited.
- 20) Outside front door decorations such as custom door knockers, door bells, pictures, and small ornamental pieces, etc. shall be permitted with the approval of the Board upon proper application of the Owner. No signs, advertisement, notices, banners, posters or other objects of similar nature shall be displayed, inscribed, printed or affixed in, on or upon a Unit or the Common Areas or placed within a Unit so as to be visible from outside the Unit. No awning, canopy, shutter, storm shutter or other projection shall be attached to or placed upon the outside walls, balconies or roof of the buildings unless approved by the Board.
- 21) In general Owners may decorate rear yard areas including decks, exterior walls and fences provided such do not interfere with the yards of neighboring Units. Owners may store usual gardening tools on rear decks provided such are not visible from Common Areas. An Owner shall not cause anything to be affixed or attached to, hung, displayed or placed on the roofs, exterior walls, yard walls and fences or fence gates, doors, balconies or windows of the buildings or stored on rear decks which shall be determined offensive or inappropriate by the Board in its sole discretion. Owners are not permitted to screen in or otherwise enclose porches or yards.
- 22) Residents shall keep yards maintained and free of debris and shall not store inappropriate items or materials therein. Plantings shall be of a type consistent with the residential nature of the community and shall not interfere with the yards of neighboring Units.
- 23) No Resident shall permit any condition to exist which shall induce breed or harbor plant diseases or noxious insects.
- 24) No flammable, combustible, or explosive fluids, chemicals, or substances shall be kept in any Unit, porch or yard, except as may be required for normal household or permitted business use.
- 25) No Resident shall permit anything to fall from a window or porch of a Unit, or sweep or throw from the Unit any dirt or other substance into any of the sidewalks, stairways or Common Areas.
- 26) Employees of the Association may not be used by Residents for personal business. The Board shall be solely responsible for supervising TAMPOA employees.

- 27) An Owner who plans to be absent during the hurricane season must prepared his or her Unit prior to departure by:
 - a) Removing all furniture, plants and other objects from his or her yard and porch; and
 - b) Designating a responsible firm or individual, subject to TAMPOA approval, to care for the Unit, porch and yard, should the same suffer hurricane damage. The Owner shall furnish to TAMPOA the name of each such firm or individual, which firm or individual shall contact TAMPOA for permission to install or remove hurricane shutters.
- 28) No inappropriate commercial or business purpose shall be conducted or solicited in any Unit as may be determined by the Board in its sole discretion.
- 29) No Owner shall install or permit to be installed any window air-conditioning unit.
- 30) No Owner shall attach any film or sun-reflective device or matter to the glass windows and glass doors of a Unit, except with the Board's prior approval.
- 31) At least 50% of each yard shall be open, sodded (i.e., grass or other approved ground cover) or planted area, unless the Board shall give its prior written approval to a reduction in the amount of such open space.
- 32) Those Owners who violate these rules shall be responsible for all costs incurred by the Association, including court costs and a reasonable attorney's fee, in the process of rectifying the non-compliance. These costs shall also include the removal of all articles, vehicles and substances from the Condominium Property which were placed therein in violation of these rules. Under this section an Owner is responsible for violations incurred by any Resident. A system of warnings and fines is hereby established for the violations of any of these Rules and Regulations or of the provisions of the Porter Court Residential Policy Guide except that no such fine shall exceed the maximum amount permitted under applicable statutes of the State of Florida.
 - a) A first offense shall result in a written warning to the Owner;
 - b) A second offense and/or subsequent offense shall result in a fine of \$100 assessed to the Owner and collected with the quarterly association dues.
- 33) To facilitate entry in the event of emergency, each Owner shall deposit a key to his or her Unit with TAMPOA.
- 34) All Owners shall comply with all covenants, rules and regulations in the Truman Annex Covenants.

APPENDIX A
Porter Court Condominium Association
Residential Policy Guide

Please be aware that you are in a RESIDENTIAL COMMUNITY, not a hotel. Condominium living can be a great experience provided we are all considerate of our neighbors and follow a few commonsense guidelines. Some of the rules are summarized here for your convenience. The complete Rules & Regulations take precedence and copies are available in your unit or at the TAMPOA administrative offices at 305 Whitehead Street, Key West, Florida.

Please consider that Porter Court and Truman Annex are an oasis from Duval Street and all the partying. Please remember that there are residents that live and work here who must get up in the mornings. Please be considerate of your neighbors who are not on vacation. Thank you for your thoughtfulness.

1. There is a strict occupancy limit of five (5) persons per unit with one full bath and six (6) persons for units with two full baths with no exceptions.
2. Porter Court is not clothing optional and proper attire is required at all times.
3. Children shall at all times be supervised by their parents or guardians.
4. No radios, music players or other amplified music are permitted in the pool area or in any other common area. No occupant shall make or permit any disruptive noises in or around the buildings, or permit any conduct of any person or pets that will interfere with the rights, comforts, or conveniences of other residents
5. Smoking around the pool or in the common areas is prohibited.
6. The pool hours are dawn to 9:00 PM
7. No more than six (6) persons from any Porter Court unit may use the pool at any one time.
8. Additional pool and spa rules and regulations are posted in the pool area.
9. Parking is limited to one space for each unit in the space so designated. On site guest parking is not provided. No oversized trucks, trailers, mobile homes, vans, campers, or similar vehicles shall be parked on the Condominium Property. Motorcycles and scooters must be parked in the parking lot and not on sidewalks or porches.
10. Cooking with charcoal grills is prohibited. The use of electric grills is highly recommended. Gas grills must be located in rear yards and when in use must be at least 10 feet from the nearest building.
11. No dogs, cats or other animals shall be maintained in any unit without the Association's prior written permission.
12. No dogs, cats or animals are permitted in the pool area or other common areas notwithstanding under the supervision of the owner.
13. Bicycles are to be stored only in designated areas. No bicycles shall be stored and or parked on balconies, front decks, or terraces of any of the buildings.
14. No towels, clothing, linens, rugs, etc. shall be hung from balcony rails, windows or doors.
15. No trash, garbage, or debris shall be placed in any yard, porch or deck area. All garbage must be placed in plastic bags and deposited into the designated dumpster. Recycling is mandatory. Recycling bins that must be used are available in the trash enclosure (dumpster) area.
16. The sidewalks, entrances and like portions of the Common Elements shall not be obstructed and shall not be used for any purpose other than ingress and egress; nor shall bicycles, chairs, tables or any other similar objects be stored therein.

Residents found to be violating these rules may be evicted and Owners fined. Owners and residents are encouraged to call Security 305-294-3995 and/or the Administration Office 305-296-0556 to report apparent violations.

**APPENDIX B
TAMPOA APPROVED LEASING POLICIES**

A. RULES

No tenant, guest or visitor may make or permit to be made any disturbing noise nor permit any conduct by such persons that will interfere with the rights, comforts or convenience of any other unit Owner, tenant, visitor or guest. At the sole discretion of the Association staff, such activity may result in an order for the Owner (or Agent) to immediately evict the occupants.

Pets will be allowed only for month-long (or longer) Tenants with Owners' permission and must abide by all pet rules and registration. Condominiums may further restrict pets.

Parking for Tenants shall be only in the Owners' assigned space. Tenants' vehicles must display a proper windshield ID.

Tenants must not allow any visible trash on the leased property. All trash must be bagged and disposed in assigned container for pick up on assigned days.

Pool/Jacuzzi Use: Pool and Jacuzzi use for Tenants shall be limited to locations appropriate to the leased Unit and restricted to 8 AM to 11 PM or sooner if posted.

A person who is at least 18 years old must sign all leasing contracts and at least one occupant must be 18.

Tenants must always re-latch gates after use. Hours shall be posted in the Unit.

No towels, clothing, swim wear, laundry or clothing of any kind may be hung from exterior of any leased Unit.

Outdoor barbecuing is prohibited in common areas. Barbecuing within the limited common area of leased Units is strictly limited to electric or gas grills.

The obstruction of common areas, walkways and fire lanes is strictly prohibited.

The occupancy of Units is limited to two individuals per bedroom plus one additional individual per unit or three individuals per full bathroom per unit (whichever is greater), with a maximum of eight individuals occupying any Unit and may be limited further.

Rentals are restricted to a minimum of one week. Units may each be leased short-term a maximum of twenty-five weeks per calendar year.

B. OWNERS WHO ARE RENTING SHALL HAVE THE FOLLOWING RESPONSIBILITIES:

Each Owner must notify the Association Manager of an intention to lease and submit a Unit Use Notification form for each intended occupancy, lease or gratuitous use.

Each Owner must provide the Association the name and address of each unit's occupants, and the make, year and tag number of the occupant's vehicle.

Owners are required to have the appropriate City, County and State licenses. Such Members shall provide the Association of a copy of the necessary city license.

Each Owner must incorporate terms of the standard Association lease and a Rules addendum whether writing his own lease or using an Agent.

Each Owner must post a listing of the Association's Rules and Regulations in a conspicuous place inside the leased Unit.

Each owner must submit the name, address and-phone number of local contact and any required Florida 509 licensed entity to the Association.

A \$200 calendar year administrative fee shall be assessed each Member who indicates a desire to rent. This fee will be assessed if a unit is leased even once, long or short term.

C. ASSOCIATION MANAGER RESPONSIBILITIES SHALL BE AS FOLLOWS:

The Association Manager shall maintain a list of the Association Owners who lease with the local contacts.

The Association Manager shall account for fees, deposits and fines.

The Association Manager shall review Unit Use Notification forms to include verify planned number of occupants and parking assignments.

The Association Manager shall provide a parking window ID and an explicit description of the parking space available to the Tenant.

The Association Manager shall monitor the security logs on a daily basis.

The Association Manager shall notify new Owners of leasing Rules and Regulations.

The Association Manager shall notify Owners involved in the event of eviction or fines.

The Association Manager shall provide a monthly accounting and activity report to the Board.

The Association Manager shall keep an ongoing accounting of the leases for each Unit.

D. NOTIFICATION

All Unit Owners shall be given a copy of the leasing Rules and Regulations.

All current local Key West Realtors shall be provided with the Association's Leasing Rules addendum which shall be incorporated as a binding covenant of all leases.

All Owners involved shall be notified of evictions and fines.

All Tenants shall be given a copy of the Rules and Regulations, a parking windshield ID, and an explicit description of their parking space at the point of lease verification. All Tenants shall be advised that violators are subject to being towed at their expense.

These Rules are in addition to more restrictive condominium rules and any City ordinances.

E. ENFORCEMENT

Infractions by Owners:

Initial infraction of any Association Rule (by the Tenant) or Owner Responsibility (by the Owner) shall result in a written warning from the Association Manager to the Owner. Second infraction of any leasing rule by the Owner or Tenant shall initiate the normal fining process against the Owner. Such infractions, and non-payment of any fines, may involve the loss of leasing opportunity by the Owner for a Board-determined period of time.

Infractions by Tenants:

Initial infraction of Rules will result in a verbal warning from security to the Tenant and to the Owner's contact and shall be noted in the security log. Second infractions shall result in a verbal and written notice to the Tenant and a verbal notification of the Owners' contact and shall be noted in the security log. Third offense shall require eviction of the Tenant by the Owner (or Agent) or the holder of the Florida 509 license.

Appendix C
Porter Court Association
Pool and Spa Rules

- a) No glass containers or breakable containers of any type are permitted in the pool area or pool deck, tables and/or chairs.
- b) Smoking of any type in the pool or in the pool area including on any chairs, lounges or at any of the pool tables is prohibited.
- c) No dogs, cats, or other animals are permitted in the pool or permitted to remain in the pool area notwithstanding the presence or supervision of owners.
- d) Food may not be consumed while in the pool.
- e) Bathing Load: 12 persons
- f) Pool Hours: Dawn to 9:00 PM
- g) Please shower before entering
- h) Children under 12 must be accompanied by an adult
- i) Location of the nearest emergency telephone is at the entrance gate at the intersection of Southard Street and Thomas Street.