

# **PHOENIX V**

## **RULES AND REGULATIONS**

### **I. PARKING**

#### **A. General**

1. All vehicles on premises must display a current, authorized pass.
2. Absence of a pass for identification may result in vehicle being towed from parking lot at vehicle owner's expense.
3. If identifiable, vehicle owner will be notified if pass is improper. The vehicle owner will have four (4) hours to obtain proper pass or remove vehicle before it may be towed at vehicle owner's expense.

#### **B. Condo Owners**

1. Owners will be allotted two passes. Owners with underground parking spaces will be allotted one private parking pass for each parking space owned. The authorized owners permit is physically transferrable from one vehicle to another. Permanent non-renting residents (year-round residents) will be permitted two additional passes.
2. Owners who have misplaced passes must purchase new ones at a cost of \$50.00 each and only two passes can be purchased in any one-year period.
3. Owners may leave passes at the front desk for use by family members (sons, daughters, brothers, sisters, parents, as well as significant others). However, Brett/Robinson will not be responsible for ensuring the passes are returned nor for lost or stolen passes.
4. When a unit is sold, the previous owner should provide the new owner all condo owner vehicle passes.
5. Owners' Parking Areas
  - a. Owners may not leave their vehicle in general parking area while not occupying their unit.
6. Condo owners are prohibited from giving owners passes to rental guest. If discovered, the owner's passes will be confiscated and guest will be required to purchase an authorized pass. Non-compliance will result in the offending condo owner being assessed a fine as follows: First violation \$100.00 fine, second violation \$200.00 fine, and third violation \$300.00 fine. After the third violation, any subsequent violation will result in owner's pass being confiscated and owner must purchase a guest pass.

#### **C. Renters**

1. All rental guests must pay the Association a parking service fee, which is in effect year-round, plus tax.
  - a. During periods when ample parking is available, additional passes can be purchased.
  - b. The service fee/pass is valid for the entire visit (Reservation).

2. During non-peak periods and on a space available basis, guest visitors may receive a “no charge” day pass valid for one day only, expiring at 8:00 p.m. Visitors wishing to stay after 8:00 p.m. must purchase a guest visitor parking pass.
3. All renters’ vehicle passes will be available at the check-in desk, and must be displayed immediately.
4. The parking service fee is not a guarantee of a parking space.
5. Neither the Association nor the agent assumes responsibility for any damage by storm, theft, accident, nor for loss of articles left in vehicles.

**D. RVs, Boats, Trailers, etc.** (Parking will be allowed if space is available)

1. No long-term storage is allowed.
2. Each parking space occupied requires a vehicle pass per above rules.

**E. Handicapped Parking**

1. A handicapped parking placard does not guarantee a handicapped parking space.
2. Owners, renters, and visitors may use available handicapped parking space if their vehicle displays a valid handicapped placard, in addition to the required owner or guest parking pass.

**II. PETS**

- A.** Absolutely no pets are allowed by renters or their guests. A pet, or evidence of a pet, found on the premises will result in the boarding of the pet or forfeiture of all rents and deposits and immediate eviction.
- B.** Owners’ pets must be on a leash at all times when not in unit. The authorized walking area is the grass area located in the north area of parking lots. Owners must pick up after their pets.
- C.** Pets are not permitted on the beach by city ordinance.
- D.** Owners are required to have an Association Pet Identification Tag attached to the pet while on property. Tags are available at the front desk. Non-compliance will result in a \$50.00 fine.
- E.** Pets must be on a leash and under control and not be a nuisance to guests or other owners.

**III. BEACH**

- A.** Walking or playing on dunes and habitat area is prohibited. If toys or equipment inadvertently lands there, retrieve with least disturbance.

- B.** Parties after 10:00 p.m. must be quiet.
- C.** No jet ski type water craft will be permitted to operate from the Phoenix beach. In order to park jet skis in the parking lot (provided space is available), the owner must sign a statement agreeing not to operate it at the Phoenix beach.
- D.** Please do not bring buggies onto the beach.

**E. Fires**

Open fires are prohibited on the beach by City of Orange Beach ordinance.

**E. Leave Only Footprints**

This building complies with the Leave only Footprints Campaign per City of Orange Beach ordinance.

**IV. BALCONIES/DECKS**

- A.** Hanging towels, swimsuits, etc. from the balcony railings is prohibited.
- B.** Displaying the U.S. flag is permitted on the following nationally recognized holidays only:
  1. Armed Forces Day, 3<sup>rd</sup> Saturday in May
  2. Memorial Day (half-staff until noon), the last Monday in May
  3. Flag Day, June 14
  4. Independence Day, July 4
  5. Anniversary of 9-11
  6. Veterans Day, November 11
  7. Pearl Harbor, December 7
- C.** The use of grills on balconies or decks is strictly prohibited.
- D.** Feeding birds from the balconies is prohibited.
- E.** Noises, music, instruments, etc. loud enough to disturb neighbors is prohibited.
- F.** The throwing or dropping of any item from balconies is prohibited.
- G.** Smoking and vaping are prohibited on balconies and decks.

## **V. WRISTBANDS**

- A.** Wristbands are required to be worn at all times from March 15 through October 31 anywhere on the property.
- B.** Use of amenities requires a wristband to be worn from March 15 through October 31.
- C.** Use of amenities is at your own risk.

## **VI. POOL, SPA AND SPLASH PAD**

All swimming pools and hot tubs will be closed from 11:00 p.m. to 7:00 a.m. All posted rules apply.

### **A. Swimming Pool –**

1. No lifeguard on duty. Swim at your own risk.
2. No diving!
3. Children under the age of 13 must be accompanied by an adult.
4. Pool use limited to owners and guests.
5. No running or rough play in pool area.
6. No glass containers allowed in or around pool.
7. No pets allowed in pool area.
8. Appropriate swimwear is required.
9. Pool may be closed for cleaning and water treatment when necessary.
10. Pool side furniture cannot be reserved.
11. Babies must wear protective swimwear.
12. Swim diapers must be worn by non-toilet trained children at all times.
13. Smoking and vaping are prohibited in and around the pool areas.

### **B. Hot Tub –**

1. Caution - floor and steps may be wet!
2. Maximum 4 adults in tub at one time.
3. Children must be 14 years or older and be accompanied by an adult.
4. Glass containers are not allowed in tubs.
5. No food allowed in or around tubs.
6. Twenty (20) minute time limit when others are waiting.
7. Remove suntan oil before entering tubs.
8. No pets allowed.
9. Dry off - Do not leave tub area dripping wet.
10. Tub will automatically drain if occupants violate these rules.
11. Smoking and vaping are prohibited in and around the hot tub area.

**C. Splash Pad –**

Posted rules must be obeyed at all times.

**VII. OTHER PROPERTY**

**A. Racquetball Court –**

Must be 12 years old or accompanied by an adult, eye protection must be worn while playing racquetball. A reserved thirty-minute (30) time limit can be requested to be extended if no other players are waiting. Tennis shoes are required at all times in the racquetball court. No wet clothing, e.g. wet bathing suits, is allowed on the racquetball courts. Racquetball court is open from 7:00 a.m. and closed at 11:00 p.m. Absolutely no black marking shoes. Reservations and key-access codes for racquetball court entry must be obtained from the Front Desk. Users are requested to keep racquetball court door closed while in use.

**B. Fitness Room –**

With the exception of water, no food or drink is permitted in the fitness room. Children under 16 years of age are not allowed unless accompanied by a parent. Use is at your own risk. Reservations and key-passes or codes for fitness center entry must be obtained from the Front Desk. Please keep door closed and locked.

**C. Sauna –**

Key Code is available at the Front Desk. No children under 16 years of age are allowed in the sauna.

**D.** Rollerblading, skateboarding and hoverboarding are prohibited on the property.

**E.** Bicycling is allowed only to cross parking lot to and from street.

**F.** Use of fireworks on beach and property is prohibited.

**G.** Obey all posted rules and signs.

**H.** Property belonging to one Association may not be taken to another building.

**I.** Smoking and vaping are prohibited in all Common and Limited Common areas which include, but not limited to unit balconies, hallways, fitness center, meeting rooms, lobbies, storage areas, parking garage, pool and spa areas and stairwells. The only designated smoking area is in the

southwest corner of the upper parking deck.

**J. Restrictions for Decorations –**

All owners and guests are not allowed to hang anything from their balconies or attach anything to the outside of the entry door in the way of decorations including, but not limited to, Christmas, Valentine’s Day, Mardi Gras and St. Patrick’s Day as per the Condo Documents (location and description below). Association-provided entry doormats may not be removed and/or replaced by personal doormats. These areas are common elements belonging to the Association. Security will ask for them to be removed and they will be removed for you if it continues to be a problem.

<b>Declaration of Condominium – Phoenix V Association, Inc.</b>
<b>4. Definitions:</b>
(d) “Common Elements” means common areas and facilities including but not limited to all parts of the condominium property not included within the unit boundaries.
<b>6. Surfaces:</b> “An owner shall not be deemed to own the studs and structural components of the perimeter walls and/or of load-bearing walls nor windows and doors bounding the unit, nor balconies, not balcony railings enclosing a balcony area”.
<b>10. Maintenance</b>
(b) By the Unit Owner: The responsibility of the unit owner shall be as follows:
ii. Not to paint or otherwise decorate or change the appearance of any portion of the exterior of the building and/or the exterior of the balconies assigned to the exclusive use of the unit owner, and/or the exterior of the balcony area assigned to the use of the unit owner.

**VIII. ENFORCEMENT OF RULES**

**A. Owners –**

Violation of those rules for which penalty is not so above stated will be referred to respective Association board for assessment of penalty.

**B. Renters –**

1. Violation of those rules for which penalty is not so above stated will be referred to Brett/Robinson Gulf Corp. Property Manager for penalty.
2. Failure to comply can lead to removal and forfeiture of rents and deposits.

**C. Enforcer –**

All Brett/Robinson Gulf Corp. employees and subcontracted security personnel shall have the authority and responsibility to enforce all of the above Rules and Regulations.