



DOLPHIN CAY PROPERTY OWNERS ASSOCIATION, INC.

RESIDENT INFORMATION PACKET

June 2019

**Replacement or an additional copy
is available from the Office at a cost of \$10.00.**

This document is also available online at www.dolphincay.com

Quick Fact Sheet for Residents

Welcome to Dolphin Cay! Please read this Resident Information Packet thoroughly. It provides valuable information. This page highlights rules and regulations that seem to be missed most often during the busy purchasing and move-in process. Individual Associations may have further restrictions or requirements.

- Vehicles:
 - Trucks, pickup trucks, trailers, recreational vehicles, golf carts, motorcycles, motor scooters, mopeds or any vehicle except passenger cars are not allowed.
 - Personal trucks can be on the property between 8:00 am - 8:00 pm only. Residents or visitors owning trucks must move them each night to the parking lot at the entrance to Dolphin Cay.
- Pets:
 - Must be registered with the Office.
 - Homeowners can have no more than **two pets, max combined weight of 40 lbs.**
 - Condominium owners can have no more than **two pets, max combined weight of 30 lbs.**
 - Visitors must follow the same restrictions.
 - Pets must always be on a leash outside the home.
 - Pets are not allowed on the beach, grill or pool areas.
- Moving Guidelines:
 - Arrange all moves with the Office. A refundable \$500 check deposit is required.
 - Moving times are Mon - Fri 8:00 am - 4:00 pm and Sat 8:00 am - 12:00 pm.
 - Residents must request the protective pads to be placed in the elevator at least one business day in advance for the full length of the move and for appliance or large furniture deliveries.
 - Moving companies or residents must remove any debris they create in all common areas, i.e. hallways, elevator lobbies, main lobby and parking areas.
 - Items such as sports equipment, bicycles, furniture may not be stored on your patio or balcony.
- Construction and Property Improvements:
 - Approvals must be obtained from the Architectural Review Committee (ARC) for all remodeling and construction, except for interior painting and decorating.
 - Contractors may be on-site Mon - Fri 8:00 am - 4:00 pm.
 - Saturdays noise-free work only from 8:00 am - 4:00 pm.
 - Pick up all current construction/remodeling forms required for both Contractors & Residents from the Office. Sample forms are found in this Resident Information Packet.
- Rental Policy in Dolphin Cay is a minimum of one year subject to Association approval.
- Swimming Pools are open for use 7:00 am until dusk.
- Patio Grills must be electric and approved by the ARC.
- Speed Limit in Dolphin Cay is 15 mph to safely exit parking lots and driveways and out of consideration for the safety of our pedestrians and wildlife.

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I. Living in Dolphin Cay, our Regulations and Guidelines

INTRODUCTION

The Dolphin Cay Property Owners' Association (DCPOA) is a group of Owners in 46 single family homes along with five individual Condominium Associations with 314 units. Our common goal is to insure that Dolphin Cay remains a beautiful, safe, well-maintained and well-run community. Community living may require some give and take in order to continue a harmonious living experience. To that end, these Rules & Regulations have been developed and are intended to fairly and consistently recognize the rights of all of us to enjoy our lovely community without infringing too much upon individual desires.

The Board of Directors of the DCPOA may amend the Rules & Regulations as needs arise. This Resident Information Packet contains some important aspects of the State Statutes, County Codes, the Declaration, Articles and Bylaws of Dolphin Cay as well as current Rules and Regulations, which are binding upon all Residents and Visitors.

Please ensure your Visitors understand that our community is our shared home ... not a hotel, resort or spa. They, too, must abide by these Rules & Regulations.

A. The Dolphin Cay Management Office

Condominium Associates (CA) is responsible for the management of Dolphin Cay and employs the Office Staff consisting of the Manager and an Administrative Assistant. The Office is located in the Casino and is responsible for the day to day operations of the community and supports residents, the Board of Directors, and Associations. They help ensure that all state, county, and city regulations governing our community are met. CA also employs the Maintenance Staff and the Office provides them all work assignments. **Maintenance personnel may not be used by residents for personal work during their working hours.**

The Office address is 4779 Dolphin Cay Lane South
Business hours are Mon - Fri 8:00 am - 4:30 pm Telephone (727) 864-1900 Fax (727) 864-2073

The Office is closed on these **observed holidays** and **from 2:00 pm the prior business day**:

- | | |
|--------------------------|--------------------------|
| – New Year's Day | – Labor Day |
| – Martin Luther King Day | – Veterans Day |
| – Presidents Day | – Thanksgiving Day |
| – Memorial Day | – Day after Thanksgiving |
| – Independence Day | – Christmas Day |

E-mail: manager@dolphincay.com and admin@dolphincay.com

Gatehouse Phone: (727) 866-2385

E-mail: gatehouse@dolphincay.com

B. ENTRY TO DOLPHIN CAY

1. Resident Registration

- All **Residents** (both full-time and seasonal) occupying a unit must be registered with their condominium Association as well as the DCPOA. Single family home residents must supply the same information to the DCPOA. A Vital Information Sheet for this purpose will be provided by the Office.
- All Resident Vehicles must also be registered and entered on the Vital Information Sheet. Registered vehicles must be operational and have a valid registration and tag.

2. Barcode Decals

- Registered owners and residents can have barcode decals for entry to Dolphin Cay installed by the Office on their vehicles. Registration forms are available at the Office.
- The first barcode decal is free; for additional decals, a fee will be charged.
- Leased vehicles are eligible for barcode stickers but not short-term rental vehicles.

3. Visitor Passes: All Visitor Passes must be displayed under the front windshield.

- Up to 3 individuals (or family units) per household may be listed as a Preferred Visitor with the Office allowing expedited entry; the owner need not be present. Regular contractors who work for a resident are also eligible to be a Preferred Visitor. Residents should keep their Preferred Visitor list current.
- All other visitors, vendors, and contractors require prior authorization by the resident or owner by contacting the Gatehouse via telephone or email. Residents or owners may arrange with the Office to delegate a representative to admit non-residents.
- Visitors may be authorized overnight guest passes for a period up to thirty days and must be registered with the Office.
- Visitors without prior authorization are not allowed entry between midnight and 6:00 am.

4. Resident Arrival by Taxi/Rental/Ride Services

- Residents/Owners returning to their units through the manned gate by rental car, taxi or ride services must show a photo ID and name the address for the guard to look up and confirm before access is allowed.

C. OPERATION OF VEHICLES

The speed limit in Dolphin Cay is 15 mph and 5 mph in condominium garages.
Please comply and inform your visitors of the importance placed on the speed limits.

1. Resident and Visitor Vehicle Parking:

- **Do not park on:**
 - Any building circle
 - Any grass or landscaped areas
 - Osprey Drive
 - Dolphin Cay Lane from Sandpiper Lane northerly past the tennis courts and Casino Complex to the intersection with Skimmer Way
 - South and west sides of all other roadways
- **Non-Conforming Vehicles** are defined as boats, trucks, pickup trucks, trailers, recreational vehicles, golf carts, motorcycles, motor scooters, mopeds, or other non-passenger vehicles. These Vehicles must park in the non-conforming vehicle lot at the entrance to Dolphin Cay or in a single family home garage.
- Numbered parking spaces are reserved for each owner's exclusive use but with written permission on file with the Office, you may share your space.
- Vehicles must park in designated parking areas and must fit within the lined spaces.
- Residents should ask their guests to park in the host's parking lot or driveway.

2. Non-Conforming (and Contractor) Vehicle Parking:

- Single family home residents owning any non-conforming vehicle must take the most direct route between the entry gate and the resident's garage.
- Non-conforming vehicles **including those owned by visitors**, must be parked in the parking lot located outside the entry after signing a release from liability of the DCPOA and obtaining a parking permit for up to fifteen days. The Manager may extend this for up to fifteen additional days. The permit with expiration date must be displayed under the front window of the vehicle while parked. No pods, trailers, boats, or campers are allowed in this lot and are subject to towing.
- Resident and visitor pickup trucks are the only non-conforming vehicles allowed to be parked on site between the hours of 8:00 am and 8:00 pm, but never overnight.

3. Non-Conforming Vehicle Access:

- Non-conforming vehicles may be admitted for the purpose of short-term loading or unloading **for up to 30 minutes**.

4. Automobile Care and Maintenance:

- Washing and detailing of automobiles by residents or visitors is permitted only in the carwash area by the tennis courts or in single family home driveways.
- Parking at the carwash area is for car washing only. Car detailing by vendors is permitted only in single family home driveways or in the parking lot for non-conforming vehicles.
- No repair or maintenance, except for emergencies, is permitted anywhere on the property.

5. Other Vehicle Considerations:

- Bicycles in Condominiums must be registered at the Office and kept operational. Refer to sample in Forms Section.
- Neither "For Sale" signs nor commercial markings are to be displayed in or on any resident vehicle while in Dolphin Cay or in the non-conforming parking lot.

6. Charging Stations:

- Current information on charging station use and fee schedule is available from the Office.

D. MOVING AND DELIVERIES (Condominiums)

1. Procedures for Moves and Deliveries:

- Moves and/or deliveries of any large furniture or major appliances require protective pads in the elevator. Register for these pads with the Office at least one business day in advance.
- Moving vans and large delivery trucks must park on the street parallel to the building entrance and not interfere with residents entering or leaving the building. **Using the circle is not allowed.** Pods and other storage containers must be removed within twenty-four-hours.
- An instruction sheet will be given to all moving and truck drivers by the gate guard advising them on rules for parking and use of elevators.
- Moving/Delivery Hours:
 - 8:00 am - 4:00 pm Monday through Friday and 8:00 am - 12:00 pm Saturday: No fee for elevator pads.
 - 4:00 pm - 6:00 pm Monday through Friday: **After-hours** elevator pads require \$50.00 paid prior to the delivery with a check made payable to the Dolphin Cay Property Owners Association, Inc. and delivered to the Office during business hours.
 - No Sunday or Observed Holiday (see page 1) moves or deliveries.

2. Use of the Elevator:

- To use the elevator during the move, the Office requires a **\$500 deposit** by check made payable to your condominium Association, which will be returned upon completion of the move after verification that no damage was done to the elevator or other common area property.
- **Please avoid propping open the elevator doors which is not good for the life span of the elevator.**
- An elevator key to **MOMENTARILY** lock the elevator for ease of loading and unloading is highly recommended in buildings with 2 elevators. The Office will provide the key and requires a **\$25.00 deposit** by check payable to the owner's condominium Association.

3. Unit Owner's Responsibilities:

The unit owner is responsible for any damage to the common property of the condominiums incurred by movers, delivery persons, tenants, and visitors. The unit owner will be assessed for costs of repairs for any damage. The owners are also responsible to ensure that their contractors, including moving companies, remove any debris they create.

Packing Boxes must be removed in any of the following ways:

- By the unit owners using their own transportation to a recycling facility off property.
- By the movers during the move-in or on a special pick-up at a prearranged date and time after the move-in date.
- **Large packing boxes must never be placed in the dumpsters or outside of the unit.** Any smaller boxes destined for the dumpster must be broken down and flattened.

E. RENOVATIONS/CONSTRUCTION AND CONTRACTOR REGULATIONS

1. Renovations and Construction:

Approvals must be obtained for **any** renovation and construction within condominium unit boundaries (except for painting and decorating). **Alteration or penetration of boundary walls, load-bearing walls, or 1st floor balconies is not allowed.**

Constructions or renovation changes will require approval of the DCPOA and the condominium Association. To begin this process, the Office will provide all necessary forms. Refer to sample forms in this Resident Information Packet.

The **Architectural Review Committee (ARC)** is fundamental to the process of evaluating proposed renovations to all Dolphin Cay properties in order to uphold standards of safety, structural integrity, appearance, and conformity.

To expedite the ARC assessment of your Request for Improvements, provide **as much detail as possible** on changes to be made, the location affected, engineering diagrams if available, and brochure specifics about materials to be used. In the case of condominium floor coverings, a sample of the covering and underlayment must be provided to the Office.

These approval signatures are needed before a project can begin:

- The Association representative
- The ARC representative
- The DCPOA Board representative

Certain requests could require a committee meeting in order to be answered, so please **allow for at least 10 days** for all approvals to take place.

Additionally, an indemnification agreement filed with the City of St Petersburg may be required as specified on the Request for Improvement Approval forms. The Office will provide required indemnification forms when the Request is submitted.

Any contractor you use **must be licensed and insured** and will obtain any necessary permits.

Condominium courtyard entry tiles if replaced must remain **visually identical**. Flooring tiles on condominium balconies may deviate but must be neutral in color and require prior approval from your Association. A sample of the tile must accompany all requests.

2. Contractor Rules:

- Contractor vehicles on service calls are permitted access Mon - Fri 8:00 am - 4:00 pm, (except on Observed Holidays). Emergency calls, however, are allowed whenever necessary. Saturday work is discouraged, but if required, only **quiet work** will be allowed 8:00 am - 4:00 pm.
- As with all visitors, contractors require prior authorization by the resident or owner for a day pass. The pass must be displayed under the front window while parked.

For Condominium Contractors:

- Contractor work that requires any use of the elevator must have **protective pads in the elevator**. Register for these pads with the Office **at least one business day** in advance.
 - If a key is required to temporarily lock down the elevator, a check **deposit of \$25.00** payable to the owner's condominium Association. The Office will provide the key. This applies only to buildings with 2 elevators.
- Contractors are required to read, agree to, and sign in advance of approval, along with the unit owner/resident the following:
 - The **Contractor Rules Form** which is critical for both residents and contractors to know the DCPOA and Association regulations.
 - The Affidavit & Indemnification Contractors Use of Balconies Form requiring the approval of the 1st floor owner/resident whenever window, slider, screen or shutter work is performed above a 1st floor protruding balcony.
- The Office will provide the current required construction/remodeling forms.
- **Contractors guidelines on parking and building access:**
 - Resident provides key to access the building to prevent propping open of the doors.
 - Do not drive, park or back into any circle in front of the buildings.
 - Do not drive over or park on any turf areas.
 - Ensure clearance is left for residents and city sanitation vehicles to enter and leave the garage and parking lots.

F. CONDOMINIUM AND COMMON AREAS REGULATIONS

All residents and visitors are subject to the Regulations contained in DCPOA documents. (Individual Associations may impose further restrictions). Out of respect for the rights, comforts, and convenience of other residents:

- No loud and disturbing activities or noises and be mindful that sounds travel from floor to floor within a stack, for example as with scraping chairs and hard soled shoes.
- No disturbing activities or noises throughout the property's common areas, to include the use of smartphones in speaker mode.
- No Condominium resident will play any musical instrument, sound system, or television from 11:00 pm - 8:00 am at a volume that disturbs other residents.
- Keep all balconies, verandah, and courtyards neat and orderly; do not store appliances, laundry, bicycles, etc. Plants and suitable patio furniture are permitted.
- Place nothing on or over building railings, even temporarily.
- Use only **flameless electric grills** in accordance with the fire code. A \$500 fine will be imposed for violations which may affect Association insurance.
- Resident hosts must accompany their visitors when using any common facility except for registered immediate family members and overnight guests.
- All children under the age of sixteen must be supervised by an adult at all times.
- No articles belonging to residents or visitors can be kept in common areas.
- No signs of any nature will be displayed, e.g. for sale, for rental, political, etc.
- **No feeding of any wildlife is permitted.**
- No fishing, model-boating, or swimming in Spoonbill Lake or any of the retention ponds on the Dolphin Cay property.
- No bicycle or scooter riding, roller-skating, skateboarding, or roller-blading on sidewalks, walkways, garages, the promenade to the beach, or the boardwalks. Children under eight accompanied by an adult on the walkway around Spoonbill Lake are exempt.
- No operation of motorized boats or jet ski-type vehicles in Skimmer Cove to minimize damage to the estuary's ecosystem.

G. USE OF CASINO COMPLEX (Library, Clubhouse, Fitness Center)

- Casino Complex hours are daily 7:00 am - 11:00 pm. The Fitness Center hours are daily 4:00 am - 11:00 pm. The common access key allows access when locked during these hours.
- No one **under the age of twelve** is permitted in the Casino Complex unless accompanied by an adult.
- Persons **under the age of sixteen** may use the Fitness Center equipment and sauna only when supervised by a parent or guardian. Use facilities at your own risk.
- Persons using any exercise equipment in the Fitness Center must wear tops, bottoms and shoes. Equipment must be cleaned after use and users are requested to use a towel.
- No personal sound equipment can be used without headphones to include the use of smartphones in speaker mode.
- All persons wearing bathing suits in the Casino Complex must wear a cover and footwear. No wet bathing suits are permitted in the buildings.
- Pets are not permitted in any building in the Casino Complex area.
- It is the responsibility of anyone using the Casino Complex to return the area to its original condition before leaving.
- Resident hosts must be present when their visitors use the facilities.
- Residents and visitors must not create a nuisance or disturbance to others in keeping with Dolphin Cay community standards.
- The DCPOA is not responsible for personal property lost, stolen, or damaged.
- **Smoking is not permitted** in any building of the Casino Complex.
- Residents can schedule the Casino Clubhouse for an exclusive-use function through the Office who will provide current Fee and Application forms. For further details see Section N, Casino Clubhouse Exclusive-use Guidelines.

The use of Dolphin Cay facilities for **Instruction** is controlled by the DCPOA with respect to the time, location, liability coverage, and instructor qualifications. Submit requests with the planned instruction details to the Office.

H. USE OF SWIMMING POOLS AND HOT TUB

- Hours are daily 7:00 am to dusk. The common access key opens bathroom doors.
- Osprey Pointe's pool is for the exclusive use of Osprey Pointe Residents and Visitors.
- The Casino pool is for ADULT use only. Children under the age of sixteen are strictly prohibited in the Casino pool.
- In the Beach pool and Casino hot tub, children under the age of twelve must be supervised by an adult.
- Always lower umbrellas to prevent wind damage and return chairs and tables to their original positions when you are departing the pool-deck area.
- **Smoking is not permitted** in the pool areas.
- No glass containers, food, or pets of any kind are permitted in the pool areas.
- **NO DIVING OR RUNNING.**
- All persons must shower before entering the water.
- Please place protective covering on pool furniture.
- Headphones are required for radios or other sound-producing equipment at the pool areas, except for activities approved by the DCPOA. This restriction includes the use of smartphones in speaker mode.
- No oversized or potentially injurious beach toys.
- Cut-off jeans or shorts cannot be substituted for swimwear.
- No soap, bubble-bath, shampoos, etc., can be used in the pools or pool showers.
- No one is allowed in the pools with an open cut or skin infection.
- No incontinent persons can use the pools at Dolphin Cay unless wearing tight fitting waterproof swimwear.
- Residents can have a maximum of ten non-resident visitors at the swimming pools unless approved by the Manager. Resident hosts must accompany their visitors.

I. USE OF TENNIS COURTS

- Hours are daily 8:30 am - 11:00 pm. (Lights go out at 11:00 pm)
- No pets of any kind are allowed on the tennis courts.
- Children under the age of twelve must be accompanied by an adult.
- Proper tennis attire must be worn, including shirts and rubber-soled tennis shoes without cleats and bars.
- Each court must have one Dolphin Cay resident as a participant, with the exception of registered overnight Visitors or immediate family of the resident. No tennis instructions are allowed unless approved by the DCPOA.
- Courts must not be reserved more than two days in advance. The sign-up can only be for one court and may be done by a resident or the resident's registered overnight guest. Players are prohibited from filling in consecutive time slots.
- Sign-up is *not* on a first-come, first-served basis. Therefore, if more than three people arrive to sign up for the same time slot, a roll of the die (found inside the tennis sign-up board) should be used to decide which three can sign.
- Play is limited to two hours for either single or double play unless no one is waiting for the court.
- Reservations will be void after fifteen minutes. Please cancel your court if you are unable to play.
- Good tennis etiquette requires that players brush the courts and the lines after each use to keep the courts in good condition.
- The Tennis Committee may post additional modified and temporary rules to accommodate tennis matches or other sanctioned activity.
- Night players must turn off lights.
- Do not park in the car-wash spaces across from the courts.

J. USE OF BEACH AND GRILL AREA

- Hours are daily 7:00 am - 11:00 pm.
- **No pets** on the beach or grill area.
- No roller-skating, roller-blading, skateboarding, bicycle or scooter riding.

Beach Area:

- **No children under the age of twelve** are allowed on the beach without being supervised by an adult.
- No motorized vehicles on the beach (except for maintenance vehicles).
- No glass containers on the beach.
- No beaching of motorized watercraft except by residents or visitors. Residents must notify the gate attendant if they or their visitors expect to arrive by watercraft.
- Inquire about the availability of kayak storage space rental at the Office.

Grill Area:

- No one under the age of sixteen can operate the barbecue grills without an adult present.
- Food and food debris attract wildlife. Bag and remove all food waste, soiled litter, and food debris from the picnic area. Place only clean trash in the receptacle.
- Please remove and recycle your used glass and aluminum containers.
- Please clean barbecue grills after each use.

Residents are limited to having a maximum of ten visitors at any one time at the beach and picnic areas unless approved by the Manager. Resident hosts must be present when their Visitors use the facility.

Residents may reserve the grill area for exclusive use by contacting the Office during business hours. The name and time will be entered on the reservation sign at the grill area. The reservation must be for no more than five hours, including set-up before and after the event.

K. PET OWNER RESPONSIBILITIES

- The weight and number of pets are restricted as per Section 8.2.6 of the Declaration:
 - Single family home residents are allowed one pet with a maximum weight of forty (40) pounds or no more than two pets with a maximum combined weight of forty pounds.
 - Condominium residents are allowed one pet with a maximum weight of thirty (30) pounds or no more than two pets with a maximum combined weight of thirty pounds.
- All pets must be registered at the Office. See sample Pet Registration form in the Forms Section.
- These rules apply to visitors' pets; however, individual condominium Associations may place additional restrictions on visitors' pets. Check with your Association first for any additional restrictions.
- Pinellas County Ordinance dictates that pets may not run at large. They must be on a leash when outside of a condominium unit or yard of a single family home and cannot be left unattended.
- Owners of pets are responsible for removing their pet's waste and ensuring that pets do not soil any common areas. Additional cleaning costs for such are borne by the pet owner. Fines may be imposed.
- Pets are not permitted in the pool areas, Casino Complex, tennis courts, beach, grill area, or the nature preserve area except on the boardwalks so as to not disturb residents using the facilities or disrupt the natural vegetation and wildlife.
- Owners of pets must control their pet's noise to avoid disturbing or annoying others in the community.
- Any pet deemed vicious or prohibited by the County code must be removed permanently from the Dolphin Cay community.
- Any pet owner not complying with these rules will be required to permanently remove his or her pet from the Dolphin Cay community.

L. USE OF FISHING PIER

- Mooring of boats to the pier is prohibited.
- **Children under the age of twelve** must be accompanied by an adult while on the pier.
- Fishing from the pier is allowed, however:
 - No personal property or equipment will be left or stored on the fishing pier.
 - No fishing poles, nets, traps or bait are to be left unattended.
- Residents or their visitors who use the fish-cleaning stations must wash them down after use.

M. SALE, TRANSFER, OR LEASE OF PROPERTY

- **The minimum lease** period for condominium units and single family homes **is one year**.
- Owners planning to sell or lease their property must inform the Office who will provide information on the procedures to be followed.
- Any sale, transfer of ownership, or lease of a condominium unit or single family home must be approved by the DCPOA and is **also** subject to approval by their individual condominium Association. Obtain application forms from the Office.
- Please allow sufficient time to obtain all necessary approvals and to satisfy any other requirements on the application forms.
- “Open House” for showing of condominium units or single family homes is to be by appointment only. **No open-house signs** will be displayed anywhere on Dolphin Cay property or on the street at the entrance to the property.
- Prospects cleared through entry gate personnel must be accompanied by the owner or agent at all times while they are on the property.
- Only specific Dolphin Cay “For Sale” signs can be used for sale of single-family homes. The Office has the details on the Architectural Review Committee (ARC) requirements for the type of sign allowed.

N. CASINO CLUBHOUSE EXCLUSIVE-USE GUIDELINES

Part I: Use Restrictions/Limitations

- All residents of Dolphin Cay are permitted up to ten non-resident visitors in the Casino Clubhouse (the Casino) without an exclusive-use agreement, provided the Office verifies Casino availability in advance.
- Residents hosting the Casino for private, exclusive use (the Resident Sponsor) must enter into a formal Rental Agreement, obtained from the Office. An exclusive-use function cannot be scheduled during Office business hours.
- Certain events and activities are prohibited. These events include the sale or direct solicitations of products and services and events for outside organization functions (e.g., office parties, awards ceremonies, social or civic club meetings, class parties).
- The event must be hosted by the Resident Sponsor who oversees the function and is responsible for the actions visitors. A resident cannot schedule a function on behalf of a non-resident.
- Only the Casino and tiled rear patio can be reserved. The swimming pools and tennis courts cannot be rented or used for private parties or events. No cooking is permitted outside of the Casino.
- The Casino cannot be scheduled for an exclusive-use function on consecutive days. The priority for reserving the Casino will be first-come, first-served.
- The Resident Sponsor will not remove any furnishings from the Casino and must return furnishings to their original positions. Any expense incurred to repair damages caused to furnishings or flooring as a result of rearranging furniture is the responsibility of the Resident Sponsor.
- Parking for visitors is provided in two lots to the north (left) of the Casino Complex.

Part II: Guest List for an Exclusive-Use Function

The Resident Sponsor must provide a guest list in alphabetical order to the Office a minimum of five days in advance. Residents on the guest list are indicated by a unit or lot-number notation. Non-residents are to be indicated as such and will be permitted access by the Gatehouse using this guest list.

Part III: Clean-Up after Exclusive-Use Function

The Resident Sponsor is responsible for cleaning and restoring the condition of the Casino to include returning the furniture to its original position. The cost of any additional cleanup will be deducted from the security deposit at the standard clean-up personnel pay rate and for a minimum of two hours.

If rental furniture, equipment, or supplies are used, they must be removed at the end of the function. If rental items cannot be picked up by the rental vendor immediately following the function, the items may be stored neatly stacked on the patio area until 6:00 pm of the first business day after the function. The DCPOA accepts no liability or responsibility for lost, stolen, or damaged rental items.

Part IV: Refundable Security Deposit

- A **security deposit** must be provided to the DCPOA a minimum of ten days prior to the date in the amount of:
 - **Forty-nine or fewer people in attendance (including resident hosts): \$500.00.**
 - **Fifty or more people in attendance (including resident hosts): \$800.00.**
- The Security Deposit will to pay for any damages incurred during a function as well as any excessive cleaning cost. The DCPOA will return the deposit within fifteen days.
- If deductions are made from the deposit, the Resident Sponsor will be contacted within fifteen days with an itemization of the additional costs. The DCPOA will issue a check to the resident for any unused balance.
- In signing the exclusive-use agreement, the Resident Sponsor agrees to pay for any additional costs exceeding the amount of the security deposit. It will not be the responsibility of the DCPOA to collect for damages from a resident's vendor.

Part V: Use-Fee Schedule

The maximum time the Casino can be scheduled is **eight hours**, including set-up, take-down, and clean-up. The function, including take-down and clean-up, must **end by 11:00 pm**.

- **The fee for two hours, with up to twenty-five persons or fewer (including the resident hosts), is \$125.00. The fee will increase by \$25.00 per hour for each additional hour. Partial hours are not prorated.**

- The fee for two hours, with twenty-six to forty-nine persons (including the resident hosts), is \$200.00. The +fee will increase by \$35.00 per hour for each additional hour.
- The fee for two hours, with fifty to seventy-five persons (including the resident hosts), is \$275.00. The fee will increase by \$50.00 per hour for each additional hour.

A Casino Interiors Reserve Fund has been established and 75 percent of the total use-fee will be deposited into this fund. 25 percent will remain in the DCPOA's operating fund.

Part VI: Occupancy Limit for Exclusive-Use Functions

The maximum participation will be **seventy-five persons**.

Part VII: Guard/Maintenance Attendant

Residents who schedule exclusive-use functions with **twenty-five or more** visitors will be required to pay for a Guard/Maintenance Attendant (GMA). The Office will schedule a GMA to begin one-half hour before the function until one-half hour after the function. The GMA will assist visitors in parking and encourage compliance with the rules of the DCPOA. The cost of the GMA will be billed to the Resident Sponsor at the standard guard pay rate, **4-hour minimum**.

Part VIII: Pre-Party and Post-Party Inspection

A pre-party inspection is to be performed by the Resident Sponsor and the Manager to note any existing damages, defects, or other concerns. A post-party inspection will be performed by the Resident Sponsor and Manager. Any damages found or cleanup required will be priced and/or remedied as stated in these guidelines.

O. PREPARING FOR AN ABSENCE (Condominiums)

- Turn off the water supply to the entire unit (the primary and hot water valves are located above the water heater).
- Turn off circuit breakers not being used, especially the breaker for the electric water heater.
- Service the air conditioning unit to avoid an unexpected shutdown and subsequent mold damage. Ensure the A/C drain line is clear. Set the humidistat or HVAC system according to the season's requirements.
- Leave some water in the dishwasher to keep the pump moist.
- It is advisable to either power down the refrigerator or remove perishables and empty the freezer in case of a prolonged power outage.
- Run the garbage disposal to ensure it is empty, and cover its drain.
- Cover the toilet and tank with plastic wrap to keep water from evaporating and drying out the tank parts.
- Remove all items from the balconies, decks and courtyards in case of high wind.
- Disconnect TV, stereo, and computer from the electric outlets since lightning can cause severe damage through these connections.
- Close and lock your sliding glass doors. Close your drapes, liners, and shutters to prevent sunlight from fading items and to maintain a more constant temperature.
- Leave closet doors and kitchen cabinets open to allow air to circulate.
- Notify the Post Office to hold or forward your mail and stop any newspaper delivery.
- Ensure that a unit key is made accessible to board members via the Association lockbox.
- Ensure that the Office has your forwarding address and an emergency contact name and telephone number.
- If you leave your car in your assigned parking space, leave a car key in the Association lockbox or on your kitchen counter. It may be necessary to move your vehicle in case of garage repairs or in an emergency.

II. Dolphin Cay Property Owners Association (DCPOA) Board Policies and Procedures

A. COMMITTEE GUIDELINES

1. Role and Purpose of Committees

The DCPOA Board has the responsibility to maintain the community as an attractive, financially well managed and desirable development and will establish such committees and appoint their members to advise the Board in the administration of the community.

Committees are the primary means for the Board to know the desires of all Dolphin Cay residents, but are advisory only, except for the Architectural Review Committee (ARC), making recommendations to the Board.

2. Make-Up of Committees

Each committee consists of between three and nine members with no more than one person from any condominium unit or single family home. If a committee requires more than nine members, it can ask the Board for an increase.

A member who has more than three unexcused absences from regularly scheduled meetings in one fiscal year will be deemed to have resigned from the committee.

3. General Functioning of Committees

Meetings are held as necessary, and the chairperson has the responsibility to set the date, time, and place of the committee meeting. The chairperson also ensures that minutes are taken.

If committee decisions impact another committee's area of responsibility, a copy of the minutes will be forwarded to the chair of the affected committee. Cooperation between committees on matters of mutual concern is important and encouraged.

4. Procedure for Meetings

Committee meetings are conducted according to *Robert's Rules of Order* (latest edition), as provided for small committees. The quorum for meetings is 50% and all actions require approval by a majority of members present.

Any property owner has the right to attend committee meetings. The chairperson will provide visitors an opportunity to express their viewpoints on topics being discussed.

B. RULES ON MEMBER PARTICIPATION IN MEETINGS

1. Definitions

- a. *Board of Directors Meeting* is hereby defined as a quorum of directors gathered to conduct official Association business. This definition does not include gatherings of less than a quorum of directors engaged in fact-finding investigations, legal inquiries, or gatherings of any number of directors to consult with counsel regarding pending or imminent litigation or adversarial administrative proceeding wherein the attorney will express mental impressions, conclusions, litigation strategy, or legal theory.
- b. *Committee Meeting* is hereby defined as a quorum of committee members gathered to conduct the official business of the committee as set forth in the resolution creating the committee. This definition does not include fact-finding investigations or legal inquiries by less than a quorum of committee members or gatherings of any number of committee members to consult with counsel regarding pending or imminent litigation or adversarial administrative proceeding wherein the attorney will express mental impressions, conclusions, litigation strategy, or legal theory.
- c. *Committee* is hereby defined as a group of Board members, members, or Board members and members appointed by the Board or a member of the Board to make recommendations to the Board regarding the proposed annual budget or to take action on behalf of the Board.
- d. *Parcel* is hereby defined as a condominium unit, together with the undivided share in the common elements appurtenant to the unit and as a single-family home.
- e. *Member* is hereby defined as a record owner of legal title to a parcel, including a trustee, if the trustee is the record owner; personal representative of an estate; holder of a power of attorney signed by the member; or a designated corporate representative if the property is owned by a corporation, partnership, or LLC.

2. Board and Committee Meetings

- a. Attendance at Board and Committee Meetings: Every member will have the right to attend Board of Director and committee meetings except as may be provided by law. No person other than a member can be permitted to attend such meetings, except for persons invited or permitted to attend by the Board or committee chairperson.
- b. Participation at Meetings
 - (1) Every member has the right to speak at Board and committee meetings to the extent required and permissible under applicable law, subject to the following:

- (a) Statements by members at meetings will be restricted to agenda items and motions of the Board or Committee. No other statements will be permitted except as may be authorized by the chairperson in his or her sole discretion.
 - (b) No member will speak until recognized by the chairperson. A member can only speak once on each agenda item and the member's statement will not exceed three minutes. The chairperson of the meeting will give the floor to any member desiring to speak on the agenda item prior to the vote of the Board or committee. After each member has had an opportunity to speak, the chairperson will announce those members' statements are concluded, thereby ending unit-owner discussion on that agenda item.
 - (c) Each speaker will speak only to the chairperson. There will be no cross discussions with other members, Board members, legal counsel, or other attendees.
 - (d) The minutes of the meetings do not reflect what any speaker stated, nor will the minutes contain letters or documents delivered by the speaker to the Board of Directors.
- (2) Members cannot make or second motions, cannot participate in discussion after member discussion is concluded on that subject, and cannot vote.

3. Member Meeting

- a. Member Meeting Defined: *Member Meeting* is hereby defined as a quorum of members gathered to conduct official Association business.
- b. Members will have the right to participate at meetings subject to the following rules:
 - (1) Statements by members at meetings will be restricted solely to agenda items and other matters that may properly come before a unit-owner meeting.
 - (2) No member will speak until recognized by the chairperson. A member will be permitted to speak only once on each agenda item or any other topic properly before the unit-owner meeting, and the member's statement will not exceed three minutes. The chairperson of the meeting will open the floor to unit-owner statements subsequent to the calling of the agenda item and prior to the vote of the members upon the agenda item.

C. BOARD ENFORCEMENT PROCEDURES

The Board is responsible for establishing procedures to pursue violations of the provisions of the Declaration, the Bylaws, and the Rules and Regulations.

Any person wishing to report an alleged violation must do so in writing to the Manager, describing the nature of the violation and the date, time, and place of the occurrence, providing as many details as available.

The President, working through the Manager will attempt to obtain informal resolution of the complaint and the alleged violation. If this cannot be resolved informally, they will notify the alleged violator by certified mail and provide an opportunity for the violation to be corrected, damages to be paid if appropriate or behavioral violations stopped within a reasonable time.

If the violation has not been corrected and/or damages have not been reimbursed, if the violation has been repeated, or if the violation is of a serious enough nature that the Board determines it does not warrant an opportunity for the violator to correct it, the Board may adopt a fine, up to the maximum amount allowed by law. The fine will not become final until a hearing has been held by the Violations Hearing Committee.

The details of the Hearing Committee process and procedures will be made available to the alleged violator along with the date time and place of the hearing. Failure of the alleged violator to acknowledge this hearing within a fourteen-day time frame will constitute a waiver of the right to a hearing.

Subsequent to the hearing, or if no hearing is requested, any further enforcement action will be taken by the Board.

Any violator will be responsible for interest, costs, and attorneys' fees incurred in the enforcement of the fine, including costs and attorneys' fees in connection with any correspondence or hearings.

D. RULES FOR REQUESTING AND COPYING OFFICIAL RECORDS

1. Definitions

- a. *Copy* is hereby defined as a copy of a record reproducible in its entirety on one side of either a single 8.5×11-inch or a single 8.5×14-inch sheet. The Association will not be required to reproduce and make copies available of documents with a sheet size greater than 8.5×14-inch.
- b. *Official Records* is hereby defined as those records designated in Florida Statutes Chapter 718, "Condominiums," AND Florida Statutes Chapter 720, "Homeowners'

Associations” as amended from time to time, and otherwise not excluded by law, rule, or court decision. The term *official records* does not, however, include the contents of sealed ballot envelopes that have been submitted to the Association prior to the meeting at which the ballots will be opened and counted; nor the contents of sealed proxy envelopes that have been submitted to the Association prior to the meeting at which the proxies will be opened, verified as legitimate, and submitted for counting; nor the contents of sealed ballot envelopes that have been marked “Disregarded” during the ballot counting process, although in all cases the other envelope will be an official record.

- c. *Record* is hereby defined as a document or group of documents relating to a particular matter. By way of example, the following constitute one (1) record each: monthly phone bill as sent by the utility, monthly bank statement with enclosures as sent by the bank, the general ledger of a particular fund for one month, a paid invoice from one vendor as sent by that vendor, and the minutes of a meeting held at one particular time and date. The Secretary will, at his or her sole discretion, determine what constitutes a single record. Under no circumstances does a record include any document not already in existence, nor records whose retention period has expired as provided for by law or rule whether or not said records are still in existence. Records not maintained in written form may be requested; however, the cost of conversion of the record into written form will be borne by the requesting member.
- d. *Time Period* is hereby defined as follows: When computing time periods herein, the day of the event from which the designated period of time begins to run will not be included, nor will any intervening Saturday, Sunday, legal holiday, or public holiday. The last day of the period so computed will be included unless it is a Saturday, Sunday, legal holiday, or public holiday. Legal and public holidays as used herein will be deemed to be those holidays specified in Florida Statutes Chapter 683, as amended from time to time.
- e. *Parcel* essentially means condominium units, together with the undivided share in the common elements appurtenant to the unit, and single-family homes.
- f. *Parcel Owner* is hereby defined as a record owner of legal title to a condominium parcel. Only for the purposes of record inspection and copying, the term *parcel owner* also includes a parcel owner’s authorized representative as designated in writing, signed by the parcel owner and provided to the Secretary in advance of the exercise of any authority thereunder. However, any designation by a parcel owner of an authorized representative for record inspection purposes will only be valid for a period of 90 days or until the parcel owner personally submits any record inspection request, whichever will first occur.

- g. *Working Day* is hereby defined to mean any Monday through Friday between the hours of 9:00 am and 4:00 pm local time that is not an observed Office holiday.

2. Inspection and Copying

- a. A parcel owner desiring to inspect the records of the Association will submit, on a working day, a written request to the Secretary c/o the registered address of the Association. The request will describe each record desired in sufficient specificity to identify it and must specify pertinent dates or time periods. The request must be legible and must describe records by type such as listed in section 718.111(12)(a), Florida Statutes, and not by subject matter such as “all insurance information.”
- b. *There* is no limit on the number of records that can be requested by a single parcel owner, his or her authorized representative, or a single representative irrespective of the number of parcel owners said individual represents.
- c. No more than one (1) written request per month to inspect the records will be permitted from a single parcel owner, from his or her authorized representative, or from a single authorized representative irrespective of the number of parcel owners said individual represents. Requests exceeding this limit will be denied in their entirety.
- d. Upon receipt of the written request and within the time periods permitted by law, the Association will respond to the parcel owner in writing, designating the date, time, and place that the inspection will occur and designating that the inspection will be limited to the records as detailed in the written request. In the event the Secretary asserts an exemption to disclosure, the parcel owner or authorized representative requesting the record will be advised in writing of the specific grounds for exemption.
- e. The record inspection will occur at the time, date, and place designated by the Association in its response to the parcel owner or authorized representative and can be under the supervision of a person or persons designated by the Association to monitor and assist in the record inspection. The record inspection session or sessions will not extend beyond a total of eight (8) business-day hours per 30-day period. The Secretary may institute any supervision or reasonable security measures with regard to the record inspection.
- f. During the record inspection, no mark whatsoever will be made on any record, nor will any pages affixed together by staple, paperclip, or other means be disassembled, nor will the records being inspected be altered from the sequence in which they are presented for the inspection. Further, no record inspection will occur under circumstances that cause the record to leave the control of the Association, nor will any record be removed from the location of the inspection for any reason.

- g. The right to obtain copies of records is incidental to, and a part of, the inspection of records. During the inspection of records, a parcel owner or authorized representative can request the Association to copy any document by placing a paper clip, post-it memo sheet, or other similar marking device on the document or documents of which copies are desired and by advising the supervising person of the number and location of said marking devices. A parcel owner or his or her authorized representative can use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records in lieu of the Association's providing the parcel owner or his or her authorized representative with a copy of such records. The Association will not charge a parcel owner or his or her authorized representative for the use of a portable device.
- h. If during the inspection of the records, the parcel owner has determined the need or desire for a copy of said record, the Association will make or obtain those copies and provide same to the parcel owner within five (5) working days from the date of the record inspection and subject to the Association's receiving prior payment.
- i. The Association is not required to make and/or mail or deliver record copies to the parcel owner or authorized representative upon demand; rather, the parcel owner or authorized representative can obtain record copies or request same, as detailed herein, during the inspection.
- j. A parcel owner will pay to the Association, in advance, the sum of 25 cents per page for copies of records, said payment to be either cash, business check, or personal check, whichever the Association specifies. The Association will, at its option, prepare record copies on single-sided sheets or duplexed. A duplexed copy will be, for the purposes of the 25-cents-per-page charge, two copies. The Association will not, however, be required to copy two separate documents on a single page for the purposes of minimizing the per-page copy cost.
- k. Lists of parcel owners containing their addresses and/or phone numbers will not be released by the parcel owner or the authorized representative to anyone not a parcel owner in the Association.

3. Manner of Inspection

- a. No written request for inspection or copying will be made in order to harass any parcel owner, resident, Association agent, officer, director, or employee. Inspection and copying requests not in conformance with these rules will be deemed to be harassment.
- b. All persons inspecting or requesting copies of records will conduct themselves in a

businesslike manner and will not interfere with the operation of the Association office or place where the records are otherwise inspected or copied.

4. Enforcement of Inspection and Copying Rules

- a. Any violation of these rules will cause the immediate suspension of the inspection or copying until such time as the violator agrees in writing to comply herewith.
- b. Any written requests for inspection or copying not complying with these rules will be denied. The Association will indicate in writing the nature of the noncompliance and transmit same to the requesting party within five (5) working days subsequent to receipt of the written request.
- c. Verbal requests for inspection or copying will neither be honored nor acknowledged.
- d. A request for record inspection and/or copies will be denied if the parcel owner has, within two years preceding his demand, given, sold, or offered for sale any list of parcel owners for any such purpose.
- e. A request for record inspection and/or copies will be denied if the parcel owner has, within two years preceding his demand, improperly used any information secured through any prior examination of the records of the Association. Improper use will include the providing to anyone not a parcel owner a list of parcel owners which is subsequently used for non-Association or commercial purpose, or the selling or distribution of any information or records inspected, except to the extent that such use is for a proper purpose as defined in section 607.1602 (3) or 617.1602 (4), Florida Statutes, as applicable.
- f. The Association reserves the right to amend these rules from time to time as deemed necessary.
- g. The Association can take any available legal action to enforce these rules.