



# Owner Reference Manual



Oceana South  
Condominium  
Association

## **Notes**

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## THE CONDOMINIUM CONCEPT

Condominium life can be a wonderful way to live – as long as one understands the concept of the condominium and accepts both its benefits and limitations. Along with sharing expenses for a residence with recreation facilities, condominium living also provides a sense of community and security for all the inhabitants.

One of the biggest benefits to the condominium concept is the idea of sharing maintenance responsibilities and expenses. By purchasing a condominium here at Oceana South, many owners are afforded the opportunity to live in a beachside residence that might be financially out-of-reach if there were only single-family homes available.

But of course, along with the benefits come the inevitable compromises that come with condominium living. Unlike in a single family home in a non-gated neighborhood, owners of condominium units cannot make changes to their units at will. Because of the common scheme that is inherent in condominium life, owners must get approval from the association's Board of Directors before making any significant alteration to their unit. Because walls, balconies, plumbing and electrical items are all, in a sense, shared with other owners, it is the responsibility of the Board to maintain some control over these projects, so that there is a balance between the rights of the individual owner and the rights of the owners as a collective group.

Florida's Fourth District Court of Appeal described this dichotomy in a ruling from 1971:

"Every man may justly consider his home his castle and himself the king thereof; nonetheless his sovereign fiat to use his property as he pleases must yield, at least in degree, where ownership is in common or cooperation with others. The benefits of condominium living and ownership demand no less. The individual ought not to be permitted to disrupt the integrity of the common scheme through his desire for change, however laudable that change might be." *Sterling Village Condominium, Inc. v. Breitenbach*, 251 So. 2d 685, 688 (4<sup>th</sup> DCA, 1971.)

The basic principle therefore of condominium management is to provide a structure for the maintenance and repair of common property, while maintaining a comfortable and stable environment for all unit owners, their families, guests and even prospective buyers. An unwritten mandate for every association is to maintain the property in such a fashion as to ensure its competitiveness with the rest of the market.

In a condominium association, it is incumbent upon every owner to work toward the balance between the individual and the group. This owner's manual is designed to help you navigate the difficult and often confusing maze of federal, state and local laws that govern condominium associations, and learn the specifics of the policies, procedures, rules and regulations of Oceana South.

An excellent and in-depth manual for condominium owners is *The Condominium Concept, A Practical Guide for Officers, Owners, Realtors, Attorneys, and Directors of Florida Condominiums* by Peter M. Dunbar, Esq. Now in its twelfth edition, this book is a great resource for all those involved with condominiums in Florida and was the inspiration for this chapter's title and much of its content. It can be found at many bookstores in Florida or is available at on-line booksellers.



GOVERNMENT OVERSIGHT

As the Association is a business entity registered with the State of Florida, there are many government agencies that oversee its actions. Because of this, whenever the Association undertakes a project, the appropriate regulations must be reviewed to ensure compliance. This can make even the simplest project an arduous task. Listed below are the various agencies with which the Association regularly interacts:

Federal

Internal Revenue Service	U.S. Treasury Department	U.S. Department of Labor
Environmental Prot. Agcy.	Occ. Safety & Health Assn.	U.S. Army Corp. of Engineers
Federal Aviation Admin. (Roof Marker Lights)	Federal Emergency Management Association	

State of Florida

Dept. of Bus. & Prof. Regulation – Division of Condos, Timeshares & Motor Homes	Dept. of Bus. & Prof. Regulation – Division of Hotels & Restaurants, Bureau of Elevator Safety	Dept. of Bus. & Prof. Regulation – Division of Alcoholic Beverages and Tobacco (Indoor Clear Air Act)
Department of Financial Services, Bureau of Insurance Regulation	Department of Environmental Protection	Department of State: Division of Corporations
Department of Labor	Department of Revenue	Agency for Workforce Innovation (Unemployment)

County

St. Lucie County Department of Environmental Protection	St. Lucie County Utilities	St. Lucie County Building Department
St. Lucie County Fire Marshall	St. Lucie County Sheriff	St. Lucie County Tax Assessor
St. Lucie County Emergency Management Assoc.	Martin County Sheriff	Martin County Emergency Management Assoc.

GOVERNING DOCUMENTS

In Florida, condominiums are organized under the auspices of several important legal documents which determine how the Association operates as a whole. The documents, along with the Florida State Condominium Act and the Florida State Administrative Code, govern all the day-to-day administrative functions of the Association. Each owner should review the documents of the Association, and develop a basic understanding of the legal structure of the condominium, and the rights and responsibilities that are conferred with ownership.

The governing documents of the condominium are those legal documents, sanctioned by Florida state statutes, which create the association and assign its rights, responsibilities and limitations. The documents do have a hierarchy and in the case of inconsistencies between documents, the higher priority document will prevail. The **Declaration of Condominium** has the highest priority, followed by the **Articles of Incorporation**, the **By-Laws** and finally, the **Rules & Regulations**.

Condominiums are established in Florida under Florida Statute 718, also known as the Condominium Act. While the Act does define many issues of governance, the legislature has generally left the governance of associations up to the individual entity. The exception to this is in the areas of finance and safety. Broadly speaking, the individual association's documents always prevail over the mandates of the state EXCEPT in the areas of finance and safety and then the state statutes have the greatest priority.

Each original purchaser of a condominium unit was given a set of these documents, which should be passed down to any subsequent owner. These documents are the definitive legal arbiter in the case of disputes between an owner and the association. Owners who need a replacement copy should contact the manager for assistance.

### **Declaration of Condominium**

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The declaration is recorded in the public records of the county in which the land is located, and is the set of documents that actually creates the condominium as a corporate entity. It establishes the covenants and restrictions affecting the property and which will govern the owners and residents during the existence of the condominium. The documents are the "go to" resource for establishing the relationship of each of the parts of the condominium to the others.

The declaration includes any amendments which may be made to it and all exhibits which may be attached to the document by reference. It must contain the name of the condominium, the legal description of the property, the identification of each unit, and the percentage of ownership of each unit for the purposes of sharing in the common elements and maintenance expenses thereof. The declaration must establish any and all easements for the entrance and exit to all units and the common elements. It will also include a survey and plot plan giving a graphic description of the property and includes both the articles of incorporation and the bylaws for the association.

### **Articles of Incorporation**

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The articles are the corporate charter of the organization, which allows the condominium to operate as a business entity, giving the Association the responsibility for the maintenance, management and operation of the property. Within the articles are defined the membership rights of each unit and the voting rights of each owner. This part of the documents also establishes the condominium as a "corporation not-for-profit" under chapter 617 of the Florida Statutes. As a not-for-profit corporation, the association must pay taxes on any income not collected by membership dues that support the maintenance of the association. Additionally, no part of the income of the association may be distributed to any member of the association. However, this does not restrict the association from entering into profit-making enterprises EXCEPT as provided for in the Condominium Act or the articles themselves.

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### By-Laws of the Association

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While the articles set out the structure and area of responsibility of the association, the by-laws establish the actual procedures for the day-to-day management of the condominium. The by-laws define the powers of the board and its officers, and establish the requirements of annual meetings, board meetings, and the rules governing the notice to members of these items.

Some of the requirements outlined by the state are included in the Condominium Act and may not be a written part of the by-laws adopted by the association. However, all members should be aware that these are binding on the association and care should be exercised when relying solely on the written by-laws for direction on a particular issue.

### Rules & Regulations

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The rules and regulations of the Association were initially adopted upon the formation of the condominium corporation in 1982 and are included with each owner's copy of the condo documents. Since rules and regulations of the Association are adopted as needed by the Board of Directors, these are not required to be filed with the State, and may change when the Board changes. The power to adopt rules and regulations is given to the Board by the condominium documents.

Note: unless otherwise stated all terms used herein shall have the same meanings respectively ascribed to them in the Declaration of Condominium of Oceana South Condominium II.

1. There shall be no obstruction of the common elements, nor shall anything be stored in the common areas without prior consent of the Board of Directors of the Condominium Association. Nothing shall be stored in the common areas such as walkways, stairwells, storage area aisles, etc. Sunbathing on the west walkways is not permitted.
2. No owner, tenant or guest may use any Unit railing, walkway railing or walls of terraces to hang laundry, towels, rugs, blankets or any other kind or manner of item for cleaning, airing or any other purpose whatsoever.
3. The common elements shall be used only for the furnishing of the services and facilities for which they are reasonably suited.
4. No furniture or other Association property located in the lobby or social room of the building shall be removed.
5. Parking under the main entrance portico of the building shall be permitted only for loading and unloading. All parking regulations and traffic regulations from time to time posted by the Condominium Association shall be obeyed.
6. All vehicles left overnight must display an identification sticker, which is available during office hours.
7. Derelict vehicles are not allowed to be stored on condominium property. All vehicles **MUST** be fully operational, with a current registration and tag, **AT ALL TIMES**. Vehicles without proper registration will be towed. Vehicles that are not operational must be removed from the property within 48 hours notice to the owner.
8. Motorcycles, scooters, commercial vehicles and Recreational Vehicles (RVs) **MUST** be parked in the northwest parking lot. Commercial vehicles are those that have permanent lettering or advertising of a business and/or are licensed as a commercial vehicle. Commercial vehicles **MAY NOT BE** parked on the condominium property overnight. Recreation Vehicles are to be parked in the North parking lot

for a period up to but not to exceed three days. The parking of such vehicles must have **PRIOR** approval of the Board of Directors. Requests for RV parking must be made to the Property Manager in writing at least 3 days in advance to ensure timely approval. All recreational vehicles, campers, trailers, boats, golf carts, shall not be kept upon any portion of the common elements not expressly designated for such purposes.

9. Smoking is not permitted in elevators, storage rooms, stairwells, or on any enclosed balcony or walkway, pursuant to the Florida Clean Indoor Air Act of 2003, F.S 386. Smoking is only permitted in the interior of your unit.
10. Trash chutes shall be utilized solely in accordance with rules and regulations posted by the Condominium Association. All trash must be placed in plastic bags. The trash chutes are to be used between the hours of 8:00 a.m. and 10:00 p.m. Boxes **MUST** be broken down and carried to the trash room at the ends of the building on the ground floor. Do not throw building materials or heavy items down the trash chutes.
11. Any alteration to the unit that may be seen from the exterior of the building, or alters in any way the common elements of the building, must be approved in writing by the Board of Directors. Window treatments and drapery material shall be a light pastel or neutral color or lined in white.
12. No terrace shall contain a bar, wall coverings or any furniture other than that which is commonly called "patio furniture". All furniture located in a terrace must be a light pastel or neutral color, unless otherwise approved by the condominium association.
13. Doors dividing a unit from outside corridors, stairs, elevator shafts, or other units shall be kept closed when not in use.
14. No act shall be done, nor shall any activity be carried on in or on any portion of the condominium property, including without limitation, the playing of any musical instrument, the operation of any audio device, television set or radio, which would constitute a nuisance or which would unreasonably disturb any person lawfully present upon the condominium property.
15. No flammable, volatile, combustible or explosive fluid, material or substance, including without limitation, paint thinners and removers, paintbrush cleaners, paints and lacquers, shall be stored in any portion of the condominium property other than by the condominium association.
16. Open flame cooking on any balcony or terrace is not permitted by order of the St. Lucie County Fire Department. "Open Flame" means any LP, propane, kerosene, or other liquid, gas or solid combustible fuel source, including but not limited to any charcoal briquettes. Electric grills are permitted on enclosed balconies. Open flame cooking is allowed on ground-floor patios ONLY, but cooking appliances **MUST** be kept at least 10 feet from the building **AT ALL TIMES**.
17. Each unit owner shall furnish to the Condominium Association two (2) copies of each key to the unit. No unit owner shall furnish keys to his unit or lobby entrance to any person other than a person permitted to occupy the unit, pursuant to the provisions of the Declaration of Condominium.
18. Each unit owner shall be held accountable for any violation of these rules by the family members, guests, tenants, agents or employees of a unit owner.
19. The Property Manager must be advised **in writing** as to the names, mailing addresses, and length of stay of your Tenants/Guests if you are not with them. **Guests staying longer than 14 days are subject to the terms of the Rental policy and must pay a \$100.00 application fee.**
20. Tenants/Guests must register with the Property Manager the next business day after their arrival.
21. Unescorted guests (i.e. guests an owner allows access to the beach or pool when the owner is away, but who are not staying in the owner's Unit) are **NOT** allowed. Guests may only use the property

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- when they are registered with the Office, and are being hosted by an owner. Short-term guests who are visiting an owner who is in residence are not subject to this policy.
22. Leases of individual units are to be for a minimum of three months and must be approved 15 days in advance by the Board of Directors. The Rental Packet is available in the office. **All rentals require a \$100.00 application fee. Failure to file a Rental Application will result in the denial of service to the tenant and resulting fees will be billed to the Unit owner.**
  23. Top cover-ups (shirts, blouses) and shoes **MUST** be worn in lobby, elevators, and social room at all times. For the safety of our residents, no wet bathing suits are allowed in the lobby or elevators.
  24. Recycle bins for newspapers, plastics, and glass bottles are located beside the basketball courts. We thank you for using them, as the Association receives credit for recycled materials.
  25. No rollerblading or skate boarding on Association property.
  26. Adults must supervise young children at all times.
  27. No pets shall be permitted unless approved by the Condominium Association. Pets **MUST** be carried in the lobby, elevators, and walkways. Pets must be on a leash when on Association property. Unit owners or tenants are required to clean up after their pets in the "Pet Area" on the North side of the building, west of the maintenance sheds. No pets shall be left on the balcony when the unit owner is not home.
  28. The toilets, sinks, garbage disposal unit, baths, showers and other water apparatus within the unit shall not be used for any purpose other than that for which intended, and no sweepings, rubbish, rags or any other improper articles shall be deposited into the same. Any damage to the common elements resulting from misuse thereof shall be borne by the unit owner of the unit where the misuse occurred.
  29. Without the prior permission of the Condominium Association, no contractor or work person employed by a unit owner other than developer shall be permitted to do any work in any unit (except for emergency repairs) between the hours of 6:00 P.M. and 8:00 A.M., or on Sunday or legal holidays if such work is likely to disturb other unit owners.
  30. All appliances and electrical equipment of any kind and all appliances of every kind, however powered, installed or used in the unit shall comply with all rules, requirements, regulations and recommendations of all public authorities and board of fire underwriters having jurisdiction.
  31. All hard surface flooring installed in a unit other than the kitchen or bathroom must be cushioned with sound insulation, so as not to interfere with the privacy of other unit owners.
  32. No employee of the condominium association or of the condominium manager shall be requested or required by any unit owner to perform any personal service for any unit owner not in the line of duties prescribed for such employee by the Condominium Association or the condominium manager.
  33. Cost of repair, service, or replacement of the Condominium Common Elements or to the Limited Common Elements due to misuse by Unit Owners, guests, tenants, visitors, agents, or employees of the Unit Owner, shall be borne by the Unit Owner.
  34. Any consent or approval required of the Condominium Association by these proposed rules and regulations must be in writing to be effective, and shall be revocable at any time.

## ASSOCIATION RESPONSIBILITIES

One of the most confusing questions an owner has to face is, "who is responsible for what?" Before diving into the nitty-gritty of Association-versus-owner responsibility a discussion of some terms is in order.

The terms "common" and "limited common" elements are often mentioned throughout all of the documents of the Association. While these seem confusing, it is actually fairly easy to remember the difference. Common elements are those portions of the condominium structure which are shared by everyone, i.e. "common" to all. Examples of this include elevators exterior walkways, stairwells, the parking lot, the gate entry system, the lobby area, the social room, and the building systems such as the roof and electrical and plumbing systems which service the entire condominium building. Limited common elements are those portions of the condominium structure which are common to all units but are "limited" in the sense they are designed for the sole use and enjoyment of one owner. Each unit's balcony and railings are examples of limited common elements.

The Association has the responsibility for the maintenance of the common and limited common elements as well as to insure the condominium against any calamitous event. That is its sole responsibility.

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## ROLE OF THE BOARD OF DIRECTORS

As defined and outlined in the by-laws, the Association is required to have a board consisting of five members who are owners of units in the building. The by-laws designate that there must be a president, a vice-president, a secretary and a treasurer. The final member of the board is considered a director with all the rights and responsibilities of the other board members. The duties of the board include, but are not limited to the following (as outlined in the By-laws):

- The maintenance, management and operation of the condominium and its common elements.
- To enter into any contract reasonably necessary for the administration of the Association, its assets, and the individual unit.
- The Association may institute, maintain, settle, or appeal action for hearing in its name on behalf of all unit owners concerning matters of common interest, including, but not limited to the common elements and commonly used facilities.
- The Association has the irrevocable right of access to each unit during reasonable hours as necessary for the maintenance repair, or replacement of any common elements or for making emergency repairs necessary to prevent damage to the common elements or to another unit or units.
- The board shall have the power to fix and collect the sum or sums necessary and adequate to provide for the common expenses and reserve provisions. Assessments for common expenses and reserve provisions shall be sent to all members on quarterly basis or in such other frequency as determined by the board.
- The board may impose fines on unit owners in such reasonable sums as it deems appropriate but not to exceed the limit imposed by the condominium act. No fine may be levied except after giving reasonable notice and opportunity for a hearing to the unit owner. Pursuant to the act, the board shall be required to approve all applicants for lease or sale. A fee will be charged for the approval of all transfers. In the event of a unit sale, the purchaser thereof shall be required to make a

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contribution to the reserve fund equal to three months assessment. Such payment shall be made at the closing of the sale.

- The Board may adopt reasonable rules and regulations for the operation and use of the common elements and recreational facilities.
- The board shall obtain and maintain adequate insurance to protect the Association, the Association property and the condominium property in accordance with the provisions of the declaration and the act.
- The board may contract for the operation, maintenance and management of the condominium.
- The board is responsible to pay the taxes and assessments against the common element or Association property. When a unit owner files a written inquiry by certified mail with the board, the board shall respond in writing to the unit owner within 30 days of receipt of the inquiry. The board may adopt reasonable rules and regulations regarding the frequency and manner of responding to unit owner inquiries, one of which may be that the board is only obligated to respond to one written inquiry per unit in any given 30 day period. In such a case, any additional inquiry or inquiries must be responded to in the subsequent 30 day period, or periods, as applicable.

Since the Board members all serve the community without compensation, it is important to remember that Board members are owners too. Just as other owners come to enjoy their property in the winter, Board members, as well, come to Oceana South to enjoy themselves. If an owner is upset about something at the condo, please respect the “volunteer” status of Board members and use good judgment when contacting them about an issue.

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### **MEETINGS & ANNOUNCEMENTS**

Frequent, clear, appropriate communication between the Board and the members is crucial to the effectiveness of this association. All too often, however, many members consider this a one-way street and assume that it is the Board’s responsibility to foster that communication. However, just as with other forms of representation, only those that speak will actually have their concerns addressed. In order to ensure that all needs are met, members are encouraged to speak with the Board members to find out what is going on.

#### **Regular Board Meetings**

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Florida statute requires notification of meetings in advance, so that members will have the ability to plan for attendance. In general, regular board meeting notice is required 48 hours in advance, to be posted conspicuously on the property. All other meetings generally require 14 days advance notice, which must be mailed to each owner, as well as posted on the property. Most Board meetings are held as needed, so that the Board can formalize management and supervision issues.

#### **Annual Members Meeting & Elections**

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By law, the Association is required to have an annual membership meeting each year. This meeting is when a new Board is elected or the current Board gets re-elected if there are no new candidates for the 5 seats. By tradition, the annual meeting is scheduled on the 1<sup>st</sup> Saturday in February each year. 60 days in advance of the annual meeting, the first notice of election is mailed. If a member wishes to run for the Board, the deadline for Notice of Candidacy must be received 40 days before the election. Finally, a second notice of

election is mailed 14 days in advance, which will include the names and information sheets of those running for board seats, as well as instructions for completing the mail-in election forms.

## Special Meetings

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Another meeting that is held each year is the Budget Meeting. This is a regular Board meeting called with the specific purpose of discussing and adopting the budget for the coming fiscal year. Because it is a meeting discussing financial matters, this meeting must be given more advance notice than other, regular, Board meetings. By tradition, this meeting is held on the 2<sup>nd</sup> Saturday in December.

Florida Sunshine Laws require that Board of Directors meetings be open to all members, and that electronic recording devices be allowed use. The only exception to this rule is when the Board must meet with the Association's attorney to discuss attorney/client privileged information regarding pending legal matters.

## MANAGEMENT

### Role of the Manager

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Some residents expect the manager to perform certain tasks that just aren't part of the job. When the manager doesn't meet those expectations, residents naturally are unhappy. Since the Board does want owners to be happy, here are a few points to clarify what the manager does.

- The manager works for the board of directors to manage the business affairs of the association but does not work directly on behalf of any individual owner. However, the manager is available to residents for consultation on matters related to association business. If you need to see the manager, call and arrange a meeting. If you leave a message, please give some idea of your problem/or need, so that the manager can prioritize. Remember, if it is an emergency situation, call 911.
- The manager works closely with the board, but is an advisor – not a member of the board. Also, the manager is neither your advocate with nor a conduit to the board. If you have a concern, you should telephone, send a letter or e-mail directly to the board.
- The manager is a great resource to the association, but is not available 24 hours a day – except for emergencies. An association emergency is defined as a threat to life or property.
- The manager has a wide range of responsibilities, many of which require time out of the office or on the phone. Please do not expect the manager to be available at all times during the business day.
- The manager is trained to deal with conflict, but will not get involved in quarrels neighbors may have with one another. This includes complaints about loud noises, cooking smells, and other personal behavior that does not involve the rules of the association. However, if association rules are being violated, the manager is the right person to call.
- As a courtesy to owners, the manager MAY provide access to the unit if work is needed. However, this is not always possible given the responsibilities of the manager as noted above. Please give some advance notice if you need the manager to give access and understand that **last minute requests cannot always be accommodated**. The rules of the association clearly state that each unit owner MUST have a designated caretaker for the unit.



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- When work is being done on behalf of the Association, the manager is responsible for monitoring contractors' performance on the property, but not supervising them. Contractors are responsible for supervising their own personnel. If a contractor is working for the Association and you have a problem with a contractor staff member, notify the manager, who will forward your concerns to the board. The board will decide how to proceed under the terms of the contract.
- The manager inspects the community regularly, but even an experienced manager won't catch everything. Your help is essential. If you see a potential maintenance issue, report it to the manager, but please refrain from giving direction to the maintenance staff – that is the manager's job.
- The manager has a broad range of expertise but is not a consultant to the residents. Neither is s/he an engineer, architect, attorney or accountant. The manager may offer opinions but don't expect technical advice in areas that s/he is not qualified.

### **Finances**

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The finances of the Association are under the direct auspices of the Board, but managed day-to-day by the manager and/or management company, if one is utilized. All of the monthly, quarterly, and yearly invoices for contracts and services are received, entered in the accounting system and processed for payment by the manager. Monthly bank reconciliations are processed by an outside bookkeeper and monthly account reports are reviewed by all board members. An outside, independent audit is conducted each year, as required by Florida State Law. Financial Statements for the prior year are generally available by the end of March each year. Members are welcome to ask for a copy of the financial statements and may review any financial records by request.

### **Association Dues**

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Regular assessments are due and payable quarterly on the first day of each January, April, July, and October. If the full payment is not received by the 15th of the month a late notice will be mailed advising the owner of a late charge comprising 4% of the payment due. Assessments that are unpaid for over 15 days after the due date shall bear interest rate at a rate of 18% per annum or 1.5 % per month. All unpaid balances will continue to accrue interest charges each month until the balance is discharged.

Accounts that are more than 30 days delinquent will be subject to collection action. On the 30th of the month that the assessment was due a certified letter will be sent to the delinquent unit owner notifying the owner that legal action will be initiated to collect delinquent balances. The certified letter will give notice that remittance must occur within seven days of the mailing or the account will be turned over to our attorney for collection.

The condominium association has the power to file a lien on each unit for any unpaid assessments, together with interest and late charges that have accrued, by the unit owner of such unit. Reasonable attorneys fees including fees for any court proceedings incurred by the condominium association in an attempt to enforce such a lien, together with sums advanced or paid by the condominium association in order to preserve and protect its lien, shall be payable by the unit owner upon demand and shall be secured by such lien.

## Payments

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Timely payment of each owner's regular assessment is important to the health of the Association. As with other forms of financial obligations, the payment to the Association is due regardless of whether a bill was received. Oceana South will send a coupon book to owners at the beginning of each year, to aid in automatic payment processing. Owners may also choose to enroll in the auto-debit program. The Association does NOT bill each unit owner each quarter.

It is the responsibility of the owner to ensure that payments are received before the end of the 15-day grace period. **All owners who are delinquent will be charged a late fee and interest, unless prior payment arrangements have been made in advance and approved by the Treasurer of the Board of Directors.** The Board asks all owners to understand that this is a business and must be run as such. Collection and late payment policies must be uniformly enforced to all owners, or they may not be enforceable if it becomes necessary to pursue a collection action in court.

### Returned Checks

Owners who pay by check must understand the Association policies regarding checks returned for insufficient funds. If a check is returned to the Association for non-payment, the original amount of the check will be assessed to the unit owner account and a \$50 returned check fee will be charged to the owner account. In addition, if the payment due date has passed, late fees and interest charges will also be assessed as of the date the check is received back, as per Association policies.

## Reserve Funds

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As per the Florida Condominium Act, the Association does reserve and maintain funds in a reserve fund account. The condominium act specifies that the Association must establish a reserve account for any item where the replacement cost is expected to be greater than \$10,000. Generally, these reserve accounts are solely for the purpose of funding items that do not occur on a regular basis. Having appropriate reserves insures that money will be available for repairs without having to force excessive special assessments on unit owners. In the case of Oceana South, the Association maintains reserve accounts for capital expenditure items such as: fire alarm and sprinkler system repair; elevator repairs; emergency standby generator repairs; building painting; parking lot paving; roof replacement; balcony and concrete restoration; railing replacement; and uninsured damage.

## Insurance

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By state law and the documents, the condominium association is required to obtain and maintain comprehensive insurance coverage. Unlike a standard home owner policy, the association carries commercial policies to deal with the various aspects of protecting the finances and future health of the commonly held property.

The Association maintains a large book of business with a local Florida insurance agency in order to protect the financial interests of all the unit owners. Because the Association is a Corporation in the State of Florida there are many different kinds of coverage that the Association must maintain. In addition to

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property/casualty coverage and flood coverage (which covers the Association in the event of a hurricane or other such calamity), it is also required to maintain a general liability policy which covers the Association in case of an accident on property. The Association also maintains a broad umbrella policy, a workers' compensation policy (to protect the employees), a boiler and machinery policy (which covers the generator and other electrical and mechanical systems maintained by the Association), a policy on the diesel fuel oil storage tank (in the case of a fuel oil leak which would require an environmental hazards clean up), a policy for directors and officers coverage (which covers the Board of Directors and the management against claims of negligence or misfeasance while performing duties related to the Association business), and a crime policy which covers the Association in the event of theft by an employee or a board member.

Association insurance does NOT cover the property within the boundaries of the individual unit. All such property of a unit owner must be insured by the individual unit owner. Most condo insurance policies taken out by individual owners include "special assessment" coverage to help defray the cost of restoration after a major disaster. The following entries detail the 9 types of insurance that the association currently carries.

### **Property**

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Property insurance is what most people think of when the word "insurance" is mentioned. In the condo's case, this is the basic coverage for all hazards except flood damage. Property insurance covers the building and property and insures them against loss from any named peril such as fire, damage due to wind or wind-driven debris, and vandalism or other intentional acts that cause damage. Because the condo is on the ocean in a hurricane zone, this is the most expensive insurance policy the condo will purchase each year.

### **General Liability**

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General Liability coverage is a compulsory form of insurance for those at risk of being sued by third parties for negligence. This form of insurance is a part the general system of risk financing to protect the insured from the risks of liabilities imposed by lawsuits and similar claims. It protects the insured in the event he or she is sued for claims that come within the coverage of the insurance policy. In general, damage that is caused intentionally as well as contractual liability are not covered under liability insurance policies.

### **Umbrella Coverage**

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Umbrella insurance refers to a liability insurance policy that protects the assets and future income of the policyholder above and beyond the standard limits on their primary policies. It is distinguished from excess insurance in that excess coverage goes into effect only when *all* underlying policies are totally exhausted, while umbrella is able to "drop down" to fill coverage gaps in underlying policies. Therefore, an umbrella policy can become the primary policy "on the risk" in certain situations. The term "umbrella" refers to how the policy shields the insured's assets more broadly than primary coverage. In the association's case, umbrella coverage is necessary to protect the combined assets of the corporation, i.e. the building and grounds, which are considerable.

### **Flood Insurance**

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Oceana South maintains a flood insurance policy underwritten by the Federal Emergency Management Agency (FEMA) managed by the State of Florida. This policy is written to cover the entire replacement cost of the

building in the event of a total loss due to flood or tidal surge. For practical matters, the flood policy covers the ground floor units for “as built” items installed by the original developer and any water damage of those units due to tidal surge or rising water. For ground-floor unit owners, it is important to note that the Association flood coverage does NOT cover any contents of the unit, i.e. upgraded kitchens, bathrooms and furnishings. Unit owners will still need an individual contents policy in order to be adequately covered for any personal losses. All owners should be aware that mortgage companies will ask for proof of flood policy on a yearly basis as part of their risk management program. Those requests should be forwarded to the office and they will be sent to the Association insurance agency for completion and submission of an official certificate of insurance to the mortgage servicer.

### Worker’s Compensation

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All Florida employers must purchase a Workers Compensation policy to cover the employees in the event of injury on the job.

### Director & Officers Liability

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The basic principle underlying Director & Officer Liability (D&O) insurance for condominiums is that every association is best served by directors and officers who make decisions based upon the information reasonably available to them at the time the decision is made, without the threat of personal liability. If not for D&O insurance, it would be difficult to attract qualified, reasonable directors and officers to manage the operations of the association. In addition to the Board of Directors, the Association’s D&O policy also covers the manager.

### Fidelity Bonding

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Sometimes called “crime coverage “or” employee dishonesty coverage” fidelity insurance is basically designed to protect against theft or embezzlement by employees, directors, management personnel, or others who might have access to association funds. For condominium associations, there is a statutory requirement that the minimum amount of the fidelity bond be equal to the maximum amount of money that could be stolen, i.e., the maximum amount of money on deposit in all association accounts at any given time.

### Machinery

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Boiler & Machinery coverage -- also known as equipment breakdown insurance -- fills in the gaps in standard property policies by providing protection against the mechanical breakdown of heating/refrigeration systems and mechanical equipment. The Oceana South policy covers the condo for repair of electrical systems, including the emergency generator, elevators, security systems and other computer-controlled equipment in the event of a major loss requiring complete replacement.

### Fuel Storage

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The Association maintains a 500 gallon diesel fuel-oil tank for the operation of the emergency generator. Since the property is on the ocean, even a small spill of diesel oil could become a major financial burden on the

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Association, as both the Florida Department of Environmental Protection and the United States Environmental Protection Agency have strict requirements for the containment and clean up of fuel oil spills. The fuel storage policy protects the Association against any liability or damage resulting from a spill or other calamity, such as fire or explosion.

### **Unit Access by the Association**

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The Association has the irrevocable right of access to each unit for the sole purpose of maintaining the limited common elements of the building and to deal with any emergency that might arise. Owners must provide the Association with two (2) keys to the unit, one for the key storage box, and one for the unit owner file.

All keys are required to be signed in and out and owners must give written approval to the manager if keys are to be given out to contractors or service personnel. Keys signed out to contractors or caretakers must be returned at the end of each business day.

As a courtesy to owners, the manager MAY provide access to the unit if work is needed. However, this is not always possible given the responsibilities of the manager as noted above. Please give some advance notice if you need the manager to give access and understand that **last minute requests cannot always be accommodated**. The rules of the association state clearly that each unit owner MUST have a designated caretaker for their unit.

Whenever possible, the manager attempts to give advance notice to owners when access to the unit is needed; however, there are many instances where this is not possible. When entering a unit, staff is instructed to knock twice, with a 15 second interval between knocks. If there is no answer, the staff member will open the door and announce their entry in a clear voice. This is to prevent any undue embarrassment for all concerned.

### **Records**

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The Florida Condominium Act requires that all records of the Association are kept for a period of seven (7) years. All records of the Association are open to members for review. Those wishing to review the records should request to do so in writing, either by regular or electronic means. The Association is required to provide such records within 5 days of the request. Those wishing for copies of any records may request them from the office, but no records are to be removed from the premises unless approved by the Secretary of the Board of Directors. Copies will be made by the office at a nominal fee per page, as allowed by Florida law.

### **Facilities Maintenance**

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Completed in 1982, Oceana South is a building that requires constant maintenance to protect the investment of the individual owner. However, the operations staff does face some limitations in the quest to keep the building in top shape.

The first issue, of course, is occupancy. During the prime Florida tourist season (October to May), the building is simply too full to perform many routine tasks like pressure washing the walkways and stairwells, or the brick pavers around the entry portico. The same goes for painting walkways, walls, or railings in any of the high-traffic areas.

The next issue is weather: Florida’s rainy season runs from May to September, with the official hurricane season running from June to November. Performing many of the exterior maintenance tasks can be a difficult proposition when dodging the afternoon rain storm or the frequent tropical storm, and most of the stronger hurricanes have formed in the September-to-November time frame.

The final issue is space. The Association simply has no long-term storage space for maintenance-related equipment and supplies. Supplies are ordered and delivered as the operations staff expects to use them, and this process allows the staff to work in optimal conditions without having to worry about securing the supplies or working around them in what little storage space is available. Equipment, too, is expensive and must be secured at all times during projects. Some projects require expensive equipment that must be rented or leased for the project.

This puts the operations staff on high alert during the summer season, and while most residents are preparing to depart for the summer months, the real work of the operations staff is just beginning. Hurricane preparations, painting, tear-down and maintenance of equipment, and other major projects all begin in June and must be juxtaposed with other projects as needed.

The Board of Directors and the staff remind summer visitors that four months is a short time frame to do much of the maintenance work that will carry the building through to the next season. If owners are planning a summer visit, please be aware that there WILL be ongoing maintenance work, it may be noisy, and it may inconvenience owners or their guests. While every effort will be made to accommodate owners and guests, some work cannot be put off. Remember that with 126 units, someone will always be inconvenienced, and it is impractical to put off or change a scheduled summer project because a unit owner or guest may be disturbed during a visit. If rental equipment or additional labor is involved, postponing a project means additional costs added to the project.

The Board of Directors and the staff also ask all owners to be vigilant and inform us about any maintenance issues. Items like concrete issues on balconies, loose railings or spindles, leaks, burned-out or inoperable lights, or other safety issues should be reported as soon as possible. The staff may already be aware of the issue, but don’t hesitate in making a service request. Service Request forms are available in the lobby next to the manager’s office and should be used to report any issue. Please refrain from telling a staff member about the problem, as the use of forms allows for better tracking of not only the problem, but the resolution as well.

## OWNER RESPONSIBILITIES

### YOUR ROLE AS A “GOOD NEIGHBOR”

Condominium living can be a wonderful way for a large group of people to enjoy the benefits of coastal living. On the other hand, the inability for some to recognize the inherent differences between people and cultures can create a stressful, unpleasant atmosphere. That is why it is important for all owners to recognize that every owner may have a different opinion or outlook on any given issue and all owners should be tolerant of differing attitudes.

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It is also important to recognize that any action or utterance may be misunderstood by another, so communication between neighbors – especially in a condominium property – is vitally important to the spirit of condominium life.

All owners should take a moment to remember that a condominium is not like owning a single-family home where changes and alterations to the interior do not affect other neighbors. There are neighbors above and/or below and to the side. Please be respectful of neighbors when doing any renovations, having a party, or any other action that may cause noise or disturbance.

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### **UNIT OWNER MAINTENANCE**

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#### **Who is Responsible for What?**

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This is the most frequently asked question in condo life and the one that is the most confusing. As with all condos, the documents govern the separation between condo association and unit owner responsibilities.

#### **Article III, Section B from the Oceana South Articles of Incorporation reads thus:**

**DESCRIPTION OF UNITS** – Each unit is located and bounded as shown on the survey exhibits. The intent of the Survey Exhibits is to delineate the following as the precise perimetric and upper and lower boundaries of the Unit:

Perimetrical Boundaries of Units – The precise perimetric of boundary of all units is the exterior (i.e. unexposed surface) of all drywall bounding the unit; the undecorated interior surfaces of any window frames, windowsills, doors and door frames bounding the unit; and the exterior surfaces of any windowpanes or sliding glass door panes bounding the unit;

Lower Boundaries of Units – The precise lower boundary of all units is the top side of the concrete floor slab bounding the unit;

Upper Boundaries of Units – The precise upper boundary of all units is the top side of the concrete ceiling bounding the unit.

**C. ADDITIONAL ITEMS INCLUDED WITH THE UNITS** – All of the following items are included with each unit if such items are wholly or partially situated within a unit and designed and installed to serve only such a unit:

- All non-load bearing walls and partitions, doors, door frames, door hardware, and windowpanes;
- All kitchen equipment and fixtures including, without limitation, ovens, refrigerators, freezers, sinks, ranges, cabinets, dishwashers, exhaust fans and waste disposal units;
- All bathroom, lavatory and plumbing fixtures and equipment including, without limitation, sinks, tubs, showers, toilets, vanities, exhaust fans, and medicine cabinets;

- All electrical and lighting fixtures including, without limitation, outlets, switches, lamps, bulbs, outlet boxes, switch boxes, telephone outlets, circuit breakers, and circuit breaker panels;
- All clothes washers, clothes dryers, hot water boilers, heating equipment, and air conditioning equipment;
- All floor and wall covering including, without limitation, carpeting, tiling, wallpaper and paint; and
- All piping, ducts, wiring, cables and conduits of any kind or type serving only the particular unit.

What does this mean in real terms? In the case of Oceana South, it means that anything in the unit the serves or supplies THAT UNIT ONLY is the responsibility of the unit owner, just as it would be in a single family home someone owned. Below is a table of items delineating owner responsibilities:

Plumbing	All plumbing contained INSIDE the boundaries of the unit, or which serve ONLY that unit is the responsibility of the unit owner. All plumbing systems should be checked yearly for leaks and corrosion. Units that are unoccupied for the majority of the year should have the wax toilet bowl rings replaced every three years to prevent leaks into units below.
Electrical	All wiring servicing the unit is the responsibility of the unit owner. This includes the service wiring from the meter to the unit. Electrical systems should be checked by a qualified electrician every five (5) years.
AC & Ventilation	AC systems are the sole responsibility of the unit owner. Systems should be checked twice a year by a qualified service company. Owners should pay particular attention to the condensate drain line which runs from the air handler into the wall drain stack. This line should be thoroughly cleaned twice a year to prevent a water overflow.
Hot Water Heater	Water heaters should be checked yearly for signs of rust and leakage. In this climate, a hot water heater is expected to last 5-7 years. Owners with tanks older than this should closely monitor the tank and replace it before a leak appears.
Windows & Doors	Unit entry doors are considered a limited common element but are the owners' responsibility to maintain. Any door that needs paint should be reported to the office. Locks are purely the responsibility of the owner and these should be lubricated every three months for good operation. DO NOT use WD-40 on any lock. Windows and sliding glass doors are the responsibility of the unit owner.

To clarify the issue, below are some examples of common issues.

**Plumbing:** Clogs and leaks in plumbing are a problem in any residence but more so here at Oceana South, since a clog or leak may have a direct effect on the unit above, below or next door. To help owners understand the issue, here is how the building is plumbed for water and sewer.

**Water service:** Water to each unit is supplied by a large water supply line in the wall behind the AC and hot water systems in the utility closet of every unit. These lines run from the ground floor to the top floor, and individual water supply lines to each unit come out of the wall in the closet and link to the unit's water supply



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pipes. This means that all the units in that stack are connected by the same water line, i.e. units 108, 208, 308, etc. are all on the same supply line. The VERTICAL supply line in the wall is the responsibility of the Association, as the pipe serves all the units in that stack. The unit owner is responsible for ALL the water lines in that unit, as those lines serve only that unit.

**Sewer service:** Sewer lines are treated exactly as the water supply lines. There are several Drain/Waste/Vent stack lines in every unit and sinks, tubs, toilets, washers and showers all link to these stack pipes. The VERTICAL drain stack is the responsibility of the Association, and each unit owner is responsible for the drain lines that lead into it.

Clogged lines are to be dealt with first by the owner. If a line is clogged, it is usually in the area that is the owner's responsibility. An owner should call a plumber to clear the line and notify the office that there is a problem. The manager will work with the owner's plumber to determine where the problem is and authorize any work that must be done on the Association's behalf.

Built in 1982, the building is past the 30-year mark, which means that some other systems will begin to fail. At times, the cast iron toilet drain piping or the shower drain pipe may fail, causing leaks to the unit below. To gain access to the damaged pipes, the ceiling of the unit below will have to be removed, the plumbing repaired, and the drywall replaced and finished.

**Water leaks:** Leaks are usually one of 4 causes: 1. Faulty hot water heater; 2. Bad wax seals under the toilet; 3. Leaking AC condensate drain line; or 4. Cracked drain lines in showers, bathtubs and under toilets as mentioned above. Unfortunately, owners have little notice of these problems until the downstairs neighbor calls or comes up to say there is a leak in their unit! It is the owner's responsibility to correct the problem in a timely manner, so as not to cause additional (and expensive) damage.

**Electrical systems:** The local electric utility, FPL, is responsible for the electric service to the meter. All electrical wiring and fixtures AFTER the meter are the responsibility of the unit owner. This includes the main circuit breaker for each unit, which is generally located in the storage area directly in front of the elevator on each floor. All the storage room doors have the same master key, so if the unit's meter is not located on that unit's floor, the meter is usually located one floor up. The exceptions are the Ground floor, where meters are located in the Generator Room at the North end of the building, and the 12<sup>th</sup> Floor, whose meters are located on the 11<sup>th</sup> Floor. In the event of an electric outage, please call the Florida Power and Light repair line to report the outage and hear updates on the restoration of service. Please do not call the Association Office, as the manager has no special contact information for FPL.

**Windows and Doors:** Maintenance of these items is the responsibility of the unit owner. Locks, rollers, tracks and guides should be cleaned and lubricated at least twice a year, due to the extreme corrosion caused by the salt air.

## **UNIT OWNER ROUTINE MAINTENANCE**

While the Association is responsible for the maintenance of common areas and elements, such as the lobby, social room, entrance walkways, exterior portions of the building and common electrical and plumbing, each owner should perform these routine maintenance tasks at least once a year. Here is a handy list:

**AC SYSTEM** – Owners should have the AC system checked each year for the most efficient operation. If nothing else, the air filter should be changed once a year upon your return.

*DRAINS* – Drains that are “slow” are often due to clogs, which are the result of units sitting unused for months at a time. Any food or grease deposits in a drain line will dry out and turn rock hard after several months, and when an owner returns and begins using the drain, a clog can build up rapidly. DO NOT pour Drano or other harsh drain chemicals in the drains and leave them when you depart for the season. Leaving these chemicals without rinsing can eat through the cast iron drain lines, causing a larger problem. If an owner has a blocked drain, **the owner must contact a plumber first** to resolve the problem. If the plumber determines the clog is NOT in the unit, the owner must contact the office before authorizing any further work.

**Drains are NOT a trash receptacle** - Owners are reminded that the drain system is NOT a trash receptacle. Items such as cleaning rags, clothing, mop heads, child and adult diapers, grease and even personal cleansing wipes should NOT be discarded in the drains or toilets. These items will clog the building’s drain system, causing unnecessary and expensive repairs to the drain waste system. In some cases, bathroom and/or kitchen demolition may be needed for access to the drain system and interior restoration costs are NOT the Association’s responsibility. The Association By-laws clearly state that those costs will be the responsibility of the unit owner EVEN THOUGH that owner may not have been the direct cause of the problem.

*DRYER VENT TRAPS* – As simple as it sounds, all owners should clean the dryer vent trap AFTER EACH USE to avoid fire-causing build-ups. Owners who lease their units should pay particular attention to this and ask their tenants to follow this rule. In the event that dryer performance goes down, i.e. it takes longer to dry, notify the manager who will schedule a maintenance cleaning of the vent shaft.

*ENTRY DOOR (UNIT)* – The unit entry door must be maintained by the unit owner. In the Fall of 2009, the Association completed a year-long, \$100,000 project to replace all the unit entry doors in the building. The most common failure of the door is when an owner leaves the deadbolt in the locked position (out) in an attempt to prevent the door from closing and/or locking. When the lock is left in the out position and the wind catches the door, the door can slam against the door frame and split the door slab. THIS TYPE OF DAMAGE IS CONSIDERED UNIT OWNER NEGLIGENCE. The cost to repair or replace the door will be billed to the unit owner.

*ENTRY LOCKS (UNIT)* – Locks here on the Treasure Coast face a terrible environment: heat, humidity, and salt – prime conditions for corrosion. The locks are the owner’s responsibility and must be lubricated regularly. It often happens that the lock mechanisms and deadbolts will “freeze” in the locked position. Owners should lubricate their locks regularly with a graphite-based product, NOT WD-40. WD-40 tends to turn “gummy” and make the problem worse. For those owners who are away in the summer and fall, make sure to speak to the caretaker who watches the unit during the out-of-season and ask them to maintain the locks.

*HOT WATER HEATER* – For those units which are left unused for a long period during the year, it is advised that owners check their water tanks for corrosion and rust every year upon their return.

*SLIDING GLASS DOORS* – As with the shutters, the bottom rollers and tracks can suffer corrosion due the salt build-up, so these should be done as frequently as the shutters.

*SHUTTERS* – These should be cleaned and lubricated at least twice a year due to the heavy salt build-up, particularly on the ocean-facing shutters. Many owners have opted for a service contract with one of the local shutter companies in the area.

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**SMOKE ALARMS** – The unit smoke alarm is NOT wired to the building fire alarm system, and is the responsibility of the unit owner. Alarm units should be replaced every 10 years, and the batteries replaced every year. The original yellowed, square units supplied with the building are no longer operable and should be replaced. NOTE: Every unit has a speaker in the hallway ceiling. This speaker is connected to the building fire alarm system and MAY NOT BE DISCONNECTED. If the speaker is disconnected, it will cause an alarm to sound and may damage the alarm system. Any fines or service costs to the association will be passed on to the unit owner. The smoke alarm is NOT part of the system and may be removed and reinstalled at the owner's discretion.

**TOILETS** – Owners should check the operation of toilet valves and flappers each year to ensure those mechanisms are working properly. These items are the biggest water wasters in any household. Owners should also check around the base of the toilet for any water leaks. These leaks are often due to the wax sealing rings drying out and losing their seal. Failure of these seals leads to damage to the ceiling of the unit below, which leads to greater repair costs. Owners should contact a plumber to diagnose and repair the leak.

**WASHER WATER SUPPLY HOSES** – The washer dryer system is hard to move, but owners should make the effort to check the washer hoses at least once a year. Any bulge or unusual hardness in a hose is cause for concern, and the hose should be replaced – preferably with a metal mesh safety hose.

**WINDOWS** – West facing windows should have their tracks cleaned and lubricated once a year. Because the kitchen window is oversized and heavy, it is difficult to find the correct window balancers to handle the load. The Association maintenance staff does not install or renovate windows, so owners should call any of the local window and door specialists on the contractor list.

### **Unit Owner Insurance and Damage/Repair of Units**

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Many owners think that the Association's insurance policies will cover them in the event of a loss. This is not true in most cases, and owners without a mortgage who choose to "self insure" by not having a policy are at risk of a large loss.

Owners should contact a Florida insurance agent for appropriate coverage under an HO-6 policy which should include liability as well as replacement coverage on the following:

- Furnishings & Contents
- Ceiling Coverings
- Floor Coverings
- Appliances
- Window Treatments
- Special Assessment Coverage
- Wall Coverings
- Electrical Fixtures
- Water Heater & AC System
- Built-in cabinets & counters
- Any Additions/Renovations/Upgrades

In the case of damage to a unit by accident or negligence (i.e. a fire, or a flood from a broken pipe), it is the owner's responsibility to assess and pay for damage, whether on their own, or by having insurance coverage. If there are damages to any Common or Limited Common Element, the Association's insurance company will be notified and the owner will be contacted by the Association's agent, a process known as subrogation. If there is no insurance coverage, the unit owner would have to pay out-of-pocket. This would also be the case if other units are damaged by the same event – those owners with damage would expect the owner who caused the damage to pay for repairs.

In the case of minor damage, the Association recommends to all owners that they practice the “good neighbor” policy. If a leak from a toilet or sink causes damage to the unit below, it should be the responsibility of the owner who caused the damage to repair it. Minor damage to drywall will be repaired by the Association.

## Routine Maintenance/Renovations/Additions/Alterations

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### *MAINTENANCE SCHEDULING & SUPERVISION OF CONTRACTORS BY UNIT OWNERS*

Routine maintenance for plumbing, electrical, AC repair and other renovation projects will always be needed and it is the responsibility of the unit owner to schedule contractors and to provide access to the unit. **Owners should realize that it is NOT the role of the management or staff of the Association to supervise contractors hired by an owner.**

It has been a common problem that contractors and service personnel do not respect the premises and often damage or disrupt the cleanliness of the lobby, the elevators and the walkways to the units. Owners should be aware that the documents of the Association allow ALL damages done by a contractor to any of the common or limited common elements to be billed to the unit owner who employed the contractor. Therefore, it is in the owner’s best interest to strongly communicate to contractors that they are expected to follow all posted rules, and to clean up when the project is complete. This includes ALL common areas, walkways and elevators as well as the specific unit job site. The following rules should be followed at all times:

- Owners must inform the office at least 48 hours in advance for any work that may involve debris removal.
- Work must be completed Monday through Saturday, from the hours of 8:30 a.m. to 5:00 p.m. No work may be performed on Sunday.
- Contractors must register with office each day upon arrival.
- ALL DEBRIS OR CONSTRUCTION WASTE MUST BE CLEANED AND/OR REMOVED FROM ALL COMMON AREAS IMMEDIATELY. This includes any and all materials that might drop from catwalks or balconies. No debris or construction materials may be placed in the garbage chutes or the garbage bins. All debris must be removed from the premises by the contractor. Failure to follow this rule will result in the contractor being removed from the premises.
- Contractors expecting to remove material and debris from a unit should be prepared to cover or otherwise protect the unit entry walkways from damage caused by carts or foot-traffic during the removal process.
- Any damage to any common area of the building done by an independent contractor will be repaired at the expense of the unit owner, and billed to them accordingly as allowed by the Oceana South II Condominium Articles of Incorporation.
- ALL equipment and materials for a project must be transported in the Service Elevator ONLY. The Service Elevator is the SOUTH elevator. If the Resident Elevator comes when called, send it up or down and WAIT for the padded elevator car. Contractors violating this policy will be removed from the premises and damage charged to the unit owner.
- NO CONTRACTOR MAY USE AN ASSOCIATION LUGGAGE CART OR GROCERY CART FOR THE TRANSPORTATION OF MATERIAL OR EQUIPMENT TO A UNIT.
- Construction dumpsters for unit renovation are allowed only with prior board approval and are strictly limited to 5 days on property. A dumpster may only be placed in the northeast fire lane area, and only one dumpster is allowed at any time due to St. Lucie County Fire Codes.

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- No portable power tools or stationary work tables may be set up on the walkways without the express written consent of the Association Manager. This policy is to ensure that, when such equipment is deemed necessary for the repair of a unit, said equipment does not block passage in violation of the St. Lucie County Fire Code, and does not cause damage to any common area.
- No dumping of cleaning water, solvent, or any other liquids or materials in or around the north pond or behind the maintenance sheds. This includes unused grout or other cement-based materials.
- There are no water/sink facilities on the premises; all cleaning of tools, brushes, equipment, etc. must be done in the unit or off site.

## ***RENOVATIONS/ADDITIONS/ALTERATIONS***

Whenever a unit owner undertakes a significant renovation project, the owner must notify the office and check to see what procedures must be followed. As a general rule, the following projects must be approved by the Board of Directors:

- Kitchen/Bedroom Window Replacement
- Entry door replacement
- Sliding glass door replacement
- Replace hurricane shutters
- Replace balcony floor covering
- Enclose/Replace kitchen terrace enclosure (end units)

## ***PROJECT APPROVAL***

An owner planning an above-named project should fill out the Architectural Review Form available from the building manager.

Owners who begin a major renovation of the unit's interior need to work with the building manager to ensure that contractors comply with all the rules and regulations, that an appropriate timeline for the project is developed, and that appropriate supervision of the contractor will be provided.

## ***CONTRACTOR AND OWNER RULES FOR RENOVATIONS***

Owners should submit a design plan of the proposed renovation, which designates the contractors and sub-contractors who will be working on the project, a projected start date for the work, a projected end date, as well as all contact information for the contractor and the owner.

Certificates of Insurance covering both Liability and Worker's Compensation coverage, listing Oceana South as an additional insured must be provided by all contractors doing work on the property.

Owners should make arrangements to provide a grounds key, unit key and a gate remote to contractors who will be doing extensive renovations that last more than a few days. It is not the responsibility of the maintenance or management staff to provide long-term daily access to a work site, as this seriously stretches the small staff too thin. Additional remotes and keys can be purchased through the office.

Work may be performed from 8:00 a.m. to 5:00 p.m. Monday through Friday. Contractors should be prepared to leave the premises by 5:00 p.m. each workday. No contractors are permitted on the property on Sunday.

Work areas, elevators, stairs, and walkways must be clean at all times, and all construction debris must be removed by the contractors. UNDER NO EXCEPTION may debris be placed in Association dumpsters or disposed in the trash chutes. Any cleanup services provided by the Association staff will be billed to the unit owner in the amount of \$100 for every infraction.

Drywall, tile, wood, glass or any other type of construction cutting, fitting, forming or manufacture may not be done on the walkways or unit balcony AT ANY TIME.

Construction vehicles must be parked at the north end of the parking lot. Contractors wishing to load and unload a vehicle closer to the entry doors must contact the office IN ADVANCE to obtain permission.

If floor coverings such as wood, marble, granite, tile or other hard surface is to be used, sound-deadening material (1/4" cork or equivalent) must be included in the installation and must be approved by the office.

The contractor must call the office IN ADVANCE of beginning to work to schedule a meeting, so that the manager may go over the rules of work, and finalize any details.

#### *DELIVERIES OF EQUIPMENT & SUPPLIES*

Many owners find it necessary to arrange for deliveries or schedule repairs when they are not in residence. In these cases, the manager may provide access to the unit in the owner's absence, if the owner provides authorization. **The manager is not able to supervise service personnel, delivery personnel, or sign that merchandise is received in good order. It is not the manager's responsibility to oversee deliveries, service work or installations in a unit.** The manager is only able to provide access to the grounds and the individual unit. Owners must contact the manager AT LEAST 48 prior to scheduling a delivery, in order to allow the manager enough lead time to make arrangements. **NOTE: owners are directly responsible for ANY damage to common areas (walkways, driveways, gates, etc.) caused by a delivery service.**

#### *FINDING A CONTRACTOR OR REPAIR PERSON*

Since the building maintenance staff is not able to perform maintenance work for the individual unit owner, it is often necessary to find a contractor. The best place is usually with the phone book or neighbors, but the manager is also a good resource. Whether it is a plumber, electrician, painter, tile installer, or just a general handyman, the manager usually has a contact list of qualified, licensed contractors.

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#### **ACCIDENTAL LOCKOUTS**

If a unit owner accidentally locks themselves out of the unit during business hours, the management or maintenance staff can provide a key to the unit. If the lockout occurs after business hours or on the weekend, the owner may contact a board member for access to the Association Office. However, owners should realize that Oceana South does not have a 24 hour service line, and that Board members are unpaid volunteers. A Board member may not be available in the middle of the night or on a weekend. When no other option exists, owners should call a locksmith to gain access. Locksmith contact information is located on the contractor list in the mailroom.

### RENTAL OF UNITS

The Association does allow rentals of units, with some provisions. Rentals must be for a minimum of three (3) months per lessee and must be approved by the Board and/or management. Owners who lease their units should understand that their tenants are their responsibility, and that the building and grounds are considered “home” to most of the residents. Too often, tenants arrive with the expectation that Oceana South is a resort, with services and amenities on the order of the local Holiday Inn. It is important that owners clearly and accurately present the condominium to prospective tenants and inform them of the rules of the Association.

Many owners ask why rentals must be for a 3-month term. The answer is because of local fire codes. The building is classified as a Residential building, which does not require sprinklers in every unit. If short-term rentals were allowed, the building would be re-classified as a Commercial Lodging establishment, and the Florida State Fire Marshall would require sprinklers in EVERY unit –a project that would be costly and unsightly, as sprinkler pipes would be visible in the unit.

When planning to lease out a unit, here are a few items owners need to know:

- In addition to any lease application an owner may require, a tenant must submit the Association application to the office AT LEAST 15 days in advance of the lease start date. Applications are available from the manager. There is a NON-negotiable application fee of \$100 per lease term. Returning lessees from a prior year MUST fill out a new application and pay the application fee.
- The management and maintenance staff does NOT provide ANY personal services to renters. Owners should clearly discuss with the tenant how they will address any issue with the unit upon arrival or during their lease term. If there is an issue that involves the association, the **owner** should call the manager to discuss it. Please inform tenants that they should not ask any of the staff for help with luggage, moving furniture, changing light bulbs, etc., as these are examples of personal services that are not provided.
- THERE ARE NO ITEMS ALLOWED TO BE STORED ON THE ENTRANCE WALKWAYS. THIS INCLUDES BEACH CHAIRS, TOWELS, FLOTATION DEVICES, SPORTS EQUIPMENT, UMBRELLAS, ETC. This is a St. Lucie County Fire Ordinance. Violators will be reported to the Fire Marshall and may be subject to a fine and county court fees.
- The carts at the entrance are for moving lightweight luggage and household items ONLY. If a tenant has heavy items, please instruct them to contact the manager IN ADVANCE to arrange for a heavy-duty maintenance cart. Damage to the carts will be billed to the unit owner.
- The gate and door entrance system is a telephone-based system. If tenants wish to have their name on the gate directory to allow entry to guests, the Association MUST have a local phone number, either one in the unit or a local cell number. NO long distance numbers are permitted.
- Access to the Recreation Center is by the use of a key fob remote system, as discussed in the Access Control Systems section. No other entry mode is allowed.
- The unit owner should give the tenant the remote gate opener(s) and key fob remotes for the front gates, door and Recreation Center and instruct them on their use. Replacement remotes can be purchased in the office for \$100.00; replacement fobs are \$25.00.
- Please make tenants aware that this is not a resort. The Lobby and the Social Room are for the enjoyment of everyone, and as such, are really everyone’s living room. Beach cover-ups and shoes in the lobby area are required AT ALL TIMES. Wet floors cause accidents, particularly with older residents, so tenants should be reasonably dry before entering the lobby from the pool area or beach.

- Tenants should be made aware that the building does not employ a 24 hour cleaning staff. During overnight hours, and on weekends, any spill or mess made in elevators, the lobby, the social room, or on the exterior catwalks should be cleaned by the person who made it.
- Owners should inform tenants that any invited guests are the tenant's responsibility and review the rules regarding guests.

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## GUESTS

As an ocean-front condominium, most owners naturally wish to share their home with friends and family. To provide a safe, secure environment for all owners and their guests, the Association asks the following rules be observed:

All overnight guests must be registered with the office in advance of their arrival.

- Unescorted guests (i.e. those guests an owner allows access to the beach or pool when the owner is away, but who are not staying in the unit) are not allowed.
- Long-term guests may only use the property when they are registered with the office, and are being hosted by an owner or tenant.
- Short-term or "day" guests who are visiting someone in residence do not need to register.

Guests must be pre-registered with the office at least 24 hours in advance of arrival.

No unaccompanied guests under the age of 18 are permitted.

Any unaccompanied guests who are determined to be in violation of the Rules and Regulations will receive a Notice of Immediate Vacancy and may be required to vacate the premises within 24 hours at no expense to the Association.

It is the policy of the Association to charge a service fee for guests who stay on premises longer than 14 days. This policy is to prevent fraudulent rentals of the units. By St. Lucie County Fire Codes, the Association must monitor rental units to ensure the 3-month minimum lease term is followed. If the Association does not monitor rentals and provide appropriate records, this could endanger our Residential classification with the Fire Marshall. Being classed as a Commercial establishment would require the Association to install several million dollars worth of sprinkler and alarm equipment.

These policies are not designed to limit the use or enjoyment of the facilities, but to ensure that all those using the facilities understand their responsibility in maintaining a pleasant, safe atmosphere.

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## UNIT SALES & TRANSFERS

It is inevitable that an owner will sell their unit or transfer the property to a trust or an heir. In the case of a unit sale, please inform the manager when the unit is placed on the market. The manager will ask for information regarding the listing agent and the length of the sales contract; this is to allow the manager to work with the listing agent in providing the best possible environment in which to show the unit.



## **OCEANA SOUTH CONDOMINIUM OWNER MANUAL**

When the owner is not in residence and the property is being shown, owners are reminded that the rules governing the closing of the unit are still in force and that all real estate agents must abide by the rules of the Association. One of the most important rules is that when a unit is unoccupied for more than 48 hours, all hurricane shutters must be closed. Real Estate Agents hate this rule, as it does not allow them the “WOW!” factor of showing the ocean upon entering the unit. However, the weather on the coast is volatile and can change within minutes. Coastal storms can be violent, causing wind and rain damage to open balconies. It is not the manager’s responsibility to close the shutters in the event of a storm, and experience has shown that agents simply cannot successfully monitor the dozens of properties under their care. Owners who violate this policy will receive one (1) warning, then a \$100.00 fine for EACH day the shutters are open, up to a maximum of \$1000.00.

Owners should also understand the sales process. A prospective buyer must submit an application to the Association for approval by the Board, and submit a \$100.00 application fee. Concurrently, the sale application from owner to buyer will be processed by the closing agent. Typically, the closing agent will contact the manager to arrange for the Association paperwork to be processed, and confirm what fees are due the Association at closing.

The Association charges the following fees for a unit closing:

**\$100.00 Estoppel Letter Fee** – This is charged for the preparing of the Association’s release letter outlining fees due at closing. If there are any overdue invoices for services or unpaid maintenance fees, these charges will be outlined in the estoppel letter. All unpaid balances, including interest and late fees, must be paid upon closing.

**\$150.00 Condominium Questionnaire Fee** – For owners obtaining bank financing for the sale, the mortgage holder sends a multi-page questionnaire to the Association. This questionnaire varies by bank, and requires a great deal of staff time to complete and submit. Failure to accurately complete this questionnaire may result in denial of a mortgage loan.

**\$100.00 Certificate of Approval Fee** – A notarized Certificate of Approval from the Association must be submitted to the county when recording the deed, which the Association must prepare.

**Capital Contribution Fee** – In order to help build a financially stable community, many condominiums charge a reserve contribution fee. The Oceana South fee is equal to one quarter’s unit maintenance fee. This fee goes directly to the Reserve Account and does not fund any yearly operational expense.

In the case of unit transfer, if the owner is transferring a unit into or out of a family trust, all closing fees (with the exception of unpaid balances) are waived. However, if the transfer is from person-to-person, i.e. parent to child, not as part of a trust, then the above closing fees WILL be charged and are payable to the Association at closing.

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## **STORAGE AREAS**

Each unit is provided a small, caged storage unit in the building. Most storage units are on the ground floor, at the north end of the building, though there are other storage rooms scattered on upper floors. All items in the storage rooms must fit into a cage and the cage door must be able to close. NO items may be stored in the open area of any storage room. Storage rooms are inspected randomly and all items found not in a storage

cage will be thrown away immediately. There is a master key to the storage rooms, meaning that one key will open all the designated storage room doors. Please ask in the office for a storage key if one is lost. A small fee will be charged for additional or lost keys.

Storage cages were assigned on a first-come, first-served basis when the building was originally sold, and the ground-floor storage room is air conditioned. Owners were given the option of a climate-controlled unit or one on a floor near their unit. Since some owners have traded or moved their storage areas with others over the years, so there really is no rhyme or reason to the existing system.

The Association does maintain a list of the storage area assignments, so owners are asked to please notify the office if switching their assignment. Please understand that the office does not have the authority to move storage assignments. Storage areas are not a deeded part of the units; therefore, there is no legal responsibility of the Association for monitoring their use.

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## BICYCLE/RECREATION EQUIPMENT STORAGE

When the building was first built in 1982, there was no thought given to any personal recreation equipment storage, i.e. bicycles, weight-training equipment, canoes or kayaks, etc. As a result, there is little to no storage available on the property for these items. One of the maintenance sheds on north end of the building does have LIMITED storage for bicycles. Owners must register and pay a \$25.00 fee per bicycle for covered storage. No bicycles or other recreation equipment may be stored on the entrance balconies or in the stairwells.

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## POSTAL SERVICE & PACKAGE DELIVERY

### Regular Mail Delivery

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U.S. Postal mail to the building is delivered through the Jensen Beach post office. This does bring some confusion as Jensen Beach is in Martin County, while Oceana South is in St. Lucie County, so please make a note of this distinction when asked what county the unit is in. There is a U.S. Postal Service branch office on Hutchinson Island; it is located just south of the building, in the shopping plaza next to the Cumberland Farms convenience mart.

Owners should recognize that mail service to the condo is on a “rural route” system, unlike regular mail delivered in most metropolitan areas. Because most residents here are seasonal, the volume of mail changes during the year. This is important because the mail carrier gets paid according to the volume of mail (including junk mail), not on a salaried basis. Therefore, the mail service requires that mail boxes be cleaned out regularly, and “vacant” units are not serviced. Postal inspectors regularly check the boxes to make sure that the carrier is not “padding” the vacant boxes to increase pay during the off-season. The postal carrier cannot change this system, as this is how the postal service has set up this route.

For owners who not here on a regular basis, the box is marked vacant and will continue to be unless the mailbox is cleaned out on a daily basis. For owners who may be “weekenders”, mail will not be delivered to boxes that are full and the box will be marked as vacant. These owners should put their address here on a permanent forward to their home address. This can be done online or at any local post office.

## **OCEANA SOUTH CONDOMINIUM OWNER MANUAL**

Outgoing mail is picked up each day after the mail delivery. There is an outgoing mailbox on the wall next to the manager's office, as well as a package bin just below it for large packages or envelopes. The manager DOES NOT have a key to the outgoing mailbox; if an owner or guest mails something in error, the individual must be available at the next pickup time to retrieve it.

### **Mailbox Access**

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The manager has no control over the U.S. Mail, and has no access to the individual mailboxes unless given a key. In many cases, the manager does have a spare key to the mailbox, in case the owner loses all keys. In the event of a lost mailbox key when the manager has no spare, the lock must be removed and replaced. These are specific mailbox locks, but these can be found at most hardware stores and home centers. It is the owner's responsibility to obtain a new lock and coordinate its replacement with the postal service. Typically, the process must be done while the daily mail is being delivered and the postal carrier has the master door open to access all the boxes.

### **UPS/FEDEX/PACKAGE DELIVERY**

UPS and FedEx deliveries may come at any time of the day; there is no set schedule for these deliveries. Please notify the office if you are expecting a package that must be signed for. The manager will always sign for packages and letters if available. If there is some reason an owner expects a package or letter that must not be accepted, please notify the office.

There is a Package Closet in the mailroom; all packages and letters too big for the box are usually placed in the package closet. **Please be aware that packages ARE NOT SECURE, and should be picked up immediately, unless prior arrangements have been made.** Please contact the office **prior to delivery** for more details.

### **Freight Deliveries**

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With the advent of the internet, it is now easier than ever to order furniture, appliances, building supplies and equipment at deep discount prices. Often however, these items are shipped by freight service to the customer.

When ordering any large items for delivery to Oceana South, owners MUST be aware of the shipping method and confirm delivery to the DOOR. Freight deliveries are sometimes referred to as a "DROP SHIP" item, which means that the delivery will only be to the curb, or in this case the front gate. When ordering a freight item, owners should also be aware that large tractor-trailers, or semis, ARE NOT ALLOWED through the gates. Because of their size, these vehicles can cause major damage to the landscaping or even owner vehicles. Owners should confirm that the order will be delivered via panel truck and specify delivery to the door.

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## **GOVERNMENTAL AFFAIRS – MAKING YOUR VOICE HEARD**

It is vitally important that every owner use the power of their ownership in a Florida condominium to influence local and state politics. Too often, owners (especially those who live primarily out-of-state) disregard local political issues, in the belief that their voice doesn't matter. Some owners may also believe that the Board of Directors has the responsibility for pursuing governmental affairs.

It certainly won't surprise anyone that Hutchinson Island pays a greater proportion personal property of taxes than most other areas in St. Lucie County, while at the same time using so little county resources. That is why it is so important that EACH owner make their voice heard by contacting their Florida elected representatives.

In the case of larger, Federal projects such as the Beach & Dune Replenishment Program, those owners who live in other states should contact their non-Florida Federal representatives to urge those elected officials to vote on their behalf.

## FACILITIES & GROUNDS

### ACCESS CONTROL SYSTEMS

Oceana South is equipped with a variety of access control systems, designed for both ease-of-use and efficient grounds control. The gate entry system is programmed to open only by the use of either a unit-assigned gate remote or a unit-assigned key fob.

For security reasons, only 4 fobs are permitted to be assigned to a unit at any one time. Each fob has a code number printed on one side and that number is programmed into the gate and door systems. Each owner should write down the numbers of the fobs assigned to them and keep this list in a safe place. If a fob is lost, the number of the lost fob must be given to the office for removal in the system. If 4 fobs have already been assigned, no new fobs will be issued until the lost numbers are removed.

Please also be aware that there are no "loaner" fobs, as each fob must be assigned to a unit. Many renters and guests have been upset that they cannot get an extra fob for their use while here. Owners should adequately prepare tenants and guests about the policies of the Association.

Additional gate remotes and pass fobs may be purchased through the office.

The lobby doors may also be opened with the lobby door key (also known as a MEDECO key), a larger key with a bell-shaped top. For security reasons, MEDECO keys cannot be copied by a locksmith and must be purchased through the office. This key also opens the ground floor stairwells and pedestrian gate at the entrance.

### Gate Entry/Door Systems

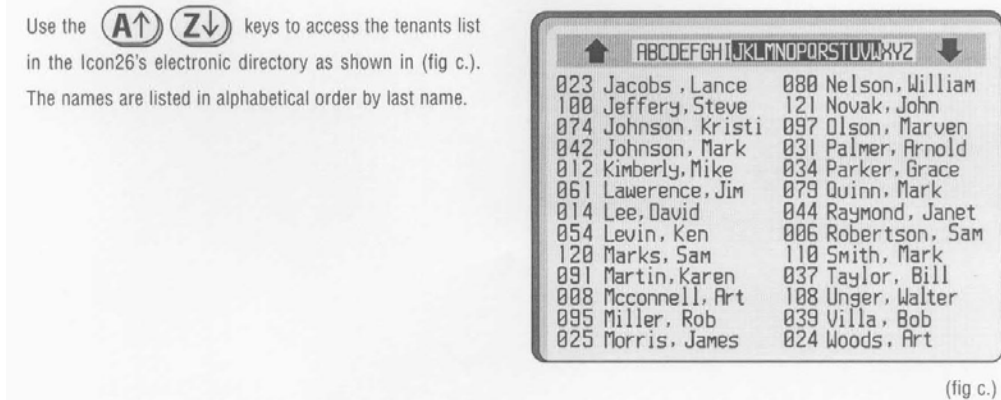
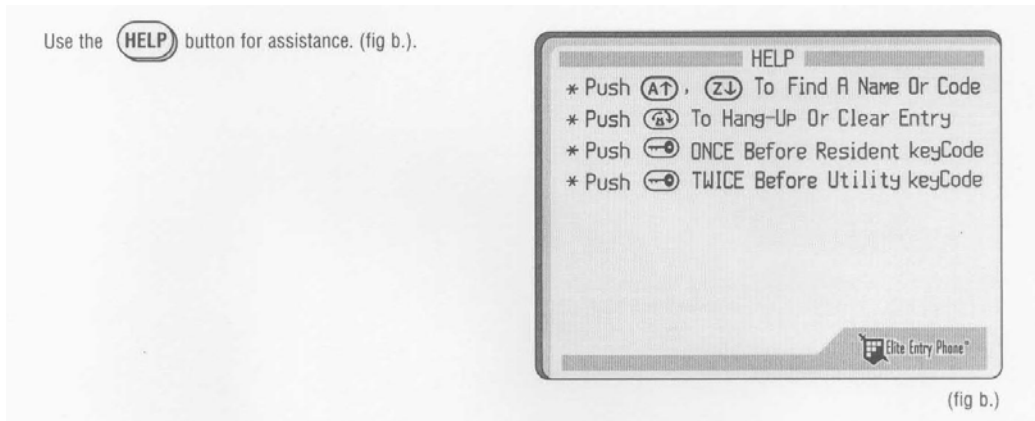
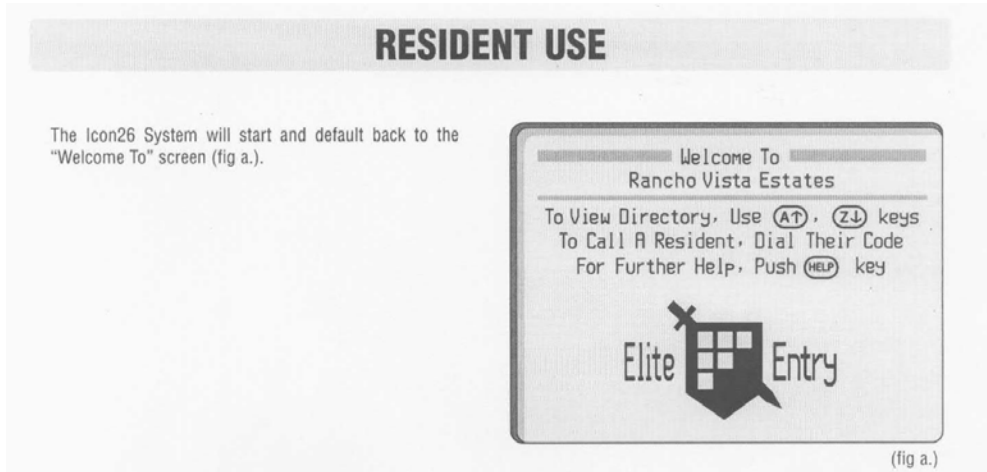
The gate entry and the lobby doors are controlled by the Elite Gate Access System, which is a telephone-based entry program. Each unit owner is given a three-digit code by the program, and a local phone number is assigned to that code. Because the systems are telephone-based, there are separate phone numbers assigned the gate entry and each of the lobby doors. For those owners who have a Caller ID service, these numbers will be shown on Caller ID when the systems call the unit. The Association does not allow long distance phone numbers to be used, due to the cost of maintaining a long-distance service on a business phone line. Any local number can be used as the contact phone – even a cellular number – as long as the area code begins with 772.

Upon arriving at any of the entry systems, whether gate or door, visitors should punch either the "A" or "Z" buttons to move to the name menu. Using the same buttons, users can scroll up or down the list to find the name of the owner they wish to contact; owner names are listed alphabetically by last name. Once found,

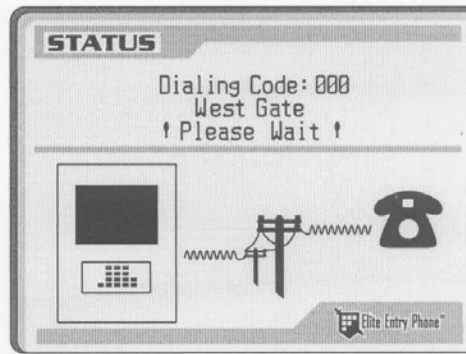
**OCEANA SOUTH CONDOMINIUM OWNER MANUAL**

then users should enter the 3-digit code to the left of the name. This will dial the phone number of the owner. Once an owner answers, s/he can speak to the visitor through the system. If an owner wishes to grant entry, "9" is pressed on the owners' telephone keypad.

The diagrams which follow are representative of the screens users will see at Oceana South.

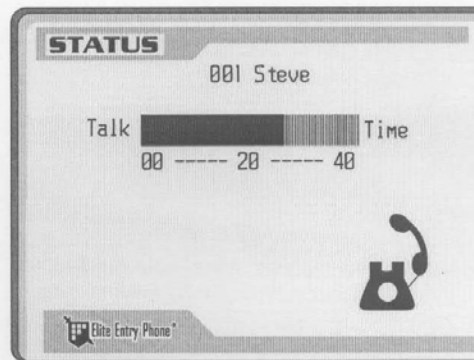


When the desired name is found, enter the corresponding 3-digit code. The system will dial the number assigned to the resident code entered. (fig d.)



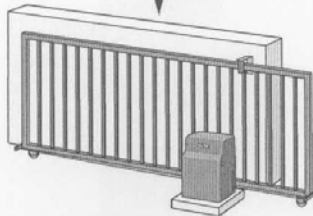
(fig d.)

After connecting, the screen will display the "talk time" screen as shown in (fig e.) If the resident wants to allow access to the visitor, they simply press (or dial) "9" for **vehicular gate** entrances, or for **door or pedestrian gate**.



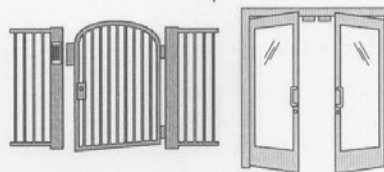
(fig e.)

By pressing or dialing the number "9" on their digital or rotary phone,



the resident will open the **vehicular entrance gate.**  
**Entry 1**

By pressing or dialing the number "9" on their digital or rotary phone,



the resident will open the **door or pedestrian gate.**  
**Entry 2**

### **Key Fob Auxiliary Entry System**

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As a convenience for owners and guests, the Elite System also has a pass-fob system that may be used for entry. Owners are provided a small, oval pass-fob which can be placed on a key chain or wrist strap.



At the entry gate and the door entries, there is a rectangular sensor in the lower right corner, as seen in the photo at left.

To enter, slowly wave the pass fob in front of the sensor. The system will chime once, and the entry will open.

 Pass fob sensor

### **Stairwell Access**

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Stairwells are located at the north and south ends of the building. The ground floor access doors are locked and should remain so AT ALL TIMES to prevent unauthorized access. The lobby door key will open these doors. While there are doors on the north stairwell, no doors were installed on the south stairwell at the time of construction.

### **Pedestrian Gate**

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There is a pedestrian gate located on the north side of the driveway entrance. The lobby door key will open this lock for those wishing to walk or bike the island.

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## **ELEVATORS**

The building is equipped with two elevators for owner/resident use. The south elevator is designed to be a service elevator in that it has a larger car with a heavier weight capacity and a higher rear ceiling area.

Elevator pads are kept on the service car through the week in order to protect the panels from delivery damage. All residents should notify the management in the event that a large delivery is scheduled, particularly on Saturdays. If a delivery is scheduled for Saturday, the manager, with notice, will instruct the maintenance staff to leave the pads in place. If this procedure is not followed and the elevator is damaged, the repairs will be charged to the unit owner responsible for the delivery.

Vendors and contractors found using the Resident elevator for removal of equipment and materials will be removed from the property by the St. Lucie County Sheriff's office.

The elevators are connected to an emergency power generator in the event of a power outage. Should the power be interrupted to the system, the car will come to a stop for approximately 45 seconds. Once the generator has come on line and power is transferred to the generator, both elevators will return to the ground floor regardless of where the car was going before the outage. The north elevator will return to the lobby, the

doors will open and the car will shut down. The south elevator will begin to function normally. Once the FPL power is restored to the system, the elevators will reset and begin normal operation.

Both elevators are connected to a 24-hour monitoring service, should the car become inoperable, with a passenger inside. A trapped passenger should follow the emergency instructions on the elevator control panel to contact emergency personnel. The monitoring company will call the manager and a board member as well as the St. Lucie County Sheriff's office to handle any emergency situation.

Both elevators are fully equipped with safety equipment to prevent each car from falling. Elevators are inspected each year by the State of Florida and are maintained in accordance with all Florida Statutes.

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## PARKING

There are NO assigned parking spots on the property. In the past, some owners have asked about the concept of assigned parking, particularly for handicapped parking slots. Since Oceana South is a condominium, assigned parking would require a legal change to the Association documents, as well as a deed change to each unit, since an assigned parking spot would have to be deeded as an appurtenance to the individual unit. Since there is no fair way to assign just the handicapped parking spots, then no spots shall be assigned to any unit owner.

All vehicles parked overnight are required to have a parking sticker visible in the front windshield. See the official rules and regulations for more information. In addition, all vehicles must be in operable condition at all times.

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## CAR RINSE & WASH STATION

Located on the northwest side of the parking lot are the car rinse and the car wash station. Being so near the ocean means that salt spray is attacking vehicles constantly, which leads to premature rusting of body panels, as well as premature wear on many other mechanical parts, especially brake rotors.

The car rinse is designed with an electronic eye to automatically turn on when an object is near. Dark color vehicles, especially black, sometimes are not recognized by the sensor. If this happens, just wave a hand in front of the control box on the left side. The system should turn on and the spray will begin. Once the spray has reached its full strength, slowly drive the vehicle through the spray. There are nozzles in the ground as well, which allow for the removal of salt spray on the undercarriage of the vehicle. All owners are reminded that the car rinse is not a wash. Please refrain from going through the rinse twice, or worse, backing up. The spray nozzles are not designed to remove all debris or spots from the vehicle.

For owners wishing to hand wash or to vacuum their vehicle, the car wash station is just at the far north of the parking lot. Two hoses on reels are provided, as well as clips for hanging floor mats. Also provided is a vacuum; lift the top of the bin housing the vacuum and the power switch is on top.



**UTILITIES**

**Waste Disposal**

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Waste chute doors are located at both the north and south ends of the building and are marked by signs. Please remember to read and follow the posted trash rules, especially the posted times for waste disposal. Please be respectful of your neighbors by NOT disposing of trash in the chutes during the night, as it is VERY loud. All trash must be bagged and closed, and NO construction debris of any kind should be disposed of in the trash chutes.

Oversized items too big to go in the waste chutes may be disposed of by placing them in the ground floor waste containers, located behind the first set of double doors on either end of the building. Waste room doors are not locked, but the doors should remain closed at all times.

Waste bins are collected two times per week in the summer and fall months, and three times per week during the remainder of the year. This schedule has proven to be a cost-effective one, and allows for a greater volume of waste during the time when most units are occupied.

**RECYCLABLE MATERIALS**

All recyclable materials may be disposed of by using the recycle bin located in the southwest corner of the property, near the tennis courts. St. Lucie County participates in a “single-source” recycling program, where ALL recyclable materials may be co-mingled in the same container. Paper, cardboard, printed catalogs and flyers as well as glass, plastic and metal, may all be placed in the container. Please be aware that plastic bags used to transport those items to the bins are NOT recyclable and those should be thrown away on your own.

**Water/Sewer Systems**

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Water and sewer service is provided to the property by the South Hutchinson Island (SHI) Wastewater Collection and Treatment Facility. This facility was constructed by assessments levied against all properties on South Hutchinson Island. Water and sewer fees paid by property owners pay for the operation and maintenance of the SHI facility. Oceana South quarterly assessment fees include a separate charge for the Recreation Center and go toward the common utilities. Normal wastewater discharge from daily activities such as showers, dishes, laundry and restroom use are not a maintenance problem for the SHI facility. Discarded items as discussed above also pose a problem for the treatment facility and lead to increased operations fees for everyone.

**Electric Service**

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Each homeowner is responsible for the electric service in their unit. As such, each unit does have its own electric meter and master circuit breaker. These are located on various floors throughout the building. New owners should contact Florida Power & Light to establish service for the unit. The Association encourages all owners to sign up for the FPL auto-debit program to ensure that service is not interrupted. Because the building is in a high-moisture environment, mold can bloom quickly with no functioning air conditioner.

Be aware that the unit owner is responsible for any and all wiring and electrical boxes that service each unit. This means that once the power supply line reaches the electric meter, the owner is responsible for all electrical system components supplying service to the individual unit.

In the event of a power outage, please do not call the office or a board member. You should call Florida Power & Light immediately to report the outage. Please call the number on your most recent billing statement.

Meters for the units can be found in the following storage areas:

Gen. Room	2 <sup>nd</sup> Floor	4 <sup>th</sup> Floor	6 <sup>th</sup> Floor	8 <sup>th</sup> Floor	9 <sup>th</sup> Floor	11 <sup>th</sup> Floor
Units G1-G7	Units 101-210	Units 301-410	Units 501-610	Units 701-810	Units 901-1010	Units 1101-1209

### Cable TV Service

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Bulk cable service is the Association’s responsibility, and the fees for expanded basic cable service are part of the quarterly maintenance fees. The Association’s contract with Comcast pays for one (1) expanded cable box, which does allow for reception of Comcast’s “On Demand” service for free and pay TV programs, as well as high definition (HD) broadcast service. However, each unit has its own individual account set up with Comcast, so that equipment is assigned to each unit. **Comcast equipment is the responsibility of the unit owner; lost, stolen or damaged equipment will be the financial responsibility of the unit owner.** New owners in units without a cable box must call Comcast to arrange for the installation of the box and to place the unit’s service in the new owner’s name. Additional boxes will be needed if other televisions in the unit wish to have expanded service, but **PLEASE NOTE: additional boxes will be billed to the unit owner, as with other premium services, if any.** Comcast also provides digital converters for any other TVs in the unit wishing to have basic cable service.

### PREMIUM SERVICE

If an individual unit owner wishes to have expanded service, i.e. HBO, Showtime, etc., high-definition service or phone/internet service through Comcast, the owner should contact Comcast directly to establish the service. Comcast will bill the owner separately for those services. When an owner calls to set up individual service, the owner should tell the customer service representative that the service is for a condominium. The CSR may ask for the Association’s bulk account number, which is 01643.

The Association is not responsible for individual unit service issues. If an owner has a problem with cable service, they should contact Comcast directly at (800) 266-2278. Please note: If an owner calls from an out-of-state phone (all non-772 area codes), the call will be routed to the Comcast call center for that phone’s area code. Owners should be aware of this and make sure to specify that they are calling about a Florida condominium service issue.

## OCEANA SOUTH CONDOMINIUM OWNER MANUAL

### Pest Control

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The Association does maintain a contract with a pest control service, and **all units** are serviced bi-monthly. Owners are asked to recognize that pest control is not pest elimination. Insects will be seen from time to time in units, especially during the summer months and at the beginning and end of each season as residents come and go. If a unit is experiencing a problem with pests and it is not the month for that unit to be serviced, let the Association Manager know and the unit will be added to that month's treatment.

Since Florida is such a temperate climate, bugs of all sorts find the area a terrific place to live. Of most trouble to the building are ants and palmetto bugs.

While the southern states have a fire ant problem, they are generally not found in the building itself. There is a regular fire ant control schedule for the grounds, but it is best to pay attention if you are walking on any of the grass areas. Occasionally, an owner will report a fire ant infestation, and it is usually traced back to a potted plant recently purchased. Owners should check carefully any ornamental indoor or outdoor houseplants for insects before purchase.

Small ants are always a nuisance and the building sees these frequently. The small, white-footed, "Ghost" ant and the Caribbean Crazy Ant are the two species that give the most trouble. Both of these ants are considered "invasive" species, as they are not native to Florida and there are no natural predators to keep them in check. Because of their unique nesting habits, these two species are nearly impossible to eliminate, must less control, as commonly used pesticides are ineffective at eradicating the colony. Pest control experts have advised the use of "Terro" ant baits in units that are experiencing an ant infestation; these seem to be the best on the market for the control of ants. Terro ant baits can be purchased at most hardware stores.

Palmetto bugs are easily the most hated pest in Florida, as they are simply large cockroaches. According to the University of Florida Agricultural Extension, 2007 and 2008 brought killing frosts which destroyed not only vegetation, but also many birds, lizards, snakes, and spiders – all the natural predators of the palmetto bugs. Concurrently, South Florida experienced severe drought conditions. This caused the palmetto bug population to explode and to drive them to areas with plentiful water – those parcels of land with irrigation lines. While it has been a struggle, the program to control these unsightly pests is one of prevention and control.

Prevention means paying careful attention to any items purchased locally, particularly any items purchased from yard sales and plant nurseries. These kinds of items are notorious for harboring palmetto bugs and should be carefully inspected. In addition, typical standards of cleanliness should be observed in the units: clean food and beverage spills immediately (particularly grease); always store food in glass jars and sealed plastic containers; put all garbage and recyclables in a tightly sealed containers; fix leaky plumbing and increase ventilation in areas where there might be condensation; vacuum all cracks and crevices so they are free of food and other debris that palmetto bugs may find attractive. Most important, all openings around drains and pipes under sinks and in cabinets should be sealed with foam sealant or by using plain steel wool.

Control of palmetto bugs is through the use of home-safe pesticides inside the units and by the use of bait products around the perimeter of the building. The pest control company heavily baits around the building in order to prevent their live entry. The company then uses a borax-based product inside the units This product dries clear with no odor and has a working life of 70-90 days. Borax pest control products are generally safe for animals, but animals should be kept from treated areas for several hours until the product dries thoroughly.

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## TELEPHONE & INTERNET

Telephone service is now provided by both AT&T and Comcast. Owners should take note that the manager has no involvement or control over the phone system, and there are key differences between Comcast internet-based phone service and the traditional AT&T wired system.

In units with AT&T service, any old fashioned corded phone will still work, even if the electric service in the unit goes out. Comcast phone service depends on electricity AND both phone and cable lines to provide telephone service. Thus, during a storm, if cable service is disrupted, then Comcast telephone service will be out as well.

**REPAIRS** – There is NO access to the telephone wiring panel after business hours (4:00 p.m.) or on weekends. Residents should make sure that repair technicians come Monday – Friday from 7:00 a.m. to 4:00 p.m.

Internet service is not provided in individual units. Those owners who wish to have internet service in their unit may contact either AT&T or Comcast for information on individual internet access service and plans.

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## LANDSCAPING & IRRIGATION SYSTEM

The grounds of the building are among its most attractive features and many owners take pride in and volunteer for maintenance of the grounds. The Association does maintain a service contract with a landscaping firm for the weekly or bi-monthly trimming of the grass, trees and shrubs, but some more individual attention from owners is always welcome. However, owners are requested to check with the manager, who coordinates the landscaping program, before doing any work themselves.

Of particular note is that Florida's Treasure Coast can be a difficult environment for even the hardiest tropical plants, and because of the building's location on the ocean, many plants cannot tolerate the harsh wind and salt environment on South Ocean Drive. While it would be wonderful to grow the beautiful spring flowers from the north, the reality is that they just won't survive in this climate. Thus, the plants in the landscape have been chosen carefully and with a reasonable expectation that they will survive and thrive.

Owners should also note that the irrigation system is a green one, in that the water used for irrigation purposes is reclaimed water from the South Hutchinson Island Water Management facility. Irrigation water is excess storm water runoff, and so-called "grey" water from the island. Because irrigation water is dependent on weather and on the resident population, there are times when no irrigation water is available. During the traditional season, however, irrigation water is usually available on a daily basis, and the sprinkler system is set to run from the early morning hours and generally shuts off before 7:00 a.m. each day. Owners and guests should note that cars will get wet from the sprinkler system.

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## DUNE & SHORE

It seems obvious, but owners choose to live on the ocean because of its proximity to the surf and the beach. However, it is important for owners to understand that the State of Florida takes its stewardship of its greatest resource very seriously and severely limits and/or curtails the activity that the Association may bring to the shore area.

## **OCEANA SOUTH CONDOMINIUM OWNER MANUAL**

### **Dune Landscaping**

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The Association has the responsibility to maintain the landscaping on the dune, and, in fact, owns the dune to the “mean high water mark” of the ocean. Because of regulations protecting dune and shore wildlife, the shrubs along the dune area east of the building are protected and can only be trimmed during certain times of the year, and only to limited heights. Even though the Association owns the land, any trimming or landscaping work **MUST** be approved by the Florida Fish and Wildlife Commission, the St. Lucie County Department of Environmental Protection AND the State of Florida Department of Environmental Protection (DEP). Fines for violating these policies are steep and the DEP has the power to impose punitive damages as well. Trimming the dune shrubs is very expensive, so typically, the Association trims the dune vegetation once a year, generally at the end of August or early September, and only down to the pre-approved height of 8 feet, as measured from the ground level up on each bush. This schedule allows for the seagrapes to be trimmed at the end of the growing season, giving the shrubs the ability to weather the cold shock if one comes.

### **SEA TURTLE PROTECTION**

Because this section of Florida is home to the nesting grounds of many endangered sea turtle species, the DEP imposes restrictions on the amount of light that can be emitted from the oceanfront condominiums. No permanently-affixed exterior lighting is allowed on ANY balcony. If an owner does put up a light fixture, spotters from the St. Lucie County Office of Code Compliance will cite the Association. Any and all fees incurred from a citation of this sort will be passed on to the individual owner.

Sea turtle nesting season runs from March 1<sup>st</sup> to November 15<sup>th</sup> each year and owners are cautioned to avoid any staked and marked areas on the beach during this time, as these are identified sea turtle nests. Because these are endangered and protected species, owners should realize that tampering with a nest is considered a felony. The Florida DEP and the Florida Fish and Wildlife Service DO prosecute.

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### **LOBBY & SOCIAL ROOM**

The entrance lobby and social room are considered everyone’s living room. After the initial impression of the outside grounds, the lobby area is first impression of the living accommodations at Oceana South. Because of this, the Association asks all owners to treat the lobby area with care. Owners should educate their guests on the rules of the Association, particularly the rules covering no wet bathing suits, the wearing of cover-ups and shoes in the lobby at all times.

The Social Room is used for nearly all the Social Committee-sponsored activities that take place throughout the year. The Social Committee posts a list of the planned activities at the beginning of each season, usually in November.

### **Party/Event Reservation**

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The Social Room can be reserved for private parties by any resident of the building. However, Social Committee functions take precedence over any other request, and the Social Room may not be reserved for any major holiday. Residents wishing to reserve the room should contact the Association Manager for a reservation form and instructions.

## Patio Barbeque Grill

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Just outside the Social Room is the patio and BBQ area. The BBQ is available to any resident for use at any time the Social Room is not being used for a function. Residents should pay close attention to the posted rules for use of the grill and be sure to clean and cover it when not in use.

## Internet Access

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Non-secure internet access is available for free in the lobby and social room. Computer users should set their wireless access to search for an available signal and the system should connect automatically. There is no password or log on information required. As this is not a secure internet connection, any and all information transmitted through this connection may be available to other users. Those using the system should use caution when entering sensitive personal or financial information. This service is provided as a courtesy for residents and guests, and there is no computer help available through the management office for those experiencing connection difficulties.

## SAFETY PROCEDURES

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### 911 EMERGENCY SYSTEM

When dialing 911 in the event of an emergency, owners will be connected to the St. Lucie County Sheriff's Office. 911 should be contacted if any owner is party to, of or witnesses an emergency situation. The county emergency management will direct a safety officer to the building. Due to cooperation between St. Lucie and Martin counties, an officer from either, or both, jurisdictions may respond. 911 emergency management officers are provided with an emergency entrance code to the gate and the lobby entrance doors, in the instance where the caller may not be able to allow access.

Owners and guests visiting the property and using a cellular phone with a different area code than 772 will be automatically connected to LOCAL emergency officials. The cellular systems are designed to connect to the nearest 911 system regardless of what the phone's listed area code number may be.

Confusion exists about where the building is located, due to the mailing address being Jensen Beach, FL. Jensen Beach is technically in Martin County, but Oceana South is part of St. Lucie County; the U.S. Postal Service classifies Oceana South as Jensen Beach for delivery zone purposes only. However, because of the proximity of Martin County and inter-agency cooperation, often the Martin County Sheriff's office will respond to situations in St. Lucie County if needed.

### FIRE SAFETY & EMERGENCY NOTIFICATIONS

Fire safety is one of the most important issues at any high-rise condominium. Each owner, tenant or guest should be familiar with the safety equipment in the building and the procedures for notification and

## ***OCEANA SOUTH CONDOMINIUM OWNER MANUAL***

evacuation in the event of a fire. The following points are designed to help everyone understand the safety systems in the building:

- Each unit should have a functioning smoke detector and fire extinguisher.
- Smoke alarms in the individual units are not connected to the building's fire alarm system. Should the smoke alarm in any unit activate, 911 will not be alerted automatically.
- Smoke alarms in every unit are the responsibility of the unit owner and should be tested twice a year, once in the spring and once in the fall. Use the changes in daylight savings time as a reminder to check the smoke alarm and replace any batteries. Smoke alarms should be replaced once every 10 years, as the materials used to detect smoke in the air degrade over time.
- Open flame cooking on any balcony or terrace is not permitted by order of the St. Lucie County Fire Department. "Open Flame" means any LP, propane, kerosene, or other liquid, gas or solid combustible fuel source, including but not limited to any charcoal briquettes. Electric grills are permitted on enclosed balconies. Open flame cooking is allowed on ground-floor patios ONLY, but cooking appliances MUST be kept at least 10 feet from the building AT ALL TIMES.
- If there is a fire in a unit:
  - Contain the fire by turning off all air conditioning and fans.
  - Keep all doors and windows closed.
  - Get out immediately and close the unit door.
  - Activate the fire alarm system by using a pull box at either end of the building.
  - 911 should also be contacted as a precaution.
- If the fire is outside the unit:
  - EVACUATE IMMEDIATELY if you hear the fire alarm or receive instructions.
  - Before opening any door, feel the doorknob. If cool, open slowly, exit the unit and close the door.
  - Head for the nearest exit stairwell.
  - If there is smoke, drop to the floor level and crawl low under the smoke.
  - NEVER use the elevators during a fire.
  - If blocked in a unit, turn off all air conditioning and fans, seal doors and windows with wet towels.
  - Signal at windows for rescue.
- Be aware of your surroundings. Plan and discuss with all residents and guests of the unit the escape routes available: 1. Unit door; 2. Western exposure windows; 3. Eastern exposure sliding doors. If the first two routes are blocked by fire or intense smoke, go to the balconies on the EAST side. Try not to panic and do not jump. Remain on the balcony and tie a LIGHT colored sheet to the railing to focus fire fighters' attention. WAIT to be rescued.
- Inform the Association Manager if there is a person or persons needing special assistance or if there are children in the unit. This information will be relayed to the St. Lucie County Fire Department for use during any evacuation.
- Keep a flashlight near each bed. With an electrical power outage and/or a smoke situation, visibility becomes extremely poor, especially at night. Even during the daylight, visibility during a serious fire is almost non-existent.
- Be aware of the condominium fire alarm system. Each unit is equipped with a speaker that will be used to transmit a verbal announcement. When the building fire alarm is activated. A red fire alarm pull box, which is used to activate the alarm system is located at each end of the entrance walkways.

In the event of a fire, pull down on the alarm switch as indicated. The fire alarm system is monitored by an alarm company, who will notify the fire department in the event of an alarm. However, 911 should also be called as an extra precaution.

- There are fire hose cabinets located on each floor; each cabinet is located halfway between the elevator and the emergency exit stairwells. Each cabinet contains a fire hose and a fire extinguisher. Do not use the fire hose unless you know how it operates. Should you choose to use the fire hose, be aware that this is a high pressure system and may be difficult to handle, especially combined with the smoke and heat from a fire.

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## ACCESS CONTROL & SAFETY

As previously outlined, there are several access control systems at Oceana South. While these do an excellent job at controlling access to the building and grounds, each owner bears some responsibility for their own safety and well-being. The following are some tips for increasing safety in and around the building:

- Be aware when leaving the unit and pay attention to individuals or groups on the entrance walkways.
- Close and lock all windows and doors to the unit. These same precautions should be taken before retiring for the evening.
- Open lobby or stairway doors only to people you KNOW.
- Keep stairway entrance doors closed and locked at all times. **DO NOT BLOCK OPEN THE DOOR.** This is a fire code violation and a security threat for all owners and residents.
- Verify that you KNOW someone before using the phone to grant access to the grounds or the building.
- Report suspicious individuals and/or activities to the Association Manager, a Board member, and/or the St. Lucie County Sheriff's office. If an incident takes place after business hours, call 911.
- If you observe an illegally parked vehicle, notify the Association Manager or a Board member.
- Do not attempt to approach a suspicious person.
- Be alert to the surrounding conditions. Always check the inside of a car before entering, when exiting or entering the building or when using any recreational facilities.
- Inform the Association Manager if the unit will be empty for more than a few weeks. Make arrangements to have the unit checked on periodically and follow the Association rules for closing the unit.

### Emergency Unit Access

As discussed elsewhere in the manual, a condominium Board and its management has the responsibility of maintaining the property and preventing damage whenever possible. The State of Florida, through the Condominium Act, gives broad discretion to Boards in terms of entrance to units. Our documents specifically provide that the Board and its agents may have access to units for emergency purposes and to maintain the safety and security of the building. In the event of an emergency, Board members, the manager or the staff may enter a unit without advance notice to prevent loss of life or damage to the unit or building. The manager keeps two keys to each unit; one is kept in a secure key box and the other is kept in the locked unit owner file as a spare. All keys are required to be signed in and out and owners must give written approval to the manager if keys are to be given out to contractors or service personnel.



### UNIT CLOSING

When leaving the unit for an extended period, the Association asks that owners prepare the unit before departure. These policies are designed to protect not only the owner's property, but the adjacent units and Association property as well. Failure to follow these procedures could mean a denial of the owner's insurance coverage if there is an insurable event, i.e. fire or flood, in the closed unit.

- Notify the office when you leave for more than forty-eight (48) hours and leave the Association Office your forwarding address and emergency contact information.
- Notify the Association Office of the name of the person/company authorized to enter and/or check your apartment in your absence. It is not the responsibility of the Association to monitor your Unit. You must designate an attendant and provide them with a key and gate remote (if necessary) to allow access to the building and your Unit. Please provide a list of any person or company authorized to service your air conditioner, water heater, plumbing, windows, shutters, etc.
- Shut off main water supply valve, located near the hot water tank. **THIS IS EXTREMELY IMPORTANT.** Leaving the water on in an empty unit can mean an expensive disaster if there is a water leak that goes unnoticed for even a short period of time.
- Turn off all electric breakers, except for AC. The summer months can bring severe thunderstorms and electric outages, which may damage sensitive electronics if there is an electrical surge.
- The Association recommends that owners turn off refrigerator, and leave door open. At the very least, the refrigerator should be cleaned of any perishable food – in the event of an extended electrical outage, if the Association is required to enter your Unit and dispose of spoiled food items, a **\$100.00 Cleaning Fee will be charged.**
- To allow air to circulate and lessen mold and mildew, open kitchen cabinet doors and drawers, bedroom doors, closet doors and dresser drawers.
- Set thermostat at 80 and if you have a humidistat, set at 65.
- If you use a dehumidifier, place in sink or tub.
- Move patio/balcony furniture inside your apartment and latch/lock the sliders. Close and pin storm shutters and make sure they are in good working order; it is the responsibility of the owner/tenant/designated attendant to close the shutters if the Unit is unoccupied for more than 48 hours. If the Association is required to enter and close the shutters, a **\$250.00 Service Fee will be charged per event. *Hurricane shutter rollers, pins, latches and locks should be lubricated EVERY SIX MONTHS. If you have trouble closing, opening or locking your shutters please have them serviced by a licensed shutter contractor.***

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### HURRICANE PROCEDURES

Hurricanes are an unfortunate fact of life for all Floridians, and the hurricane season in Florida runs from June 1 to November 30 each year – exactly when most seasonal residents are not here. If the hurricanes of 2004 taught residents anything, it is that a hurricane WILL hit the Treasure Coast again. After the 2004 season, a coalition of the Board of Directors, residents, management and maintenance staff created an emergency response program (ERP) to be implemented in the event of a major storm. The program is designed to

prepare the building prior to any storm in an attempt to lessen potential storm damage and reduce insurance costs.

As a storm approaches, the Board and management will closely monitor the projected path. If the National Weather Service predicts a local landfall and resulting storm surge, the Board will call for the ERP to be enacted 2-3 days prior to landfall. This will entail the following:

- Prepare and move lobby, social room and office furniture to storage off the island.
- Prepare and move office records and electronic equipment to storage in upper floors.
- Notify all residents of evacuation plans and procedures.
- Secure all out buildings and remove all items that may become airborne.
- Perform a visual check of unit storm shutters to ensure they are closed.
- Arrange calling tree for after the storm, and prepare to re-mobilize upon the re-entry approval.
- Pre-arrange for debris removal services, insurance claims, and safety checks.

Owners should follow the “Seasonal Departure and Hurricane Evacuation Checklist” available in the Association Office. These procedures should be followed each time the unit is unoccupied for the season or for any period exceeding 48 hours. **It is essential that owners follow the steps in the checklist to minimize the damage to the building.** Please post the checklist in a conspicuous location in the unit and refer to it when closing the unit for the season, when renters leave or if there is a hurricane warning.

As per Association policy, owners should arrange with an outside caretaker, agent or friend who is a full-time resident to check and secure the unit in the event of a storm warning. As a reminder, the Association is not responsible for securing owner units. EACH OWNER must provide an outside caretaker or agent to be responsible for securing the unit in the event of a storm. **Once the National Weather Service has issued a hurricane warning for the Stuart/Jensen Beach area, ALL units in the building MUST be secured. If the Association must enter a unit to remove items from the balcony and to close and secure the storm shutters, the Association will not be held responsible for any damage to the unit or personal property resulting from its entry AND a \$250.00 service charge will be levied against the unit owner. After a storm, if the Association must enter to remove spoiled food items from the refrigerator/freezer, a \$100.00 cleaning service charge will be levied against the unit owner.**

Following a storm, management may enter unoccupied apartments to investigate and assess any damage to the common areas. Please do not call the Office or full-time residents to empty your refrigerator/freezer, clean up water and storm damage or make repairs after a storm has passed. Residents will be busy tending to their own units and the management will be busy with clean up and repair of the common areas.

Owners who intend to return to the island immediately after a storm, must have identification that shows they are an island resident. As of this writing, both St. Lucie County and Martin County are requiring residents to show a utility bill with a Hutchinson Island address as proof of residency. While emergency access cards are available from any fire station on the island, law enforcement agencies will still require a secondary proof of residency. Owners who may want to return to the island after a storm should take all the necessary documents with you when you depart.

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Once an evacuation order is given for the island, ALL residents should follow the instructions of St. Lucie County and evacuate as soon as possible. If a resident chooses to stay and ride out the storm, there are a number of points to be considered:

- Monitor local news for latest storm advisories.
- Learn the evacuation routes inland.
- Learn locations or official shelters.
- Review needs and working condition of emergency equipment such as flashlights, battery powered radios, etc. Candles should not be used, and propane or gas lanterns, charcoal or gas grills, or portable generators are STRICTLY FORBIDDEN due to the fire hazard.
- Stock non-perishable food and water supplies for at least two (2) weeks.
- Contact the local Red Cross or emergency management office for information or assistance.
- Make prior arrangements for pets, as shelter space for pets is limited as are pet-friendly hotel rooms.
- Be aware that if the “eye” of the hurricane passes over the building, the weather conditions are temporary and that the storm conditions will return with winds from the opposite direction, sometimes in a matter of minutes.
- Once the building has been secured by the staff prior to a storm, the elevators will be shut down and locked in place on the 12<sup>th</sup> floor. There will be NO elevator service until the building power is restored and the elevators have been inspected and cleared for service by the elevator inspectors. This may be DAYS after the storm, depending on conditions.
- Once the building power goes out, there will be no electrical service to ANY individual unit.
- The building’s emergency standby generator will be shut down until AFTER the storm, in order to prevent possible damage to the generator from a storm surge. This means that no walkway lighting, stairwell lighting or other emergency system will operate.
- Once the building loses power, there will be NO running water service. Owners should fill the bathtub and any available storage container for the use of sanitary facilities.

There is a committee of the island condominiums working closely with the local and state agencies to ensure the most complete instructions and information will be communicated.

## **OCEANA SOUTH RECREATION ASSOCIATION**

For owners in Oceana South Condominium, the Oceana South Association, Inc. is not to be confused with The Oceana South Condominium Association, Inc. The two associations are completely different, and, upon purchase of a unit in either Oceana South or in Island Crest each owner automatically becomes a member of the Oceana South Association. The OSA is also known as the Recreation Center Association, and its primary responsibility is for the maintenance and protection of the property and assets of the recreation center facilities.

Owners should also note that membership in the OSA is slightly different than in the Condominium Association. The OSA is not a condominium association, but rather a property owner’s association, or POA.

In a Condominium Association, or COA, each member owns a percentage amount of the common property. That percentage is used to calculate the regular and special assessments charged to the owner. Thus, in a COA, the amounts charged vary according to unit size.

In a POA, each member owns an equal share of the common property, as no one owner owns more than another. Thus, regular and special assessments are divided equally among the entire 252 members – 126 from each Island Crest and Oceana South.

The Board welcomes you to your recreation area and invites you to assist them in maintaining these facilities. In order to accomplish this, the Board has adopted a set of rules that owners are expected to abide by. Please remember that these rules have been adopted for owners, tenants and guests for the mutual benefit of all.

These rules and regulations apply to the Oceana South Association, Inc. and do not supersede any rule or regulation adopted by the Island Crest Condominium Association or Oceana South Condominium Association. In the event you require clarification of these rules please contact the Recreation Association Manager or one of the Recreation Association Board of Directors.

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## CLUBHOUSE

1. Hours of operation are from 7:00 A.M. to 10:00 P.M. daily.
2. Objectionable behavior is not acceptable under any circumstance.
3. Upstairs recreation room reserved for adults only, (18 years or older). Children under 18 must be accompanied by an adult.
4. Exercise room is for adults 18 years and older. Children under 18 must be accompanied by an adult.
5. When using exercise equipment please remove oils from skin and use a towel to cover equipment. Please use the spray provided to wash and wipe equipment after each use. Equipment cannot be “reserved” with towels or clothing. Use is on a first come first serve basis. Please limit your time on the machines if others are waiting.
6. No one is allowed in the building with wet bathing suits. Before entering please check feet for sand or tar. Bare feet are not allowed. Pets are not allowed.
7. The common reception/banquet room is for the use of owners and their guests. This room may be reserved for private parties. When reserved by an owner or resident, they will affirm that at least 50% of their guests will be family or residents of the two condominium buildings. The room is not available for outside parties where more than 50% of the guests are not residents. Forms are available for private party use and instructions for reserving the room are available from the recreation manager. If anyone needs cold food storage see the manager for access to the refrigerator. Barbeque grills will be made available when requested. Rules for private party use are spelled out in the private party reservation form.

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## RECREATION BUILDING ELECTRONIC ACCESS

Entry to the recreation building is now by electronic access. Each member is given two (2) numbered key fobs which when swiped near the readers by each door, provide access. Members may purchase an additional two fobs should they desire. The use of the fob system allows us to know who has entered the building and what time the building was entered. The member assigned the fobs is responsible for their proper use, and for their security. If a fob is lost, please notify our manager immediately so that the lost fob can be rendered inoperable. This will prevent entry by unauthorized persons. Members will be responsible for replacing lost fobs at the prevailing price.

## OCEANA SOUTH CONDOMINIUM OWNER MANUAL

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### SWIMMING POOLS & SPA

1. The pools and spa will be open between 7:00 A.M. and 10:00 P.M.
2. Children in diapers are not allowed in pools. Children not toilet trained must wear disposable swim pants. All persons must shower before entering the pool. All body oils, sand and tar should be removed.
3. Towels or other objects do not reserve lounge chairs. If there are not enough chairs and a towel is reserving a chair for someone not in the pool area it may be removed to allow someone else use of the chair.
4. No furniture is to be removed from the pool area.
5. There is no lifeguard on duty. Swim at your own risk. No diving or cannonball jumping is allowed. Children under 12 should be supervised and in the company of adults at all times.
6. Proper bathing attire is expected at all times.
7. Persons with health problems are advised not to use the spa.
8. ABSOLUTELY NO GLASS beverage containers are allowed around the pool. Use break-proof containers.
9. Floatation devices allowed in pool include foam noodles, children's arm bands and bubbles, children's small soft tubes and life vests only.
10. Cigarettes should be extinguished and placed in sand filled receptacles. Trash should be placed in rubbish containers.
11. No pets are permitted in pool area.

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### TENNIS COURTS

1. Proper tennis attire is required including regulation shoes. Tops are mandatory.
2. Players will limit their games when others are waiting to play.
3. Small children are not permitted in court area when adults are playing.
4. Skate boards, bicycles, etc. are prohibited on the tennis courts.

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### BARBEQUE AREA

Persons using barbeque and picnic tables must leave the area neat and orderly. Use receptacles for waste. Barbeque grills must be cleaned after each use.

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### OCEAN, BEACH & SAND DUNE

1. Place sandals, towels, etc. in the rack provided.
2. Beach users must wash off all sand before leaving dune-walk.
3. Check feet and footwear for tar and remove all tar at the tar station before returning to the common areas.
4. **The dune is a protective barrier between our facilities and the ocean. It is strictly forbidden by the Florida Department of Environmental Protection to walk on or over the sand dune. Please respect this area and do not walk on, dig in or climb on or over the dune**