

400 BEACH ROAD  
OWNER'S  
RULES  
AND  
REGULATIONS



**john's island**  
Property Owners  
ASSOCIATION

# TO ALL CONDOMINIUM RESIDENTS

We come to John's Island to find quiet environs in a beautiful setting with compatible friends and neighbors. These qualities are highly fragile, particularly in the close quarters of condominium living. We can preserve them only by meticulous concern for the feelings and rights of others.

Therefore, the following Rules and Regulations have been approved by the Board of Directors to preserve our quality of life as Owners, guests and tenants who share our building and common facilities. We ask you to honor our Rules in this spirit.

These Rules comply with the provisions of the Articles of Incorporation and the Amended Declaration of Condominium of the Association and the provisions of Florida law relating to condominiums. The Board welcomes you to 400 Beach Road, the "Island House". It is important to note that all Owners, guests and tenants must comply with these Rules and Regulations as well as the rules set forth by John's Island Property Owners Association and John's Island Club. AN IMPORTANT NOTE: only John's Island Club members, the Club's approved guests and the approved guests of members are eligible to use the John's Island Club facilities, including, but not limited to, the Beach Club building and pool area, restaurants, beach facilities, tennis courts, golf courses and fitness center.

The Board of Directors has the authority and discretion to make exceptions to the limitations in these Rules and Regulations in individual cases and to impose conditions concerning those exceptions.

Board of Directors  
400 Beach Road Condominium Association

## NOTE:

For communication, or in case of a problem or need for further information, call Elliott Merrill Community Management, the community management company responsible for the Island House (the "Community Manager"), at 772-569-9853, or call John's Island Security at 772-231-2220.

**OWNERS ARE RESPONSIBLE FOR THE ACTIONS OF, AND DAMAGE CAUSED BY, ANYONE STAYING IN THEIR UNIT.**

## GENERAL

### 1. NOTIFICATION OF ARRIVALS AND DEPARTURES

For public safety reasons and in the event of medical emergencies, it is imperative that Elliott Merrill is aware of the arrival and departure of all Owners, guests and tenants. Please notify them at the number above or by email at [wendyc@elliottmerrill.com](mailto:wendyc@elliottmerrill.com) to let them know you have arrived at the Island House and when you will be departing.

### 2. KEYS TO UNITS

For emergency reasons, each Owner must furnish the Association, through Elliott Merrill, with a key to the Owner's Unit. This is mandated by Florida law, and it permits ready access to the Unit in the case of an emergency.

### 3. LEASING/RENTALS/GUESTS

The following rules shall apply to all leasing or rental activity at the Island House:

- If an Owner is leasing or renting a Unit at the Island House through a leasing or rental manager or agent, that manager or agent must be properly licensed by the Florida Real Estate Commission in accordance with its requirements.
- A Unit may not be leased or rented for a period of less than three (3) consecutive nights. If an exception is sought by or on behalf of an Owner, it must be submitted in writing to the President of the Association, or her or his designee, who will determine in that instance if a shorter period is appropriate.
- Each Unit is to be occupied by a maximum of two adults, although up to four persons will be permitted if, in the case of three persons, they are comprised of one parent and two children or two parents and one child, and, in the case of four persons, they are comprised of two adults and two minors.
- Owners, or their agents if applicable, must ensure that their tenants and guests have been provided with a copy of the General Rules applicable to tenants and guests prior to the arrival of tenants and guests and by having it prominently available in the Unit being occupied.
- Owners, or their managers or agents if applicable, shall provide the name, address, cell phone number of a tenant or guest and additional information by completing the Tenant Information form attached hereto as Exhibit 1 (blank copies of which are available through Elliott Merrill) to the Security Office at least three (3) days before the arrival of a tenant or guest. No tenant or guest will be allowed through the gate if the Security guard does not have the information set forth above, and ONLY the guard at the Security gate may

give the key to the Unit to the tenant or guest. Under no circumstances shall a key be mailed to a tenant or guest. The key shall be returned to the Security gate when the Unit is vacated.

- Owners, or their managers or agents if applicable, must include in their Lease or Rental Agreement a provision stating that the Applicant has read, understands and will abide by all of the Association's General Rules applicable to tenants and guests.
- Appropriate disciplinary action, including fines and eviction, may be taken by the Board of Directors, its representative, or John's Island Security against those Owners, tenants and guests who are in violation of any of the published Rules and Regulations or the General Rules of the Association. The cost for the repair or replacement of any damage to common elements or limited common elements caused by a tenant will be charged against the Owner who rented the Unit to the tenant causing such damage after appropriate notice of the cost of repair or replacement for such damage has been provided to the Owner.
- Owners must make their tenants and guests aware, either directly or through their leasing or rental agent, that their tenants or guests are not permitted to use any of the Club facilities, unless they have been approved to use the facilities by the Club staff after being sponsored and vetted as provided by Club requirements. Any tenant or guest who violates this Rule may be evicted.
- Owners who are renting their Units should ensure that their Units are safe, clean and in good working order, provide first-class amenities such as soaps, shampoos and hand lotion for use by tenants, and provide comfortable bedding and furnishings to add to the overall experience of their tenants.

#### 4. MOVING AND DELIVERIES

An Owner who is moving into (after purchasing) or out (after selling) of a condominium Unit and the delivery of large items may take place on Monday through Friday from 8am until 5pm, except on legal holidays when neither is permitted. To prevent damage to the elevator, arrangements must be made for deliveries and movers with Elliott Merrill so that appropriate padding can be used and so that the maintenance supervisor may inspect the elevator before and after use. Large deliveries are permitted only through the loading dock.

#### 5. PETS

Guests and tenants are not permitted to bring pets onto the property. Owners must apply annually to the Association for approval to bring their pet onto the property.

A pet must be kept within the confines of an Owner's Unit except when being walked. No pets are permitted in the pool area, leashed or unleashed. Every effort

shall be made to prevent dogs from barking. Dogs must be under leash at all times. Messes made by pets must be removed by Owners immediately. The Board of Directors and the Community Manager are authorized to have offending pets removed from the property. Animals are not permitted in the Pool/Spa and Deck areas.

## 6. COMMON ELEMENTS

All common elements (property in which all Owners enjoy an undivided interest) inside and outside the Island House will be used for their designated purposes only, and nothing belonging to Owners, their families, tenants or guests shall be kept therein or thereon without the approval of the Directors. Such areas shall at all times be kept free of obstruction. Owners are financially responsible to the Association for damage to the common elements caused by themselves, their tenants, guests or family members.

## 7. REPAIRS, CONSTRUCTION AND RENOVATION

Work may be performed Mondays through Fridays between 8am and 4pm. No work is permitted on Saturdays, Sundays or holidays.

Heavy construction or renovation work of any kind may only take place in off-season between May 1 and October 15. Contractors are required to clean the common and limited common areas during the day and give those areas a final cleaning prior to leaving at the end of the day. Use of the Island House and John's Island dumpsters by contractors is prohibited.

Walkways and stairwells must be kept clear and clean at all times and never be used as work areas. Owners are responsible for the conduct of their contractors and workers. If the Community Manager's employees have to clean common or limited common property due to work done by an Owner's contractor/workers, the Owner will be billed at a charge of \$50 per hour.

## 8. GROUNDS

Discarding or throwing papers, containers, bottles or trash of any kind, anywhere on the premises, including the swimming pool area, the sun decks leading to the beach or on the beach is strictly forbidden.

Roller-skating, skateboarding, ball playing, volleyball, tennis, badminton, etc. and riding of bicycles on Island House property are prohibited, except for bikers leaving or entering the property.

## 9. SWIMMING POOL AND SUN DECK AREAS

The swimming pool rules are clearly posted at the pool and in the attached separate brochure. The rules are sanctioned by the State of Florida and our insurance carrier, and they apply to everyone.

All sand and dirt must be completely removed before entering the pool area, the pool itself, or the Building. This should be done at the showers available as you leave the beach deck or at the station within the pool area.

## 10. ACCESS TO AND EXIT FROM THE BEACH

Access to the beach is solely by means of the steps leading down from the platforms at the entrance to the beach. Access through vegetation and playing on the sand dunes is strictly forbidden.

When leaving the beach, check your feet, footwear and clothing for black oily deposits, and use the cleaner provided at the tar station to remove all such deposits. Place all dirty rags, tissues and other debris inside the trash can available on the platform and close the container lid tightly. Using the shower available as you exit the platform, clean your body and swimwear of all sand and make sure that your children do the same before walking on the walkways, entering the pool area or the Lobby.

## 10. CONDOMINIUM UNIT USAGE

No one shall make or permit to be made any disturbing noises anywhere in the Building, on the walkways, porches, stairwells or anywhere on Island House property that interferes with the rights, privacy or comfort of others. Use of cellphones to talk with another is permitted on the patios or balconies of a Unit, but such use must respect the comfort of others, especially of those in proximate Units in the Island House.

Grilling, barbequing or cooking on walkways, balconies, porches or elsewhere on Island House property is prohibited.

Luggage carts and grocery baskets are to be returned to their original storage areas immediately after being used.

Smoking is not permitted at the Island House in any location other than by an Owner within the confines of such Owner's Unit. This restriction applies to the Unit balconies and porches (a limited common element), and all common elements on

the property. Tenants are not permitted to smoke anywhere indoors or outdoors on Island House property.

#### 11. VEHICLES/PARKING

The storage of bicycles in the walkways, stairwells and/or trash rooms is prohibited.

Only automobiles, sport utility vehicles and passenger vans are authorized to park in the Island House surface level parking lots. Trucks and other types of recreational vehicles are prohibited from parking in such lots. Violators will be subject to towing and the associated costs.

Washing vehicles, changing oil or making vehicle repairs, other than minor repairs such as fixing a battery or replacing a flat tire, on Island House property is prohibited.

#### 12. GARBAGE

Trash and garbage, other than recyclables, should be placed in plastic containers and fastened securely. Trash barrels and plastic boxes for newspapers and other recyclables are located in four designated areas, two on each floor. Also, a dumpster is located at the loading dock for large items. If used, place all trash in the dumpster. No trash of any kind is to be left outside the dumpster.

Diapers are to be treated as waste materials and must be sealed in plastic bags and disposed of in the trash barrels. Do not leave diapers in wastebaskets or in restrooms.

#### 13. GENERAL APPEARANCE

To help maintain a pleasing and orderly appearance, it is not permitted to leave articles of any nature in the common foyers, corridors, stairwells, stairways, OVER RAILINGS, on the lawn or otherwise in public view. No children's items are to be left unattended outside Units where they are subject to being collected and placed in the lost and found area. Trash bags and other trash items must be taken to the trash area.

#### 14. BEHAVIOR

Adults are required to wear shirts or cover-ups at all times except in the immediate pool or beach areas. This and other dress codes are enforced throughout John's Island and must be observed.

Children under the age of 8 are not permitted to play in common areas without direct adult supervision.

Loud and disturbing noises of all kinds are prohibited.

#### 15. MANAGEMENT STAFF

The Community Manager's staff/employees are not permitted to do private work for Owners, their families, tenants or guests while on duty except as otherwise provided by the Board of Directors or Elliott Merrill. Staff/employees may assist Owners or their families privately with concierge-type services when off duty if both parties are agreeable.

#### 16. OBLIGATION OF OWNERS

Owners have an obligation to follow these Rules and Regulations and to INFORM their guests and tenants of the importance of the General Rules for tenants and guests, whether or not the Owner is in residence at the time. Copies of the General Rules should be readily available in the Units at all times. OWNERS ARE RESPONSIBLE FOR THE DEPARTMENT OF THEIR GUESTS AND TENANTS.

#### 17. AUTHORITY

The Owners, Board of Directors, Community Manager and, in extreme cases, the John's Island Security Force have the complete authority to enforce all of the stated Rules and Regulations.

Owners who are first-time violators of any of these Rules and Regulations will be notified either verbally or in writing of the violation. A repeat violation will be handled directly with the Owner, and a possible fine may be imposed.



18. IMPORTANT INFORMATION AND TELEPHONE NUMBERS

Elliott Merrill Community Management  
835 20<sup>th</sup> Place, Vero Beach, FL 32960  
(772) 569 – 9853 x 105

Website: [www.elliottmerrill.com](http://www.elliottmerrill.com) The website may be used to change address, submit a work order, direct debit requests and download documents.

There is an on-site maintenance manager. For maintenance requests, please complete a maintenance form which is available on the EM website.

Property emergencies after hours should be referred to Elliott Merrill: 772-569-9853. Ask for the EM manager on duty.

Indian River Shores Police—772-231-4699  
John's Island Security—772-231-2220

# EXHIBIT 1

## Tenant Information for Rentals at 400 Beach Road (The Island House) John's Island, Vero Beach, Florida

All tenants\* must complete this form. Sign, date and return it to the Owner or rental agent handling your rental agreement at least four (4) days prior to your arrival so that the Owner or rental agent handling your rental agreement may provide it by email or hand delivery to the John's Island Security Office at least three (3) days before your arrival. The Security Office's email address is \_\_\_\_\_ and its physical location is

\_\_\_\_\_  
\_\_\_\_\_. Your key will be held for your arrival at the Main Security Gate.

Name of Owner or Licensed Rental Manager or Agent arranging your rental: \_\_\_\_\_

Arrival Date \_\_\_\_\_ Departure Date \_\_\_\_\_

Island House Unit # \_\_\_\_\_ Owner's Name \_\_\_\_\_ Owner's Cell # \_\_\_\_\_

Tenant Name: \_\_\_\_\_

Tenant Address: \_\_\_\_\_

Tenant Cell Phone # \_\_\_\_\_

Names of all persons, including children who will be using the rental unit: \_\_\_\_\_

\_\_\_\_\_  
Signature of Tenant

\_\_\_\_\_  
Date

By signing this form, tenant agrees that he/she (1) has been given a copy of the Island House Rules and Regulations, (2) has read and fully understands them, and (3) will abide with all such Rules and Regulations while in residence at the Island House.

**\*Where the word "tenant" appears in this form, it shall also be deemed to mean "guest" because all guests of Owners must also complete this form as provided in Paragraph 3 of the Rules and Regulations.**