

# TARPON ISLAND CLUB ASSOCIATION, INC.

## RULES & REGULATIONS



Dear New Resident,

Welcome! We are so glad that you are part of our community here at Tarpon Island Club. In this booklet you will find information that we wish we had known when we first moved in.

Although your seller, realtor or Elliott Merrill Community Management may have given you some of this information, we want to make sure that all of your questions are answered. It is likely that we left something out so if you have any questions please contact Elliott Merrill Community Management, one of the Board members or just ask a neighbor.

We hope you will enjoy living here as much as we do.

Revised 5/15

**TARPON ISLAND CLUB  
RULES AND REGULATIONS  
FOR UNIT OWNERS & TENANTS**

The foregoing are just a few of the points of which you should be aware. Kindly remember, there is not substitute for reading the Prospectus, the Summary, the Declaration of Condominium and the By-Laws which were given to owners before closing and which are available upon request or on line at [www.elliottmerrill.com](http://www.elliottmerrill.com).

"Carefree Condominium Living" is not without care. It assumes that every unit owner and tenant will care and adhere to the rules and regulations. Florida Statutes grant to the Association Board of Directors the right to enforce its rules and to take such action as necessary for violation of the Condominium Act, the Declaration of Condominium, the documents creating the Association, and the Association By-Laws.

These Rules and Regulations are excerpted from the Declaration of Condominium and By-Laws. They are simplified for ease of reading and quick understanding. They are not meant to contain all of the legal language found in the original documents nor are they meant to be all-inclusive.

Implicit in buying or leasing a unit is the agreement to abide by the Tarpon Island Club Declaration of Condominium and its By-Laws.

Unit Owners are responsible for their tenant's compliance with our Rules. The Condominium Act specifically authorizes such restrictions and the courts have commented on their necessity.

Each prospective tenant will receive and sign for a copy of these rules. No lease may be finalized until the signed receipt is in the possession of the Association. **The minimum lease period is three (3) months. Only two tenancies per year are allowed.**

Document provisions relating to the use of units when the owner is not present.

D.1 Use of the unit by any persons other than the Primary Occupant or his family members, in the absence of the Primary Occupant or his family members, shall be considered to be under a lease approval process and other provisions in Section XII of the Declarations regarding leases. However, any limitation in the Declaration or in the Rules and Regulations establishing a minimum lease term shall not apply to the foregoing. The term "absence of the Primary Occupant or family members" as used above means that the Primary Occupant or family members do not stay overnight in the Unit along with the person using the unit. (Please use form attached at the end of this booklet to register guests.

Your Board feels these rules are common-sensible. If a situation arises not covered by these guidelines, please ask yourself: "Would it be all right if everybody did it?" From your Board of Directors, a hearty welcome.

1. VEHICLES: MAXIMUM SPEED ON CONDO PROPERTY IS THE POSTED **15 MPH.**

- a) Unlike most condos in Vero Beach, Tarpon Island Club is not an adult condominium and welcomes both youngsters and pets. We try hard to protect them both. Hence, our strict enforcement of the posted speed limits. Moreover, a good safety record keeps our Association's insurance premiums down and your costs also.
- b) Space is designated under the carport for one automobile per condo. If you have two cars, park one outside the carport in a guest parking space. More than two cars may be parked only with Board approval.
- c) All vehicles must fit between the sidewalk curb and the beginning of the blacktop. Overhang is not allowed.
- d) The following are not permitted to be kept on, stored or parked on Tarpon Island Club property: trucks, busses, habitable vehicles, mobile homes, open or closed Jeep-type vehicles, dune buggies, motorized bikes, motorcycles, mopeds, boats, trailers, vehicles which are not mechanically operable or currently licensed for use, vehicles displaying

advertising or ownership. Extended wheel base (longer than 125") closed vans even *without advertising* are not permitted. All vehicles must be structured so that the primary purpose must be to carry passengers.

- e) Mechanical repairs and car washing (except in the area so designated for car washing) on condo property are not permissible.
- f) The Board has the right to disregard the registration descriptions of any vehicle by any state. Board decision is final on any question relating to the acceptability of any vehicle.

Follow these "Rules of the Road" and stay safe at Tarpon Island.

**Drivers:**

- ◆ the speed limit is 15 MPH REALLY!
- ◆ When entering/exiting be cautious of walkers, cyclists and incoming traffic, remember we do not have sidewalks.

**Walkers/Cyclists:**

- ◆ Walkers should go against traffic, Cyclists with traffic.
- ◆ Cyclists and runners should warn when approaching.
- ◆ Wear bright colored clothing, especially at night. Carry a flashlight when walking or running after dark.
- ◆ Hybrid cars make no noise when approaching. Be Aware!

2. **SIGNS:** Commercial signs, advertisements, notices or soliciting of any kind are not permitted. This includes but is not limited to "For Rent" or "For Sale" signs.

3. **NOISE:** No unit owner or tenant shall make or permit to be made any disturbing noises which interfere unreasonably with the rights, comfort or convenience of others.

- a) Of the total floor area in second and third floor residences, at least 80% must be covered by carpeting or other sound-deadening material. This includes the living room, bedrooms and den.

4. ANTENNAE: No antenna or aerial shall be erected or installed on the roof or exterior walls of any condominium building or on the grounds without the written consent of the Board of Directors.

5. APPEARANCE OF BUILDINGS:

- a) No alterations are permitted to the outside of the buildings. Inside alterations must be submitted in advance to the Board of Directors.
- b) The sidewalk, entrances and all of the common areas must not be obstructed for any purpose. Carriages, shopping carts, bicycles, wagons, toys, chairs, benches and like items may not be stored in these areas.
- c) No awning or canopy may be attached or hung on the condominium. Storm shutters must be approved by the Board of Directors before installation.
- d) Any window and door treatment which shows from the outside must be white, off-white or beige. All draperies must also have white, off-white or beige linings. Any change requires the written consent of the Board of Directors.
- e) Laundry, bathing suits, items of clothing of any type, are not to be dried from the stair railings, balconies, porches or window ledges. Mops and cleaning supplies may not be hung or shaken from any of the above listed places.
- f) No plantings or landscaping may be done by unit owners or tenants on the outside of buildings without the approval of the Board of Directors.
- g) Refuse and garbage must be deposited only in the dumpster provided; all garbage must be contained in plastic bags and tightly tied before disposal.
- h) Food and beverage may not be consumed outside of the unit except on the owner's patio. Barbecue grills and barbecuing are not allowed except in areas permitted by the Board.

- i) When moving furniture please notify Elliott Merrill Community Management in advance so that moving pads can be installed in elevators.
- j) In case of fire call 911, evacuate the building and check on neighbors who may need help.

We do not have fire box pull alarms nor are the smoke detectors wired to any alarm system. It is recommended that each unit has its own fire extinguisher.

6. PETS: One normal household pet per unit is welcome. It shall not exceed twenty (20) pounds in weight at mature growth. Of course no pets shall be kept, bred or maintained for commercial purposes. Pet owners are warned that any household pet causing a nuisance or unreasonable disturbances shall and must be removed from the property upon three (3) days written notice from the Board of Directors. Every unit owner and tenant is responsible for cleaning up after his/her pet and that pet which is not cleaned up after will be considered a nuisance and face removal from the property.

7. LEGAL ACTIONS: Unit owners and the Condominium Association are both governed by Chapter 718.303 ("Obligations of Owners") of the Florida Statutes. In the event that these rules and regulations are seriously violated, it may be necessary to take legal action. Legal fees and court costs can be assessed against the owner or the Association, whichever prevails.

8. SALES & LEASING: The sale, lease or transfer of a condominium is restricted and controlled.

- a) The Board of Directors must approve or disapprove all sales and rentals in accordance with specific procedures which are clearly explained in the Declaration of Condominium starting on page DC 7.
- b) When renting, only two tenancies per year are allowed. Each lease period must be for a minimum of 3 months. This restriction applies equally to corporate owners as well as individual owners.

- c) A unit owner who sells rents or leases his residence, transfers his recreation privileges at the same time.
- d) No individual rooms may be rented and no transients may be accommodated.
- e) If a unit is willed to other than the unit owner's spouse, children or parent, Board approval is required before transfer can be made.

9. KEYS: The Board of Directors or its representative has the right to enter into any unit in case of emergency in accordance with Florida Statute 718.111. This requires that keys to all units be supplied to the Board. Locks may not be changed without written consent of the Board of Directors. Upon consent, the new key must be provided to the Board.

It is extremely important that we have these keys especially the ones to your utility room for emergency purposes.

Owners are encouraged to add their mail box key to the association keys so if lost it will be easy to get a copy.

10. ARCHITECTURAL REVIEW FORMS - Architectural forms are required for any major renovations inside your unit. This form is available thru Elliott Merrill and must be submitted and be approved by Board before any work can be scheduled.

## CLUBHOUSE RULES:

- a) Activities sponsored by Tarpon Island and Tidewater Club Condominium Association take precedence over requests by individuals for private use. Generally there are activities planned for early January, Valentine's Day, St. Patrick's Day, April 15<sup>th</sup> and Super Bowl Sunday. Owners who wish to reserve around those dates should check with Elliott Merrill Community Management prior to scheduling personal parties.
- b) Use of the Clubhouse for commercial purposes may only be allowed at the discretion of and with the permission (in writing) of the Association Boards.
- c) **PRIVATE USE:** Reservation of the clubhouse for *private use* may be made by *Resident Owners or Renters only*. The person making the reservation must be present for the full length of the party and is solely responsible for any disturbances or damages. A \$100 damage/cleaning deposit is required, and may be returned at the discretion of the Board, depending on the condition of the Clubhouse after the party. Board Members will inspect the premises and the equipment. A non-refundable charge of \$75 must be paid for parties of 20 or less and \$100 for parties of 21 or more. Payment will be by two separate checks. **Copies of the clubhouse application may be obtained through Elliott Merrill. Please forward you requests and checks to:**

Tarpon Island Club Association, Inc.  
C/O Elliott Merrill Community Management  
835 20<sup>th</sup> Place – Vero Beach, FL 32960

- d) Invitees and usage is restricted to a maximum of 68 people in order to comply with the fire code. Seated dinners should be restricted to 38 invitees. Numbers in excess of this will result in closure of the event.
- e) Permitted users intending to reserve the Clubhouse should notify a Board member from the appropriate Association at the time of the reservation.
- f) Costs for broken or damaged property above the \$100 deposit will be billed to the party host.



- g) Permitted users may use the Clubhouse for small groups, e.g. cards, watching a video, etc. on a non-exclusive basis, but must clean up after themselves.
- h) The Pool deck may not be reserved, and it may not be used to set up tables or for serving food for private parties. All glass and food is prohibited from the pool deck.
- i) Parking is limited. Party hosts are to ensure that invitees do not park on the grass or in assigned spaces. 11 spaces are available immediately south of the clubhouse and another 6 south of the 1875 building. Other parking should be at the end of Tarpon Drive in the circle or off site with the use of a shuttle. Excessive numbers of invitees and automobiles in unauthorized spaces will not be tolerated.
- j) Pets, except for handicap assisted, are prohibited from the Clubhouse, pool and tennis courts areas.
- k) Clubhouse functions are to cease by 12:00 AM and the host should ensure the premises are cleaned by 10:00 AM of the following day.
- l) The grill should be used with care, and the directions should be read and followed. Each user must clean the grill after usage. The grill may not be reserved for private use. It is available on a first come-first served basis. Cleaning materials are in the cabinet under the grill.

## SWIMMING POOL RULES:

The pool and pool deck are for the private use of Resident Owners, tenants and their guests. For insurance and safety reasons, the gates should never be left in an “unlocked” condition. Users of the pool and pool deck do so at their own risk. Pool hours are from 6:00 AM to 10:00 PM

- a) Non- resident guests, other than bonafide house guests, may use the facilities *only when accompanied by a Permitted User who must remain with the guest for the entire time.*
- b) Persons with infectious or contagious health conditions such as colds, fungus or skin diseases must not use the pool.
- c) Pool users must shower before entering the pool and afterwards.
- d) Pool users must wear shoes so as not to track chlorine onto the carpeting. Towels or other covers should be used when entering the Clubhouse.
- e) Children under twelve (12) must be supervised in the pool area by an adult when in the pool area.
- f) Beverages for pool consumption should be in paper, plastic or metal containers.
- g) Insurance requirements forbid running, jumping, diving or playing sports in the pool area.
- h) Only swimwear is permitted in the pool. Infants in diapers should not be in the water for obvious reasons.
- i) Persons walking to and from the pool area from their residence should wear covering garments and footwear.
- j) Safety equipment should only be used for emergency purposes.
- k) Replace the noodles when not in use.

Note: The pool controls or any elements of the heating system are not to be touched by pool users. In the event of a problem, notify a Board member, our maintenance staff, or our management company at 569-9853.

### TENNIS COURT RULES:

Proper tennis attire and footwear is required. Tennis etiquette and rules should be observed at all times. Again, only Permitted Users and their guests may use the courts. While the courts are generally under used, players should be respectful of others wishing to play, their neighbors, and the closing time of 10:00 PM.

## GENERAL INFORMATION

- Problems or concerns about your unit contact owner, realtor or Elliott Merrill Community Management 772-569-9853 and speak to Julie X200.
- The onsite maintenance person does not work within your unit. He takes care of grounds and common areas. If you need maintenance within your unit, please contact the appropriate repair person.
- Mail comes late in the afternoon, usually between 5:00pm and 6:00pm; box for outgoing mail is provided.
- Our post office is located in K Mart Plaza 1551 US 1 772-778-3081.
- Trash pick up is Monday and Thursday. Recycle pick up is Thursday.
- Trash room is on the 1st floor with chutes located on the 2nd and 3rd floors.
- Recycle bins are located on each floor and labeled as to contents. Main things to remember are cardboard boxes must be flattened, PLASTIC LIDS ARE NOT recyclable and containers must be rinsed out. Nothing should be bagged. NO GROCERY BAGS in any recycle bin.
- Cable connection boxes are on 3rd floor in room directly across from Unit 304.

### Important Numbers:

- City of Vero Beach Police - non emergency number 772-978-4600
- Miracle Mile Urgent Care 772-299-1092
- Indian River Medical Center (hospital)  
Indian River Blvd. & 37th Street 772-567-4311
- Comcast Xfinity 940 12th Street, Vero 1-800- 266-2278
- ATT Uverse 1-855-637-9528

## Annual Meeting of Owners

An annual meeting is held in March for the purpose of electing new Board Members and passing the budget. It is important for each owner to attend either in person or by proxy so a quorum of owners is present. Failure to have a quorum at the Annual Meeting results in the added expense of having to notify each owner of the rescheduled meeting. Each unit only has one vote regardless of the number of people who live there.

## Interview Walk Through/Check List

- ❖ A/C Handler
- ❖ Which A/C Unit is theirs
- ❖ Water Shut off location
- ❖ Circuit Breaker Box within unit
- ❖ Storage room and keys
- ❖ Age and working order of smoke alarms

*Tarpon Island/Tidewater Island  
Condominium Associations*

**Private Party Lease Agreement**

THIS AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between \_\_\_\_\_, Lessee, and the Tarpon Island/Tidewater Island Club Condominium Association, Lessor to lease said premises, namely the Clubhouse at 1945 Tarpon Lane, Vero Beach, Florida.

The term of this lease will be from \_\_\_\_\_ A.M. /P.M. until \_\_\_\_\_ A.M. /P.M. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_. **(NOTE: NO PRIVATE PARTY MAY EXTEND BEYOND 12:00 A.M. GUESTS ARE RESTRICTED TO A MAXIMUM OF 68.)**

Lessee agrees to pay rent/security for said facilities in the sum of \_\_\_\_\_ computed as follows:

Security Deposit: \$100.00 (Separate Check)

Rent: \$ \_\_\_\_\_

1-20 Guests- \$75.00

Total: \$ \_\_\_\_\_

21-68 Guests-\$100.00

*Check must be signed by lessee and lessee must be present for the full length of the event.*

The security deposit shall be held without interest, and shall be returned to Lessee in full if a final inspection reveals no damages and that the premises have been appropriately cleaned. In the event the Association must clean the premises, the deposit will be retained and any additional costs will be billed to the lessee agrees to pay for any damages, breaking or loss of or to the building, furnishings and equipment of the Clubhouse. Lessee agrees to pay any legal fees incurred due to the default, mis-use or violations of the lease by the Lessee.

Please initial the following:

LESSEE CERTIFIES THEY ARE FAMILIAR WITH THE CLUBHOUSE RULES AND AGREES TO COMPLY WITH THE RULES IN ALL RESPECTS. \_\_\_\_\_

LESSEE CERTIFIES THEY ARE AN OWNER \_\_\_\_\_ OR LESSEE \_\_\_\_\_

Date of Agreement \_\_\_\_\_ Telephone \_\_\_\_\_

Lessee Signature \_\_\_\_\_ Elliott Merrill \_\_\_\_\_

## USE OF UNITS WITHOUT THE OWNER PRESENT

“D.1. Use of the unit by any person other than the Primary Occupant or his family members, in the absence of the Primary Occupant or his family members, shall be considered to be under lease and subject to the lease approval process and other provisions in Section XII of the Declaration regarding leases. However, any limitation in the Declaration or in the Rules and Regulations establishing a minimum lease term shall not apply to the foregoing. The term “ absence of the Primary Occupant or family members” as used above means that the Primary Occupant or family members” as used above means the Primary Occupant or family members do not stay in the Unit along with the person using the Unit.”

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### TARPON ISLAND CLUB OWNER'S GUEST REGISTRATION

Unit \_\_\_\_\_ Owner Name \_\_\_\_\_ Telephone# \_\_\_\_\_

Guest Name \_\_\_\_\_ Telephone# \_\_\_\_\_

Owner Address \_\_\_\_\_ City/State \_\_\_\_\_

Guest Arrival Date \_\_\_\_\_ Length of Visit \_\_\_\_\_ No. in party \_\_\_\_\_

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

(Return to Elliott Merrill Community Management 835 20<sup>th</sup> Place, Vero Beach, FL 32960). Attn: Julie Barrett, email [juliet@elliottmerrill.com](mailto:juliet@elliottmerrill.com) Phone 772-569-9853, ext 200.

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### TARPON ISLAND CLUB GUEST REGISTRATION VERIFICATION

Guest Name \_\_\_\_\_ Spouse \_\_\_\_\_

Guest Home Address \_\_\_\_\_

Vehicle Make \_\_\_\_\_ Type \_\_\_\_\_ License # \_\_\_\_\_

Local Telephone # \_\_\_\_\_ No. in party \_\_\_\_\_ Unit # \_\_\_\_\_

Dates of visit \_\_\_\_\_ Familiar with Rules Yes \_\_\_\_\_ No \_\_\_\_\_

Guest Signature \_\_\_\_\_ Date \_\_\_\_\_

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

## Things to do when closing up your unit

For those residents going North for the summer it is important to "close up" your unit. By following the helpful hints listed below you will reduce the risk of leaks and other **disasters** while you are away.

1. **Shut off your main water valve.** This is usually found in your utility room, on the wall, near your water heater. Ask your maintenance person if you cannot find the valve. By shutting off the main water valve you minimize the chance of water damage to your unit and/or the ones below.
2. Cover each toilet bowl with Saran wrap or cling wrap. Add 1/4 cup of bleach if you like. The covered bowl stays full for months and cleaner too.
3. **Turn off the electrical breaker to your hot water heater.** Other electric circuit breakers can be left on. Remember not to turn off the A/C circuits.
4. **Have your air conditioning system checked by a licensed A/C service person BEFORE THE BEGINNING OF THE WARM WEATHER.** An adequately charged and lubricated system will save many mildew and moisture problems later. A system free of algae build up will prevent overflow of condensate lines.
5. **Change the filter on your A/C air handler** at the beginning of each new season. A clean A/C filter helps the unit run more efficiently.
6. Set your A/C thermostat and humidistat the way you want before you leave. Write your settings on a 3X5 card and place it on the thermostat in case someone is in your unit during your absence.
7. Kitchen sink disposal. Pour 1/8 cup of lime or lemon juice down your disposal. Follow with 1/4 cup of vegetable oil and turn on the machine for a few seconds. Add another 1/4 cup of vegetable oil. The citric acid of the juice will kill most bacteria and the oil drives out water and lubricates. **PLEASE CLEAN OUT THE CONTENTS OF YOUR REFRIGERATOR AND FREEZER TO PREVENT SPOILAGE DUE TO POWER OUTAGES.**
8. Before leaving town, **PLEASE REMOVE EVERYTHING FROM YOUR PORCH OR BALCONY.** Items left outside become missiles in a strong storm.
9. **If you are planning on leaving town for the summer, please call our office at (772)569-9853 and give us your phone number so that we may contact you in case of an emergency.** If you are no going to have the post office forward your mail, you can request that we use an alternate address for you while you are away (you must then remember to call us upon your return also).

Check out our website at [www.elliottmerrill.com](http://www.elliottmerrill.com)