



Errol By the Sea Condominium Association, Inc.

Ownership Policy Review

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Ownership Policy Review**

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ERROL BY THE SEA OWNERSHIP POLICY REVIEW

Section 1 - Errol by the Sea Association Information

- 1.1 The ERROL BY THE SEA CONDOMINIUM ASSOCIATION, INC. consists of 130-unit owners.
- 1.2 The Annual Membership Meeting is held during December each year. Three to four Board members are elected each year at the Annual Membership meeting. Board Officers are elected by Board members at the Board of Directors Executive Membership Meeting held immediately following the Annual Meeting. Florida statute requires that Board candidates sign a statement within 90 days of election or appointment stating that they are familiar with the Condominium's documents and by-laws as well as with Florida statutes pertaining to condominiums. Board meetings are held four (4) times a year. "Special" or "Emergency" Board Meetings are scheduled on an "as needed" basis.

Please refer to the Errol by the Sea By-Laws for additional information.

<https://www.errolbythesea.com/wp-content/uploads/2020/09/2-By-Laws.pdf>

- 1.3 Each unit is entitled to one designated titled owner to vote for the unit, regardless of the number of owners of a unit. Each Unit must have a designated voter certificate on file in the office. This form is on the website at <https://www.errolbythesea.com/>, Owner's Corner towards bottom of the web page.
- 1.4 Owners receive a "first notice of Annual Meeting" by mail 60 days prior to the Annual Membership meeting. The Annual Meeting notice will contain information and instructions for placing their name on the ballot as candidates for election to the Board. Owners receive a "second notice of election" at least 15 days prior to the Annual Membership meeting. The second notice includes a proxy, a ballot, along with instructions for voting and resumes that are submitted by Board candidate, which must be returned to the office ASAP.
- 1.5 Maintenance Fees for each unit are set by the Board of Directors and are due the first of each month. Each Unit Owner shall be liable for their proportionate share of the common expenses in accordance with the following:
 - a. The Errol by the Sea Condominium Association Compiled Declaration of Condominium – (Sections 5 and Section 8).
<https://www.errolbythesea.com/wp-content/uploads/2020/10/Declaration-of-Condominium-reduced-quality.pdf>
 - b. The Florida Condominium Act – The 2020 Florida Statutes, Section 718.116 -
http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0700-0799/0718/Sections/0718.116.html

Section 2 - General Owner Responsibilities

- 2.1 All owners need to review and adhere to Section 12 “Use Restrictions” of Declaration of Condominium <https://www.errolbythesea.com/wp-content/uploads/2020/10/Declaration-of-Condominium-reduced-quality.pdf>
- 2.2 The Clubhouse may be reserved through the Association Office by owners for their use. A \$400 deposit is required. If the clubhouse is left clean and nothing is damaged, the full deposit will be returned. Owners reserving the clubhouse for use by tenants or guests shall pay a usage fee of \$100.00 per hour.
- 2.3 Only Owners may bring pets – **NOT** renters or guests. Pets must be registered in the office or listed annually on the Owner’s Information Sheet. Dogs must be leashed and walked **OUTSIDE the walled area**, not on walkways or in courtyard. Owners are responsible for the removal of all pet waste. No pets are allowed in any recreational areas. Owners who have pets should not allow their pets to disturb their neighbors and will be responsible for any damage caused by their pets.
- 2.4 The Florida Homeowners Association (HOA) laws are very specific when it comes to noise pollution, including barking dogs. According to the HOA laws, any dog that creates a “continuous or repeated” noise that can be heard from another property is considered a nuisance. If a neighbor files a complaint with the HOA, the dog owner will be required to take action to mitigate the noise. Florida courts have held that dogs who bark too much can form the basis of injunctive relief, where the nuisance barking must be stopped (as, for example, having the unit owner keep his dogs inside his condo.) The burden of proof here is to show that the plaintiffs are “...*substantially and unreasonably disturbed notwithstanding proof that others living in the vicinity are not annoyed.*”

Please refer to Section 12.4 Nuisances Errol by the Sea Condominium Association Inc., Compiled Declaration of Documents.

- 2.5 The office must be notified whenever an ‘owner’s guest(s)’ is occupying the unit, without the unit owner being physically present.
- 2.6 Balcony floors and railings are limited common elements and may not be painted by the Owner. These are the Association’s responsibility. Tile and carpet are NOT ALLOWED on balconies as they can hide moisture on the surface that soaks into concrete causing the steel (re-bar) in the concrete to rust, contributing to a process called “spalling”.
- 2.7 Window tinting must be a medium shade of “smoke.” No metallic or mirrored tinting is allowed. The style of replacement sliding glass doors and windows must be consistent with that of other units and must meet code. Owners are responsible for replacing doors and windows and must obtain prior written authorization from the Office.

- 2.8 Owners that install Storm Shutters, the use of which is optional, are required to follow the Errol by the Sea 2018 Storm Shutter Policy <https://www.errolbythesea.com/wp-content/uploads/2020/12/Storm-Shutter-Policy-Approved-2018.pdf>. If there is any damage to the building as the result of shutter installation, repair will be at the cost of the owner.
- 2.9 Style, unit number and color of the entry door must be consistent with the other unit doors. Doors must be maintained in good condition or replaced by the Owner.
- 2.10 For safety reasons, no rugs or carpets can be placed on the walkways outside the one-bedroom units.
- 2.11 To protect and maintain our landscape plan, no planting is allowed.
- 2.12 In other than ocean front units, new or replaced clothes dryers must be ventless models.

Section 3 - Parking at Errol by the Sea

- 3.1 Parking permits will be issued at the office when guests arrive unless other arrangements are made. Office hours are Monday-Friday 9:00 a.m. to 5:00 p.m.
- 3.2 The Condominium has 65 units on the south side and 52 parking spaces in the south parking lot. We have 65 units on the north side and 134 parking spaces on the north parking lot.
 - a. Parking/Gate Passes – There are parking and gate passes for owner cars, and parking permits for visitors. We can only accommodate 2 cars per unit during high visitation times, such as July 4th. Towing has been implemented, so please ensure your guests understand parking permits must be visible.
 - b. To park a boat, trailer, or RV, you must receive approval from the Board of Directors, contingent on the number of spaces expected to be available during the requested period of time. Once arriving on property, they must be registered with the Office and parked in the designated area along the wall in the north parking lot and utilize a board under the hitch to protect the pavement. (Owners, renters, and owners' guests will be assessed a weekly fee (\$25) to park a boat, trailer, or recreational vehicle on the premises.

Section 4 - Maintenance of Individual Units by Owners

- 4.1 The office has a list of people recommended for various repairs and maintenance; however, an Owner may use a vendor of choice if the individual is licensed and insured in the State of Florida. All workers on the property must check in with the Office.
- 4.2 Owners must submit plans for any renovations (including any change to or replacement of the entrance door, windows, or flooring) to the Architectural

Review Committee (through the Office) for review and approval. The application can be found on the Errol by the Sea website in the Owner's Corner in the "Important Documents" section. Renovation work to the interior of units which causes noise must take place between the hours of 9:00 AM and 5:00 PM, Monday through Friday.

Contractors are to keep noise to a minimum on the courtyard side and use all dust and noise mitigation means, including the use of a wet saw when cutting tile, and draping balconies to contain dust when appropriate. No work will be done on the common walkways.

- 4.3 Any flooring change above the ground floor, must have a sound barrier (of a type approved by the management), installed under the new flooring. The written approval of the Architectural Review Committee must be obtained prior to the installation of new flooring, and material must be photographed, and provided to the Office to keep on file.
- 4.4 No PODS can remain on property during a renovation.

Section 5 - Storage Areas for Owner Use

- 5.1 Storage Areas are available for Owners' Use Only. Items stored by owners in the designated storage rooms must be labeled with the Owner's name and unit number. Items should be stored in stackable plastic totes or small storage cabinets. Large items, such as recliners, couches, bureaus, bookcases, mattresses, bikes, etc. cannot be placed in the storage rooms. Items that are a fire hazard such as paper products, empty boxes, paint, etc. are not to be stored and will be removed by Management if placed in the storage rooms. All items placed in the storage rooms are placed there at the Owners risk. The Association is not responsible for items placed in the storage rooms.
- 5.2 Bike Storage Rooms are available for Owners' Use Only. There are four bike storage rooms at Errol by the Sea. They are in the North building, 2nd floor East; the South building 2nd floor east; and the South building 3rd floor West. Each bike is required to display a bike decal provided by the office. Bikes must be clearly marked with the Owners unit number. Owners are encouraged to only place bikes in these rooms that will be used. Bikes without identification may be removed. The Association is NOT responsible for bikes placed in the bike rooms.

Section 6 – Bulletin Boards and Luggage Carts

- 6.1 Any items posted on bulletin Boards must be approved by the Office. Owners are not to remove items from bulletin boards that they did not post. No commercial notices, announcements, or advertisements of any nature whatsoever, are to be posted on any of the outdoor boards.
- 6.2 Luggage carts are to be available for all Owners and Guests. Carts should be used promptly and returned to the cart storage areas adjacent to the elevators. Luggage carts may not be taken to the pool areas or the beach. Contractors

or vendors are not authorized to use any Errol by the Sea luggage carts.

Section 7 – Rules and Regulations of Errol by the Sea

- a. Errol by the Sea condominiums are individually owned units. All unit owners are required to follow the rules, treat the property as they would their primary residence and to ensure that their guests do as well.
- b. All rental agents will be provided with the rules for renters.
- c. Any owner acting as their own rental agent must provide these rules to their renters.
- d. Errol by the Sea, is a minimum 30 day (no short term rentals) condominium association per Volusia County and our Documents, indicating that there shall be “no transients” in keeping with Florida Statute 509.023 - [Volusia Ordinance Information](#)

7.1 General:

- a. Office hours are 9:00 AM to 5:00 PM Monday through Friday. .
- b. Shuffleboard, tennis, and pickleball equipment are available in the office. Please sign in and out for the equipment. Errol is evaluating tennis and pickleball mobile/web schedulers. Please check back later for further information.
- c. Errol is a NO SMOKING campus except for the designated smoking area where the grills are. Smoking is prohibited in all other areas, including balconies.

7.2 Pool:

- a. Pool Hours – 7am – dusk
- b. Tables, chairs & chaises at the pool and sundeck **may not be reserved** or taken down to the sand. Please read and comply with all pool rules here and posted on signs on pool deck.
- c. All children under 18 must be supervised by an adult over 21 years of age.
- d. Per the Florida Department of Health, no food, gum, or drinks are permitted in the pool or within 4 feet of the pool.
- e. Absolutely no food or glass is allowed on the pool deck, sun deck, or walkways.
- f. No diving, jumping, or flipping into the pool.
- g. Please lower your table umbrella and tie closed when you leave.
- h. No radios are to be used at the pool unless you are wearing a headset.
- i. Babies and incontinent individuals must wear disposable “swim diapers.”
- j. Please allow “waterproof” sunblock or tanning lotion to dry before entering the pool. Sunblock in the pool water may cause us to shut down a pool. Please apply spray sunscreen before entering the pool area.
- k. Handicap assistance is available upon request. Please contact the office prior to arrival to ensure handicap pool equipment is available.
- l. Please shower on the deck before returning to your unit. Sunscreen can damage furniture and you will be responsible for upholstery cleaning or replacement if damaged.
- m. During inclement weather, the pool may close for your safety. If you hear thunder or see lightning leave the pool area and head for the safety of your unit.

7.3 Grounds:

- a. Owners, Renters & Guests are to use best efforts to reduce foot traffic on the common lawn areas. Utilize the walkways when possible, to access the pool deck, sun deck and beach, and do not engage in any repetitive physical recreational activity that would cause damage or wear & tear to the lawn.
- b. No physical recreational games are allowed on the courtyard grass.
- c. Bikes must be kept in the bike rack adjacent to the tennis courts and can't be stored on

walkways. All bikes chained to any tree, fence, railing will be removed.

- d. Do not hold open or use carts to hold open the elevator door for prolonged lengths of time.
- e. Quiet Hours are between the hours of 10:00 PM to 8:00 AM and includes the pool deck area.
- f. Please be aware of your safety on the property, and always keep doors and windows locked.
- g. Grilling is permitted in designated areas ONLY. Please keep this area clean, and when finished, cover the hot coals with the lid.
- h. No pets are allowed in the courtyard, pool/ocean decks, walkways, or other common areas.

7.4 Railings and Walkways

- a. Rinse off your feet/bodies/equipment/keys when you return from the beach. Sand and salt will damage locks and elevators.
- b. No towels, rugs or clothing are to be hung on any railings.
- c. Please do not run or play on the walkways or in the stairwells, elevators, or parking areas.
- d. FIRELANES: Corridors, walkways, stairwells, and entrances must be kept free of personal belongings for fire safety. Any items found on the walkways will be removed.

7.5 Volusia County Turtle Season

- a. May 1 – November 1 is Turtle Season.
- b. Dusk through dawn all drapes/blinds on windows/doors facing ocean must be closed.
- c. Per Volusia County, all personal belongings must be removed from the beach prior to dusk each day, and any holes dug in the sand must be refilled.