

Rules and Regulations for Tidewater Condominium Owners Association

General Information and Table of

Contents Last Edited August 7, 2019

PURPOSE: This document provides a consolidation of the Rules and Regulations (also known as Policies and Procedures) adopted by the Board of Directors (“the Board”), by which all owners and guest must abide. Revisions and additions will be made as necessary with effective date fifteen days from notification to owners.

AUTHORIZATION: Article VIII, paragraph 8.01 of the Condominium Documents of the Tidewater Condominium Owners Association grants the right to the Board of Directors of the Condominium Owners Association the authority to develop, publish and enforce “Rules and Regulations” that govern the operation of the facility and the conduct of its owners and guests. These “Rules and Regulations” have been filed with the Probate Judge with the proper jurisdiction and are available upon written request from the Board of Directors or the Association office.

ENFORCEMENT: The Board expects that all owners will voluntarily comply with the Rules and Regulations set forth in this document. However, the Board has the authority to assess fines for noncompliance if necessary. Any such fines will be posted to the owner’s account and will be due and payable as any other assessment. Owners may appeal in writing to the Board for any fines assessed.

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RULES AND REGULATIONS GOVERNING PETS

NUMBER 2019-001

Last Edited October 14, 2019

PURPOSE: Tidewater Condominium is not a pet friendly facility, primarily because of liability issues. This does not mean that all pets are restricted as noted below. This policy establishes the rules by which all owners and guest must abide.

POLICY:

- No animals or pets, other than dogs, will be allowed. Only owners are allowed to have dogs in the Condominium Units or on the Condominium Property. **Cats are strictly prohibited by Orange Beach city ordinance.**
- Owners must register their dog with the Association through Kaiser Property Management and purchase a Tidewater dog leash. Approved dogs must be on leash at all times when on the property and not in the owner's unit and the Tidewater issued leash must be visible.
- **Renters and guests are not allowed to have pets on the property.** Violators will be subject to eviction if pet is not removed within 24 hours of notification by the Association office, maintenance staff or security and owners may be subject to fines for non-compliance. Rental units will not be advertised as "pet friendly" or as accepting pets.
- As an exception, the Association does permit service animals on the Condo Property as long as they are providing the approved service to a disabled person and the proper paperwork is turned in to the Association office beforehand. Individual unit owners are responsible for allowing Service Animals in their unit at the owner's discretion. **Comfort or companion animals are not allowed**, per the Americans with Disabilities Act (ADA).
- Dogs are not allowed in the pool areas or on the beach per Orange Beach city ordinance and are subject to a \$500 fine.
- A dog walking area is provided for approved dogs with your Tidewater leash you can purchase from the Association office. Owners are responsible for removing and disposing of animal refuse.
- No dogs shall be allowed to create or cause any disturbance or nuisance of any kind to include excessive barking within a unit. The unit owner will be notified of any violation and repeated incidents may be cause for revoking approval by the COA and removal of the offending dog.
- The owner of any animal or pet shall be liable for any and all damages caused by such animal or pet to any part of the Condominium Property.

REQUIREMENTS: Owners must meet the following to register their dogs.

1. Only dogs under 60 pounds are approved.
2. A maximum of 2 dogs per unit owner is allowed.
3. Dogs must have current rabies vaccination and evidence must be provided at time of registration and they must have an approved leash.

SUMMARY:

This policy is for the mutual benefit of all owners and guests and will be strictly enforced to assure a clean, comfortable and peaceful experience. It is unit owners' responsibility to advise renters or guests of this policy. As necessary, this information should be forwarded to your rental agency or property manager to assure that all renters are aware of these rules.

RULES AND REGULATIONS GOVERNING ACCESS TO UNITS

POLICY NUMBER 2019-002

Last Edited October 1, 2019

PURPOSE: Tidewater Condominium Owners Association (COA) and the Association Managers must be able to access any unit to meet their obligation and responsibility to maintain the property on a timely basis and to properly respond to emergencies. To this end, owners are required to provide keys to the Association office.

The following Rules outline the requirements and consequences.

POLICY:

- Unit owners must provide a duplicate key to the entry door lock(s) to the Association through the Property Manager for access to their unit. If there is a deadbolt lock and a door handle lock, both must be opened by the same key, or a key must be provided for **each** lock.
- All owner access keys will be recorded and maintained by the Association office. Keys will only be available to appropriate personnel, as authorized by the Association office. A record of key usage will be maintained by the Association office.
- The Association office will periodically inventory and test keys for access and will advise owners of any discrepancies. When notified in writing or email, owners will have 15 days in which to provide suitable access keys. Owners may either:
 - Mail a duplicate key(s) to the Association office
 - Authorize the Association office to have a duplicate key(s) made by a locksmith with the cost charged to the unit owner's account.
- If no response is received within 30 days of notification, a \$300.00 fine will be assessed to the owner and a duplicate key(s) will be obtained per above without owner's authorization. Payment of associated costs and fines are subject to the late payment policy, if not paid when due.
- Digital locks with access codes are allowed for the convenience of the owner, guests and rental management companies. However, because access codes and access methods vary with different types of locks and can change frequently, providing access codes does not preclude the requirement for key access. Therefore, **an "override" key for digital locks must be provided per above.**
- Owners are responsible for providing replacement keys to the Association office, in a timely manner, if locks are changed. When units are sold, it is the buyer's responsibility to obtain valid keys from the seller and to ensure a duplicate key is on file with the Association office.
- In emergency/urgent situations, timely access is crucial. Every reasonable attempt will be made to obtain access with the owner's key on file. In urgent situations (water leaks, etc.), the key on file will be used, if available. In emergency cases (fire, 911 call, etc.) doors may be forced open. Any delay due to lack of a valid access key may subject the owner to liability for damages caused to any part of the Condo property, including other units. In addition, a fine may be assessed to the unit owner as determined by the Board of Directors.
- In the event damage is occurring within a unit(s) that requires urgent attention (e.g. a water leak), the COA, Association office maintenance staff, will gain access to determine the root cause, correct the situation and determine what is required for remediation. This will include any adjacent units potentially affected. The Association will contract for any remediation required in order to minimize

damages and conduct needed repairs. Every reasonable effort will be made to accommodate occupants during the process. However, remediate services will not be postponed or terminated until complete unless the unit owner so instructs and accepts liability for any resulting damage and remediation costs.

- Responsibility for payment of remediation and repair costs will be determined by the Board based on circumstances of the root cause and appropriate insurance coverage. Under no circumstances will the COA or the Association office be responsible for loss of rental income.

SUMMARY:

This policy is for the mutual benefit of all owners and the Association. It will be strictly enforced to assure a safe and efficient operation. As necessary, this information should be forwarded to your rental agency or rental property manager to assure that this policy is adhered to.

File: Tidewater Access Policy 2019-002

RULES AND REGULATIONS GOVERNING
PAYMENT AND PAST DUE
NUMBER 2019-003

Last Edited September 30, 2019

PURPOSE: Tidewater Condominium Owners Association (COA) requires timely payment of monthly assessments (dues) and special assessments for cash flow to meet financial requirements and to protect the assets of the Association. This policy establishes the rules by which all owners must abide.

POLICY: Monthly assessments (dues) are due by the 1st of each month and Special Assessments are due by the date specified. Payments are considered past due after ten (10) days from the due date. Payments that are not received by thirty (30) days from the due day will be subject to late fees, interest charges and suspension of services as described below.

PROCEDURE:

- If an owner has not paid the monthly assessment by the 30th of the month or within 30 days of the due date for a special assessment, an initial late fee of \$25 will be added to the balance due and a 1.5% interest charge added to the balance due each month until paid in full. Late letters will be mailed monthly with charges and balance due.
- If an owner is 90 days late with payment of the monthly or special assessment, the COA will turn the account over to an attorney for collection to include placing a lien on the property for nonpayment of assessments. The owner will be notified by letter. Once the account is turned over to the attorney for collection, the owner will be responsible for the cost of all attorneys' fees, in addition to the full account balance.
- In accordance with Alabama Condominium law and as an added incentive, the Association has adopted a policy of disconnecting TV cable and internet services when an account is delinquent ninety (90) days. These services will not be turned back on until balance is paid in full as stated above.
- Due to increased administrative costs and financial risk, the Board of Directors has approved an exception for those that are habitually late. Owners with 4 payments received

30 days past the due date within a one-year time frame will be on "Probation" status. Once an account is on probation, any monthly dues not paid IN FULL by the 10th of the following month will result in cable/internet being disconnected on the 11th without further notice. The account will remain on "probation" until a history of timely payments has been established with payment by the 30th of each month for 1 year.

SUMMARY: This policy is for the mutual benefit of all owners and will be strictly enforced to assure financial stability of the Association. Appeals for any late charges and suspended services may be made in writing by email or letter through the Association office to the attention of the COA Treasurer and President.

RULES AND REGULATIONS GOVERNING STORM SHUTTERS

NUMBER 2019-004

Last Edited October 14, 2019

PURPOSE: Tidewater owners are encouraged to have storm shutters installed. However, in the interest of safety and aesthetic appearance, all shutters and shutter contractors must be approved by the Board, prior to installation. This policy establishes the rules by which all owners and contractors must abide.

POLICY:

- Owners wishing to install storm shutters must apply to the Board and receive approval prior to initiating any work. Application request may be acquired from the Association office located at 24951 Perdido Beach Blvd in Orange Beach.
- Shutters are to be of the roll-up type with white slats and components.
- Shutters must be designed and constructed specifically to meet the wind load requirements as set forth by the City of Orange Beach, AL.
- Motorized shutters must have an override or power pack that will operate the shutters in the case of power failure.
- Shutters are to be installed over sliding glass doors on the beach side of the unit. Shutters are to be over-sized by 2" to allow for door replacement if and when necessary.
- Shutters are to be selected and installed in accordance with the manufacturer's instructions, to meet or exceed current code requirements as set forth by the City of Orange Beach, AL.
- Shutter posts are to be mounted to concrete slabs and not in to stud walls.
- Any potential contractor shall submit to the Board or other approving agency the following: References or testimonials that show Contractor has demonstrated the ability to successfully complete similar installations and has at least 5 years of experience in this field of work.
Copies of required licenses required by the City of Orange Beach and the State of Alabama.
- **Violators of these rules and regulations will be required to remove any substandard shutters and it may constitute a fine being imposed.**

SUMMARY:

This policy is for the mutual benefit of all owners, guests and will be strictly enforced to assure the safety of owners and guests and to assure the continued uniform appearance of the property.

RULES AND REGULATIONS GOVERNING
CONTRACTORS, REPAIRMEN, CLEANING SERVICES
AND OTHER SERVICE PROVIDERS

NUMBER 2019-005

Last Edited October 1, 2019

PURPOSE: Tidewater Condominium recognizes that contractors, repairmen and cleaning services are a necessity in maintaining the property and accomplishing necessary and/or desired repairs and upgrades to the property and individual units. However, to maintain order and continue to provide a positive experience for unit owners and their guest, there must be rules and regulations. This policy establishes the rules by which all contractors, repairmen, cleaning services and any other service providers must abide.

POLICY:

- All contractors, repairmen and cleaning services must sign in and out on the appropriate sheet hanging in the hallway next to the meeting room. Any first-time contractors, repairmen or cleaning service personnel should also check in with security and/or the Association office maintenance personnel to familiarize themselves with the property and on-site personnel.
- Contractors, repairmen and cleaning services may not park in the spaces in the first row of the parking lot nor in any underneath parking area. These parking spaces/areas are reserved for owners and guests.
- Contractors, repairmen and cleaning services may not use Tidewater carts. These carts are for use by owners and guests, only.
- Contractors, repairmen and cleaning services may only perform their task during normal daytime hours of 8:00 AM until 5:00 PM. Exceptions to this rule are any emergency repairs.
- Work areas must be cleaned after completion of work. All construction materials and debris must be removed from the property and disposed of properly. Trash dumpsters on the property are not to be used for the disposal of construction debris.
- **Violators of these rules and regulations may be banned from working on the Tidewater property.**

SUMMARY:

This policy is for the mutual benefit of all owners, guests and their service providers and will be strictly enforced to assure a clean, comfortable and peaceful experience. It is unit owners' responsibility to advise contractors, repairmen, cleaning services and other service providers of this policy. As necessary, this information should be forwarded to your rental agency or property manager to assure that all contractors, repairmen, cleaning services and other service providers are aware of these rules.

RULES AND REGULATIONS GOVERNING PARKING AND TOWING OF VEHICLES

NUMBER 2019-006

Last Edited October 1, 2019

PURPOSE: Parking is a concern at Tidewater, especially during peak use times. Additionally, our parking area design allows for only the number of parking spaces required by code at the time of construction and there are no provisions for oversized vehicles, vehicles with trailers, or buses. This policy establishes the rules by which all owners and guests must abide.

POLICY:

- Each owner is entitled to receive permanent owner parking decals for two vehicles. Decals are provided to new owners upon receipt of change of ownership. Replacements may be obtained from the Association office in Orange Beach located at 25011 Perdido Beach Blvd.
- Each owner is also provided, for no charge, with two parking passes for guest use. These should be displayed in guest's vehicles at all times while they are on the property.
- Parking spaces shall be used exclusively for the parking of passenger automobiles or small to intermediate pick-up trucks.
- Parking spaces under the building are reserved for owners and their guests as identified on each space. These spaces are reserved 24/7/365.
- Spaces marked as "handicap parking" require that a valid permit or tag be displayed at all times while utilizing a specifically marked space.
- Parking under the arrival/departure canopy is limited to loading and unloading. Parking should be limited to 10 minutes.
- Parking in unmarked areas such as in driveways, passageways and fire lanes is not allowed at any time.
- In order to minimize the inconvenience to those who have valid parking passes, the Board has directed our security guards to place warning stickers on vehicles that do not have visible parking passes.
- **Violators of these rules and regulations may have their vehicles towed or booted at the vehicle owner's expense.**

SUMMARY:

This policy is for the mutual benefit of all owners, guests and will be strictly enforced to assure a positive experience. It is unit owners' responsibility to advise guests of this policy. As necessary, this information should be forwarded to your rental agency or rental property manager to assure that all guests are aware of these rules.

RULES AND REGULATIONS GOVERNING STORAGE OF ITEMS IN COMMON AND LIMITED COMMON AREAS

NUMBER 2019-007

Last Edited October 1, 2019

PURPOSE: Common and Limited Common areas, as defined below, are visible to all and may be subject to access/egress traffic. To provide a positive experience for unit owners and their guest and to ensure a safe environment, these areas must be free of obstacles, debris and items detrimental to overall appearance. This policy establishes the rules by which all owners and their guests must abide.

POLICY:

- Lobby – Personal items should not be left in the lobby area and carts should be returned to the adjacent cart storage area. A “Lost and Found” box is located in the cart storage area and items will be discarded if not claimed within a 2-week period.
- North balcony walkways – Main walkways must remain clear of obstacles (carts, coolers, beach items, etc.) that might impede access/egress in accordance with fire code requirements. However, items may be stored in the entry way to the unit provided they do not extend into the main walkway.
- Unit balconies (Limited Common) – Balcony rails must remain clear with no towels, clothing, signs, etc. allowed. No drilling allowed on walls for permanent structures such as hammocks.
- Pools – All personal items must be removed from pool areas daily by 10:00 PM after which they will be removed to the “Lost and Found” in the lobby cart storage area.
- Outside parking lot – Personal items are not to be stored outside of personal vehicles.
- Covered parking area – Tidewater Condominium has a limited number of private (deeded) parking spaces located under the building. These spaces are specifically restricted to motor vehicles except for storage cabinets/lockers obtained by the owner of the deeded parking space. Storage cabinets/lockers must be well maintained, aesthetically acceptable and secured to prevent movement during high wind events. Loose items are not allowed. Any loose items found in the covered parking area will be removed to the “Lost and Found”. Neither Tidewater COA nor the Association office will be responsible for any damage to or theft from these storage cabinets/lockers.

SUMMARY: This policy is for the mutual benefit of all owners and guests and will be strictly enforced to assure a clean, comfortable and safe experience. It is unit owners' responsibility to notify guests of this policy. As necessary, this information should be forwarded to your rental agency or property manager to assure that all guests are aware of these rules.

RULES AND REGULATIONS GOVERNING DISPOSAL OF WASTE AND MATERIALS

NUMBER 2019-008

Last Edited October 1, 2019

PURPOSE: Tidewater COA has contracted for commercial services for disposal of normal waste and materials, subject to restrictions defined herein, as a convenience to meet the sanitary needs of owners and guests.

POLICY: This policy establishes the rules by which all owners and their guests must abide to support this service and avoid unnecessary costs to the Association.

- Garbage/trash should be bagged and properly dropped down the trash chutes located at the ends of each floor walkway. Do not place any cardboard items (no pizza boxes) or bags that do not easily fit in the trash chute. Any items too large for the trash chutes should be taken to the ground floor and manually loaded into the large trash container.
- Debris from remodeling/construction (tile, carpet, wood, concrete, etc.) and used appliances, furniture, bedding, etc. must be taken off site for disposal and is not to be placed in the trash dumpster or discarded in the dumpster area. This material is not covered by our commercial contract and will result in extra charges to the Association for removal.
- Owners are responsible for making arrangements to dispose of materials in item 2 above. Contractors should be instructed to clean up their work area to include removal of all debris. Contractors will be barred from our property for failure to comply. Used appliances, furniture, bedding, etc. should be removed by the owner or the delivery service replacing such items.
- Owners will be subject to charges for offsite disposal and fines for non-compliance. The Association office staff will assist in identifying and documenting the unit responsible for non-compliance. Owners will be notified by the Association office of any violation.

SUMMARY: This policy is for the mutual benefit of all owners and guests and will be strictly enforced to assure a clean and attractive environment. It is the unit owners' responsibility to notify guests, contractors and delivery services of this policy. As necessary, this information should be forwarded to your rental agency or property manager to assure that all guests are aware of these rules.

RULES AND REGULATIONS GOVERNING
THE USE OF POOLS, HOT TUB, SAUNA AND EXERCISE ROOM
NUMBER 2019-009
LAST EDITED SEPTEMBER 30, 2019

Purpose: Tidewater Condominium Owner's Association (COA) wants to ensure all persons using Tidewater facilities do so in a safe and responsible manner with respect for the rights of others. This policy and the accompanying rules provide the basis for acceptable behavior while using our facilities.

Policy: All persons using these facilities must observe the rules posted at each facility and as stated below. Since use of these facilities is voluntary, owners and guests do so at their own risk. The Tidewater COA is not responsible for any accident or injury in connection with the use of any of the listed facilities or for any loss or damage to personal property.

Swimming Pools –

- Pool hours are 8am until 10pm.
- No lifeguard on duty – swim at your own risk.
- All bathers must shower before entering the pool.
- Children under the age of 12 must be accompanied by an adult.
- Bathers with diarrhea, skin diseases, open lesions etc. shall be excluded from the pool.
- Children in diapers must wear waterproof type diaper or waterproof cover. No changing of diapers in pool area.
- No glass or animals allowed in pool area.
- No running, diving, rough play, loud music or use of profanity.
- No throwing of any object made of a hard material (Beach objects only)
- No Smoking
- Pools only for owners and authorized guests. Violators will be considered as trespassing.

Hot Tub –

- Hot tub hours are 8am until 10pm.
- No food, drinks, glass or animals allowed in hot tub.
- Bathing load-3 persons
- All bathers must shower before entering the hot tub.
- Maximum water temperature 104 degrees.
- Children under the age of 12 must be accompanied by an adult.
- Maximum use -15 Minutes.
- Pregnant women, small children, people with health problems should not use hot tub without first consulting a doctor.
- Do not use with alcohol, narcotics or other drugs that cause drowsiness.
- Do not drink the water.

Exercise Room –

- Exercise room hours are 7am to 10pm.
- No wet clothes.
- No one under the age of 18 is allowed.
- No alcoholic beverages, food or animals allowed in the exercise room.
- Proper workout attire must be worn.
- Please wipe down machines after use.

Dry Sauna –

- Sauna hours are 7am to 10pm.
- Children must be supervised at all times.
- Pregnant women, small children, people with health problems should not use sauna without first consulting a doctor.
- Exit immediately if uncomfortable or dizzy. Staying too long in a heated area is capable of causing overheating.
- Breathing heated air in conjunction with consumption of alcohol, drugs, or medication is capable of causing unconsciousness.

Summary: This policy establishes the rules by which all owners and their guest must abide for the mutual benefit of all and will be strictly enforced. It is the unit owners' responsibility to advise guests and, as necessary, this information should be forwarded to your rental agency or property manager to assure that all guests are aware of these rules.

RULES AND REGULATIONS GOVERNING
GENERAL CONDUCT AND BEHAVIOR
NUMBER 2019-010
Last Edited October 1, 2019

PURPOSE: Tidewater promotes a peaceful family-friendly environment, and no one should infringe on the rights of others. As such, rules regarding proper conduct and general behavior are necessary. It is imperative owners and guests follow all rules and regulations of Tidewater Condominium Owners' Association (COA).

POLICY: This policy establishes the rules by which all owners and guests must abide.

- No excessive noise or loud playing of music is permitted. No group parties or disruptive gatherings are allowed. We promote a family-friendly environment and will not tolerate any activity that is obnoxious, offensive or an unreasonable nuisance or annoyance to other owners or guests. Refrain from use of profanity!
- Loud noise from construction/remodeling is strictly limited to 8:00 AM to 5:00 PM. Contractors are to be advised of this rule.
- Tidewater is a smoke-free facility. There is to be no smoking in Common Areas. The only exception—smoking is allowed in the barbeque grill area and Limited Common Areas (private balconies).
- Observe all rules concerning the use of the pools, hot tub, sauna and exercise room. See Rules and Regulations Number 2019-009.
- No glass bottles are permitted in the pool areas or on the beach. This is not only a safety issue but an environmental issue as well. No littering is allowed. Keep the beach clean—follow the rules set forth by the *Leave Only Your Footprints* program.
- Keep balcony railing free of towels, clothing, blankets or other articles. Do not throw anything off the balcony. Do not feed birds from the balcony.
- The Tidewater Parking Pass must be displayed at all times on the dash or the windshield of all vehicles. Observe all parking and pass requirements—see Rules & Regulations Number 2019-006.
- The use of the luggage carts is for the convenience of owners and guests only. Carts are not to be used by contractors or cleaning services. No carts should be brought into the units, unless permitted by the owners. After use, carts should be returned immediately to the cart storage area located in the lobby.
- Coolers, chairs, wagons, floats, beach umbrellas, etc. cannot be left outside the unit in the common area corridors where it will impede access and egress. This is a violation of the fire code.
- On-site security is provided to ensure that these Rules and Regulations are followed. Any instructions by the on-site security guard must be abided by.

Violators of these rules and regulations may be subject to monetary penalties, as per Article VIII, Section 8.01 of the Declaration of Tidewater Condominium.

SUMMARY:

This policy is for the mutual benefit of all owners and guests and will be strictly enforced to assure a positive experience. It is the owner's responsibility to advise guests of this policy. As necessary, this information should be forwarded to your rental agency or property manager to assure that all guests are aware of these rules.