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# HANDBOOK

*(f/k/a "The Green Book")*

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## INTRODUCTION

Condominium living requires courtesy, cooperation, discipline, and common sense. It requires more “give” from those of us who have elected to live in close proximity with others and share common areas of our “home.” The Board of Directors has attempted to incorporate these values into the guidelines and rules defined in this document in order to ensure quality living for all.

This handbook describes the facilities available to owners, renters, and guests and provides several rules and suggestions aimed at creating a safe and pleasant environment for all of us. Many of the items reflect policies set forth in the Emerald Tower Declaration of Condominium and By-Laws. Others are reflective of county and city laws relating to health, fire, sanitation, etc. The Board of Directors has attempted to tailor these to be as unobtrusive as possible while meeting the needs and interests of all the unit owners.

Remember, the rules apply equally to all of us and should be adhered to by all of us. Each of us always has an obligation to help maintain these rules, not just when it is convenient.

The Board of Directors welcomes any questions or suggestions regarding this handbook. From time to time the Board of Directors may revise this document. When changes are instituted, you will be provided with replacement pages to be inserted into the handbook. The Board of Directors are conscious of its responsibility for your comfort and well-being. The Board of Directors cannot, however, fulfill its responsibilities without your cooperation.

Emerald Tower will be as enjoyable, comfortable, and peaceful, as we, the owners, make it.

Best regards,

**BOARD OF DIRECTORS**

## **ADMINISTRATION**

### **ANNUAL MEMBERSHIP MEETING**

The Annual Membership Meeting of the Association is held each year on the first Tuesday of March in the Association's Recreation Room and is open to unit owners. This meeting serves to elect new directors of the Board, vote on proposed amendments to the operative condominium documents, and to conduct additional business. A quorum is required.

### **ELECTION OF OFFICERS**

At the Annual Membership Meeting, the Board of Directors is elected by ballot vote. The Board is comprised of seven directors. Each director is elected for a two-year term and must remain off the Board for one year before serving on the Board again. All unit owners are eligible to run for vacancies on the Board. Information regarding the procedures to run for a position on the Board is distributed at least sixty (60) days prior to the election. The newly elected Board will conduct an open meeting within ten days of the election and decide among themselves who will serve as President, Vice President, Secretary, Treasurer, and Directors.

### **BOARD OF DIRECTORS' MEETINGS**

The Board of Directors meets monthly to discuss and/or vote on condominium business. Meetings are open to all unit owners. The date and time of the meetings are posted on the bulletin board at least two days prior to the meeting. Special or emergency meetings may be necessary from time to time and will be posted at least three days in advance. If a special assessment is to be considered, the agenda along with the notice of the meeting will be posted at least fourteen 14 days in advance. Special Assessments may include emergency maintenance issues that require immediate attention. Other types of assessment may require a vote by the Associations' membership. Please refer to the Association's Declaration of Condominium, Articles of Incorporation, and By-Laws as revised from time to time.

### **FINANCIALS**

The Board of Directors must adopt a budget which will determine the amount that each unit owner will be assessed for the upcoming year. Unit owners will be given notice of the meeting at which the budget will be discussed and adopted. A copy of the budget will be provided to each unit owner on or before December 1<sup>st</sup>. If it is necessary to increase the budget by more than 15%, it must be approved by the membership. A copy of the Associations' monthly financial statements is available to every owner upon written request. The Association's fiscal year ends on December 31<sup>st</sup> of any given year. An audited year-end financial report will be provided to unit owners by hand delivery, mail, email, or notice, not later than 120 days following the end of the prior fiscal year - without cost.

### **MINUTES AND RECORDS**

Minutes of the Board of Directors' meetings and all other records related to the Association are maintained in the office. All members have the right to inspect Association records as allowed under Florida Statute 718 by written request. After receiving a written request for documents, the office will make the requested records available for inspection within ten (10) days of the request. Copies of documents will be provided at the owner's expense. Many of the Association's operative documents, minutes, committee minutes, forms and other documents and information are available on the Association's website. See [www.EmeraldTowerFL.com](http://www.EmeraldTowerFL.com).

### **VOTING RIGHTS**

Each Unit is entitled to cast one vote. If a unit is owned by more than one person, the person entitled to vote must be designated on a certificate signed by all the owners of the unit. The form of certificate is available in the office. If a person entitled to vote is unable to attend the meeting at which a vote will be taken, he or she may designate another person to cast the vote by proxy. The proxy certificate is available in the office.

### **MAINTENANCE FEES**

Th The monthly maintenance for each unit is based on the budget adopted by the Board and the size of the unit. The maintenance fee is billed monthly and payment is due on the 1<sup>st</sup> of each month. Delinquent payments will be assessed a fee plus interest for payments received after the 10<sup>th</sup> of each month.

## **BULLETIN BOARD**

Notices of the Board of Directors' Meetings will be posted on the bulletin board located in the lobby. Other notices of interest to unit owners will appear on this bulletin board as well as in the bulletin boards in the elevators. Community bulletin boards are located opposite the mailboxes and in the parking garage foyer. Unit Owners may use these areas to post personal notices, items for sale, etc. It is requested that those people posting such notices remove them within a reasonable period.

## **WEBSITE**

The primary goal for this website is to provide a powerful and an efficient communication vehicle for the residents of Emerald Tower. Although parts of this website are open to the public, regular access will be restricted to Emerald Tower residents and owners. The Association's Articles of Incorporation, Declaration of Condominium, By-Laws, Guidelines, Rules and Regulations, Board and Committee Meeting Minutes, forms, as well as additional resources are located on the website. Each owner or renter may register at <https://www.emeraldtowerfl.com>. No solicitation and/or advertising is allowed. The message board is for the sole use of the Board of Directors and committee members. The Board, at their sole discretion, may alter and/or expand the use of the message board and website.

## **BOARD MEETING WEBCAST AND TELEPHONE CONFERENCE**

The Emerald Tower Condominium Association Board of Directors' meetings may be available for viewing via the Associations' secure and private portal. Owners that have consented to communication with the Association via electronic mail will automatically be provided a link in advance of the monthly meeting. Owners that have not consented to communication with the Association via electronic mail, but may wish to attend monthly meetings via webcast, must request an electronic invitation from the office two days in advance of such meeting. Owners attending by webcast may participate by written questions and/or comments. During the meeting, written questions asked will be placed in the queue. During open discussion for the instant topic, questions will be answered in the order received. One follow-up question is allowed. If a question has been asked and answered, it will be removed from the queue at the discretion of the Board and/or Webcast Monitor. The Board of Directors, at their sole discretion, may end the webcasting option. "Audio and video recordings are made by the board or committee or at their direction. Except, however, recordings of board of directors, unit owner, or committee meetings shall be maintained as official records at least until the minutes of the meeting which was the subject of a recording are approved by the body authorized to approve said minutes. After said approval, the recording may be discarded." See 61B-23.002 Operation of the Association, Fla. Admin. Code 7(b)(3).

At the sole discretion of the Board of Directors, meetings may be available for listening by telephone conferencing via the Associations' secure and private telephone conference line. Owners that have consented to communication with the Association via electronic mail will automatically be provided with a dial in telephone number in advance of the monthly meeting. Owners that have not consented to communication with the Association via electronic mail but may wish to attend monthly meetings via telephone conference, must request the telephone conference line from the office two days in advance of such meeting. Owners attending by telephone conference may participate by written questions and/or comments via email only. During the meeting, emailed questions asked will be placed in the queue. During open discussion for the instant topic, emailed questions will be answered in the order received. One follow-up question is allowed. If a question has been asked and answered, it will be removed from the queue at the discretion of the Board and/or Webcast Monitor. The Board of Directors, at their sole discretion, may end the telephone conference option.

## **APARTMENTS**

### **APPROVAL/DISAPPROVAL**

An owner must have no felony convictions or misdemeanor convictions (indicating a demonstrable risk to safety or property) within five years of submission of an application, unless sealed, expunged, or pardoned, with full restoration of civil rights, and is not required to register as a sex offender under Florida law. Instances in which the applicant pled *nolo contendere* or no contest to such charges and received a withhold adjudication plea, may be treated as a "conviction" if the applicant was required to perform community service, pay restitution, and/or court cost, or served supervised probation. Applicants must have a credit score of 750 or higher.

## **SALES**

1. The Association requires that the following steps be taken prior to the closing of an apartment sale:
2. The prospective buyer must be provided with the Emerald Tower Condominium Association, Inc. Declaration of Condominium, By-Laws, Articles of Incorporation, and the Guidelines, Rules, and Regulations Handbook from the seller. The office will provide any missing documents at the seller's expense.
3. As required by law, each prospective buyer must receive a "Frequently Asked Questions and Answers" sheet that is included in the Application for Sale provided by the management company. One beach fob and two Medco keys are to be provided by the seller. Lost or additional Medco keys are available from the office for \$150.00 each.
4. The prospective buyer shall complete an Application for Sale form and submit it to the management company with an application fee as established by the Board of Directors, payable to Emerald Tower Association. This form also provides a clause in which the buyer acknowledges receipt of the condominium documents. The management company should receive the form not less than 30 days prior to the effective date of the sale.
5. Members of the Board of Directors or their appointee(s) will interview the prospective buyer and all persons who will be residing in the apartment, e.g., family members. The interview is an opportunity for the Board to ensure that the prospective buyer has received and reviewed the condominium documents and the Associations' Guidelines, Rules, and Regulations Handbook.
6. Apartments shall not be used for any commercial purpose.
7. The Board signs a "Certificate of Approval" to be recorded along with the Warranty Deed when the above steps have been completed and there are no reasons to deny the sale.

## **REAL ESTATE AGENCIES AND OPEN HOUSES**

1. Owners who have listed their apartment for sale with a realtor must report to the office who they have provided a Medeco key and/or a pin number or a virtual key allowing access to Emerald Tower after business hours.
2. Per ET rules, no signs may be posted on the building or in the lobby. If an owner or realtor is conducting an open house, someone must be stationed in the lobby to receive prospective buyers and escort them to the apartment and in all common areas. At no time are they to be allowed to explore the building and grounds unescorted. If the owner is absent, the realtor must provide the workforce to satisfy this requirement.
3. Realtors showing apartments outside of regular business hours (Monday-Friday, 8:30am to 4:30pm), must either be accompanied by the owner of the unit or registered with the office. Realtors may show apartments and common amenities unescorted during regular business hours. Realtors must sign in and out during regular business hours. All realtors showing apartments after regular business hours or weekends on behalf of absentee owners must be registered as such with the office.
4. Individual owners are personally responsible for the conduct of individuals to whom they grant access to the building.

## **RENTALS**

1. Apartments must be owned for one year before such unit can be rented.
2. Apartments may be leased or rented no more than once in a 12-month period and not less than 60 days.
3. No more than twenty units can be rented in the building.
4. Guests and family members desiring to become permanent residents (defined as a person living in a unit for more than three months) must be vetted on or before 120 days to qualify as a permanent resident.
5. A prospective renter shall complete an Application for Lease form and submit it to the management company with the required application fee, payable to Emerald Tower Association.
6. The application should be received by the management company not less than 30 days prior to the effective date of the lease.
7. All lease agreements shall include a copy of the Emerald Tower Condominium Guidelines, Rules, and Regulations Handbook. Violations of the rules may result in termination of the lease.

## **GUESTS OF OWNERS NOT IN RESIDENCE**

1. Guests (non-family) use of an apartment when the unit owner is not in residence, is limited to two times per year.
2. Owners must complete the appropriate form and notify the office when guests and/or family members will be occupying their apartment while the owner is not in residence. Such notification forms are available on the Emerald Tower website and may also be obtained from the office. This form shall be submitted not less than five days prior to the arrival of the guest. As soon as possible, guests should indicate their presence at the office.
3. Owners shall provide a copy of the Association's Guidelines, Rules, and Regulations Handbook.



4. Owners will be held fully responsible for the actions and behavior of their guests and will be financially responsible for any damage caused to any common elements.
5. Guests and family members desiring to become permanent residents (defined as a person living in a unit for more than three months) must be vetted on or before 120 days to qualify as a permanent resident.

## **KEYS**

All owners must provide their apartment key to the office. During an owner's absence, entry to the apartment will be made only for a compelling reason. These keys are secured in a locked safe located in the office. Owners willing to allow entrance to their apartments by others must leave a separate key along with written authorization for entry into the apartment. Owners leaving vehicles in the garage when not in residence shall leave a vehicle key in the office in case the vehicle needs to be moved during an emergency or for common area maintenance.

## **MAIL**

Mail is delivered directly to our building into postal boxes assigned to each unit. Magazines and large items may be placed in the open mail receptacles according to owner's/renter's last name initials. An outgoing mailbox is located within the mailbox bank. Packages are not allowed to be left with or accepted by the Associations' staff or property manager. A package area is located in the lobby. Packages must be removed within 72 hours.

## **DELIVERIES**

Furniture or other deliveries are only permitted during certain days and hours. No after-hour large item deliveries are permitted without Board approval, including holidays and weekends. Residents should meet food delivery companies in the lobby and not permit delivery personnel to wander throughout hallways.

## **CARS, TRUCKS, AND PARKING**

Each apartment is deeded a specific parking space. Owners must register their car with the office. Owners may temporarily allocate a parking space to another owner by written consent (a copy of such form is available in the office). No recreational vehicles, motorcycles, trailers, commercial vehicles, or any boats are allowed on any portion of the common property. Further information regarding vehicles may be found in the Association's Articles of Incorporation and/or Declaration of Condominium. The direction of vehicular traffic on the parking deck surrounding the building as well as in the parking garage is clockwise. The speed limit is five miles per hour. Disabled vehicles will be removed at the owner's expense. Please, head in parking only.

## **GARAGE GATE**

The garage door will open with the use of your handheld garage gate remote or programmed in your vehicle when entering/exiting. The gate will automatically close after opening. If the gate is open upon entering or exiting the parking garage, it is recommended that you wait until the gate fully closes before reopening it. The gate can be manually opened by using the "open" switch located inside the parking garage. To manually open the gate while entering the garage, use your Medeco key at the junction box on exterior side of the gate.

## **MAINTENANCE SERVICES**

The Associations' maintenance staff take direction from the President, Chairperson of the Maintenance Committee, or someone specifically designated by the Board. The Association's staff is accountable for the maintenance of the common elements. All requests for repair or maintenance should be directed to the office and/or maintenance committee. The priority of work to be performed will be subject to and superseded by any unanticipated emergency work. The maintenance staff is not responsible for repairs outside the Association's common areas and /or elements. The maintenance staff is not restricted from performing maintenance services for residents as long as this work is done outside of normal working hours.

## **FACILITIES**

### **BEACH**

Unit owners are automatically members of the El Mar Beach Club located across State Road A1A near the northeast corner of the building. Unit owners are given a fob that opens the gate leading to the beach. There are approximately eleven parking spaces available to members. Other area condominium buildings and certain homeowners residing on Terra Mar Island are also members of the El Mar Beach Club. There is a covered seating area, grills, picnic tables, and showers available for members. Additional fobs or replacement fobs are available for a fee as determined by the El Mar Beach Club Association. Key Fobs beyond the one that is provided as part of the membership are subject to a yearly \$75.00 fee for each additional fob requested.

## BEACH LOCKERS

Beach lockers are assigned to unit owners based on an established waiting list. Only one beach locker may be assigned per building unit or apartment. In addition, owners of multiple units may not be assigned more than one beach locker. To retain use of an assigned beach locker, the unit owner must be in residence (living at Emerald Tower). If the unit is later rented or sold, the beach locker reverts to the Association for reassignment to the next unit owner on the waiting list.

## POOL

1. The pool is open from sunrise to sunset and is available for use by Emerald Tower owners, renters, and invited guests.
2. The pool deck area is available for use until 10:30 p.m. Please be considerate of those living on the pool side and keep noise to a minimum.
3. Those using this facility do so at their own risk.
4. To avoid accidents, please comply with these regulations and posted notices:
  - A. Shower before entering the pool. Warm showers are available in the cabanas. An unheated shower is located outside the cabanas.
  - B. Infants who are not toilet trained are not allowed in the pool. No children or adults wearing diapers are permitted in the pool.
  - C. Children up to 10 years old must always be supervised in the pool area by an adult.
  - D. Radios should not be played in a manner that causes annoyance to others.
  - E. Excessive splashing, throwing of objects, or running around the pool area is prohibited.
  - F. Pool toys (floats, beach balls, etc.) are allowed only when they do not interfere with others.
  - G. Refrain from active games in the water when others are in the pool or nearby.
  - H. No diving is allowed.
  - I. Protect pool furniture from suntan lotions and oils by utilizing towels.
  - J. Pool furniture should be returned to their original location in an upright position after use. If umbrellas are opened, please close and tie shut the umbrellas after use.
  - K. Swimming Pool Safety Line:
    1. The pool safety line should be attached on both sides of the pool.
    2. The pool safety line should always be in place when young children are in the pool.
    3. If the pool safety line is detached, the line should be re-attached upon leaving.
  - L. There are grill(s) for use by all residents. Please clean the grill after use and turn off the propane gas tank. Grills are available on a first come first served basis. Please be courteous and extend the use of the grill to your neighbors. Confine eating activities to the serving / bar area. Glass containers are never allowed in and around the pool area. Please clean the pool area after use. grilling is not allowed in any other area except the grills provided at the Pool. (i.e., NO portable grills at the boat docks, on boats, or grassy area near the boats) No grilling or any type of cooking is allowed on the balconies.
  - M. An ice machine is located on the parking deck near the Hobby Room.

## BOAT DOCK

Adjacent to our pool are ten boat slips which are for the use of Emerald Tower unit owners at a nominal fee (on as available basis). Owners desiring a slip must sign a Boat Slip Agreement. Some of the applicable terms contained in the agreement are listed below:

- The maximum length of a boat is thirty-six feet.
- Copies of current boat registration, evidence of ownership, and proof of insurance are required annually.
- The boat slip agreement is effective for a one-year period and is renewable.
- The rights of the boat owner slip cannot be assigned, nor may boat owners sublet the boat slip.
- The assessment for the slip is based primarily on the length and width of the vessel.
- Assessments will increase in those years wherein there is an increase in the monthly maintenance assessment enacted by the Emerald Tower Directors and increased only by the same percentage factor as the monthly maintenance assessment.
- Emerald Tower owners who are in residence at Emerald Tower have the right to obtain a boat slip. An ETA owner must remain in residence to retain a boat slip. A resident owner is one who maintains ownership of a unit and does not lease such unit for any length of time during the time of ownership. If a boat slip is not available, an owner may place his/her name on the boat slip waiting list.

## **COMMON AREA ACTIVITY ROOMS**

These rooms are for your enjoyment and comfort. It is expected that the room, its' furniture, and equipment will be used with care and for the purpose in which the room and equipment were intended. Recreation rooms shall be kept neat, orderly, and free of trash. Owners are responsible for damage to ETA property. No smoking. Emerald Tower Association, Inc. assumes no risk from injury or improper use of equipment associated with any of the Common Area Activity Rooms.

### **BILLIARD ROOM**

3<sup>rd</sup> Floor - Billiard Room (some cue sticks are available).

### **CARD ROOM**

5<sup>th</sup> Floor - Card Room (bring your own cards).

### **PING-PONG ROOM**

7<sup>th</sup> Floor - Ping-Pong Room.

### **LIBRARY**

9<sup>th</sup> Floor - Library - Donations of books and magazines are welcomed and should be arranged through the office.

### **EXERCISE ROOM**

11th Floor - Exercise Room - No children under the age of sixteen are allowed without adult supervision. Owners use any equipment at their own risk. Please do not leave any personal equipment in the room. Clean and sanitize the equipment after each use. Open from 7:30 a.m. through 9:00 p.m.

### **HOBBY SHOP**

Ground Floor – Hobby Shop is available for do-it yourself projects. Please cover the work area and work bench prior to painting or spray painting. Leave the room cleaner than you found it. Owners use any equipment at their own risk.

## **SOCIAL / RECREATION / MULTI-PURPOSE / ROOM**

This room was designed for public social gatherings of owners, guests, and family members as well as for meetings of the Board of Directors and authorized Association Committees and is located on the ground floor. Private parties hosted by a resident must be arranged by submitting a written reservation request form to the office prior to the desired date and approved by the Board of Directors. This request must state the nature of the event and the number of expected guests. A \$100 refundable deposit is required and will be returned should the room be left clean and without damage.

### **STORAGE LOCKERS**

Each apartment is assigned one (1) storage locker located on each floor. Additional storage lockers may be obtained at a minimal cost on an available basis. You may contact the office for additional information. No flammable items should be stored in any storage locker. Items left outside a storage locker may be removed at the owner's expense without notice.

### **AIR CONDITIONING / WATER HEATER UTILITY CLOSETS**

The City of Pompano Beach Fire Department and the current Florida Fire Prevention Code does not permit storage of any items nor dryer venting in air conditioning / water heater utility closets and requires that the doors remain unlocked. Violations fees are set by the City of Pompano Beach Fire Department and payment of such fee is the responsibility of the owner and payable to the regulatory authority.

### **SHOPPING CARTS/LUGGAGE RACKS**

Shopping carts and luggage racks are available for use by all residents and are stored in the parking garage. Please return the shopping carts and/or luggage racks to the garage immediately after use. No shopping carts and/or luggage racks are to be stored in hallways, apartments, or elevators over-night. No contractors or vendors are allowed to use the shopping carts and /or luggage racks.

### **CAR WASH**

A car wash station is located in the southwest corner of the parking deck and houses a hose, nozzle, and garbage receptacle. Car washing is allowed between sunrise and sunset. seven days a week.

### **BICYCLES**

- Bicycles must be stored on the bicycle rack located in the parking garage.
- Bicycles must be tagged with the name of the owner. The Board may remove bicycles if not properly tagged.

- Bicycle owners may need to remove their bikes from time to time for maintenance, emergencies, or other ETA functions. Bicycle owners may have to make other storage arrangements for their bike to facilitate this work.
- Bicycle owners understand that ETA never intended, nor designed the bicycle storage area to be used as bike storage and the bicycle owner acknowledges that ETA does not guarantee the security of the property being stored. In addition, the bicycle owner realizes that the area is not locked, secured, or guarded. Therefore, the bicycle owner agrees to assume full responsibility for and risk of property damage due to the lack of negligence of ETA or otherwise while bicycle is stored.
- Bicycles that are stored in an owner's unit may exit through the underground parking garage or through the south lobby doors.

## **MOBILITY SCOOTERS**

- Mobility scooters must be stored in the mobility scooter parking area located in the parking garage.
- Mobility scooters must be tagged with the name of the owner and registered with the office. The Board may remove mobility scooters if not properly tagged.
- The storage fee for a mobility scooter is \$10.00 per month. Payment should be made through the office.
- Mobility scooter owners may need to remove their scooter from time to time for maintenance, emergencies, or other ETA functions. Mobility scooter owners may have to make other parking arrangements for their scooters to facilitate this work.
- Mobility scooter owners understand that ETA never intended, nor designed the mobility scooter parking area to be used as mobility scooter parking / storage and the mobility scooter owner acknowledges that ETA does not guarantee the security of the property being stored. In addition, the mobility scooter owner realizes that the area is not locked, secured, or guarded. Therefore, the mobility scooter owner agrees to assume full responsibility for and risk of property damage due to the lack of negligence of ETA or otherwise while the mobility scooter is stored.

## **KAYAK AND PADDLE BOARD STORAGE**

In the parking garage, there are kayak and paddle board storage racks which are for the use of Emerald Tower unit owners and renters at a fee. Owners desiring a storage rack must sign a Kayak and Paddle Board Agreement. Some of the applicable terms contained in the agreement are listed below:

- The Kayak and Paddle Board Agreement is for storage of private non-motorized watercraft ("NMW") for a fee.
- Storage racks are available to all residents of Emerald Tower Association, Inc., whether an owner or a renter, on a first-come/first served basis. If a storage rack is not available, an owner or renter may place his/her name on the NMW waiting list.
- Watercraft Owners must store NMW in the assigned rack.
- The Kayak and Paddle Board Agreement is effective annually for a one-year period commencing on January 1<sup>st</sup> of any given year and is renewable. Fees are prorated.
- Yearly assessment for said Watercraft storage may be increased from time to time at the sole discretion of the ETA Board of Directors.
- No canoes are permitted.
- No launching of watercraft is permitted, at any time, from the ETA Boat Marina.
- The rights of the NMW storage rack cannot be assigned, nor can Watercraft Owners sublet their assigned rack.
- Watercraft Owners may need to remove their watercraft from time to time for maintenance, emergencies, or other ETA functions. Watercraft Owner may have to make other storage arrangements for their NMW to facilitate this work or should a named storm approach.

## **GARBAGE, RECYCLING, BULK WASTE, AND HAZARDOUS WASTE**

Refuse rooms are located on each floor with:

1. a garbage chute,
2. a green recycling bin, and
3. a large gray trash can.

## DISPOSAL OF GARBAGE

- No loose garbage may be thrown into the chutes. All waste should be securely tied in plastic bags that fit easily into the trash chute to prevent any dust and odors from permeating throughout the chute.
- No glass material should be thrown into the chutes to ensure the safety of residents and employees. Rather, place glass material in the gray trash can so that it can be safely taken to the dumpster downstairs by staff.
- Place heavy objects (over five pounds), sharp objects (wrapped with protective material), or any breakable objects in the gray trash can to prevent damaging the garbage chute and endangering people downstairs near the dumpster.
- Oversized waste that does not fit easily into the trash chute must be tightly secured in an appropriate bag or box and taken downstairs to the “outside refuse collection area” near the doors to the garbage dumpster rooms on the external south side of Emerald Tower, hereafter called the “outside refuse collection area.” This includes furniture cushions, pillows, comforters, wicker items, etc. These items will cause the trash compactor to malfunction.
- The Association’s garbage vendor picks up the Association’s waste on Monday, Wednesday, and Friday. Please do not dispose of anything with a strong odor or that will attract vermin until the night prior or morning of garbage pick-up day.
- Oversized waste that does not fit easily into the trash chute must be tightly secured in an appropriate bag or box and taken downstairs to the “outside refuse collection area” near the doors to the garbage dumpster rooms on the external south side of Emerald Tower, hereafter called the “outside refuse collection area.” This includes furniture cushions, pillows, comforters, wicker items, etc. These items will cause the trash compactor to malfunction.

## RECYCLING

Currently, the Association only recycles paper products. Paper products include corrugated cardboard (shipping containers), paperboard (cereal boxes), newspapers, magazines, catalogs, junk mail, and miscellaneous paper.

- All corrugated cardboard boxes of any size must be broken down and taken to the outside refuse collection area, unless when broken down, the box lays flat in the green recycle bin. Any other type of recyclable paper material should be broken down and placed in the green recycling bin located in each refuse room. Paper products that contain grease or food remnants are considered waste and are not to be recycled.
- Residents may take their recyclables to the City of Pompano Beach public recycling drop-off location 2700 Wiles Road, Coconut Creek, FL 33073. If you have questions, you may contact the City of Pompano’s Recycling Coordinator by telephone at (954) 545-7047, by email to [Recycling@copbfl.com](mailto:Recycling@copbfl.com), or searching the City’s website <http://pompanobeachfl.gov> for further information.

## BULK ITEM(S) DISPOSAL

- Bulk items are considered furniture, lamps, mattresses, box springs, mirrors, and tabletops (must be wrapped and secured), large and small appliances, toys, pictures, or any other household item.
- Effective November 1, 2018, Resident’s will no longer be allowed to dispose of bulk items at the outside refuse collection area except on the designated bulk pick-up dates listed below. Residents that violate this policy will be asked to immediately take their items back to their unit and hold the items until a scheduled bulk pick-up date. If items are not removed from the outside refuse collection area within 24 hours, the Association will have them removed by a commercial disposal service and will bill the expense to the unit owner.
- Alternatively, Residents can arrange for pick-up by a commercial disposal service on a given day at the Resident’s own expense.
- The Association will arrange four bulk pick-up dates per year (January, April, July, and October) and inform Residents of the specific dates one week prior to the scheduled pick-up date. Bulk items should be placed in the outside refuse collection area no earlier than 24 hours before the scheduled bulk pick-up.
- Construction material such as carpeting, drywall, plasterboard, plumbing pipes and parts, tile, paint, and other similar materials produced by construction, remodeling, repair, and demolition (including the complete removal of all appliances, toilets, sinks, vanities, doors, cabinetry, and hardware) are the responsibility of the unit owner and / or the respective contractor and must be removed at the unit owner’s expense.
- Automotive and marine parts, including anybody, engine, drivetrain, tires, or other similar vehicle or marine parts must be properly disposed of by the unit owner.

- The City of Pompano Beach allows residents to dispose of bulk items free of charge at the Pompano Beach drop-off location, Saturday from 8:00 a.m. to 3:00 p.m. at 2700 Wiles Road, Coconut Creek, Florida 33073. Proof of residency is required.

## HAZARDOUS WASTE DISPOSAL

- Hazardous waste cannot be disposed of at any time by using any disposal methods detailed above. Residents should dispose of hazardous waste following the guidelines and ordinances of the City of Pompano Beach, Broward County, and Florida statutes.
- Residents who dispose of hazardous waste using any garbage removal method shown above will be asked to immediately return the hazardous waste to their unit. If the item is not removed within 24 hours, the Association will have it removed by a commercial disposal service and will bill the expense to the unit owner.
- Hazardous waste includes: televisions, computers, monitors, keyboards, printers, copiers, DVD and VCR players, cell phones, cell phone batteries, cadmium or lithium batteries, paint, aerosol products, ammonia, ammunition, antifreeze, auto fluids, auto batteries, boat fluids, charcoal starter, compact fluorescent bulbs, drain cleaners, fertilizers, fire extinguishers, fireworks, flares, fluorescent tubes, gasoline, herbicides, household cleaners, insecticides, kerosene, lighter fluid, mercury thermometers, motor oil, nail polish remover, pesticides, photo chemicals, pool chemicals, propane tanks, rechargeable batteries, rust remover, solvents, tires, turpentine, weed killer, wood stain, wood stripper, medication, needles, biohazardous waste, etc.
- For further information and regarding hazardous waste and scheduled drop-off locations, Residents should contact the City of Pompano Beach Household Hazardous Waste Collection and Electronic Scrap Recycling Coordinator at telephone (954) 786-4030, by email to HHW@copbfl.com, or visit the City's website at <http://pompanobeachfl.gov>.

## BUILDING / INFRASTRUCTURE

Our building/home as we know, is aging and we need to take care of its infrastructure and practice due diligence in avoiding disruptions to these systems.

### PLUMBING

It is the responsibility of owners to inform contractors, and service providers of all applicable plumbing rules.

*It is imperative that owners, renters, and guests adhere to these rules, otherwise, improper disposal of the below mentioned items will cause the building's pump/sewage system(s) to clog and will cause costly repairs and the system(s) to become inoperable.*

### Toilets

Only human waste and toilet paper shall be disposed of when flushing toilets. The following items shall never be flushed down the toilet: nitrile gloves, feminine hygiene products, baby wipes (whether the product label states flushable or not), disinfecting wipes/wet ones, diapers (baby or adult), rags, plastic bags, paper towels, facial tissue, dental floss, q-tips, etc. Flushing anything other than human waste and toilet paper will cause the Association's sewage equipment to fail. Repairs and replacement of the Association's sewage system is extremely expensive.

### Kitchen Sink Drains

A garbage disposal is installed between the underside of a sink and its trap. It is an environmentally friendly option and makes kitchen cleaning more convenient. Sink Garbage disposal helps to prevent future blockage and major damage to the sewer line. Best plumbing practices

**What Can Go Down a Disposal?** Countless soft foods and liquids can be taken care of in garbage disposal. In fact, some objects are even beneficial to disposal care. It is recommended to use cool or cold water when the garbage disposal is running. Owners should keep the water on for ten seconds before and after using a garbage disposal to help carry waste down the drain. Ice cubes help to clean, sharpen, and prevent debris build-up on disposal blades. Placing very small pieces of citrus fruits like lemons or oranges down a garbage disposal helps break down built-up debris inside of a garbage disposal and effectively cuts down unpleasant odor. Anti-grease chemicals in dish soap and draining fluid help flush out grease, allowing the disposal to run better and last longer.



**What Not to Put in a Garbage Disposal:** Common sense can only take a person so far when it comes to what not to put in the garbage disposal. The following items (not exclusive) should be avoided: coffee grounds, grease (use a grease jar and dispose of accordingly), eggshells, onion skins, potato peels, hard foods (bones, nuts, fruit pits, etc.), dry expandable foods (pasta, rice, oats, etc.), banana peels, animal skin, paint, fibrous foods, and seafood shells. If a small piece or a few food pieces are left on a plate after your meal, it should be fine to run through the disposal. Please keep in mind to run the food with cold water to flush it through the trap and into the main sewer line. This will prevent the food from staying and expanding at the bottom of the unit, causing a future blockage.

### **Bathroom Sink Drains**

All the above including excessive hair should not be disposed of down any bathroom sink drain.

## **CONSTRUCTION AND VENDORS**

### **MODIFICATIONS, RENOVATIONS, AND FLOORING**

Prior to commencing any apartment renovation, owners must complete the Project Information Form and provide the form to the office. All Contractors must complete and acknowledge the Association's Contractor's Rules and Manual. Contractors must park on the east side facing A1A – contractors' parking spot next to the car wash is only available while loading and unloading materials and tools. All required permits for remodeling/renovations activities (including those affecting the interior of apartments) must be obtained prior to the commencement of such activities and no such activities which may affect the common elements (such as plumbing lines or structural elements) may be performed without written approval of the Board of Directors. Owners planning to alter exterior walls to install or modify windows or balcony doors must request permission to do so from the Board of Directors. Requests must be submitted in writing to the Board as follows:

- Plans prepared by an architect or engineer licensed to practice in the State of Florida shall be filed simultaneously with the request for approval.
- The Board shall indicate its approval or disapproval in writing.
- No alterations or modifications may be commenced prior to written approval.
- New windows or doors must conform to the existing dark bronze frames presently installed in Emerald Tower. The request shall also state the name of the contractor who will be conducting the approved plans.

Carpeting is not allowed as a surface covering for any balcony. Owners wishing to re-cover their balcony floor must obtain Board approval prior to installation. All flooring requires approval from the Board of Directors. Currently, the Board of Directors has instituted a moratorium on the installation of new balcony tiles. Please contact the office for further information. All interior hard flooring must have a soundproof underlayment which meets the minimum standards pursuant to Florida State Statutes, Broward County Ordinances, and the City of Pompano Beach Ordinances. It is the responsibility of the unit owner to ensure that their contractor follows the Associations' rules, requirements, and instructions.

### **HURRICANE WINDOWS, DOORS, SHUTTERS, AND WINDOW FILM**

#### **Hurricane Shutters**

- Total replacement and installation of new hurricane shutters on all balconies must be vertical accordion type and white in color. All Hurricane shutters shall be installed on the inside of the balcony wall according to Broward County, City of Pompano and / or Florida building codes and ordinances. Each apartment owner shall be responsible to maintain, repair, and replacement of the hurricane shutters.
- Shutters on non-balcony opening must be vertical accordion type and white in color. These shutters shall be mounted on the exterior of the wall in such a way as to minimize any damage to the architectural detail nor the cement waterproofing envelope of the building.
- All hurricane shutters must meet Class A Large Missile Ready (9lb.) impact resistance and must be maintained in good operating condition and repair and comply with current (1) insurance industry standards; (2) current County Ordinances; (3) City of Pompano Beach Ordinances; and (4) Florida Building Codes and Statutes.

## Hurricane Windows and Doors

- All new hurricane windows and sliding doors shall be bronze in color on the exterior including all frameworks, bracings, and casings seen from outside the building, whether opened or closed. Hurricane windows shall be sliding windows, also known as rolling windows, which slide on a track. Stationary windows shall be bronze in color on the exterior including all frameworks, bracings, and casings seen from outside the building. Stationary windows shall have the maximum amount of glass allowed according to Broward County, City of Pompano and / or Florida building codes and ordinances. Each apartment owner shall be responsible to maintain, repair and replacement of all hurricane windows, sliding doors, and kitchen doors.
- All units with hurricane windows or sliding doors with white exterior frameworks, bracings, and casings may remain. When the lifespan of hurricane window or sliding door with a white exterior expires or requires replacement, the window or sliding door must be bronze in color on the exterior including all frameworks, bracings, and casings seen from outside the building, whether opened or closed.
- Single hung kitchen doors that lead to the balcony shall meet all hurricane impact requirements and may be white or bronze in color.
- All glazed (glass) openings must meet the Large Missile (9 lb.) impact requirements of SSTD:ASTM E 1886 and ASTM E 1996; MIAMI-DADE PA 201, 202 and 203, and comply with current (1) insurance industry standards: (2) current County Ordinances; (3) City of Pompano Beach Ordinances; and (4) Florida Building Codes and Statutes.

## Window Film

- Only brown tint, non-reflective window film may be applied to the interior of window glass. Non-reflective shall mean that the window film is free from any mirror or reflection effect seen from the exterior of the building or window. Exterior application of any window film is prohibited. Any window film currently installed using reflective window film and /or is any color other than brown, shall be removed by June 30, 2023, at the owner's expense.

## SERVICE PEOPLE

Every day, several "outside" service people will be present in our building during the day. They may include cleaners, health service providers, delivery people, technicians, contractors, installers, and movers. Service people should use the south entrance of the building and register at the office before proceeding. It is the owner's responsibility to inform the service people of this requirement as well as to provide the Association with proof of a current business license, certificate of insurance, and certificate of workers' compensation insurance, if applicable, prior to their visit.

Other than for emergency service calls or other situations for which prior Board approval is obtained, these activities are limited to Monday through Friday from 8:30 a.m. to 4:30 p.m. Saturday morning deliveries are permitted when weekday deliveries are not feasible. For Saturday delivery of furniture or other large items, arrangements must be made in advance with the office. Construction/renovating activities involving knocking, drilling, etc. should not begin before 9:00 a.m. Contractors are not allowed to conduct any work on weekends.

Special Instructions applying to movers and contractors/renovators are available in the office. It is the responsibility of the unit owner to make sure that the mover/contractor receives these instructions. The owner is responsible for the actions of their contractor or other service people and/or vendors.

## SECURITY - GENERAL

Our mutual security is as good as our own carefulness. The following are some dos and don'ts to be considered:

- Butterfly/Door Access information is available at the office as well as the Association's website. Access passwords and virtual keys may be given for guest access with certain time limits.
- Report suspicious persons or incidents to the office or appropriate authorities immediately.
- Do not prop open any doors into the building or pool facilities. Lock cars at all times and be diligent about checking the area to and from the building. Any strangers seen roaming around the grounds or building should be reported to the Broward County Sheriff's Office non-emergency telephone (954) 764-4357 and not confronted by residents.
- Surveillance cameras are located throughout the property.
- Do not provide entry into the building to anyone that you do not know personally. This includes anyone waiting at an entrance or in the process of calling an owner to gain admittance. If you prefer to avoid a possible confrontation, use a different entrance.
- Do not permit entrance via the building's Butterfly security system to anyone that you do not know.



- Vandalism to the building or its common element and/or theft, should be reported to the Association, and when applicable, to the local authorities.
- Copies of police or other outside agency reports should be provided to the office.
- Be certain that your guests are aware of these security rules.
- Do not issue or lend building entrance keys to vendors, contractors, etc. Report loss of building keys to the office immediately. There is a \$75.00 replacement fee for your Medco key.

## **SAFETY – GENERAL**

### **STORM PREPARATION**

All balcony shutters and windows are to be maintained in working order. Storms pose one of the greatest risks to the safety of our unit owners. This includes the flooding of units and the potential of furniture being blown off patios that have not secured their patio furniture or closed their balcony shutters. In addition, all balcony drains must remain open and unobstructed so that water does not build up on the owner's patio.

- In the event of a storm, each unit owner is responsible for ensuring that their shutters and windows are closed, and all patio furniture removed or secured.
- If owners are planning to be away for more than 48 hours, all balcony shutters, windows and/or doors must be closed, and furniture secured.
- In preparation for a storm, if our maintenance team or a board member is asked to address the above issues a \$150 service fee will be imposed if an owner fails to follow ET's documented guidelines.

Prior to leaving your unit for an extended period of time and to reduce the chances of problems occurring during your absence from Emerald Tower, please consider:

- Turn off the water to your unit. This is accomplished by turning off the shut off valve(s) in the hallway air conditioning utility closet. Also, for extra protection, it is a good idea to turn off the valves beneath the sinks and toilets. If you are not sure where the shut off valves are located, please ask the maintenance staff.
- Unplug the hot water heater located in hallway air-conditioning utility closet.
- If you have hurricane shutters, please close, and secure them.
- If you are leaving your vehicle in the garage, please leave a key with the office if the Association needs to move the vehicle in case of an emergency or for common area maintenance purposes.

### **UNIT AIR CONDITIONING**

While owners are away for an extended period, the Association requires that owners leave their respective air conditioning units set to a minimum of 78 degrees. Alternatively, owners may install (at their expense) a humidistat set to 55%. When the interior of an apartment reaches a humidity level higher than 55%, the humidistat automatically turns on the air conditioning unit to reduce the apartment's humidity level to 55%. Once the humidity level has returned to 55%, the air conditioner will turn off. This process will eliminate and lessen the chance of mold, mildew, and fungus growth leading to damage to the unit, neighboring units, and/or common elements/areas.

### **WATER HEATER**

A water detector is required to be placed near each water heater in the event of a leak. The Association will provide a one-time water detector for each unit. If an owner requests a replacement water detector the Association will provide an additional detector at the owner's expense. The Association replaces water detector batteries annually. Water pans are required to be placed under each water heater. When replacing your water heater, a water pan is required. While owners are away for an extended period of time, the Association requires that owners turn off all water and their water heaters to avoid incidents that would damage other units above and below them, soil carpets or create an unsafe walking condition outside their units. Carpets take days to dry out, require fans with electrical cords and require immediate action by our maintenance team.

- To address a failed water heater, if our maintenance team or a board member is required to address a failed water heater, while an owner/renter is out of town for an extended period of time, a one-time service fee of \$150 will be imposed if the owner failed to follow ET's documented guidelines. Failure to follow guidelines would include but not limited to the removal of the provided battery detector or failure to turn the water supply or water heater off while away for an extended period.

## FIRE ALARM SYSTEM

The following is a summary of the procedures to be followed if the fire alarm is sounded.

- Fire alarm is tested weekly.
- In the event of an alarm, everyone is required to evacuate.
- 911 will be called immediately.
- No elevators are to be used.
- Persons requiring wheelchairs or others that may otherwise require extra assistance, should use the north outside stairwell exit area.
- When a resident becomes aware that they will require assistance evacuating the building, such owner should inform the office at that time. Such residents will be placed on a list maintained in the office. This list is to provide information to abled residents and the Fire Department to assist disabled residents during an evacuation.
- An **automated external defibrillator** (AED) is located in the lobby opposite the lobby restrooms. An AED is a device used to administer an electric shock through the chest wall to the heart. Built-in computers assess the patient's heart rhythm, judge whether defibrillation is needed, and then administer a shock if needed. Audible and visual prompts guide the user through the process.

## HURRICANE PRECAUTIONS

There are many critical factors to consider during a hurricane. We live in an evacuation zone. Plan where you will go if an evacuation order is given. Going to a family or friend's house, or a hotel outside the evacuation area is your best choice. If you choose to go out of town, do so well in advance of the storm. Since shelters provide for only basic needs, this should be your choice of last resort. Remember, shelters are not designed for comfort. If an evacuation is ordered, you are required by law to evacuate. If you remain in your apartment, police and fire services may not be available to you. Be aware of weather and storm alerts to keep informed of the progress of the storm and information about evacuation zones, evacuation shelters, boil water orders, etc. When an evacuation is ordered, Broward County Transit buses cease regularly scheduled service and begin emergency evacuation service from evacuation zones.

The service coincides with the opening of shelters and will not begin before the shelters open. You can go to any regular bus stop along State Road A1A. Determine your family's food, water, and medical needs, and assemble your hurricane kit according to those needs. Plan on supplies including food and water that will sustain your family for three to five days, and a two-week supply of medicines.

Whether leaving your apartment or not during a storm, consider the following:

- Bring inside all loose objects and furniture that are on your balcony.
- Close and secure hurricane shutters, including the one in your den. If you do not have hurricane shutters, board up windows and doors exposed to the outside.
- Do not leave any window open for equalizing pressure between the inside and outside of your apartment. It is not necessary and could be a dangerous mistake. Do not use tape. Tape will not keep the window from breaking.
- Turn refrigerators and freezers to their lowest settings in anticipation of a power outage.
- Leave the main electric breaker on unless the electricity goes off. If the electricity goes off, turn off air conditioners, television sets and computers to avoid the possibility of damage due to power surges. If the power returns and is steady, these may be turned back on.
- As the storm approaches, fill pre-sanitized sinks and tubs with clean water for bathing and flushing toilets.
- Freeze containers of water to keep your refrigerator cold.
- Do not leave your vehicle in the underground garage. The garage may be the first area to flood.
- Use flashlights for lighting when the power goes off. Do not use candles or any other type of open flame.
- Place towels along windowsills and the bottom of doors leading outside to keep water out. Have buckets, mops, and sponges handy in the event of water intrusion.
- Boat owners should tie boats closer to the middle of the canal, away from the seawall.
- Bring your valuables and important documents with you – do not leave them in the apartment.
- If you leave during a storm, shut off the water to your apartment and lock your doors.
- Protect the security of the building – do not open any building entrance door to anyone that you do not know during a hurricane.
- Check on your neighbors — especially the elderly and those with special needs.

- Assorted items may be necessary during a storm including a manual can opener, bottle opener, paper plates, bowls, napkins, towels, and plastic eating utensils, unscented household bleach, extra bedding such as blankets, pillows, sleeping bag, etc. in case you must evacuate, and a first aid kit. If you require special assistance in evacuating, or need to stay at a Special Needs shelter, call Broward Emergency Management at 954-831-3902 (TTY 954-831-3940). If a member of your family is elderly, frail or disabled and may become vulnerable in the aftermath of a storm, register them with Broward County's Vulnerable Population Registry. Visit [Broward.org/Hurricane](http://Broward.org/Hurricane) and select Residents at Risk or call 311 or 954-831-4000.

## MISCELLANEOUS

### PETS

Emerald Tower Condominium Association, Inc. is a pet free association. Guests are not permitted to bring pets into the building at any time. This is not a rule, it is written in the Association's Declaration of Condominium.

#### Service Animals versus Emotional Support Animals

- Service Animals. These are professionally trained to assist their owners with disabilities.
- Emotional Support Animals ("ESA"). With respect to emotional support animals, please note the following:
  - ✓ Proper documentation for support animals must be submitted to the ET office **PRIOR** to the arrival at Emerald Tower.
  - ✓ Documentation with an expiration date must be renewed prior to that date. If there is no longer a need for the ESA, it must be removed from Emerald Tower.
  - ✓ Emotional support animals must be carried, in a carrier or on a non-retractable fixed length leash from the apartment door until outside of the building and in all common areas.
  - ✓ Emotional support animals may not cause a nuisance by excessive barking, biting or any other aggressive behavior.
  - ✓ Owners must clean up after their animals everywhere on the Association's grounds. Owners are responsible for any damage caused by the ESA to the hallways and common areas.
  - ✓ Guests with emotional support animals **MUST** have the proper paperwork on file with the Association **PRIOR** to arrival.
  - ✓ Support animals are given an accommodation in connection with a specific owner. Animals that are not domiciled at Emerald Tower may not visit Emerald Tower without the specified owner that has the accommodation.

If you have an emotional support animal and you have submitted the proper paperwork, please remember that you have purchased a unit in a pet free building and owners who do not know you may ask about the animal or point out that pets are not allowed. We do not publish a list of owners with an ESA, so please be patient and do not take offense.

### HOUSEKEEPING RULES

No flowerpots, boxes or other apparatus will be permitted on balcony railings. No towels or clothing of any kind should be hung from the balconies. Mops, cloths, brooms, and vacuum cleaner bags, etc., shall not be shaken from apartment windows, hallways, stairwells, or from balconies.

### SOLICITATION

There shall be no door-to-door solicitation by any person anywhere in the building, for any cause, charity, or other purpose. No telephone numbers or email addresses should be provided for any solicitation purposes without an owner's permission.

### HALLWAY DECORATIONS

No personal items or furniture are to be placed in the hallway at any time. Please refer to the Amendment of Condominium, By-Laws, and Articles of Incorporation. The Board of Directors is responsible for the maintenance and operation of all common elements of the building.

### NOISE

To ensure your own comfort and that of your neighbor, sounds related to moving of furniture, use of tools, etc., shall be avoided before 9:00 a.m. and after 9:00 p.m. Radios, televisions, sound systems, musical instruments, etc. must be kept at a reasonable volume and lowered between the hours of 11:00 p.m. and 9:00 a.m.

## CHILDREN

Children under eighteen (18) years of age shall not be permitted to occupy any apartment unless their parents or other adult supervisors are in residence at the same time. Children are restricted from running, shouting, in the corridors, lobby, stairwells, refuse rooms, meter rooms, etc.

## RECOMMENDATIONS FOR OWNERS, TENANTS, AND GUESTS

To maintain our building to the highest standards and provide everyone with the best possible living experience, all owners and guests are requested to adhere to the following:

- ✓ Clean up after yourself. Whether at the pool, in a restroom, or anywhere on common property.
- ✓ Dispose of your trash properly.
- ✓ No bulk items are allowed to be placed in refuse rooms or in the outside refuse area except on dedicated quarterly bulk pick-up garbage days.
- ✓ Take care not to spill anything on the carpet. Accidents happen. If you do have a spill, please clean it up and/or immediately inform the office.
- ✓ If you are a smoker, please be considerate of others and ensure your smoke is not drifting into common areas. Dispose of your cigarette butts in proper receptacles.
- ✓ Close pool umbrellas when you leave the pool area, even if you intend to return. High winds can damage unattended umbrellas.
- ✓ Close the pool bathroom doors if you are the last to leave the pool area. If the doors are left open throughout the night, this may invite iguanas and as well as people who are not residents of our building.
- ✓ Return all shopping carts and luggage racks to their proper place in the parking garage.
- ✓ Beach goers, and people using shopping carts or luggage racks must use the south entrance.
- ✓ Ensure that your guests follow the ET guidelines, rules, and regulations.

## VIOLATIONS AND REPORTING

- Any infraction of these rules and regulations should be reported promptly to the office. The owner will be informed of the reported violation to determine the facts and reach an amicable resolution.
- Destructive behavior directed to the Association's staff, Board of Directors, and owners should be reported to the Association, and when applicable, to the local authorities.

## NON-COMPLIANCE, POLICY, AND PROCEDURES

### STATEMENT OF GUIDING PRINCIPLES

1. Owners and tenants of Emerald Tower are dues paying members of the Emerald Tower Association, Inc. and must be treated with courtesy and respect.
2. Living in a community arrangement such as Emerald Tower requires the cooperation and compliance of all owners, residents, and guests in order to provide for a safe and orderly environment.
3. Owners and tenants of Emerald Tower need to be treated in a uniform and consistent manner in order to create and preserve the credibility of the enforcement of the various governing documents, which include:
  - a. Florida Statutes,
  - b. Local Laws and Ordinances,
  - c. Declarations of Condominium,
  - d. By-Laws, and
  - e. Such Rules and Regulations as may be adopted by the Emerald Tower Association, Inc. Board of Directors.
4. Owners and tenants of Emerald Tower are entitled to:
  - a. a clear understanding of the process for notifying them of non-compliance situations,
  - b. a clear understanding of the underlying rule or regulation,
  - c. a clear understanding of the process for seeking an appeal or reconsideration of any notice of non-compliance, and
  - d. a clear understanding of the potential assessment of penalties, fines, and costs of enforcement.
5. Owners and tenants of Emerald Tower have a right to present their understanding of the facts and to be heard in a fair and impartial setting by either the Grievance Committee or Board of Directors, depending on the appropriate procedure.

6. Not all violations of rules and regulations are equal, to-wit:
  - a. Those endangering the health or safety of Emerald Tower residents and guests have the highest priority and must be dealt with immediately.
  - b. Those endangering the property of residents and guests, along with the common areas of Emerald Tower, require timely attention.
  - c. Other violations should be dealt with common sense. There will be situations where there is a technical violation, but common sense may allow some level of discretion. For example, a resident may have a guest who arrives for a visit in a non-conforming vehicle. Rather than create a scene and embarrass and alienate the resident, a quiet word to the resident after the fact would be appropriate.
7. Emerald Tower has no law enforcement authority and criminal conduct must be reported by the person with first-hand knowledge to the appropriate authority.
8. Emerald Tower is not staffed with 24 hours a day / 7 days a week security staff or office staff. Unless we are willing to pay for that kind of staffing, we cannot expect that kind of enforcement capability. In addition, volunteers (like the Board and Grievance Committee) cannot be expected to serve as security staff.
9. In many, if not most, of the cases of non-compliance, a lack of knowledge or understanding of the rule or regulation is likely. Education should, except in the case of immediate danger, be the first response by the ETA.
10. Cases of non-compliance should be documented, along with any explanation by the person perceived to be in non-compliance, and a record must be maintained in the Emerald Tower Office so that on-going non-compliance can be documented in a meaningful fashion and dealt with accordingly.
11. Times change, and rules and regulations that may have been appropriate when adopted may become outdated and inappropriate. Owners and tenants should have an opportunity to request the Board to change the rule insofar as the Board has the authority to change rules and regulations that are no longer appropriate.

## **THE PROVERBIAL BOTTOM LINE**

Enforcing the Emerald Tower rules is a thankless, but necessary job. Do not shoot the messenger, be it the ETA staff, the ETA Grievance Committee, or the ETA Board.