

# CAPE LAGO CONDOMINIUMS

## Rules and Regulations

Revised and approved by the CLCA Board of Directors 1/8/18

These Rules are not difficult to follow. They reflect common courtesy and consideration for all residents. Reasonable judgment and respect are necessary requirements for Cape Lago to be a pleasant home for us all.

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### **A. General Rules**

1. Leasing. **Prior to leasing to anyone or allowing anyone** except the owner or his family to occupy the owner's unit, an owner must exercise due diligence not to lease or allow occupancy to a person who has a conviction or deferred adjudication history of any crime that may pose a serious potential risk to other residents. This includes (but is not limited to) such crimes as murder, aggravated assault, rape, molestation, sexual assault, indecent exposure, indecency with a child, kidnapping, and arson. As part of owners' due diligence, owner **must** obtain a report based on Texas Department of Public Safety criminal records, as well as take any other actions needed to prudently screen prospective tenants and occupants for criminal history. (Criminal reports may be purchased from the DPS website at [www.txdps.state.tx.us](http://www.txdps.state.tx.us)). Owner must submit, **prior to occupancy**, this report with a copy of the rental/lease agreement to Management and/or Board of Governors for approval. Upon approval by Management and/or Board of Governors owner must submit, **prior to occupancy**, signed copies by both owner and renter of the rental/lease agreement, General Rules Acknowledgement, and Addendums. Renters of any condo unit must be provided a copy of this document prior to occupancy. Owners failing to submit the required documents prior to leasing or allowing anyone to occupy their unit will be subject to automatic fines.
2. All owners, including absentee owners, and renters must ensure that Management is provided with current telephone numbers. All residents must provide Management with current make, model, and license plate number of any vehicle for which they are responsible that is regularly parked on the premises.
3. All residents must supply Management with an entry key to their condo units. Keys are to be used in case of emergencies without notification. With 24-hour notice, keys may be used for maintenance of common elements and for safety inspections.
4. If a situation in any condo causes damage to another condo or to the common elements, the responsibility for repairs to the damaged condo or to the common elements lies with the owner of the condo that originated the situation. Owners may be held liable for damages when leaks from exterior areas remain unreported for thirty (days) and subsequently cause damage to other condo units. All owners should make sure their insurance covers these types of situations.

5. The number of permanent residents of a condo may not exceed four (4) people. A newborn child shall not count toward this number until reaching the age of twelve (12) months. Anyone who stays more than thirty (30) days will be considered a permanent resident.
6. This is a residential complex; therefore, no commercial business that creates unscheduled client traffic or that involves the sale of merchandise on the premises is allowed. Only yard sales approved by the Board of Directors and open to participation by all residents shall be allowed.
7. Residents are required to ensure that air conditioners for their units have proper outside drainage. Bleach should be poured into the condensation drainage pipe every month to keep it free of algae buildup. NOTE: After January 1, 2014, all air conditioner units must have a shut-off device installed on condensation drainage lines to ensure against overflow in order to prevent structural damage and mold buildup.
8. Towels, garments, etc. may not be draped on any railings or left in the common area to dry.
9. Residents are responsible for the behavior of their guests.
10. Any action that jeopardizes or increases the rates or causes adjustment of property or liability insurance must be approved by the Board of Directors.
11. Unit pest control shall be the responsibility of unit owners and/or renters, who shall be liable for any damage or expense incurred by others as a result of failure to control such pests.
12. Wild animals, with the exception of birds, may not be fed on Cape Lago Condominium property.
13. Cape Lago Condominium Community is a **non-smoking property**. Smoking is strictly prohibited inside dwelling units, all common areas including but not limited to courtyard, stairwells, balconies, decks, porches, and parking lots. The fine for smoking is \$100—*after first warning*. (See **NO SMOKING ADDENDUM**)

## **B. Parking Lot**

1. Vehicles are to be parked in designated spaces only, but not touching the rock wall. Parking is not allowed in any undesignated space next to the building nor in a manner blocking an entrance to the parking lot or to a walkway.
2. Each condo is guaranteed one (1) parking place, which is painted with the unit number. No condo may have more than two (2) cars parked on the property nor more than one (1) vehicle in an unreserved space. Vehicles belonging to other than condo owners/renters may not be stored anywhere on the property. Unmarked parking places are available only to co-owners, renters, and temporary guests of Cape Lago.
3. Vehicles may not be washed nor mechanical work other than listed below be performed in the parking area. Exceptions shall be limited to: jump-starting or replacement of batteries in disabled vehicles, routine replacement of headlight or taillight bulbs.

4. No boats, trailers, or recreational vehicles are allowed in the parking area. Motorcycles, mopeds, and other motorized vehicles must be kept outside the courtyard area. No dual-wheeled vehicles are to be parked overnight in the parking area.
5. No unlicensed or derelict vehicles are allowed in the parking area. Such vehicles, including but not limited to those with expired inspection stickers or license plates, flat tires for seven (7) days or more, or any visible required repair may be removed and stored after proper notification at the expense of the vehicle owner. Unit owners shall be responsible for any such costs not paid by renters or guests within thirty (30) days.

### **C. Swimming Pool and Courtyard**

1. No Life Guard being on duty, swimmers or their parents/guardians assume all risk. Cape Lago is not responsible for accidents or injuries. A 911 phone is located adjacent to pool for emergencies. *This phone is for no other purpose than 911 emergency calls!*
2. Pool hours are 8:00 a.m. to 10:00 p.m.
  - a. If the pool area is occupied after sundown, the pool area light must be turned on. The light must be turned off at 10:00 p.m.
  - b. Any person leaving the pool when no others are within the pool enclosure must assure that the pool area light is turned off.
3. Renters of units may invite guests to use the pool and the courtyard; however, guests **MUST** be accompanied by renter. The area is small and reserved for the use of co-owners, renters and their guests. Guests of co-owners must be accompanied by co-owners when using the pool.
4. Children under the age of fourteen (14) **MAY NOT** use the pool unless supervised by an adult aged eighteen (18) or older.
5. Bathing suits are required in the pool. Cut-offs are not allowed in the pool.
6. No loud playing, running, pushing, or throwing anything in the pool area is allowed.
7. All trash must be picked up and disposed of properly. No glass may be brought inside the pool fence.
8. Speakers for electronic entertainment devices must be disabled. Only earphones on battery-operated devices are allowed.
9. No diving is allowed.
10. No pets are allowed to be inside the pool fence.
11. The pool gate must not be propped open. It is against the law!
12. Life preservers located in the pool area are for emergency use only and **NOT** for general use.
13. Management and members of the Board of Directors have the right to deny use of the pool to anyone at any time.
14. Pool parties consisting of five (5) or more people may not exceed two (2) hours.

#### **D. Noise and Nuisance Control**

1. Residents and guests must be quiet, considerate, and respectful of neighbors at all times. No loud noises, including music, shouting, radios and television are allowed in the community areas.
2. Any noise, sight, or odor that emanates from within a condo unit and interferes with the peace of anyone outside the unit is prohibited. Residents may be required to discontinue use of high-fidelity home entertainment speakers if others complain; failure to do so may result in a fine.
3. No bouncing balls, skateboarding, etc. are allowed on the property.
4. No vehicles with loud, non-standard mufflers are allowed on the property.

**E. Pets** — Cape Lago Condominium Community welcomes pets with limit of two (2) per unit.  
(See **PET ADDENDUM**)

#### **F. Exterior Appearance**

1. No signs are to be placed on the property or in windows.
2. Architectural changes to the exterior are prohibited without the consent of the Board of Directors and prior approval of detailed plans by the Board.
3. No personal items, including but not limited to indoor furniture and toys, may be left unattended in the common area.
4. Flags may be displayed in common areas on patriotic holidays only.
  - a. Flagpoles must be of wood and not over 2 (two) feet in height.
  - b. Placement should not impede use of walkways or common areas.
  - c. Flags may be displayed 48 (forty-eight) hours prior to the holiday and must be taken down within 48 hours after the holiday.
  - d. Mounting devices shall not be attached to any exterior structure.
5. No penetration of the exterior building structure shall be allowed nor any item attached to the exterior walls or ceilings without prior approval of the Board of Directors. All current items must be removed.
6. All exterior lighting equipment, including light bulbs, is the property of Cape Lago Condominium Association and will be maintained by management only. Unit outdoor fixture bulbs may be replaced only by those available upon request from management.
  - a. UL Approved exterior lighting appropriate for traditional holidays may be displayed but must be removed immediately after the holiday.
  - b. Management reserves the right to remove any lighting deemed inappropriate in any way.
7. Regarding plants and other items placed by owners or others in the common area:
  - a. Plants placed by residents in the common area must be in suitable pots. No plants may be placed on any paved surface. Those on deck levels must be placed on caddies or plant stands and may not be hung from any awning frame.

- b. Plants must be living (not artificial) and must be properly maintained by the resident. Dead or dying plants and empty pots must be removed.
- c. No item, including plants on balconies, may impede use of walkways.
- d. Management reserves the right to remove any plant or other item it deems excessive or unsuitable for display in the common area. Unless such items constitute a potential danger, owners will be given a reasonable time for removal.

## **G. Management of Wastes**

1. Trash, cans, wrappers, cigarette butts, etc. must be disposed of properly.
2. Boxes and similar containers should be broken down before being placed in the dumpster, and recycle bin lids must be closed to keep animals and rainwater out of the garbage.  
*Residents are encouraged to use our recycle bins for all paper, glass, cans, and other acceptable recyclable materials .*
3. Waste service providers will not pick up anything on the ground or outside the dumpster. If the dumpster is full notify Property Management immediately. Residents shall not leave trash on the ground, on top of or outside dumpster, or store trash on porches, balconies or decks. The fine for not disposing of trash properly is \$50.
4. Large articles including but not limited to furniture, mattresses, small or large appliances, plumbing fixtures, any remodel construction materials (i.e. wood, sheetrock, vanities, all flooring, etc.) are never to be placed inside dumpster or outside dumpster area, any common area or curbside. This will incur a \$200 fine. **All such items as described herein is the responsibility of the owner to dispose of or make arrangements with a private disposal service to pick up at owner's expense.**
5. Residents shall not dispose of hazardous materials in dumpster, but shall only dispose of refuse in compliance with applicable laws and the guidelines of our current private disposal service.
6. Cape Lago Condominiums Association takes pride in our community as well as our residents. You are encouraged to report any waste management violations to Property Management. Let's all work together to dispose of waste properly to enhance the quality of living at our property we call home!

## **H. Safety and Security**

1. Unit owners, renters/residents, and guests are responsible for their own security while on the premises of Cape Lago. Neither Cape Lago Council of Co-Owners, Inc. nor its Management or Directors shall be held liable for any damage or injury caused by any lack of provided security.
2. No obstruction or fences may be placed across or on any walkway or stairway at any time.
3. No fuels, fire-starters, or flame-producing devices (other than common cigarette lighters) may be stored, placed, or used outdoors within ten (10) feet of any exterior wall.

4. Barbeque grills, other than electric grills, may not be used under a roof, overhang, or balcony and must be kept at least ten (10) feet away from all walls when in use.
  - a. A person must be in attendance until the flames have extinguished.
  - b. A community grill is available by the pool. This grill must be cleaned by the user after every use.
5. Unit owners and renters must know the location of unit circuit breakers and know how to cut off electricity within the unit.
6. At least one (1) fire extinguisher must be readily accessible inside each condo unit. Residents are responsible for knowing how to use these devices. NOTE: A fire extinguisher is available in each staircase and the pump closet.
7. Any appliance in a condo unit whose malfunction could cause electrical fires or water damage must be turned off whenever residents of a unit leave the premises.
8. Each condo unit must have a working smoke detector in the hallway and in each sleeping area. Unit owners are responsible for checking and replacing batteries at regular intervals. Cape Lago management may inspect smoke detectors after notification.
9. Residents must regularly check and clean clothes dryer exhaust channels to avoid dangerous lint buildup.
10. The Board of Directors or any person authorized by the Board to do so may have access following notification to inspect any condo unit to ensure the safety and structural integrity of Cape Lago Condominiums.
11. The Board of Directors shall have the right to evict or deny residence to any owner's renter, guest, or family member who has been convicted of a felony.

#### **I. Enforcement of Rules**

1. The rules herein contained shall be enforceable by the Management or by any current member of the Board of Directors, who shall neither be required nor allowed to reveal the names of residents making requests for enforcement against other residents or unit owners.
2. The Board of Directors may establish and enforce reasonable fines to enforce the rules set forth in this document and to set and collect charges for repair and replacement charges for damages. The minimum fine for violations of these rules shall be \$25 per offense per day that the offense occurs or continues unaddressed.
3. A written notice shall be issued detailing fines and/or charges. Specific violations or damages shall be specified. The fine or charge specified shall be due thirty (30) days from issuance of the notice.
4. The owner or renter shall have thirty (30) days to request a hearing before the Board of Directors to protest any fine or charge for damages. If the Board's decision upholds the fine or charge, the specified amount shall be immediately due.

5. All sums (i.e., HOA dues, fines, assessments, etc.) are due on the 1st day of each month and become delinquent after the 10<sup>th</sup> of that month. For each month of delinquency, a charge of ten percent (10%) of the outstanding balance shall be added to the overdue sum until payment is made. The HOA may demand payment in cash, money order, or certified check in the event that a financial institution refuses payment of a check.

**Example (based on \$250 HOA dues):**

Month 1 penalty = \$25.00 (total due = \$275.00)

Due beginning of month 2: \$250 + overdue \$275.00 = \$525.00

Month 2 penalty \$52.50 (total due = \$577.50)

6. Nonpayment of HOA dues, assessments, fines, or other charges by an unit owner or his/her renter may result in the placement of a lien against the unit. The sum of any check received shall be applied to any sum due, regardless of the wording on the check—with unpaid sums remaining due.
7. In order to be eligible to vote or participate in any action or meeting of the Cape Lago Council of Co-owners, an owner must have no outstanding dues, fines, or charges for damages.
8. When a renter vacates a condo unit, any outstanding fines or charges shall become the responsibility of the unit owner.
9. Before a new owner takes possession of a Cape Lago unit, all sums due from the previous owner must be paid in full.

**J. Required By Law**

The CLCA Board must have written notice within 30 days of a change of mailing address or phone number. Owners of rental condos must immediately furnish the names of all persons in a rental unit, their email addresses, phone numbers, and makes of cars and their license plate numbers.

Under the condo rules and Texas law, the Board has the right to levy fines for any violations of the rules.

## NO SMOKING ADDENDUM

Approved by the CLCA Board of Directors 1/8/18

1. **Addendum.** This is an addendum to the **Cape Lago Condominiums Rules and Regulations A. General Rules #13 – NO SMOKING**
2. **Smoking is strictly prohibited inside dwelling units, and all community grounds** including but not limited to courtyard, stairwells, balconies, decks, porches, parking lots, and any other interior or exterior community grounds within Cape Lago Condominiums property boundaries. The fine for smoking is \$100—*after first warning*.
3. **Your responsibility for damages and cleaning.** You are responsible for payment of all costs and damages to other residents's dwelling units or any other portion of the community for repair, replacement, or cleaning due to smoking or smoke-related damage caused by you or your occupants, family, guests, or invitees. Smoke-related damage includes but is not limited to smoke odor that permeates sheetrock, wood, insulation, or other components of a dwelling unit or building.
4. **Your responsibility for loss and damages regarding other residents.** You are responsible for payment of any other damages or losses to other residents or occupants due to smoking or smoke-related damages caused by you or your occupants, family, guests, or invitees which results in or causes other residents to vacate their dwelling units, results in disruption of other residents' enjoyment of the community, or adversely affects other residents' or occupants' health, safety, or welfare.
5. **Definition of smoking.** "Smoking" refers to any use or possession of a cigar, cigarette, or pipe containing tobacco or other non-tobacco product while it is burning, lighted, or ignited, regardless of whether the person using or possessing the product is inhaling or exhaling the smoke from such product. "Smoking" also refers to use or possession of burning lighted, or ignited non-tobacco products if they are noxious, offensive, unsafe, illegal, unhealthy, or irritating to other persons.
6. **Your responsibility for conduct of occupants, family members and guests.** You are responsible for communicating this community's no-smoking policy and for ensuring compliance with this addendum by your occupants, family, guests, and invitees.
7. **Enforcement of our no-smoking policy is a joint responsibility that requires your cooperation.** You are encouraged to report violations of our no-smoking policy before we are obligated to investigate and act.

No Smoking Addendum Acknowledgement

Unit #\_\_\_\_\_

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Co-Owner's Signature

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Renter's Signature



## PET ADDENDUM

Approved by the CLCA Board of Directors 1/8/18

1. **No pets may be tied up or caged outside anywhere at any time on the property.**
2. **No unattended or unleashed pets are permitted anywhere at any time on the property nor contained inside a condo unit for such extended periods that they become disruptive to other residents.** If a pet becomes annoying or disruptive by incessant barking, howling, or scratching or by thrashing about inside a condo unit while unattended, its owners can be fined \$50—*after first warning*. Persistent annoyance or disruptions by unattended pets can result in owners being required to remove the pet.
3. **All pets MUST be leashed and taken outside courtyard and common areas or off premises to urinate or defecate.** Pet owners MUST promptly pick up and dispose of any pet defecation on premises. The fine for not following these guidelines is \$50.
4. **Owners must take steps to insure that noisy pets do not cause repeated disturbances.** Pet owners must be considerate of other residents and keep pets under control at all times. Owners of any pet that causes repeated disturbances or that is deemed aggressive or dangerous can be fined \$50 and further required to remove the pet.
5. **Only two (2) pets per unit (excluding fish) are allowed.** Dog and cat owners MUST show proof of all required vaccinations within thirty (30) days of acquiring pet(s). No exotic or wild pets are allowed. The fine for non-compliance of these guidelines is \$100.  
*Prior approval must be obtained from the Board of Directors before introducing any type of pet not included above.*
6. **Pit Bull, Rottweiler, and Doberman breeds are not allowed on Cape Lago property.**
7. **Pet owners shall be held liable for the cost of cleanup and/or repairs for any damage to common areas** caused by the owners' pet(s) or those of their occupants, family, guests, or invitees.

Pet Addendum Acknowledgement

Unit #\_\_\_\_\_

\_\_\_\_\_  
Co-Owner's Signature

\_\_\_\_\_  
Renter's Signature

## Cape Lago General Rules Acknowledgement

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(Co-Owner's Signature)

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(Renter's Signature)

Unit # \_\_\_\_\_

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Printed name of each resident.

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