

# Watermark Condominium

401 North Atlantic Ave  
New Smyrna Beach, FL 32169

## Rules and Regulations

Last updated 4/28/23

### Welcome to the Watermark

The Watermark is a family friendly condominium that is made up of permanent residents as well as renters. We are committed to the safety of our owners and renters and to following all applicable FL statutes at all times.

We are committed to the enjoyment of our residents and renters and the Board of Directors believe our owners and guests are best served by compliance with a uniform set of Rules and Regulations for our building's amenities and grounds. These Rules and Regulations are intended to ensure that all owners, guests, and tenants have an enjoyable and safe stay while at the Watermark. We thank you for your compliance.

### General overall usage rules:

1. Owners (including family and friends) or renters MUST be in residence to use ANY of the Watermark facilities including parking.
2. Carts are provided for owners and tenants to bring belongings and groceries to their units. They are to be returned promptly when done to the area on the first floor next to the elevator.
3. Nothing is to be hung on any of the balcony railings including walkways.
4. Nothing is to be thrown from the balconies, including walkways.
5. Florida prohibits walking on the oceanside dunes or disturbing the dunes or vegetation in any other way.
6. Wash the sand off your feet/sandals/shoes before returning to your unit from the beach. There is a water hose at the end of the Northwest stairwell for rinsing.
7. Trash chutes are located next to the elevator on floors 2-6. Large items such as pizza boxes, beer cases, blankets, etc. should be brought to the first floor and put in the dumpster instead of down the chute so as to not clog the chute. First floor units must raise the garage door North of elevator area to dispose trash into dumpster. Trash should be sealed in plastic bags before disposal. (There is no recycling at the Watermark currently)
8. No antenna, aerial, receiver dish, tower or similar structure shall be erected on or attached to the exterior of any building or any part of any unit or on a common elements area.
9. It is the responsibility of the owner to ensure that a liability insurance policy for their unit has been obtained and is in effect and that copies of proof of insurance are supplied to the managers to keep on file annually.
10. Any loss, cost, damages, or expenses incurred by the Association by reason of a breach in any of the Rules and Regulations contained herein by any owner, owner's family members, guests, or visitors to the owner's unit (or by renters arranged by the owner and not by the managers) shall be borne by the owner.

- I 1. Occupancy (for our purposes, the number of people actually staying in the unit overnight) according to the National Fire Code based on square footage is as follows: our 2-bedroom units have a max occupancy of 7. The 2-bedroom deluxe max occupancy would be 8 and the 3-bedroom max occupancy would be 9.

### Common Elements and Individual Units

1. Sidewalks and walkways must be free of any obstruction. Beach chairs, surfboards, wagons etc. These items are to be stored in the unit or in the unit's garage.
2. When unloading vehicles under the portico, please limit your time in this space to 15 minutes or less as to not inconvenience others.
3. No hazardous material that may increase the risk of fire shall be kept in the unit.
4. Noise levels should be controlled, having respect for other residents or guests on the property. This includes any noise both inside and outside of the unit and at the pool side, that in the opinion of the Board or the Managers may disturb the comfort of others.
5. Quiet hours are from 11 p.m. – 8 a.m. Please refrain from talking loudly, having the television at loud volume levels or playing music at levels that could disturb other guests. If loud disruptive behavior continues the police may be informed. Managers should be informed during business hours of any violations.
6. Running on the walkways and sidewalks, including in the pool area, is prohibited as well as misuse of the elevator.
7. No person shall throw, kick, or hit a ball or similar object against any building.
8. Skateboarding, roller-skating, recreational scooters etc. are not permitted on the building walkways, balconies, sidewalks, driveways, and lawn or pool area.
9. The tennis court is to be used exclusively for tennis, pickleball or basketball. (No skateboards)
10. Only small lawn games such as beanbag toss games or bocce can be played on the east lawn and only with parental supervision. Please respect first floor occupants.  
Team-type sports such as football, soccer and lacrosse are to be played on the beach only.
11. No fireworks in any form (including "snap crackers") are permitted on any part of the Watermark property. (Additionally, fireworks are illegal in New Smyrna Beach)
12. No pets, other than family pets of owners or the managers may be kept in a unit unless that unit has been designated and approved by the owner as a pet friendly unit.
13. The condo owner must always be present whenever he/she has allowed a visitor to bring a dog inside the unit.
14. Pets may be exercised on leash in the Common Elements area. It is the responsibility of the pet owner to immediately remove any animal droppings from the Common Elements area.
15. Board approval is required before any changes can be made to the exterior of a unit, for example, doors or windows.
16. No auction, garage sale, yard sale or any sale of a similar nature shall be held on the Common Elements or from any Unit.
17. Carpeting/rugs/mats are not permitted on exterior steps, balconies, or walkways.

### Parking

Parking is limited at the Watermark; therefore, we ask for everyone to follow the following guidelines:

1. Parking is restricted to private passenger automobiles, motorcycles, vans, or pick-up trucks. (No motor homes or vehicle trailers.)
2. Assigned garages are to be used whenever possible.

3. In addition to the garage assigned to your unit you will be given one parking pass obtained at the office. (This one parking pass includes golf carts)
4. Jet skis and/or boats on trailers may not be parked in a numbered parking spot. They may be parked in the assigned garage provided the garage door can close.
5. The Association or the managers, at the owner's risk and expense, may remove any motor vehicle/trailers parked in a parking area or on the common elements if a parking pass is not visible and/or damage has been caused or may be caused to the common elements.

#### Summer and Holiday parking

Summer weekends and holidays bring even more parking congestion than normal to the Watermark.

We need everyone's cooperation to minimize the problem.

1. Park your vehicle in your assigned garage if at all possible. This will open up the maximum number of spots for visitors.
2. Advise your visitors to expect the overflow, and if no spots are available at the Watermark, to plan to park on the beach or at the seaside park next door.
3. Encourage your visitors to carpool whenever possible.
4. All vehicles in the Watermark parking lot must have a parking pass or the vehicle will be towed.
5. Anyone parking on the precious few grassy areas available must also have a visible parking pass displayed or will be towed. Additionally, anyone parking on the grass will be expected to use care pulling in and pulling out to avoid damaging the turf.
6. Please help us monitor all our parking areas to ensure they are being used only by Watermark guests. Inform the managers and include a photo of the vehicle/license if you see a vehicle that might not belong.
7. Reminder that owners can park in the lot ONLY if they or their immediate family are staying in their units during this time.

#### Notification of Attendance

1. Due to safety, security and parking concerns, management should be notified at least 24 hours in advance [preferably longer] that someone will be arriving at your unit. Names, number in party, length of stay and vehicle description should be provided.
2. Notification can be made by telephone, during open office hours, or by email or voice message.
3. At least one adult over the age of 21 years must be in attendance, available and responsible for all occupants staying in or visiting the unit.

#### Pool Rules

1. Pool hours are from dawn till dusk. No lifeguard is on duty. (Pool hours are regulated by Florida Statute)
2. "Reserving" tables or lounge chairs in the pool area is not allowed.
  - o If you are not actively using the tables or lounge chairs, please remove your towels so others can use the space.
3. Use showers to wash off any sand etc. before entering the pool.
4. Children using the pool under 14 years must be supervised by an adult in the pool area.
5. The pool rope should not be detached or climbed on at any time.
  - o Repairs resulting from damage to the pool rope anchors will be charged to the responsible parties.

- o State regulations state that the pool rope should be in place at all times.
    - If the pool rope is temporarily detached to swim laps, it should be immediately reconnected when finished.
- 6. Glass is not permitted in the pool area per Florida Statutes. Use non-breakable containers for drinks, snacks, and dishes only.
- 7. No food is allowed in the pool and should be kept on the table and chairs only.
  - o State regulations state that there should be no food within 4' of the edge of the pool.
- 8. Large floats, boogie boards and surf boards are prohibited in the pool. ["Noodles" are ok and safety floatation devices are recommended for non-swimmers.]
- 9. Children in diapers must wear waterproof diapers.
- 10. All pool furniture is to remain within the fenced pool area.
- 11. Please close the umbrellas before leaving the pool area.
- 12. Pool house is not to be used for overnight storage of any owner/tenant equipment.

#### B.B.Q. Use

1. Electric, gas or charcoal BBQs are not permitted on the balconies or walkways.
2. BBQ's, as per Florida Statute, cannot be used within 21 feet of any building.
3. BBQs are provided in the pool area. If using these grills, please make sure they are continually monitored while in use.

#### Additional Renters' Rules

1. Check-in time is between 3 p.m. and 5 p.m. Check-out time is no later than 10 a.m.
2. Any problems or concerns within the unit must be reported to the managers immediately.
3. Blankets and sheets are to remain in the unit at all times.
4. Any towels, cookware, dishes etc. that are taken out of the unit must be returned and washed before leaving.
5. Pool, Common Elements and Parking rules are to be followed at all times.
6. Please keep all doors, windows and sliders closed while the air conditioning is on.
7. Upon checking out, all trash is to be placed in the trash chute or directly in dumpster or appropriate container, all dishes washed, the refrigerator emptied, and the beds stripped. Keys and garage door openers must be returned to the managers office.
8. When checking out, please leave no more than two loads of laundry to be done. (No beach towels please). Any additional loads will be charged against the renter at a rate of \$10 / load.

#### Sea Turtle Nesting Season (May 1 through Oct, 31)

Our beaches are an important part of the turtle nesting ecosystem, and the Watermark is dedicated to participating in all activities providing a safe environment for the turtles and their eggs.

1. This area of the Florida coastline is an important nesting area for loggerhead, green and leatherback turtles. By local statute, all oceanfront buildings must keep curtains, drapes and balcony blinds closed at night during this period because lights can disorient hatchlings, leading them away from the ocean and to almost certain death.  
(The beach is patrolled regularly, and photographs are taken of specific units not following these rules. There are fines for violators.)
2. Do not approach any turtle coming ashore at night to lay eggs.
3. Do not handle eggs.

4. Turtle nests are staked off with tape. Do not disturb these nests.

## Volusia County Sea Turtle Lighting Regulations

Effective May 1 through October 31  
(Sunset to Sunrise)

NO LIGHT SOURCE FROM ANY PART OF YOUR PROPERTY SHALL BE VISIBLE TO A  
PERSON STANDING ON ANY PART OF THE BEACH.

This includes recreational, decorative, dune crosswalk, and  
interior lighting, regardless of light color.

NO LIGHT FROM ANY PART OF YOUR PROPERTY SHALL ILLUMINATE

ANY PART OF THE BEACH, DIRECTLY OR INDIRECTLY (reflected).

This includes recreational, decorative, dune crosswalk, and  
interior lighting, regardless of light color.

NO REFLECTIVE SURFACE OF A FIXTURE SHALL BE VISIBLE TO A PERSON STANDING  
ON THE BEACH.

This includes recreational, decorative, dune crosswalk, and interior lighting,  
regardless of light color.