

**WHISPERING SANDS CONDOMINIUM ASSOCIATION**  
**THE UNIT OWNERS HANDBOOK**  
**AND**  
**RULES WE LIVE BY**  
**REVISED**  
**2014**

This handbook provides important information for Owners, renters, and prospective buyers. Most of this material has been extracted from the Declarations of Condominium for each Section in Whispering Sands Condominium Village, the Bylaws of the Association, and from the 1996, 2001 and 2007 versions of "The Rules We Live By", which this document now supersedes. For complete details, refer to the relevant documents.

## FOREWORD

Sections 6(e), 6(n) and 15 of the bylaws of the Association provide that the Board of Directors *may* adopt and amend Rules and Regulations governing the operation and use of the Condominium, and assess fines for violations of these Rules or the Declarations or the By-laws.

## CONTACT INFORMATION

### W.S.C.A. OFFICE

OFFICE PHONE: .....(941) 349-8458  
AFTER HOURS/EMERGENCY/ANSWERING SERVICE: .....(941) 346-2069  
FAX: .....(941) 346-8085  
E-MAIL:..... [wsands@juno.com](mailto:wsands@juno.com)  
Website:..... [WhisperingSandsSarasota.com](http://WhisperingSandsSarasota.com)  
Community Channel: ..... 195  
WiFi Password:  
    Clubhouse..... clubhouse  
    Tower Lounge..... towerlounge

### POLICE / FIRE / AMBULANCE

EMERGENCY: ..... 911  
NON EMERGENCY: .....(941) 316-1201  
COMMUNITY POLICING (SIESTA KEY): .....(941) 349-2900  
SHERIFF:..... (941) 861-4260  
PROPERTY ACCESS CONTROL: ..... (941) 284-1767

## TABLE OF CONTENTS

	<u>PAGE</u>
Section 1 - Definitions.....	4 - 5
Section 2 - Organization and Administration.....	5
Section 3 - Management .....	6
Section 4 - Finances.....	6 - 7
Section 5 - Purchase, Lease or Loan of Units.....	7 - 8
Section 6 - Unit Owner's Responsibilities .....	8 - 10
Section 7 - Insurance .....	10
Section 8 - The Condominium Environment.....	11 - 12
Section 9 - Facilities.....	12 - 14
Section 10 - Parking.....	14 - 16
Section 11 - Safety.....	17
Section 12 - Staff Services.....	17 - 18
Section 13 - The Advisory Council.....	18
Section 14 - Unit Owners Rights to Participate at Meetings.....	18 - 19
<u>Attachments</u>	
Section 15 - Building Requirements and Guidelines with Modification Forms.....	20 - 22

## SECTION 1 - DEFINITIONS

- 1.1 **Declarations of Condominium ("Declaration"):** A legal document, which describes the buildings and common elements, the organization, management, and the conditions of purchase and Ownership, for each section in Whispering Sands Condominium Association, Inc. hereafter referred to as Whispering Sands, WSCA or the Association.
- 1.2 **Bylaws:** Regulations, which have been adopted by the Association for the administration of Whispering Sands.
- 1.3 **Section:** Whispering Sands is divided into seven (7) individual sections, each of which is subject to the regulations set forth in a 'Declarations of Condominium' for that section.
- 1.4 **Unit:** A condominium apartment or villa used as a residential, family dwelling and subject to private Ownership.
- 1.5 **Occupants:** People who reside in a condominium unit, including the following:
  - 1 **Owners:** Persons who have purchased a condominium apartment or villa in Whispering Sands. See Section 5.2.
  - 2 **Renters:** Those persons approved by the Board of Directors in accordance with the Declarations of Condominium and who pay to occupy a Unit for a minimum of sixty (60) days or two (2) months.
  - 3 **Guests:** Those persons occupying a Unit without the payment of consideration and in the absence of the Unit Owner or Tenant for temporary overnight periods of fifteen (15) days or less. Guests must register with the Association as prescribed in Section 5.3 herein and Article XV D of the Declaration.
  - 4 **Visitors:** Those persons occupying a Unit without the payment of consideration in the presence of the Unit Owner or Tenant. Visitors may stay overnight.
- 1.6 **Villas:** Single or semi-detached bungalows in Sections 1 and 5.

## 1.7 Multi-story Buildings:

### Mid-rise buildings:

- Section 2 - Sunset House
- Section 3 - Tropic View
- Section 4 - Waterside Manor

### Tower buildings:

- Section 6 - South Tower
- Section 7 - North Tower

## SECTION 2 - ORGANIZATION AND ADMINISTRATION

- 2.1 Whispering Sands is a Nonprofit Corporation, organized under Laws of the State of Florida.
- 2.2 The Association is managed by a Board of Directors consisting of nine (9) members who are elected by ballot of the Unit Owners as prescribed by the Laws of the State of Florida.
- 2.3 The President is elected by the Board of Directors and is the principal executive officer of the Association and is responsible for the supervision and control of the business and affairs of the corporation.
- 2.4 There are several committees created to assist the Board of Directors including but not limited to the following:
- Property Access Control
  - Advisory Council
  - Mediation Committee
- 2.5 The Association has the right to levy fines against a Unit Owner for violation of the provisions of the Declarations, Bylaws or these Rules.
- 2.6 Each Unit is entitled to one (1) vote in respect to the affairs of the Association. Joint Unit Owners are required to designate one person as their voting representative and file an affidavit at the Association Office.

## SECTION 3 - MANAGEMENT

- 3.1 We are a self-managed Association with an on-site General Manager and Assistant Manager.

## SECTION 4 - FINANCES

- 4.1 The Board of Directors must adopt a budget each year to meet the operating expenses of the Association. Likewise, the Board must adopt budgets for each of the seven (7) condominium associations ("Sections") and the necessary funds are raised by a monthly maintenance fee which includes reserve funds for each Section. Funds necessary beyond reserves, such as special projects or repairs for common expenses may be raised by special assessment and charged to that Section or to the Association as a whole. Special assessments are approved by the Board after proper posting according to the Florida Condominium Act (Chapter 718, Florida Statutes) and the Declarations.
- 4.2 Maintenance fees provide funding for the day-to-day operating expenses of the Association, and vary from Section to Section because maintenance requirements differ.
- 4.3 The Board approves its budget during the Budget Meeting held in December of each year. The budget consists of operating expenses and reserves. Operating expenses include but are not limited to the following expenses:
- Cable TV
  - Electricity-Common elements only
  - Elevators
  - Exterior building and grounds maintenance
  - Flood, fire, wind, and public liability insurance
  - Legal and Accounting
  - Pest Extermination - Service
  - Staff
  - Swimming pools—Clubhouse and beach
  - Trash removal and recycling activities
  - Water and sewer service

- 4.4 The Reserve funds set aside for future maintenance, including deferred maintenance costing over \$10,000, and the following:
- Roof replacement on mid-rise and tower buildings
  - Elevators
  - Carports
  - Building restoration and painting
  - Paving
  - Equipment and furnishings
- 4.5 Reserves must be fully funded under State law unless Unit Owners (a majority of a quorum) decide on a lesser amount or to fully waive the reserves.

## **SECTION 5 - PURCHASE, LEASE OR LOAN OF UNITS**

- 5.1 Whispering Sands is a community designated for persons 55 years of age and over who have chosen to maintain a particular lifestyle as defined in the Declarations of Condominium for each Section.
- 5.2 Unit Owners must obtain written approval from the Board of Directors or Manager prior to the sale, lease, loan or other transfer of a Unit.
- 5.3 Owners may loan their Unit without consideration to persons outside the Owner's immediate family as defined in the Declaration. Owners may loan their Units no more than four (4) times in any 12-month period and for periods not to exceed fifteen (15) days. Unit Owners must notify the Association office in advance of the loan. Persons who occupy a Unit under a loan must register with the Association office upon arrival.
- 5.4 In accordance with the Federal Fair Housing Amendments Act of 1988 and the Housing for Older persons Act of 1995, at least one person fifty-five (55) years of age or older must be a permanent occupant of each Unit while any other person occupies said Unit. Persons between the ages of eighteen (18) and fifty-five (55) may occupy and reside in a Unit as long as one of the occupants is age fifty-five (55) or older. Persons under the age of eighteen (18) shall not occupy a Unit on a permanent basis but may occupy a Unit on a temporary basis, not to exceed thirty (30) days in any calendar year (at least one person, fifty-five (55) or older, must be in residence).

- 5.5** With the exception of the Association and its' individual condominium associations, corporations or other forms of business entities are disqualified from owning a Unit.
- 5.6** No individual shall hold title to more than two (2) Units in all sections of Whispering Sands.
- 5.7** Each condominium Unit shall be used as a single family residential dwelling. Except as provided in article XII (c) of the Section Declaration, no business or commercial activity may be conducted on the premises.
- 5.8** The maximum temporary occupancy of any Unit is limited to six (6) persons. The maximum permanent occupancy of any Unit is limited to two (2) persons per bedroom. See 5.4 above.
- 5.9** Unit Owners and their tenants, guests, visitors and invitees shall not permit, suffer or maintain loud noises, obnoxious odors or any activity which causes a nuisance within the Units or upon the Association property. Further, no pets are permitted in a Unit, with the exception of fish, turtles, and small birds, as long as they do not cause a nuisance.
- 5.10** No Unit can be rented for less than sixty (60) days or two (2) consecutive months whichever is less, and a Unit cannot be rented more than two (2) times per calendar year.
- 5.11** A tenant cannot sublet the Unit, or a portion thereof, without the prior written permission of the Board or Manager.

## **SECTION 6 - UNIT OWNER RESPONSIBILITIES**

- 6.1** Unit Owners are responsible to maintain and repair their Units and to promptly repair damages in the manner described in the Declaration(s).
- 6.2** Owners must submit a Modification Form to the Whispering Sands Association office prior to any remodeling at WSCA. All structural changes must be approved by the Board in writing.
- 6.3** Villa roofs must be cleaned at least every two (2) years.
- 6.4** All Units must maintain a uniform external color.



- 6.5 Owners in multi-story buildings must install a cork underlay or similar sound barrier material when laying tile or wood flooring in the Unit. All lanais and first floor units are excluded.
- 6.6 Unit Owners are responsible to pay for damages to the Common Elements or other Units caused by their willful or negligent acts or the willful or negligent acts of their tenants, guests, visitors and invitees. Unit Owners are advised to keep a record of hot water tank installation dates, and consider replacement when the normal guarantee period has expired. Routine inspections and maintenance of the air conditioning equipment and plumbing drains are also recommended.
- 6.7 When a Unit is to remain unoccupied for seven (7) or more consecutive days, the Unit Owner must make arrangements to have their Unit checked on a regular weekly schedule. In the case of an emergency, the Association has the right to enter an unoccupied Unit and take action to correct any problems at the Owner's expense.
- 6.8 Owners in Sections 1, 3, 4, 5, 6, and 7 who plan to be gone 48 hours or longer must shut off the main water supply to their Unit. Section 2 must shut off their valve under their kitchen sink
- 6.9 Laundry must be removed promptly and the rooms and equipment left neat and clean. Dryer lint traps must be cleaned. Do not use dyes in the washers. Heavy articles (rugs, blankets, etc.) should be sent to commercial cleaners. Laundry facilities are for the exclusive use of occupants only. The laundry hours are from 8:00 am to 8:00 pm.
- 6.10 Owners in the Mid-rise and Tower Units may not install washers and dryers. Owners may not install tankless hot water heaters without written Board approval.
- 6.11 Cooking is not permitted on balconies or lanais. Barbeque facilities are available behind the Tiki Hut and between Sunset House and Waterside Manor along the lagoon. (See Section 9, facilities).
- 6.12 Owners must ensure that sand, water and dirt are not tracked into the corridors and elevators.
- 6.13 Each Unit in the multi-story buildings is provided with a storage locker. Each locker should be properly secured. Flammable materials should not be stored in the storage lockers (paint, paint thinner, varnish, etc.) The Association cannot be responsible for loss or damage of personal effects stored in these lockers.

- 6.14 All garbage placed in the trash chutes must be bagged and tied. Glass, plastic, paper and metal materials must be placed in the designated recycling containers as prescribed in notices at the trash chutes. Large boxes and containers must be broken down and placed in appropriate containers. Villa Owners have special containers for trash disposal and recycling.
- 6.15 Owners and their tenants, guests, visitors and invitees shall not hang clothing, towels or swim gear on the balcony or lanai areas. External clotheslines are NOT permitted except as may otherwise be permitted by law.
- 6.16 The Association is responsible to maintain the grounds and gardening. Owners, and their tenants, guests, visitors and invitees may not trim or remove mangroves, as such activity is regulated by Florida law in order to protect the waterways from erosion. Residents should be aware of heavy fines against the Association if anyone other than a professional is seen trimming the mangrove bushes.
- 6.17 New windows in the Tower Units shall be either single or double hung with a white frame and must comply with current building and hurricane codes.
- 6.18 Owners must inform the WSCA office of any violations they observe. Owners do not have to provide their name when reporting violations.
- 6.19 Owners who leave their Units for extended periods of time (i.e. "snowbirds") must notify the office when they return to residence. The Owner is responsible for giving this information to the office. This information not only helps the office to know who is on the property but also is important to relay this information to the Fire Department and Police Department in case of emergency situations.

## **SECTION 7 - INSURANCE**

- 7.1 Unit Owners are responsible for insuring personal property within their Unit including ceiling, floor and wall coverings, built-in cabinets, electrical fixtures, appliances, water heaters and those items described in Section 718.111(11)(f)3 of the Condominium Act (2014) as the same now exists or may be amended from time to time.
- 7.2 Each Unit Owner is responsible for maintaining public liability insurance covering losses occurring in the Owner's Unit. All Unit Owners must have home Owners insurance and a copy must be on file in the WSCA office.

## SECTION 8 - THE CONDOMINIUM ENVIRONMENT

Whispering Sands Condominium is a residential community and NOT a vacation resort. To maintain the special nature of our community and as a courtesy to our fellow residents, we have adopted a number of simple "rules" that all Unit Owners, tenants, guests, visitors and invitees must observe. These rules are set forth, as follows:

**8.1** Radios, TV's and all sound equipment must be kept at a volume that does not disturb other Owners.

**8.2** Cover-up clothing and footwear must be worn walking to and from the pools, the beach, and in the buildings.

### **8.3** Swimming Pool Rules

- A child or any incontinent person must have on a swim diaper before entering the pool.
- Children under sixteen must be accompanied by an adult.
- For safety reasons, children under the age of sixteen are not permitted in the Clubhouse pool between the hours of 1-3 pm and in the beach pool between the hours of 3-5 pm. Those hours shall be switched on an annual basis. Please check the community channel for an updated schedule.
- All persons using the pool must shower before entering the pool.
- No food or glass container beverages are permitted in pool areas.
- The maximum occupancy of each pool is limited to 19 persons.
- Rafts, inflatable tubes and floats are not permitted in the pools. "Noodles" are acceptable. Persons who are unable to swim independently must wear certified life vests or certified floatees.
- There is no lifeguard on duty. Therefore, all persons swim at their own risk.
- Pool hours are 9 am to 9 pm.
- No running, jumping, diving, pushing or shouting.
- Do not remove furniture from the pool area.

**8.4** Do not feed the birds that inhabit the lagoon and beaches as they become dependent and bothersome. Uneaten food also attracts raccoons and rodents. Please dispose of all waste to protect our environment.

**8.5** The beach and lagoon areas may not be used for mooring or storage of boats.

- 8.6 All beach chairs must be moved back to the vegetation line or above the high-tide water line after use.
- 8.7 Because the number of beach chairs and lounges are limited, reserving them and leaving them unoccupied can deprive others of their use. This is inconsiderate to your neighbors.
- 8.8 When sunbathing, a towel **MUST** be placed on beach and pool chairs.
- 8.9 To avoid disturbance, please use the beach area north of the Tiki Hut for all beach games and sports.
- 8.10 Holes in the sand constitute a hazard to beach walkers and should be filled when playtime is over.

## **SECTION 9 - FACILITIES**

- 9.1 Common elements and facilities are for the use of Unit Owners, renters, and guests only.
- 9.2 The Association maintains two heated swimming pools. One is located beside the Clubhouse and the other is located between the North and South Towers on the beach. Pool regulations, as stated in Section 8, **MUST** be observed.
- 9.3 The Clubhouse is used for private Association sponsored meetings and private social events. Unit Owners may reserve the Clubhouse at the Association Office for private gatherings, if available, with a refundable deposit of \$100 paid at the time the clubhouse is reserved. The host of the gathering is responsible for cleaning the facility following its use. If, after an inspection, the facility is found to be in the same condition as when it was reserved, the \$100 will be refunded. If not cleaned to the satisfaction of the Association office, a cleaning service will be called in and paid for with the money left on deposit, in which case the deposit will not be refunded. The Tower Lounge may be similarly used when a Unit Owner in Section 6 or 7 sponsors the event. Clubhouse gym and restrooms are always available to residents regardless of any private functions.
- 9.4 Shuffleboard courts are located on the grounds on the north side of the North Tower. Equipment is stored in an adjacent shed, which can be opened by using the Common Element (CE) key.

- 9.5** The Tiki Hut is located on the beach, north of the Tower. Barbecue facilities are provided and Unit Owners may reserve the Tiki Hut for breakfast, luncheon or evening picnics. A reservation sign, obtained at the Association Office, shall be posted in the Tiki Hut prior to the event.
- 9.6** Notices of all Association sponsored activities are posted on the bulletin boards in all multi-storied buildings, at the Clubhouse, Association Office, and also on TV Channel 195 and the WSCA website, [WhisperingSandsSarasota.com](http://WhisperingSandsSarasota.com).
- 9.7** A volunteer Social Committee arranges for various social functions to be held during the year. Notices of these events are posted on the bulletin boards and on TV Channel 195 and website. A social calendar is published in "The Sand Dollar" which is issued several times per year and made available to all Owners and residents and is also on our website.
- 9.8** The Tower Lounge and Clubhouse facilities may not be used for overnight lodging.
- 9.9** Unit Owners, renters and guests must wear a facilities tag when using beach chairs, swimming in pools, playing shuffleboard, or using the Tiki Hut.
- 1** Each Owner will receive two (2) numbered yellow facilities passes with a coil wrist band. Owners must sign for and pick up these passes at the WSCA office. If there are more than two Owners or permanent residents per Unit, Owners may obtain an additional pass for \$25.00. Owners will be charged \$25.00 for lost yellow facilities passes and those numbers will be deleted from our roster. All facilities passes and Common Element (CE) Keys must be returned to the WSCA office prior to closing when a Unit is sold.
  - 2** Each Owner will also receive two (2) numbered red guest facilities passes with a coil wrist band. Owners may pick up these passes at the WSCA office. If additional guest passes are needed please notify the WSCA office. A deposit of \$25.00 for each pass will be required. This deposit fee will be refunded when the pass is brought back to the office. Children under sixteen (16) will not need to carry a facilities pass on them since they must be in the company of their parents or grandparents. However, all persons sixteen (16) years of age and older must have a facilities pass.
  - 3** All facilities passes must be returned to the WSCA office when a Unit is sold or otherwise transferred. If the facilities passes are not returned to the office prior to the transfer, the previous owner(s) and the new owner(s) are jointly and severally liable for a re-issue charge in the amount of \$200.00.

- 4 Each renter will receive two (2) numbered green facilities passes with a coil wrist band when they check in at the office upon their arrival. If they are not returned when they leave, the Owner of that Unit will be charged \$40.00 per tag.
- 9.10 North Tower (Section Seven): The hallway floors must be kept clear with the exception of a floor mat. No plants shall be placed on the floor in front of the Units with the exception of end units, one and six, which may have plants that would not cause obstruction to other Units.
- 9.11 Waterside Manor (Section Four): Common hallways must be kept free of any and all personal items which would impede access to the common hallways. Such items include but are not limited to, personal furniture, exercise equipment, storage boxes, shoes, bicycles, strollers, beach equipment, toys or plants. Unit doormats and holiday decorations are allowed, providing there is no impediment to the passageway of the common hallways.
- 9.12 Tropic View (Section Three): Owners are prohibited from using the general Common Elements within Tropic View for their exclusive personal use, or to store any personal items (in hallway areas outside of a Unit). Unit doormats, seasonal decorations applied to Unit doors are allowed providing it would not impede access to the passageway of the common hallways.
- 9.13 Sunset House (Section Two): Common hallways must be kept free of any and all personal items which may impede access. Such items include but are not limited to, personal furniture, exercise equipment, storage boxes, shoes, bicycles, strollers, beach equipment or toys. Unit doormats and holiday decorations are allowed as well as plants at the two end units by the windows.
- 9.14 If rules are violated, you may be requested to appear at a Mediation Committee Meeting with possible fining.

## **SECTION 10 – PARKING**

### **10.1 Parking Regulations:**

- 1 Owners must visibly display a Whispering Sands Owner's sticker within their vehicle(s) at all times while the vehicle(s) is/are parked upon the Condominium property.

- 2 Renters must visibly display a temporary Whispering Sands parking permit in their vehicle(s) at all times while the vehicle(s) is/are parked upon the Condominium property.
  - 3 All guests and other persons who occupy a Unit on loan from a Unit Owner, must register at the Whispering Sands office when staying overnight with a Unit Owner or renter, as prescribed in Section 5.3 above. If arrival is after our normal business hours the guard on duty will be able to give out a temporary parking pass until the office re-opens.
  - 4 Guests must display a visitor parking permit from the rear view mirror of their vehicle(s). Each Owner will receive two (2) visitor numbered parking permits for visitors to use. Additional permits are available at the Whispering Sands office for a refundable fee of \$30.00. There will be a \$30.00 charge to replace any lost visitor parking permits. Contractors, medical personnel, home health care people, delivery people, any person entering our premises all need visitor parking permits.
  - 5 Anyone maintaining a vehicle within or upon the Condominium property without a proper Whispering Sands parking permit will be subject to the following:
    - (i) First Offense: Violators will be given a written warning on their windshield.
    - (ii) Second Offense: Violators will receive an adhesive violation sticker on their driver's side window.
    - (iii) Third Offense: Vehicle(s) may be towed at Owner's expense.
  - 6 Parking Regulations will be enforced by WSCA Property Access Control employees, as well as our maintenance staff.
- 10.2 Routine visitors, such as health care personnel, should be registered in the office and provided with a temporary parking permit. If the arrival is after normal business hours or on weekends, arrangements should be made with the office personnel in advance.
- 10.3 If a vehicle is to be left in an Owner's parking space during the Owner's absence, a car key must be left at the Association Office, so that the vehicle can be moved. WSCA has the authority to move the car in case of an emergency or for required maintenance work.

- 10.4** Bicycles and other non-motorized small vehicles must not be stored in corridors or upon other portions of the Common Elements within the multi-story buildings. Such items may be stored within the Unit storage lockers. In addition, such items may be stored outside in the Unit's parking space while the Owner is in residence.
- 10.5** Except as set forth below, or as otherwise provided in the Declaration of Condominium, only conventional passenger automobiles and personal motorcycles used for passenger transportation may be parked in any parking area. A "conventional passenger automobile" shall be limited to those vehicles which are primarily used as passenger motor vehicles, and which have a body style consisting of two doors, four doors, hatchback or convertible, and shall also include station wagons, vans, pickup trucks with a cargo load limit of 1/2 ton or less, and sport utility vehicles. All other motor vehicles including, but not limited to, commercial vehicles (any vehicle used in a trade or business and having advertising or promotional information, symbols, or materials affixed thereto), trucks (any motor vehicle designed or used principally for the carriage of goods), boats, campers recreational vehicles (vehicles having either kitchen or bathroom facilities) trailers, and motor homes, shall be prohibited.
- 10.6** Notwithstanding the foregoing parking limitations, the following exceptions shall be made:
- 1 Service vehicles may be temporarily parked in non-assigned parking areas during the time they are actually servicing a home, but in no event overnight.
  - 2 Other prohibited vehicles may be temporarily parked in a parking area when they are being actively loaded or unloaded.
  - 3 Vehicles designed for the handicapped where a sticker is displayed.
- 10.7** All vehicles shall be parked in designated and assigned parking areas. No vehicles may be parked on the grass or outside of designated parking areas. The Board of Directors shall have the authority to require the use of parking decals, stickers, or other reasonable means of identifying permitted motor vehicles of, and to adopt further rules and regulations to regulate the use of motor vehicles, including, but not limited to, the imposition of speed limits and other reasonable safety precautions, and to waive restrictions in cases of unusual hardship and to tow vehicles as provided by law.
- 10.8** Unlicensed, unregistered or inoperable vehicles may be removed from the community at the Owner's expense as provided by law. Owners shall have 48 hours after written notification, to remove such a vehicle from the property.



## **SECTION 11 - SAFETY**

- 11.1** Admission to the Mid-rise buildings and the Towers is by passkey. Visitors and trades people must use the "enterphone" telephone at the main entrance to each building. See the back page of the Association telephone directory for instructions regarding the use of the Enterphone.
- 11.2** By law, emergency telephones are located in all elevators. Instructions for operating the elevator telephones are displayed on the telephone receptacle and all elevator telephones are directly connected to outside assistance. Each multi-story building is equipped with a fire alarm system. Each Unit has a smoke alarm connected to the household power. In case of power failure, the smoke alarms are equipped with a backup battery. These batteries also activate the alarm with an intermittent "beep" when they are low on power. Unit Owners are advised to replace the battery in the smoke alarm twice a year.
- 11.3** If an entrance key is provided to regular routine visitors, such as housekeepers, health care professionals, etc., they must be registered at the Association office by the Unit Owner and provided with temporary parking permits. The Unit Owner should retrieve all such keys when the service is terminated.
- 11.4** The Association Office must be advised if service personnel are expected during the absence of an Owner.
- 11.5** Access to all units must be available to the Association at all times. (See Section 6.6).

## **SECTION 12 - STAFF SERVICES**

- 12.1** Office personnel are available to register the arrival of renters and guests, provide parking permits for vehicles, reserve the Clubhouse, Tower Lounge, (Tower Owners only) or Tiki Hut. Please register in the office during working hours of Monday - Friday 8:00 am to noon and 1:00 pm to 3:00 pm or the following business day.

- 12.2** Minor problems, such as burnt out lighting, laundry malfunctions or other maintenance problems within the common elements, should be reported to the Association Office at 349-8458 during office hours. Association maintenance staff cannot respond to individual Owners request during their working hours. After hour emergency calls are to be directed to the Answering Service at 346-2069 and the maintenance person who is "on call" for that night will be contacted. Whispering Sands Condominium Association is not liable for any work contracted between Unit Owners and maintenance staff after their normal working hours.
- 12.3** Residents are not permitted to use the tools and shop facilities of the Association or the Association dumpsters.
- 12.4** Association maintenance employees are not allowed to respond to the suggestions or complaints of residents. Owners should provide in writing any suggestions, complaints or work orders to the Section representative or by calling the office. (See Section 13 - Advisory Council).

## **SECTION 13 - THE ADVISORY COUNCIL**

- 13.1** All suggestions, recommendations or complaints about Whispering Sands management, living conditions or services, should be submitted in writing to the Whispering Sands Advisory Council. Each section has two (2) representatives on the Advisory Council, which meets several times per year to review all matters that are brought to its attention and to make recommendations to the Board. The names of the section representative serving on the Advisory Council will be published in the "Sand Dollar" and posted on the bulletin boards and on the website.

## **SECTION 14 - MEETING PARTICIPATION**

- 14.1** Every Unit Owner shall have the right to speak and participate at meetings of the Board of Directors subject to the following rules:
- 1** Unit Owner comments are restricted to agenda items only. No other statements or comments shall be permitted unless approved by a majority of the Board.
  - 2** Unit Owners desiring to speak must first state their name and section number.

- 3 A Unit Owner's statement may not exceed three (3) minutes.
- 4 No Unit Owner shall speak until recognized by the Chair.
- 5 The Chair shall give the floor to any Unit Owner desiring to speak prior to the vote of the Board upon the agenda item.
- 6 After the Unit Owners have had an opportunity to speak, the Chair shall announce that the Owner statements are concluded, thereby ending Owner discussion on that agenda item.
- 7 Each speaker shall speak only to the Chair. There will be no cross discussions with other members, Board members or legal counsel.
- 8 Unit Owners may not make or second motions, may not participate in discussions after Owner discussion is concluded on that subject and may not vote, except where a Unit Owner vote is required.



WHISPERING SANDS CONDOMINIUM ASSOCIATION, INC.

MODIFICATION FORM

Interior (Reconfiguration) or Exterior (Reconfiguration, Structural & Appearance)

These guidelines are to ensure that modifications to individual units will not compromise the common element of other units. I, \_\_\_\_\_, hereby request approval by the Board of Directors for the modification shown below to Unit/Villa \_\_\_\_\_, Section \_\_\_\_\_

(Please describe proposed modification, use additional sheets if necessary; initial and date each sheet)

Upon approval of the submitted drawings and my request for this major modification, I will assume all liability for any damage incurred as a result of this modification, as well as any additional maintenance and insurance costs that may be incurred. I will provide insurance for the additions and alterations to my unit or villa through my homeowner's insurance and Whispering Sands Association will not be held responsible for those costs.

A modification review committee, named by the Board of Directors, shall review all modification plans and present them to the Board of Directors for final approval. Unit owners doing their own work must also submit plans for approval. The General Manager or the maintenance supervisor shall observe the project to ascertain that the proposed modification is progressing according to documents provided by the owner and to ensure that the common elements of the property are not being affected by these modifications. A final observation shall be made at the completion of this project.

All contractors and sub-contractors involved in this project will be properly licensed and fully insured. I also agree to obtain and pay for any permits that may be required by any and all governmental agencies for this modification. In our documents Article XI, paragraph 3 it states: Use of licensed and insured contractors: Whenever a unit owner contracts for maintenance, repair, replacement, alteration, addition or improvement of any portion of the unit or common elements, whether with or without Association approval, such owner shall be deemed to have warranted to the association and its members that his contractor(s) are properly licensed and fully insured and that the owner will be financially responsible for any resulting damage to persons or property not paid by the contractor's insurance.

A copy of the drawing that I have submitted for this work will be filed in my owner file in the Whispering Sands office and will be transferred with any change of title.

Attached please find the following additional information. **These items must be received for approval prior to the start of these modifications:**

- \* A drawing or sketch including the dimensions of the proposed modification and specifications.
\* Photo & description of underlayment if flooring is being installed (Mid-rises & Towers 2nd floor & up).
\* The location of the modification on my property.
\* Copy of the survey of my property, if applicable.
\* Procedure Guidelines for Contractors (to be signed and dated by contractor and unit owners).
\* No modification in the midrise and tower units can include the addition of plumbing for washers.

Owner Signature Date Owner Signature Date
Print Name Print Name

Office Use

The above request for modification to Unit/Villa \_\_\_\_\_, Section \_\_\_\_\_ has been:

- () APPROVED
() APPROVED WITH THE FOLLOWING CHANGES (ATTACHED TO THIS FORM)
() DISAPPROVED

DATE: \_\_\_\_\_ BOARD OF DIRECTORS: \_\_\_\_\_ 1/9/07



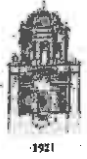
PROCEDURE GUIDELINES FOR CONTRACTORS / OWNERS

- 1) Construction noise shall only be permitted Monday through Friday 8:00 a.m. - 5:00 p.m. and Saturday 8:00 a.m. - 12:00 p.m., other than holidays.
- 2) When using elevators to transport supplies, tools and refuse, the office must be contacted in advance to have the elevator properly padded.
- 3) Contractors must dispose of all refuse off the property of Whispering Sands.
- 4) Contractors must provide their own equipment to transport tools, refuse, etc. They may not use luggage carts or shopping carts belonging to Whispering Sands.
- 5) Contractors must keep the walkways in the Towers and Mid-rises free from tools and debris.
- 6) Grinding of tiles, granite, marble or other items must be done in designated areas. Contractors are to check with the office for determination of where they can grind in their particular section.
- 7) Contractors doing work in Tower units may only park their vehicle in designated contractor parking areas.
- 8) Attached is a copy of the contractor's license and proof of insurance.
- 9) Owners must be aware that if the contractor does not follow these guidelines, the contractor or his company shall not be allowed back on the property.

Estimated time for completion of this modification project \_\_\_\_\_

Contractors Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owners Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# Sarasota County Government

## INSPECTION AND PERMITTING SERVICES

### Building Permit Requirement Guidelines

#### When do I need a Building Permit?

Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the technical codes, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit for the work. *Sarasota County Ordinance 2000-053, Section D. 104.1.1.*

#### Some Examples of when a Permit IS Required:

1. Any construction which alters the size or occupancy of a building.
2. Construction, alteration, or replacement of any exterior walls.
3. Enclosing existing carports, porches and screen rooms for any purpose.
4. Construction of any raised deck, attached or detached, with or without a roof.
5. Replacement of columns, beams, joists, rafters, or any other structural component.
6. Replacement of wall, floor, or roof sheathing.
7. Repair and replacement of interior or exterior stairs and/or guardrails.
8. Electrical, plumbing, or air-conditioning when altering, adding to, or deleting from the system.
9. Interior load bearing and non load bearing walls, alterations or replacements
10. Replacement of windows, doors, garage doors or skylights in existing or altered wall openings.
11. Hurricane shutters, all types. Electric permit also required for power operated units.
12. Roofing, replacement of any roofing component.
13. Masonry or engineered Styrofoam privacy walls or fences with any masonry components.
14. Dock, Boat-lift, Seawall, or Bulkhead installation or repair.
15. Fire repairs of any type or scope.
16. Storage or utility sheds, all types, all materials, and all sizes.

#### Some Examples of when a Permit is NOT Required: *(See Note a.)*

1. Painting. *(Except when advertised as water proofing.)*
2. Wall paper and other wall coverings. *(Except Assembly, Day Care, and Institutional Occupancies.)*
3. Floor and wall tile.
4. Rugs or carpeting.
5. Replacing kitchen cabinets. *(See item 8. above.)*
6. Replacement of fascia and soffit. *(1 & 2 Family Dwellings only.)*
7. Non-structural siding placed over existing siding/sheathing. *(1 & 2 Family Dwellings only.)*
8. Decks and patios directly on grade and without footings. *(Any material.)*
9. Driveways
10. Small, incidental roof leak repair. *(1 Square and \$500 or less.)*
11. Wood or chain link fences. *(Except in the Siesta Key Over Lay District, all fences require permits.)*
12. Non-residential farm buildings on working farms. *(Must meet specific criteria and be approved by the building and zoning officials to be exempt.)*

*Note a.* Some items above may require a building permit if the building is in a flood zone or part of a greater project.

Issuance of a Building Permit is NOT a license to exceed the Scope of Work listed on the Permit Application. Any change to the scope of work must be first approved by the building official, and the scope of work list on the permit must be corrected.