

TOWERS OF KEY BISCAWAYNE ARCHITECTURAL CONTROL FORM

I. Owner Information

Unit Number: _____ Owner Name: _____

Home Number: _____ Cell Number _____

Work Number: _____ Alternate Number: _____

E-Mail _____

Give a Brief Description of the Work to be done in the Unit:

II. Type of work to be performed

Please indicate the Type of work to be Done in Your Unit and Note that the
City of Key Biscayne Requires Permits for the * Items below

* A/C Unit _____ * Interior Walls _____ * Electrical _____ * Flooring: _____ * Plumbing _____

Wallpaper: _____ Paint: _____ * Kitchen _____ * Bathroom _____

Other-type of work explain in detail: _____

III. Contractor Information

Contractor's Name: _____

Contractor's Telephone Number: _____ Cell: _____

Starting Date: _____ Completion Date: _____

Insurance Information:

Occupational License Number: _____ Exp Date: _____

General Liability Insurance Number: _____ Exp Date: _____

Workman's Comp. Insurance No.: _____ Exp Date: _____

Initial or sign to acknowledge the above Rules & Regulations

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Revised: 2/23/2011

IV. The Towers of Key Biscayne-Construction and Architectural Rules

No structural alterations may be made to any unit without the prior approval of the Towers Administration Office and where required, The Village of Key Biscayne. This includes additions to, or removal of any portion of a unit.

A. Village of Key Biscayne Rules and Laws

1. As required by the building code of The Village of Key Biscayne, permits must be secured for all work performed within any unit for all work associated with plumbing, electrical, air conditioning, flooring and internal wall construction.
2. Plumbing and electrical work can only be performed by professionals licensed in those trades and areas of expertise.
3. All contractors must submit copies of all licenses and insurance verifications along with a Driver's License or Picture ID, via fax to 305-361-9331.
4. Only work described in this architectural control form which is approved by The Towers and The Village of Key Biscayne will be permitted to take place. The Towers will inspect work being performed. If work deviates from that which is described herein the work will be stopped and The Towers will, as required by law, report the deviation to the Village of Key Biscayne code enforcement office for their evaluation.
5. In accordance with the building code in The Village of Key Biscayne it is mandatory to install "shut off valves" in any re-modeling project which involves plumbing in the kitchen, laundry room, or bathroom.
6. Unit owners or contractors must obtain the permit cards with final approval/Inspection signature from the Village of Key Biscayne and provide them to the management office.
7. Touching or tampering with the Life Safety System (smoke alarms, sprinklers, speakers) in the apartments or in the common areas is strictly prohibited as a matter of law.
8. If a kitchen or at least 20% of a unit is being re-modeled the clothes dryer must be replaced with a self venting model or one that vents to the outside of the unit.

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- a. Owners are responsible for obtaining clarification and complete information from the Village of Key Biscayne on this issue.
9. Unit renovations which involve flooring upgrades or modifications require the installation of soundproofing underlayment materials to dampen noise. See Section VI for technical product details.

B. Towers of Key Biscayne Rules

1. This Form must be completed by the unit owner and presented to the office before any work can be undertaken.
2. If the project completion date is extended, the owner is responsible for notifying the manager's office of the revised completion date
3. Documentation that must accompany this Form:
 - a. Contractor's Occupational License.
 - b. Proof of Liability Insurance coverage, naming the association as an additional insured in their insurance policy.
 - c. Proof of Workman's Compensation Insurance coverage.
 - d. Drivers license or valid government picture ID.
4. All charges and fines incurred by the Towers as a result of tampering with Life Protection Systems by owners, contractors, or guests, will be the responsibility of the unit owner. See **Marcelo Aguado, Security Supervisor** for any questions regarding this matter or you may call the Security office @ **305-361-9117**.
5. Hallway carpet protectors must be used whenever construction work or demolition is being performed in a unit. This carpet protector must cover the hallway carpet from the elevator to the unit. The association will provide the carpet protectors for a fee of \$200 for the length of the construction, not to exceed 6 months. The association will place and remove the carpet protectors on a daily basis.
6. Contractors performing construction work within a unit must vacuum the area outside the unit daily.
7. To protect the hallway carpets every contractor must use shoe protectors ("booties") when walking out of the unit into the hallways. Shoe protectors may be purchased from the Manager's office.
8. No work shall commence until all required documents have been received and approved by the Manager's Office.

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9. During construction an association person ("AP") must be present when debris is being removed or a delivery of materials is made.
10. Contractors must notify the main office at least one day in advance when scheduling a delivery.
11. Construction materials or other work related tools or supplies may not be left in the parking area or common areas over night.
12. Sound insulation, specified by The Towers, must be laid under all hard floors (wood, tile, granite, marble, etc.) and at least a 100 ounces padding under carpeting.
13. Owner is fully responsible and liable for any and all damage to the elevators, hallways, and other common elements caused by the unit owner's, occupants, family, contractors, delivery personnel, employees, guests and lessees.
14. Wedging, blocking, jamming, or otherwise leaving or rendering any keyed door in an open position is prohibited.
15. No flammable material, lit cigarettes, cigars, or construction materials shall be thrown down the trash disposal chutes.
16. The Association will not provide Common Area keys to contractors. If necessary common area keys must be provided by the unit owner and must be reclaimed by the unit owner from the contractor or other individual to whom they have been entrusted after the need has expired. Residents shall not give common area keys to resident's employees or contractors unless the Office is notified in writing.
17. Hallway doors must remain closed during construction. Contractors are required to ensure that sliding glass doors and windows are closed daily prior to 4:30 p.m. when they must leave for the day.
18. All contractors must be off the premises by 4:30 PM daily.
19. Association Personnel will be inspecting all units under construction on a daily basis.
20. After a hurricane, a contractor is not allowed to dump any debris in the container/dumpster until The Towers has cleared its common area debris and provided clearance to contractors to use the dumpsters.
21. Dumpsters should not be overloaded. If a dumpster is full the manager's office should be contacted for assistance.

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22. The manager's office must be notified at least 3 days in advance of using a jackhammer in a unit to allow the office to post notices for neighboring residents to alert them about upcoming noise.
23. Jackhammers can only be used for no more than 2 days from the day the construction commences.

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V. Holiday Restrictions

Contractors/Construction work will not be permitted on the following holidays:

New Year's Day	Martin Luther King Day
President's Day	Memorial Day
Independence Day	Labor Day
Columbus Day	Veterans Day
Thanksgiving Day	Christmas Day
Day after Thanksgiving (Friday)	

There will be additional "blackout days" during the last few weeks of the year during holidays. Owners/contractors should verify these dates with the management office prior to scheduling any work during this time period.

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VI. Sound Control Underlayment

The following specifications have been adopted by The Towers of Key Biscayne:

Thickness: At least ½' for Mortar type, 1.25mm or greater Composite Sheet Membrane. Units on the 1st Floor lobby level ONLY may substitute ¼ inch cork

Sound Transmission Coefficient (STC): Not less than 50 as determined by ASTM E-413-87 and ASTM E 90-87, E 90-90

Impact Insulation Class (IIC): 50 or greater as determined by ASTM E-989 and E 92-90

Impact Noise Ratio (INR): Greater than 0 (zero) as determined by ASTM E-492-86 and ASTM E-989-84

The Condominium Association recommends products which exceed the minimums established above; Some of these products are JAMO (mortar type) with a STC of 52, an ICC of 54 and an INR of +3 and Wicander Enterprise Cork Underlayment, WECU (cork type) with a STC of 55, an ICC of 53 and INR of +2 (where permitted). Noble Seal SIS, a sheet membrane system, has an IIC of 62 and an STC of 59. Many other products are also available in the market.

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VII. Fees and Charges

Background

The Towers of Key Biscayne will apply various fees and charges to recover incremental costs incurred by the association in connection with work performed by unit owners in upgrading or modifying the internal areas of their units. The objective of these fees and charges is to:

- Defray incremental costs incurred by the Association in supporting specific units and their owners'
- Assure that incremental costs incurred for activities involving a specific unit are assessed to that unit and do not become part of the general expense base
- Assure that any damage to, or losses of or within the common areas, resulting from construction, moving, or delivery activities in or for a specific unit, are recovered from the owner of that unit

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Fees and Charges

1. **Damage deposit** - A damage deposit of \$1000 is required to be in place at all times during the project and before commencement of work, and will be deposited. The initial deposit and must accompany this Form
 - a. **Refund of the Damage Deposit** - to the extent that there are no damages to common areas and other apartment units, the deposit will be returned upon request of the unit owner.
 - b. **If damages exceed the deposit** - additional fees will be assessed to the extent of the additional damages and a new damage deposit will be required prior to proceeding with construction.
2. **Dumpster Fee** - A non-refundable dumpster fee of \$500 is required before commencement of work and must accompany this Form
3. **Tampering with a life safety system** - A penalty of \$500 will be levied upon the responsible unit owner if anyone tampers with or disconnects a device associated with a Life Safety System within a unit or in any common area.
4. **Protective Padding for the hallways** - will be provided by the Association for a fee of \$200.00 for the length of the construction, not to exceed 6 months.
5. **Failure to comply with required floor soundproofing rules** - will result in the forfeiture of the \$500.00 damage deposit and the requirement that the floor be removed and the appropriate sound proofing be installed.
6. **Presence of association personnel ("AP")** -
 - a. \$15 per hour will be charged by the association to the unit owner for the presence of an "AP" during deliveries, debris removal, certain construction activities, etc. An escrow deposit of \$1,000.00 will be required from the unit owner prior to commencement.
 - b. During construction, if an owner or his contractor fails to notify the office when debris is being removed or materials are being delivered, a fee of \$150.00 per incident will be assessed and deducted from the owner's escrow deposit.
7. **Other:**

Violation

Fee

- | | |
|--|--------------------|
| • Failure to vacuum carpet daily | \$50 per incident |
| • Materials left over night in parking or common areas | \$250 per day |
| • Failure to leave premises by 4:30 PM | \$100 per incident |
| • Failure to comply with jackhammer rule | \$300 per incident |

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VIII. Photographic validation

Unit owners are responsible (either in person or through their contractor) for ensuring that the director of security in the office takes photos of the soundproofing in the floor to prove compliance with the village building code. If these procedures are not followed the owner will be held responsible for any liabilities that may result.

It is also highly recommended that owner's take and retain pictures of the soundproofing and keep them for their permanent records as the office cannot guarantee against loss of photographic materials.

IX. Owner's attestation of agreement to abide by the Rules of The Towers and of the Village of Key Biscayne

I have read and understand the rules and requirements stated herein and agree to fully comply with all rules and requirements. I have initialed each page of this Architectural Control Form to indicate my agreement.

I agree to accept all additional charges and fees defined herein, which The Towers in its discretion may assess to me as a result of work conducted in my unit as approved under this Architectural Form.

Printed Name of Owner _____

Signature of Owner _____

Owner's Initials _____

Date of Signing _____

Initial or sign to acknowledge the above Rules & Regulations

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