

## Villa Madeleine Resort Condominium Association (“VM”) Rules & Regulations

### Final Revisions, February 2023

1. No activity shall be carried on within any individual villa, or on or within the resort property as a whole, that constitutes a violation of any law, government rule and/or regulation, VM documents or which constitutes a nuisance.
2. No occupant of a villa shall make or permit any disturbing noises to emanate from a villa or do anything therein to interfere with the rights and reasonable comfort and convenience of the occupants of any other villa. Villa Madeleine quiet hours are between 9 pm and 9 am.
3. No occupants shall discharge any sweepings, rubbish, chemicals or grease cutters other than household detergents into the sewage system. Feminine products should not be flushed down the toilets.
4. No occupant shall keep a pet within any villa until the Pet Registration process has been completed to the satisfaction of the board. *See Appendix A.*
5. No clotheslines shall be installed in any part of a villa which can be seen by occupants of another villa. No towels, bathing suits or other laundry shall be hung over any walls visible to occupants of other villas.
6. No planting or landscaping of common areas shall be allowed without prior consultation with the VM Property Manager.
7. Trash receptacles are located around the parking areas. All trash must be tightly secured in plastic trash bags.
8. Please conserve rainwater as rain is our only free source of water. See Appendix B.
9. No jumping or diving in villa pools, as the depth does not permit this and can cause injury. There shall be no climbing on any structure or wall within the VM complex. Pools are cleaned by VM staff members on a previously scheduled weekly basis. These staff members will announce their arrival at the pool terrace door and gain entry via the staff key. Upon departure the terrace door will be relocked.
10. No awnings shall be installed without board approval and must be either yellow, beige or white. No curtains, drapes or other window decorations shall be placed in any window without white backing. No logo umbrellas are allowed.
11. No lock may be installed or changed on any exterior door without VM Property Manager’s approval. Doors should be locked when leaving villas. Villa Madeleine does not take any responsibility for theft.
12. Only one vehicle per unit may occupy the adjoining parking area to the villa. If more than one vehicle is used per unit it must be parked at the lowest level parking area near the tennis courts. When leaving the villa for any extended period of time (more than 2 days) vehicles should also be parked at the lowest level parking area near the tennis court and a key shall be left with the VM Property Manager. Any vehicle blocking another may be towed without warning at the expense of the owner. Designated handicapped spaces are available from the VM Property Manager if you have a valid handicap parking permit or are using a walker or crutches. All parking areas are for automobiles only and not available for boats or other recreational vehicles.

Effective Date: February 16, 2023

13. Physical changes to the structure, both inside and outside the unit must be approved by the board in writing including adding, eliminating or modifying an exterior opening of the villa or roof, adding or removing any equipment to the exterior of the unit including air conditioners, vents, storage units and awnings (as noted in #10 above).
14. The entry of each villa is part of the common area and shall not be used for storage other than small tables and chairs, benches, plants or small decorative items.
15. Owners are permitted to install one wireless Camera Enabled Doorbell or one wireless Smart Security Camera within the confines of their unit's front porch area. Installation, maintenance (including the recharging of batteries), removal and repair to the unit surface will remain the responsibility of the owner. Additional cameras will be considered with prior Board approval. As always, the privacy of all neighbors needs to be taken into consideration.
16. Rentals of less than 5 days are not permitted. Owners or their rental agents are responsible for providing renters with these rules and regulations by which they must abide. The owner or rental agent is responsible for notifying the VM Property Manager of renters' arrival at least one week in advance.
17. Hurricane Protection Plan. (In effect July 5 to December 10th) *See Appendix C.*
18. A **fine of \$50.00 per day** will be levied against the owner if these rules and regulations are found to be in violation until the violation is corrected. Fines levied due to renters' violations are the owner's responsibility for payment.
19. The proper procedure for requesting maintenance on your villa is to contact the management team via your property portal at:  
**[easternseaboardmanagementllc.managebuilding.com](http://easternseaboardmanagementllc.managebuilding.com)**  
 If you are having trouble logging into your property portal please email  
[thomas@esmusvi.com](mailto:thomas@esmusvi.com)

**VM Property Management**

VM Office Hours: M-F 9am-4pm  
 VM Office Phone: 340-773-7877  
 VM Mobile: 340-227-4723  
 VM Day Manager: vmrcapm@gmail.com  
 VM Mailing Address: 5046 Villa Madeleine  
 Christiansted, VI 00820

**Eastern Seaboard Management - VM Team**

Thomas Tharrington – Owner/Supervisor  
[thomas@esmusvi.com](mailto:thomas@esmusvi.com)  
 Gregg Snow – Day Manager  
 Ronald Bothner – Day Manager

**VMRCA Board of Directors**

President:	Alexandra Todd	<a href="mailto:alex4stcroix@gmail.com">alex4stcroix@gmail.com</a>
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Treasurer:	Michael Corey	<a href="mailto:corey@mikecorey.com">corey@mikecorey.com</a>
Secretary:	David Gabriel	<a href="mailto:dmgabriel@comcast.net">dmgabriel@comcast.net</a>
At Large:	Christian Schwaner	<a href="mailto:schwanerc@icloud.com">schwanerc@icloud.com</a>

## Appendix A

### Pet and Feral Population Rules and Regulations

The adoption of this policy supersedes all previous VMRCA Pet Rules and Regulations policies. Any pet with VMRCA Board approval previous to this date, will be “grandfathered.” This policy focuses on the regulation of pet and owner behavior rather than specific pet characteristics in order to create a courteous and clean environment within the Villa Madeleine community for all owners. In addition, this targeted policy will enable the VM Board to be better able to enforce its rules and regulations as they pertain to pets.

#### A. Registration

Pet Owners must complete, sign and submit to the VMRCA Board a Pet Registration Form before the pet can begin occupying any VM unit/villa. The Board will maintain a file of these registration forms. Pertinent information from these forms will be compiled and shared with the VMRCA Property Manager. This information is being provided to the Property Manager so that residents and their pets can be assisted should the need arise.

Pets may only be kept by Unit Owners and long-term Renters (residing for a minimum of 6 months). Long-term Renters are limited to one pet and will require the express written permission of the Unit Owner before registering their pet. Unit/Villa Owners that wish to grant permission to have pets must provide the Board with a signed and dated letter granting permission, which includes the lease start and end dates, the full name(s) of the Renter(s), as well as the name of the pet. The Villa Owner is to submit the letter together with the completed Pet Registration Form. Long-term renters with pets will be expected to abide by the same rules and regulations that govern owners. The owner of the unit/villa will be held liable for any infraction of the Rules and Regulations as well as for any damage caused by a Renter’s pet.

B. Permissible pets shall include only dogs and cats. Owners are permitted to keep only one pet per unit. Owners may petition the Board for permission to keep a second pet. Should permission for a second pet be granted, that permission only extends to the lifetime of that pet. Upon passing, any additional pets will require that the petitioning process for approval start anew.

1. All cats and dogs must be spayed or neutered by the latter of the date of registration or the pet attaining six months of age. If your veterinarian has deemed the procedure medically unsafe, documentation stating it is medically unsafe must be submitted along with the Registration Form. If you are the owner of an AKC recognized breed with established breeding rights, VMRCA will allow for a spay/neuter exemption if a copy of the pet’s AKC Certification indicating “Full” registration is submitted with the registration form. It is to be understood that no pet shall be kept, bred or used for any commercial purpose within the confines of the VMRCA community.

2. All dogs and cats with a medical or breeding rights exemption from spaying and neutering must be confined to the pet owner’s unit and must not be allowed to roam free or be tethered unattended at any time, extra precaution is expected of the owner. All dogs and cats with a medical or breeding rights exemption from spaying and neutering must not be left unattended on pool terraces.

3. Owners MUST keep pets under control at all times. Pets in transit are to be carried, restrained by a

leash, or placed in an animal carrier. While walking pets along pathways within the VM community, leads must maintain a maximum length of six feet. While allowing pets to relieve themselves within the immediate vicinity of your villa, a retractable leash may be extended to twelve feet temporarily so long as others are not nearby. The pet must not be permitted to move beyond the exterior sidewall of an immediate neighbor's villa/unit until the leash has been returned to a maximum of six feet in length. When exercising your pet in the lower green area, retractable leashes may be extended so long as other pets, staff, residents or guests are not visibly occupying the same area. Dogs may never be permitted to roam free nor be tethered anywhere or at any time within the confines of VMRCA property.

4. Persons who walk pets are responsible for IMMEDIATE clean up, removal and proper disposal of animal waste. All animal waste including cat litter shall be tightly sealed in a plastic bag and placed within the owner's/renter's sealed household trash bag prior to being placed in an outside trash receptacle. Animal waste including cat litter must never be placed in the outside trash receptacles until it is double bagged within a second sealed plastic household trash bag.

5. Pet owners shall indemnify the Villa Madeleine Resort Condominium Association and hold it harmless against loss or liability of any kind arising from their pet(s).

6. Owners are responsible for any damage caused by pets living within their unit. This includes damage on the interior or exterior of any unit and all common properties within the VM community. Any damage caused by cleaning chemicals or other such materials used in an attempt to remedy said damage is also the full responsibility of the pet owner.

7. No pet shall be allowed to become a nuisance or create any unreasonable disturbance.

Examples of nuisance behavior include:

- a. Pets identified as making excessive noise for extended periods of time.
- b. Pets whose unruly behavior causes personal injury or property damage.
- c. Pets who relieve themselves on walls or paths of common areas.
- d. Pets which exhibit aggressive or other dangerous or potentially dangerous behavior.
- e. Pets in common areas, other than the lower green, which are not under the complete physical control of a responsible human companion and on a hand-held leash of no more than six feet in length or in a pet carrier.
- f. Pets who are conspicuously unclean, parasite infested or diseased.

8. Owners are responsible for the pets of invited guests who visit their unit/villa; such pets are subject to the same rules and restrictions as resident pets.

**C.** Based on the general recommendations of two on-island, non-profit, animal welfare organizations (St Croix Animal Welfare Association and Cruzan Cats), a small feral cat colony of neutered/spayed cats will be permitted to move through our community unencumbered. At this time 7 cats have been identified to reside/roam freely within and outside our borders. All have been previously spayed/neutered by Good Samaritans at no cost to VMRCA and have received basic vaccination. No additional spayed/neutered feral cats may be released/intentionally introduced into this colony by any owner/renter/guest without the written permission of the VM Board. Please note: a spayed/neutered feral cat will have the tip of one ear (typically the left) clipped/removed by the veterinarian in conjunction with the spay/neuter procedure. A document including photos of all 7 cats together with identifying information is posted at the guard shed. It is a known fact that feral cats on island help control the rodent population and can be a

benefit to communities such as ours. Feral cats are not to be permitted to enter units/villa by any owner, renter or guest. Owners/renters/guests are encouraged to keep car windows rolled up when parking within the Villa Madeleine community. Owners/renters/guests are discouraged from making physical contact with these or any feral cats. It is to be understood that approaching these cats is at one's own risk. Minor supplemental feeding of these neutered/spayed cats is permissible, however, any container holding or previously containing food must be removed daily post feeding, kept clean and in an unobtrusive location.

Feral kittens/cats that are NOT immediately identifiable as neutered/spayed and all feral puppies/dogs should be reported to Property Manager (via Buildium) and in consultation with the Board so that humane capture can be arranged with one of the island's animal welfare agencies. Feral cats trapped on VMRCA property will be handled as per the no-cost TVNR (Trapped, Neutered, Vaccinated, Released) Program employed by local humane societies. As stipulated by the program, unadoptable adult cats are to be re-released at the same location from which they were caught post treatment. Engaging in activities such as relocating previously neutered animals and releasing TNVR animals in locations other than where they were found is not permitted. VM Owners who have spotted an unneutered feral and are willing to abide by the rules of the TVNR Program are welcome to temporarily sign out the cat trap located in the guard shed. If an unneutered/spayed feral is successfully caught, it should be reported to Property Management via Buildium as well as to the Board (together with a cell phone photo identifying the animal) before transport off property. Please be mindful that you may be trapping someone's pet and that a microchip might be located while at the Humane Society.

**D.** Owners who wish to participate in the St. Croix Animal Welfare Center's "Foster" or "Pets from Paradise Program" and wish to temporarily foster a canine or feline may submit a request via email to the Board. "Fostering" of an animal within a unit for a period up to 8 weeks will be considered. In addition, if more fostering time is needed an extension may be requested in writing. If Board permission is granted, the owner is required to inform Property Management via Buildium of the animal's arrival and departure from VM property. Owners fostering pets as part of these established programs will not be required to register it, but will be required to abide by the same Rules & Regulations governing personally-owned pets.

**E. Enforcement**

Any owner or property management personnel observing an infraction of any of these rules shall discuss the infraction in a neighborly fashion with the pet caregiver in an effort to secure voluntary compliance. If the complaint is not resolved, it must be put in writing and sent via email to the VM Board of Directors. If the Board is in agreement with such complaint, the pet owner will receive written notice of the violation. If upon 3 violation notifications the problem is still unresolved, arrangements will be made for a hearing. At the Board's discretion, immediate arrangements for a hearing may be made if the nature of the complaint involves personal injury or the imminent threat thereof. The Board of Directors may require the permanent removal of any pet, if such pet is determined by the Board to be a nuisance or a danger to the housing community and its residents.

If so determined, the Board will adjudicate the number of days the caregiver will have to remove the pet from the premises. Infractions of these rules and regulations which move beyond the warning phase and into the violation phase thereby requiring action by our Property Management team will be assessed a per diem fee of \$75 payable by the Villa Owner.

## Appendix B

### **Cistern Water and Water Purification**

Villa Madeleine Condominium villa owners are solely and exclusively responsible for the testing, purifying and maintaining the quality of water used in their individual villas. The process is technical and requires a certain level of knowledge, skill and attention which Villa Madeleine is not equipped to oversee.

Villa Madeleine is not in a position to make specific recommendations as to purification practices. There are companies on St. Croix which offer water purification, filtration equipment systems and services.

## Appendix C

### Villa Madeleine Generator Installation Requirements

The current Villa Madeleine Board of Directors allows the installation of standby electrical generators with approval of the Board on a case-by-case basis. Propane fueled generators (not diesel or gasoline) may be approved but the Board recommends the installation of a solar system with battery storage.

Prior to starting any work, the following requirements must be met before approval can be considered.

1. Installation must be performed by an insured contractor licensed to perform the installation. The installation must conform to all applicable laws, codes, and regulations. Submit to the Board proof of licensure and insurance.
2. Submit to the Board a detailed site drawing indicating clearly the placement of the generator and propane tank(s). Placement of the generator and tank(s) must be on a concrete pad or other suitable mounting surface.
3. Out of respect for your neighbors, Villa Madeleine does not allow a generator to be located between any villas on the same row. Consideration may be given where two villa owners agree to locate a generator between their villas.
4. Submit to the Board all product specifications for the generator and enclosure. The enclosure must meet or exceed Level 2 sound attenuation standards. The generator must be rated at no more than 22kW.
5. Submit specifications for the propane tanks. Total volume of the tanks must not exceed 100 gal. The tank(s) must be located out of sight. Screening may be used to accomplish this.
6. No landscaping elements can be removed, moved, or altered without board approval
7. The chosen site must meet all safety requirements and cannot significantly alter the appearance of Villa Madeleine's Common Elements.
8. The site must be kept clean and orderly and meet all safety requirements during the installation.
9. Any damage done to Villa Madeleine's Common Elements during the installation or during any subsequent maintenance or refueling operations are the responsibility of the villa owner and must be repaired in a timely manner at the villa owner's expense.

Once all of the above requirements are satisfied, the Board will consider the request and make a final decision.

DO NOT START ANY WORK OR MAKE ANY NON-REFUNDABLE DEPOSITS UNTIL APPROVAL IS GRANTED IN WRITING

## Appendix D

### Hurricane Protection Plan

Hurricanes pose a threat to safety and property in the Virgin Islands. It is acknowledged that there may be many times when a hurricane is predicted and it simply misses. However, in order to protect and preserve the assets of Villa Madeleine and our individual villa owners, the following policy shall be implemented. Scheduling and execution of the plan shall be the responsibility of the VM Property Manager.

#### Corrugated Plastic Window Panels:

In order to save preparation time in the event of an approaching hurricane, the VM Property Manager and Staff shall install corrugated plastic panels securely fastened on the exterior over the glass picture window at villa Guest Bedrooms during the period of July 15 through November 30 annually. Panel installation shall start no earlier than July 5 and shall be completed by July 15 annually. The VM Property Manager shall email Board confirmation upon completion.

The VM Property Manager shall have all plastic panels removed by no later than *December 10*, annually.

#### Hurricane Emergency Protection Plan:

Upon notification that a hurricane is heading toward St. Croix, the President, after consultation with the VM Property Manager and other Board Members (if available,) shall make the decision to implement the Hurricane Emergency Protection Plan. This includes approving any required overtime hours and/or temporary labor costs needed to accomplish the tasks prior to the hurricane's arrival. The President shall notify all Board members via email regarding the decision to implement the plan.

The VM Property Manager and all Staff shall immediately proceed to bring all outside deck furniture and any other furnishings including plants, grills, tables, floats, and benches inside the villas, including benches or other items on the front entry porches. All corrugated plastic panels on Guest Bedrooms not installed per owner requests, shall be securely installed. French doors shall be boarded with plywood. The VM Property Manager shall inspect and confirm to the Board via email the completion of the above work prior to hurricane arrival.

#### Post Hurricane Response:

The property and each villa shall be inspected by the VM Property Manager and Staff as soon as possible following a hurricane in order to assess and document visible damage. Action to prevent further damage shall be undertaken at that time by the VM Property Manager and Staff.



An emergency meeting of the Board and VM Property Manager shall convene as soon as possible following a hurricane event in order to assess and determine what, if any, additional action should be taken. The VM Property Manager shall report on the condition of the property and each villa at that time.

A report detailing known damage to villas shall be provided to Owners or Agents as soon as possible by the VM Property Manager. A brief report shall be sent to all Owners and Agents from the Board following a hurricane indicating the overall condition of the property following the hurricane.

If an Owner or Agent intends to use or occupy a villa after a hurricane or tropical storm event which has impacted St Croix, it is their responsibility to request via email at least two weeks prior to travelling and to have received, a report from the Board indicating the habitability of the villa and/or to confirm plywood boarding placed over the French doors will be removed prior to their arrival.

Individual Owner Requests for Guest Bedroom Plastic Panel Removal:

Corrugated plastic panels are scheduled to go up once per year and be removed once per year. If an Owner or Agent requests the Guest BR corrugated plastic panels not be installed, they must do so via email to the VM Manager prior to July 5 each year and the VM Property Manager shall not install them. If the Hurricane Emergency Response Plan is implemented, the panels will be installed and **a service fee of \$100 shall apply.**

If an Owner or Agent requests the Guest BR corrugated plastic panels be taken down after being put up for the season, they must do so via email to the VM Property Manager shall have them removed. **A service fee of \$100 shall apply.** Once panels are removed, panels shall not be reinstalled unless the Hurricane Emergency Response Plan is implemented and in this event, **a service fee of \$100 shall apply.**

## Appendix E

### Drone (Unmanned Aircraft) Use Policy

- Recreational Use of Drones within Villa Madeleine is prohibited.
- Use of Drones by Owners for the purpose of acquiring footage for marketing or other business-related reasons may be granted with prior Board Approval.
- If an owner wishes to hire an outside firm to secure drone footage, they shall submit to the Board the provider's full name together with any contact information as part of the owner's formal request. The outside firm must also submit proof of insurance indicating that any damages to VM property or persons resulting from drone use will be covered.
- The request must be received by the Board no less than 10 days in advance of the desired flight date and time.
- The request must specify a date and timeframe within which the flight will be completed. The requested timeframe is not to exceed two hours.
- At no time will drone use be granted to Short or Long-Term Renters. Renters are expressly forbidden from flying drones from within Villa Madeleine property and it will remain each owner's responsibly to inform their renters of this policy.
- Should prior permission be granted by the Board, it is the responsibility of the owner to know and abide by all FAA regulations governing the use of drones.
- Should prior permission be granted to an owner, the Board will send a notice to ALL other owners alerting them to the predetermined day and timeframe of the scheduled flight. This notice will go out no less than 5 days prior to a scheduled flight.
- Should prior permission be granted, any damage to VM property or persons within its confines that result from a drone's use will be assessed to the owner.
- Drones may only be launched and landed from three locations within the confines of the Villa Madeleine community:
  - The lower parking lot adjacent to the tennis court
  - The upper parking lot adjacent to the Guard shack
  - An owner's personal villa terrace
- Property Management (ESM) has been extended the Board's permission to fly drones for the express purpose of assessing damage such as in the aftermath of a hurricane, during an emergency situation effecting our community or in order to document a repair or construction project being undertaken within the confines of the Villa Madeleine Community.
  - Property Management will be expected to inform the community via email as well as on Buildium as soon as they become aware of the need. If the flight can be scheduled for a specific day and timeframe that information will be included in the correspondence.
  - In cases of emergency this notice may not be possible, however, an email update will be provided to all owners as soon as practical.

## Appendix F



### After Hours Emergency Contact for Villa Madeleine

In the case of a life or death emergency please dial 911 or if you're using a cell phone dial (340) 772-9111. If you can, ensure the dispatcher knows you're on St. Croix. We have attached a local to St. Croix emergency phone list that covers most of the government First Responders on island.

For after-hours emergencies at Villa Madeleine please call Eastern Seaboard Management for the following issues:

- If you see water flowing from a broken pipe, tank or pump.
- If you are without water in your Villa
- If your power goes out, please first check to see if the complex is without power. (ie: street lights on?) If they are out then the power is out in the area. If your Villa is the only unit without power then this warrants a call to Eastern Seaboard Management.

You may reach the manager of the day at either (340) 227 4723 or (910) 233 1279.

You may also ring the guard shack at (340) 773-7877 they too will have our contact information and maybe able to assist in quelling the situation.

If available please log your emergency through our property portal [easternseaboardmanagementllc.managebuilding.com](http://easternseaboardmanagementllc.managebuilding.com) under the messaging heading choosing the contact us button. This will allow us to assist in the most effective manner once on the campus.