

# TANNENBAUM BY THE RIVER CONDOMINIUMS ASSOCIATION

## Schedule "A"

### Rules and Regulations

#### 1. GENERAL COMMON ELEMENT:

General Common Elements are defined as areas of the Association's property open for the use of all Owners and guests.

- Any common area such as sidewalks, driveways/parking lots, entrances, stairways and walkways shall not be obstructed or used by any unit owner, **guest or tenant** for any other purpose than ingress to and egress from the units.
- Except as to the areas termed Limited Common Element, no article shall be placed on or in any of the General Common Elements except for those articles of personal property which are the common property of all unit Owners.
- Unit owners, members of their families, their guests, residents, tenants or lessees shall not use sidewalks, driveways, entrances, halls, stairways, elevators and passageways as a play area.
- No owner, resident or lessee shall install wiring for electrical or telephone installation or for any other purpose, nor shall any television or radio antennae, machines or air conditioning units be installed on the exterior of the project, including any part of the balcony, or that protrude through the walls or the roof of the condominium improvements except as may be expressly authorized by the Association.
- The Association assumes no liability for nor shall it be liable for any loss or damage to articles stored in any General or Limited Common Elements or other storage areas.

#### 2. LIMITED COMMON ELEMENT:

- The balconies, terraces, decks or patios shall be used only for the purpose intended and shall not be used for hanging garments or other articles or for cleaning rugs, household articles or other items.
- Hallway closets - one per unit - are defined as a Limited Common Element and only for use of the Owner of each unit. *See Attached Common Hallway Closet Utilization Policy*
- No rugs or other materials shall be dusted from windows, balconies, decks or patios by beating or shaking.
- No work of any kind shall be done upon the exterior building walls or upon the General or Limited Common Elements by any unit owner. Such work is the responsibility of the Association.

#### 3. SMOKING POLICY:

Smoking is not allowed in or on the Tannenbaum by the River Association General Common Elements or Limited Common Elements. As defined in the Association Declarations, General Common elements include the hallways, walkways, stairways, bridge, north deck, dumpster enclosure, parking lot and all grounds. Limited Common Elements include the balconies attached to each unit.

The Association recognizes the rights of individual Owners to allow or disallow smoking within their individual unit. The Association requires the immediate assistance of any Owner who allows smoking within their unit, when this activity infringes upon Owners and occupants of other units in the building. This assistance will include an immediate demand of the offending occupants to cease their smoking activity, ensuring the quiet enjoyment of Tannenbaum by the River by all Owners and occupants.

#### 4. NOISE & NUISANCE:

Owners and occupants shall exercise reasonable care to avoid making or permitting to be made, loud, disturbing or objectionable noises, and in using or playing or permitting to be used or played, musical instruments, radios, phonographs, television sets, amplifiers and any other instruments or devices in such manner as may disturb or tend to disturb owners, tenants or occupants of other units, and the same shall not be played or permitted to be played between the hours of 10:00pm and the following 7:00am. Unit construction/renovation work is allowed Monday through Saturday 8am to 6pm.

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#### 5. PARKING POLICY:

Because of the nature and capacity of the parking lot it is important that all Owners and guests comply with the Association's parking policy to ensure fair and equitable use of the property and parking lot. Vehicles in violation of any of the parking rules are subject to towing at the vehicle owner's expense without exception. Due to the limited amount of parking at Tannenbaum by the River **ALL vehicles must visibly display a valid and current parking permit on the dashboard of the vehicle.** No vehicles belonging to or under control of a unit Owner, Owner's family member or a guest, tenant, lessee or employee of a unit Owner shall be parked in such a manner as to impede or prevent ready access to any entrance to or exit from the building.

The following rules apply to all Owners, guests, rental agents and contractors:

- Owners/guests are allowed 2 permits for a full two bedroom rental and only one permit for any smaller portion of the unit rented.
- Owners are provided with three "Owner Permits" for each calendar year but are only allowed to use two at any time. These passes are meant for Owner use only and should not be used for rental guests. Only current year permits are acceptable. Owners may request the use of the third permit **outside of high occupancy periods** only with an email request submitted to the Association. High occupancy periods are defined as Christmas, New Years, 4<sup>th</sup> of July and any three-day holiday recognized by the local municipality.
- Hand written and other old/out-of-date parking permits are not allowed and will be considered in violation of the parking policy.
- No trailers, RV's or oversized vehicles are allowed.
- The Association/Managing Agent reserves the right to enforce parking according to the Association's governing documents at their discretion. Vehicles found in violation of any of the parking rules may be notified with a parking violation tag or be towed at the vehicle owner's expense without exception.
- Housekeeping, maintenance, rental agents and construction contractors are required to have a permit identifying their company and purpose

#### 6. TRASH:

Limit the use of unit garbage disposals as much as possible and contain all unit trash in tied bags and dispose of in trash container located at the entrance of the property's driveway. Unit construction, remodel or packing debris is not permitted in the HOA's trash container and must be removed from the property and disposed of at the County landfill. *The Association does not provide recycling services at this time - recycling can be taken to the local recycling center located at 284 Coyne Valley Road.*

#### 7. PETS/ANIMALS:

No cats, dogs or other animal, bird or reptile (hereinafter for brevity termed "pets") shall be kept, maintained or harbored in the units or on the Tannenbaum by the River property except those pets personally owned by a Unit Owner defined as the official Owner of record as noted on the Warranty Deed filed with the County Assessor. Permission for a Tannenbaum by the River Owner to have their personally owned pets on the condominium grounds is revocable if the pet becomes obnoxious to the other Owners, guests or tenants, in which event the Owner of the pet will be given written notice to correct the problem. If the problem is not corrected, the Owner will be given written notice to permanently remove the pet from the premises. A fine of \$100 per day for each day an infraction against this rule continues shall be assessed against the respective Unit Owner, by the Association, if a tenant or guest of such Owner is found to have a pet on the premises.

*The Association requests that they and Management be notified of any service animal on premise before arrival. A service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability*

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#### 8. ASSOCIATION/MANAGEMENT UNIT ACCESS:

The Managing Agent, or, if there is no Managing Agent, then the Board of Managers, will retain a pass key to each unit. Each entry door lock of all units will remain keyed to the Association's master key system. In the event that an Owner rekeys unit locks and does not key them to the master key system, the Managing Agent or, if there be none, the Board of Managers, its employees and/or agents may make a forcible entry into such unit when the Managing Agent or Board of Managers believes that an emergency requiring such entry exists. So long as such entry is made upon a bona fide belief of emergency, the Owner shall have no recourse for any such forcible entry against the Managing Agent or Board of Managers or the person or persons who actually affect such forcible entry. Any entry door lock found not to be keyed to the master system will be rekeyed at the Owners' expense.

#### 9. DAMAGE & NEGLIGENCE:

- Each Homeowner shall be responsible for any and all damage(s) caused by their unit, families, guest, tenants, agents, pets, etc., to other units and common areas regardless of whether such damage is occasioned by accident, negligence or malice.
- Any damage to the General or Limited Common Elements or common personal property caused by the Owner or a child or children of a unit Owner or their guests or the guests of a unit Owner shall be repaired at the expense of that unit Owner.
- Each Owner must pay for such damages and restitution promptly.

#### 10. NATURAL GAS USE:

- All components of gas appliances, gas fireplaces, check meters and flues beginning at the common supply line are the responsibility of the individual Owner for the repair, replacement and maintenance for such devices.
- Per the authority of the Fire Marshall **NO CHARCOAL GRILLS ARE ALLOWED AT THE PROPERTY OF ANY KIND**. Owners who do not rent are allowed to install an in-line natural gas grill only (no propane tank supplied grills are allowed).
- The use of in-line natural gas grills is limited to the official Owner of record as noted on the Warranty Deed filed with the County Assessor. The gas line must be **removed or secured** when the Owner departs to prevent the grill use by unauthorized persons.
- All other barbecuing and other forms of outdoor cooking are prohibited on balconies by code. Barbecue grills are located on the north side of the property for use by all Owners and Guests.

#### 11. UNIT REMODEL/MODIFICATION:

- An Owner will not make any modifications or alterations to their unit without written approval of the Board of Directors. Homeowners must submit their plans and specifications to the Board for its consideration and approval prior to any changes in units.
- Homeowners must submit their product specifications and soundproofing plans to the Board for its consideration and approval prior to the installation or change of any flooring including carpet, in any part of the unit.
  - Any change or installation must meet current building codes.
  - Hard surface floors may be allowed in any area on first floor units only and must be approved by the Board.
  - For second and third floor units, there will be no hard surface flooring installations allowed in the bedrooms, the hallway that leads to the bedrooms or the living and dining areas. No hardwood or tile floor installations will be permitted in any other part of the unit, except in the kitchen and bathrooms and only with written approval of the Board.

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#### 12. PENALTIES FOR VIOLATING RULES & REGULATIONS:

In the event any unit Owner, his/her guest or renter violates any of these Rules & Regulations, the Board of Managers *may* levy a fine against the unit Owner in an amount not to exceed \$25 per day **for each violation**. If the violation is not cured within one day after written notice the Association may begin to levy fines to the unit Owner from the Association related to the infraction. The fines are an obligation of the unit Owner and will incur the late fee and interest charges applicable to assessments.

The foregoing Rules and Regulations are subject to amendment and to the promulgation of further regulations pursuant to the Condominium Declaration and Articles of Incorporation and By-Laws of the Association.

All unit Owners of Record are required to sign this portion of the Association's Rules and Regulations and return a copy to the Association. The signed copy acknowledges that the Owner of Record has properly shared these Rules and Regulations with their family members, rental agents and guests. A copy of these rules must be posted inside each unit.

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

Date: \_\_\_\_\_

Unit Owner Signature: \_\_\_\_\_

*Comprehensive Revision JULY 2018*