

Society Hill at Piscataway Condominium Association Inc.

Rules and Regulations

July 2006

550 Chesterfield Drive Piscataway, NJ 08854

Overview

The Association's governing documents place considerable restrictions on your use of the common element as well as on the appearance of your individual unit. As a homeowner or a tenant in Society Hill at Piscataway, you implicitly agreed to honor such restrictions upon purchase or rental of your unit, as stated in the Bylaws:

1.02 Members. "... Acquisition, rental or occupancy of any of the units in the Condominium shall be conclusively deemed to mean that the said owner, tenant or occupant has accepted and ratified these By Laws and the Rules and Regulations of the Association and will comply with them."

The intent of such restrictions is to maintain an acceptable level of appearance and uniformity throughout the community, and prevent activities deleterious to the esthetics or property values of the Association.

At the same time, however, the restrictions must remain reasonable in nature, applied uniformly and fairly, and with a formal procedure in place for appeal. Furthermore, the Association, through its Board of Trustees, is likewise obligated towards the residents in maintaining the common element to a standard at least equal to that expected of the residents.

The Rules and Regulations have been totally revised in an effort to make them more reasonable and accommodating of residents' needs, while at the same time limiting undesirable activities. The rules were divided into two sections. Section 1, *Governing Documents Rules and Regulations*, are those rules which are contained in the governing documents (the Master Deed and the Bylaws). These rules cannot be changed, except by ³/₄ approval of all 545 unit owners. In most cases however, the Bylaws authorize the Board of Trustees to waive or modify them on either an individual or global basis.

Section 2, *Supplemental Rules and Regulations*, are further rules and regulations that are not in the governing documents, however are in the same spirit and intent of the governing documents, and as such are authorized under the Association's governing documents:

Master Deed: 5.19 Use of Common Elements

Bylaws: 5.11 A. General Duties Bylaws: 4.11 Compliance with Rules

"... The Board of Trustees, pursuant to the By-Laws, shall adopt Rules and Regulations which shall be in addition to and supplement to restrictions on the owner's use of the Common Elements and as long as such Rules and Regulations are consistent with the intent and purposes set forth herein, such Rules and Regulations shall be deemed not to be Amendments."

Outdated and procedural rules (those not resulting in fines) were removed.

Enforcement of the Rules and Regulations

The Association's governing documents grant the Board of Trustees the authority to not only create supplemental Rules and Regulations, but also to enforce those supplemental Rules and Regulations, in addition to enforcing the rules already contained in the governing documents. The relevant sections of the Bylaw are:

Bylaws:

4.11 Compliance with Rules. Each Member shall comply strictly with these By Laws and with the Administrative Rules and Regulations adopted pursuant thereto, as either of the same may be lawfully amended from time to time and with the covenants, conditions and restrictions set forth in the Master Deed,

and in the deed to his unit. Failure to comply with any of the same shall be grounds for a civil action to recover sums due, for damages or injunctive relief, for levying a fine for violation of the Rules and Regulations, plus court costs and reasonable attorney's fees; maintainable by the Association on behalf of the Members, or in a proper case, by an aggrieved Member. The Board of Trustees, pursuant to the ByLaws, shall adopt Rules and Regulations which shall be in addition to and supplement to restrictions on the owner's use of the Common Elements and as long as such Rules and Regulations are consistent with the intent and purposes set forth herein, such Rules and Regulations shall be deemed not to be Amendments.

4.12 Suspension of Rights. The membership and voting rights of any Member and/or tenant may be suspended by the Board for any period during which any assessment against the Unit to which his membership is appurtenant remains unpaid; but upon payment of such assessments, and any interest accrued thereon, whether by check or cash, his rights and privileges shall be immediately and automatically restored. Further, if Rules and Regulations governing the use of the Common Elements and the conduct of persons thereon have been adopted and published, and authorized in the By Laws, the rights and privileges of any person in violation thereof may be suspended at the discretion of the Board for a period not to exceed thirty (30) days for any single non-continuous violation. If the violation is of a continuing nature, such rights and privileges may be suspended indefinitely until such time as the violation is abated. No such action shall be taken by the Board until the Unit Owner and/or tenant is afforded an opportunity for a hearing which is consistent with the principles of due process of law.

The Board of Trustees does not suspend member rights in the event of a violation. However, if monetary fines assessed against a resident are not paid, membership suspension will eventually result due to the delinquency. At that point, membership rights (such as access to the pool and voting) will be suspended.

The various enforcement steps are meticulously detailed in a companion document entitled *Rules Enforcement Procedure*, available from the management office or on-line. Seven flowcharts dictate the steps to be followed in collecting and validating violation complaints, enforcing a violation, and handling a request for a hearing before the Covenants Committee, for appeal before the Board of Trustees, for a rules waiver, and for a fine waiver.

In overview, the enforcement procedure consists of a series of violation letters, eventually resulting in the assessment of a monetary fine against the violating unit. Throughout the enforcement process, the violating party is always entitled to request a fair hearing before the Covenants Committee to appeal the complaint and/or the penalty. If the aggrieved party is not satisfied with the outcome of the hearing, they may appeal the decision to the Board of Trustees. If the aggrieved party is still not satisfied, they are further entitled to Alternate Dispute Resolution, or *ADR*, as a last resort prior to litigation. The violating party may also request a waiver of the rule being violated, if circumstances indicate.

Since different violations are of different severity and urgency, the time allowed for a violator to comply with the rule, and the fine for not complying, varies from rule to rule. To accommodate this requirement, the enforcement flowcharts contain "variables" for the various waiting intervals and eventual fines, the values of which are indicated for each rule in the *Rules and Regulations*. These values are then plugged into the flowcharts to customize them for the specific violation.

To maintain the incentive value of avoiding a fine, fines are no longer specified as a fixed dollar amount, but rather as a fraction of the market-rate monthly maintenance fees. Both market-rate units and affordable (Mt. Laurel) units pay the same fines. Fines are not scaled by one third for affordable units. To calculate the fine for a specific rule violation, find the "fine factor" for that rule in the *Rules and Regulations* and multiply it by the current monthly market-rate maintenance fee. For example, if the fine factor was 0.25, and if the monthly maintenance fee was \$189, the fine would be \$47.25. A violating resident may attend a *Resident Open House* in exchange for a waiver of two-thirds of fines assessed for a particular violation. Residents are allowed one such waiver per 12 month period, and other restrictions apply.

Three standard sets of compliance times and fine factors are defined based on violation severity:

	Minor	Times: A=90) B=60	C = 30	D = 30	E=90	F=120	G=180 H=180	Fines:	A=0.05	B = 0.05	C=0.05	D=0.05
	Moderate	Times: A=30	B=30	C = 45	D=30	E=120	F=120	G=180 H=270	Fines:	A=0.05	B=0.125	C=0.05	D=0.125
	Serious	Times: A-1	8-15	C = 20	D - 30	F-180	F-180	G-270 H-360	Fines:	$\Delta = 0.125$	B-0.25	C=0.125	D-0.25

In the case of rented units, the owners are ultimately responsible for the actions of their tenants. As per the enforcement procedure, owners receive copies of all violation related correspondence, and are required to make an effort to get their tenant to correct the violation. If unsuccessful, the tenant is subject to the authority of section 5.21 Rental Restriction of Units, of the Master Deed, which permits the Association to act as attorney-in-fact on behalf of the owner in remedying the situation. Any legal expenses incurred can be billed back to the owner.

A distinction is made between *on-going* violations and *transient* violations. Transient violations come and go, such as a resident not picking up after their pet or putting their trash out early. On-going violations are more permanent, such as a filing cabinet stored on a patio or an un-approved property modification. Since these two types of violations require slightly different handling, there is a separate flowchart for each type and separate violation letters.

Reporting a Violation

Violations can be reported by any owner, tenant, board or committee member, neighbor of Society Hill, or by the property manager during routine property inspections. Use the *Violation Complaint* form to report a violation, a copy if which is attached at the end of these *Rules and Regulations*. The form is relatively straightforward, however if you need assistance there are instructions in the *Rules Enforcement Procedure* document, or you may contact the management office for guidance. Bring or mail completed form to the Association office.

Violation Complaint forms are kept confidential, and are available only to the Covenants Committee, the property manager, and the Board of Trustees. Your identity will not be revealed to the violator, and you are not obligated to appear at a hearing, should the violator request a hearing. However, your appearance at a hearing may be necessary to prevent the violation from being dismissed, so if you feel strongly about seeing the rules enforced, you may want to consider appearing.

Although *Violation Complaint* forms are kept confidential, the form is designed to accommodate anonymous complaints, as there are legitimate situations in which residents may not feel comfortable revealing their identity even to the Board or the Covenants Committee (for example, when reporting on certain illegal activities). However, due to the fact that the authenticity of an anonymous complaint is difficult to determine, multiple anonymous complaints and Covenants Committee review and approval is necessary before the enforcement process can begin solely on the basis of anonymous complaints. Anonymous complaints can still have value though, as they can be one component in the totality of circumstances.

Disputing a Violation

A request for a hearing before the Covenants Committee may be made at any time in the enforcement process using the *Violation Hearing Request* form, available on-line or at the Association office. At such a hearing, you are given the opportunity to present your side of the story and any evidence you have such as photographs, letters, receipts, recordings, and report logs, and call witnesses to testify on your behalf. The committee may ask questions to you and your witnesses and request additional information to help it make a decision on your request. The regular hearing date and time for the Covenants Committee is the third Wednesday of the month, 7:30 p.m. at the clubhouse.

If a resident is not happy with the decision of the Covenants Committee, the resident may appeal the decision to the Board of Trustees using the *Violation Appeal Request* form. The process is very similar to the hearing before the Covenants Committee. Only one appeal is allowed, as the decision of the Board of Trustees is final. If the resident is still not happy with the outcome, the next step would be to request ADR.

Rules waiver requests may also be made at any time in or outside the enforcement process, using the *Rules Waiver Request* form, available on-line or at the management office. The purpose of a rule waiver is to accommodate residents who are in violation of a rule for which exemption may be granted at the discretion of the Board of Trustees. One such example is the parking of commercial vehicles.

Section 1 Governing Documents Rules and Regulations

The following rules and regulations are directly taken from the Associations governing documents – the Master Deed and the Bylaws. They are repeated here and numbered for easier reference. In many cases the governing documents permit the Board of Trustees to selectively or globally relax the rule or regulation. All such exceptions are noted below. Compliance times and fine factors are indicated for most rules. Plug these numbers into flowchart 2 for on-going violations, or flowchart 3 for transient violations.

Rule 1.1 – Use of units limited to residential purposes

Bylaws:

4.09 Use of Units: "... All units shall be utilized for residential purposes only. ..."

The Board of Trustees is of the opinion that the intent of this rule was to avoid non-residential use of units resulting in greater than normal foot or vehicular traffic to a particular unit, or other activity that may impact other residents. Therefore, home-based businesses which do no appreciably impact the other residents are permitted.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

Rule 1.2 - No structural modifications without Association approval

Bylaws:

4.09 Use of Units: "... A Member shall not make structural modifications without the written consent of the Trustees. ..."

Master Deed:

5.18 Modification of Dwelling Units: "... That no owner shall make any structural modifications or alterations within a dwelling unit without consent of the Association or of its duly authorized representatives and no act shall be done under any circumstances which does or may tend to impair the structural integrity of any of the multi-unit dwelling buildings or adversely affect any of the common elements. ..."

If you wish to make structural modifications to your unit, please submit a *Property Modification* form. Structural modifications will require the proper building permits from the Township of Piscataway.

Serious; Times: A=15 B=15 C=20 D=30 E=180 F=180 G=270 H=360; Fine factors: A=0.125 B=0.25 C=0.125 D=0.25

Rule 1.3 – No outside door, window, or other hangings or displays without Association approval

Bylaws:

4.09, Use of Units: "... Unit owners shall not cause or permit anything to be hung or displayed or placed on the outside walls, doors or windows of any building without the written consent of the Board of Trustees of the Condominium Association. ..."

Master Deed

5.19, Use of Common Elements: "... Unit owners shall not cause or permit anything to be hung or displayed or placed on the outside walls, doors or windows of any building without the written consent of the Board of Trustees of the Condominium Association. ..."

1.3.1 The Board of Trustees grants approval to all residents to display holiday decorations for a reasonable period of time prior to and following a holiday, but never more than 15 days following a holiday. Holiday decorations must be installed in a manner which does not permanently alter or damage the common elements of the buildings or property. For example, you are not permitted to hammer nails or drill holes through the vinyl siding. Decorations placed on the common property must be within the foundation planting area.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

- **1.3.2** The Board of Trustees grants approval to have door hangings such as decorative wreaths.
- **1.3.3** The Board of Trustees grants approval for Committees to post announcement flyers for Association events. Flyers must be removed following the event.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

- **1.3.4** The Board of Trustees grants approval for Committees to hang flyers at doors for Association related matters.
- <u>1.3.5</u> The distribution of commercial flyers is prohibited.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

- <u>1.3.6</u> The Board of Trustees grants approval for all residents to hang flyers at doors for non-commercial or political purposes.
- <u>1.3.7</u> The Board of Trustees grants approval for all residents to display decals and emblems such as tot-finder, pet rescue, helping-hand, burglar alarm, or charity support.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

1.3.8 All wall, door, and window hangings or displays not specifically exempted by the *Rules and Regulations* must be approved by the Board of Trustees.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

All pre-approved displays are still subject to review and approval by the Architectural Control Committee. In the absence of a formally appointed and active Architectural Control Committee, the Covenants Committee shall have approval authority. In the absence of a formally appointed and active Covenants Committee, the Board of Trustees shall have approval authority.

The cluster mailboxes are the property of the US Postal Service, and therefore fall under their jurisdiction. It is not within the authority of the Board of Trustees to regulate their use for the display of signs, flyers, or announcements.

Rule 1.4 - No storage on common or limited common elements without Association approval

Bylaws

4.09, Use of Units: "... A Member shall not store anything including but not limited to bicycles, wood, grills or garbage cans on the Limited Common or Common Elements including but not limited to porches, patios and sidewalks without the prior written consent of the Board of Trustees of the Condominium Association. ..."

Master Deed

- 5.19, Use of Common Elements: "... A Member shall not store anything including but not limited to bicycles, wood, grills or garbage cans on the Limited Common or Common Elements including but not limited to porches, patios and sidewalks without the prior written consent of the Board of Trustees of the Condominium Association. ..."
- <u>1.4.1</u> The Board of Trustees grants approval to all residents to store firewood on the patios or balconies. Firewood must be stacked neatly at least 6" off the ground and away from the siding, and in a manner as to prevent deterioration damage to the patio, balcony, or siding. Firewood containing pests such as carpenter ants is not permitted and must be discarded. Rotten firewood is not permitted and must be discarded. Firewood may not be stored in breezeways or on the common property.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

- **1.4.2** The Board of Trustees grants approval to all residents to have doormats, minor decorative items, milk boxes, and personal ice-melt dispensers near their front entrances.
- <u>1.4.3</u> The Board of Trustees grants approval to all residents to store bicycles, tricycles, and patio furniture on patios or balconies.

1.4.4 Recycling containers may not be stored on patios, balconies, in front of units, in the bushes, in the breezeways, or anywhere on the common property.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

1.4.5 By NJ State Law and local ordinance, gas grills may not be stored on any condominium balcony, patio, or breezeway. Gas grill may not be stored closer than 5' to an exterior wall of the townhouse units.

Serious; Times: A=15 B=15 C=20 D=30 E=180 F=180 G=270 H=360; Fine factors: A=0.125 B=0.25 C=0.125 D=0.25

<u>1.4.6</u> Lawn furniture may not be stored on the common element, and must be removed from the common element when not in use.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

<u>1.4.7</u> The Board of Trustees grants approval to all residents to store their previously operable vehicles, which have since become inoperable for either mechanical or administrative reasons, for no more than 30 days. An inoperable vehicle is a vehicle which cannot move under its own power, or would not be legally operable on public roadways. This would include, but is not limited to, vehicles with flat tires, missing wheels, damaged windshield, no engine, no license plates, or expired inspection sticker.

Custom; Times: A=60 B=30 C=30 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.125 B=0.25 C=0.125 D=0.25

1.4.8 Vehicles may not be used as supplemental storage.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

1.4.9 The Board of Trustees grants approval to all residents to store garden hoses on the common property, provided that the hoses are properly coiled and out of the way when not in use.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

1.4.10 All storage uses of the limited common or common element not specifically exempted by the *Rules and Regulations* must be approved by the Board of Trustees. Please file a *Rules Waiver Request* form.

**Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

Rule 1.5 – No exterior or interior signs

Bylaws

4.09, Use of Units: "... No signs shall be permitted on the exterior or interior of any unit. ..." Master Deed

5.19, Use of Common Elements: "... No signs shall be permitted on the exterior or interior of any unit. ..."

Unlike many of the other governing document restrictions, this one does not authorize the Board of Trustees to grant approval exceptions. Such exceptions would require Bylaw amendment. The only leeway here is in the interpretation of what is and what is not considered a sign.

Window or door decals, helping-hand signs, tot-finder decals, pet-rescue decals, charity support decals, or other such emblems; and holiday decorations, shall not be considered as signs for the purposes of this rule.

All other signage, including but not limited to real-estate signs, for-sale signs, for-rent signs, commercial signs, and political signs, shall be considered as signs for the purpose of this rule, and are thus prohibited.

This rule only addresses signs displayed inside the windows of a unit, or attached to the outside wall, patio, or balcony of a unit. It does not address signs placed on the common property, which is considered a form of property modification, which is covered under Rule 1.13.

In the event of a disagreement over the definition of sign, the aggrieved party should pursue the standard dueprocess procedures, beginning with the application for a hearing before the Covenants Committee.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

Rule 1.6 – No heating or cooling devices can be installed in the windows or doors

Bylaws

4.09, Use of Units: "... No owner shall be permitted to install or have installed any window air conditioner, window fan, heat pump, device in any window, door or other exterior opening of a dwelling unit. ..."

Master Deed

5.18, Modification of Dwelling Units: "... No owner shall be permitted to install or have installed any window air conditioner, window fan, heat pump, solar collector or similar cooling, heating and/or ventilating device in any window, door or other exterior opening of a dwelling unit. ..."

Unlike many of the other governing document restrictions, this one does not authorize the Board of Trustees to grant approval exceptions. Such exceptions would require Bylaw amendment.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

Rule 1.7 - No activities which will increase the Association's insurance rate without Association approval

Bylaws

4.09, Use of Units: "... Nothing shall be done or kept in any unit or common elements which shall increase the rate of insurance of any other buildings or contents thereof applicable for residential use without the prior written consent of the Board of Trustees of the Condominium Association. ..."

Master Deed

5.19, Use of Common Elements: "... Nothing shall be done or kept in any unit or common elements which will increase the rate of insurance of any other buildings or contents thereof applicable for residential use without the prior written consent of the Board of Trustees of the Condominium Association. ..."

The storage or use of hazardous substances or devices which would put the association in a higher risk group in terms of common-element insurance is not permitted. This would include the storage of propane tanks and gasoline-powered devices or vehicles inside units, in storage closets, on patios or balconies, or in breezeways; the use of candles in an unsafe manner; and burning candles left unattended.

Serious; Times: A=15 B=15 C=20 D=30 E=180 F=180 G=270 H=360; Fine factors: A=0.125 B=0.25 C=0.125 D=0.25

Rule 1.8 – No activities resulting in the cancellation of Association insurance

Bylaws

4.09, Use of Units: "... No owner shall permit anything to be done or kept in his unit or in the common elements which will result in the cancellation of insurance on any of the buildings or contents thereof..."

5.19, Use of Common Elements: "... No owner shall permit anything to be done or kept in his unit or in the common elements which will result in the cancellation of insurance on any of the buildings or contents thereof..."

The storage or use of hazardous substances or devices which would result in cancellation of the common-element insurance policy is not permitted. This would include the storage of propane tanks and gasoline-powered devices or vehicles inside units, in storage closets, on patios or balconies, or in breezeways; the use of candles in an unsafe manner; burning candles left unattended.

Serious; Times: A=15 B=15 C=20 D=30 E=180 F=180 G=270 H=360; Fine factors: A=0.125 B=0.25 C=0.125 D=0.25

Rule 1.9 – No illegal activities

Bylaws

4.09, Use of Units: "... No owner shall permit anything to be done or kept in his unit or in the common elements ... which would be in violation of any law. ..."

Master Deed

5.19, Use of Common Elements: "... No owner shall permit anything to be done or kept in his unit or in the common elements ... which would be in violation of any law. ..."

Illegal activity taking place on the common-element or within a unit is not allowed. Such activity should be reported to the Association in the same manner as any other rules violation, as well as to local law enforcement.

Serious; Times: A=15 B=15 C=20 D=30 E=180 F=180 G=270 H=360; Fine factors: A=0.125 B=0.25 C=0.125 D=0.25

Rule 1.10 – No dumping or littering

Bylaws

4.09, Use of Units: "... No waste will be committed in any of the common elements. ..." Master Deed

5.19, Use of Common Elements: "... No waste will be committed in any of the common elements. ..."

1.10.1 No littering. Littering shall be defined as the deliberate or negligent discarding of waste.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

1.10.2 No Dumping. Dumping would include abandonment of bulk items on the common element without making the necessary arrangements with either the Association's disposal company or the Township of Piscataway for their pickup and disposal.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

Rule 1.11 - No recreational or commercial vehicles without Association approval

Bylaws

4.09, Use of Units: "... No recreational vehicles (campers, house-trailers, motor homes, etc.) or commercial vehicles will be allowed to park overnight without prior written approval by the Board of Trustees, or the designated representative of the Board for this purpose. When such permission is granted, the vehicles must be parked in the predesignated area and cannot be used as living quarter. "Commercial vehicles" shall refer to pick-up trucks, vans, trucks, tractors, trailers, wagons, vans or oversized vehicles having commercial license plates or any vehicle, motorized, non-motorized, used for commercial purposes. ..."

Master Deed

5.19, Use of Common Elements: "... No recreational vehicles (campers, house-trailers, motor homes, etc.) or commercial vehicles will be allowed to park overnight without prior written approval by the Board of Trustees, or the designated representative of the Board for this purpose. When such permission is granted, the vehicle must be parked in the predesignated area and cannot be used as living quarters. "Commercial vehicles" shall refer to pick-up trucks, vans, trucks, tractors, trailers, wagons, vans or oversized vehicles having commercial license plates or any vehicles, motorized, non-motorized, used for commercial purposes. ..."

The Board of Trustees grants approval to residents to park commercial vehicles on a case-by-case basis. In general, the commercial vehicle must be actively used and reasonably maintained. Please file a *Rules Waiver Request* form.

Moderate, Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270*; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

Rule 1.12 – No new exterior barriers

Master Deed

5.18, Modification of Dwelling Units: "... No owner shall be permitted to erect or have erected any fence, partition, wall, divider or similar structure exterior to their unit other than any such structure erected by the Developer. ..."

Residents may not install fences. Only the Board of Trustees can install new exterior barriers.

Serious; Times: A=15 B=15 C=20 D=30 E=180 F=180 G=270 H=360; Fine factors: A=0.125 B=0.25 C=0.125 D=0.25

Rule 1.13 – No common or limited common element modifications without Association approval

Master Deed

- 5.18, Modification of Dwelling Units: "... No owner shall make or cause to be made any alterations to the exterior of his unit or to any general or limited common elements without the prior written approval of the Condominium Association or a committee appointed by it in accordance with its By Laws. ..."
- **1.13.1** The Board of Trustees grants approval to all residents to install replacement porch lights that are similar in appearance to the original units. The lights may be motion sensitive.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

<u>1.13.2</u> By Federal Law, residents are allowed to install satellite dishes or antennas on the limited common element (their patios and balconies). Such installations must be reasonably confined to the patio or balcony air-space, and may not extend out over the railings or be mounted to the building outside the patio or balcony space.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

<u>1.13.3</u> Satellite dish or antenna installations anywhere else on the common element require approval from the Board of Trustees. Generally, satellite dishes and antennas are approved for installation on the roof only, and specifically on the "rake" portion of the roof to avoid penetrations in the flat roof surfaces. The dish installer should check in at the management office prior to installation.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

1.13.4 The Board of Trustees grants approval to all residents to maintain the foundation planting area of their unit. This is the ground between the foundation and the lawn. Plantings should be confined to this area, as sprinkler heads, piping for the sprinkler system, and cable TV cables run in the lawn. Once a resident takes over their foundation plantings, they are responsible for keeping the area properly maintained.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

- 1.13.5 The Board of Trustees grants approval to all residents to display lawn ornaments and decorations within the foundation planting area. The foundation planting area extends from the foundation of the building to the lawn.

 Minor, Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05
- <u>1.13.6</u> The Board of Trustees grants approval to all residents to install association approved styles of storm doors on their front entrance doorways, provided the storm door matches in color to the original builder installed entrance door.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

- <u>1.13.7</u> The Board of Trustees grants approval to all residents to have plants, flags, and other decorative items on patios or balconies, provided that these items are confined to the patio or balcony space, and provided that the plants do not drip water on the patios or balconies below. Plants may not be hung over the outer edge of the railings.
- <u>1.13.8</u> The Board of Trustees grants approval to all resident to display temporary real-estate open-house signs and garage sale signs on common property. Such signs may not be erected more than 24 hours prior to the event and must be removed within 24 hours of the conclusion of the event.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

- 1.13.9 The display of real-estate for-sale or for-rent signs on the common element is forbidden.

 Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125
- **1.13.10** The display of political signs on the common element is permitted, for a reasonable period of time prior to the political event for which they apply, provided they do not impede the lawn mowers, maintenance personnel, other residents, or the sprinkler system.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

1.13.11 The Board of Trustees grants approval for Committees to place signs on the common property announcing Association events. Such signs may not be erected more than 7 days prior to the event and must be removed within 24 hours of the conclusion of the event.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

1.13.12 The application of sealing plastic to the exterior portion of windows and doors is forbidden. Sealing plastic may only be applied to the interior of windows and doors, and must be clear in color.

1.13.13 The Board of Trustees grants approval to all residents to place burglar alarm signs within the foundation planting area.

1.13.14 All exterior common element or limited common element modifications not specifically exempted by the *Rules and Regulations* require approval from the Board of Trustees on a case-by-case basis. Please file a *Property Modification* form.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

All pre-approved modifications are still subject to review and approval by the Architectural Control Committee. In the absence of a formally appointed and active Architectural Control Committee, the Covenants Committee shall have approval authority. In the absence of a formally appointed and active Covenants Committee, the Board of Trustees shall have approval authority.

Rule 1.14 - Rental restrictions

Master Deed

5.21, Rental Restriction of Units: "... That dwelling units shall not be rented by the owners thereof for transient or hotel purposes, which shall be defined as (a) rental for any period of less than 180 days, or (b) rental if the occupants of the unit are provided customary hotel services, such as room services for food and beverages, maid service, furnishing laundry and linen bell boy service, etc. Other than the foregoing restriction, except for the provisions applicable to the affordable condominiums, the owners of dwelling units shall have the absolute right to lease the same, provided that the lease is in writing..."

1.14.1 Units may not be rented for a period of less than 180 days.

Serious; Times: A=15 B=15 C=20 D=30 E=180 F=180 G=270 H=360; Fine factors: A=0.125 B=0.25 C=0.125 D=0.25

1.14.2 Units may not be rented "hotel style".

Serious; Times: A=15 B=15 C=20 D=30 E=180 F=180 G=270 H=360; Fine factors: A=0.125 B=0.25 C=0.125 D=0.25

1.14.3 Owner must file a copy of their lease with the Association office.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

Rule 1.15 – Affordable Units must be owner-occupied, unless approved

Master Deed

6.00, Provisions Applicable to the 109 Affordable Condominiums: "...Affordable Condominiums shall at all times remain owner-occupied except that under exceptional circumstances to be determined by the Agency, such Affordable Condominiums may be leased or rented for limited periods not to exceed one year, upon conditions set forth in the regulations."

Serious; Times: A=15 B=15 C=20 D=30 E=180 F=180 G=270 H=360; Fine factors: A=0.125 B=0.25 C=0.125 D=0.25

Rule 1.16 – Respect lawful rights of other owners

Master Deed

5.19, Use of Common Elements: "... That each owner or co-owner, tenant or occupant of a dwelling unit may use the common elements of this Condominium in accordance with the purpose for which they are intended, without hindering or encroaching upon the lawful rights of the other owners or coowners, tenants or occupants. ..."

This rule is a catch-all for any other activities which interfere with a resident's enjoyment of the community for which the Association receives complaints.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

Rule 1.17 – Maintenance of limited-common elements

Master Deed

3.04, Limited Common Elements: "... Each unit owner shall be responsible for maintaining, at their individual cost and expense, all areas designated as limited common elements other than any assigned parking space. ... In particular, each unit owner shall be responsible for any improvements or maintenance in and to patios, porches or balconies including any glass, glass doors, screens or screen doors, none of which shall be the responsibility for maintenance by the Association. ..."

- 1.17.1 Residents are responsible for maintaining any approved improvements they have made to their patios.

 Minor, Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05
- 1.17.2 Ripped or damaged patio door screens shall be repaired.

 **Moderate*; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

Rule 1.18 - Maintenance of dwelling units

Master Deed

5.17 Maintenance of Dwelling Units: "... maintenance, repairs and replacements of the plumbing fixtures and systems, windows, doors, balconies, electrical wiring and receptacles, appliances and equipment, and lighting fixtures within any Unit which are not common shall be the Unit owner's responsibility..."

- **1.18.1** Ripped or damaged window screens shall be repaired.

 **Moderate*; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125
- 1.18.2 Damaged or rotted storage closet doors shall be repaired.

 **Moderate*; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

 **Moderate* Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125
- 1.18.3 Damaged or missing exterior lighting fixtures shall be repaired.

 Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125
- **1.18.4** Storm-doors must be maintained.

Section 2 Supplemental Rules and Regulations

The Board of Trustees is authorized to draft and enforce additional rules and regulations provided that they are in the same spirit and intent of the governing documents.

Master Deed: 5.19 Use of Common Elements

Bylaws: 5.11 A. General Duties Bylaws: 4.11 Compliance with Rules

"... The Board of Trustees, pursuant to the By-Laws, shall adopt Rules and Regulations which shall be in addition to and supplement to restrictions on the owner's use of the Common Elements and as long as such Rules and Regulations are consistent with the intent and purposes set forth herein, such Rules and Regulations shall be deemed not to be Amendments."

In the opinion of the Board of Trustees, the following rules are in the same spirit and intent of the governing documents, and are therefore adopted as formal Rules and Regulations of the Association, and with which all residents must comply. Compliance times and fine factors are indicated for most rules. Plug these numbers into flowchart 2 for on-going violations, or flowchart 3 for transient violations.

Rule 2.1 – Swimming Pool

2.1.1 Residents and guests without a valid pool pass are not allowed in the pool area.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

2.1.2 Release of bodily waste in the pool is prohibited. Non-toilet trained children must use swimwear designed to prevent waste from leaking into the pool water.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

2.1.3 Activity dangerous to oneself or others is prohibited.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

2.1.4 Removal of furniture from the pool area is prohibited.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

2.1.5 Glass containers are not allowed in the pool area.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

2.1.6 Unauthorized personnel are prohibited from the pool enclosure when the pool is closed.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

<u>2.1.7</u> The life-guard must be obeyed and is granted the authority to enforce all pool rules, eject people from the pool area, and confiscate pool passes.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

2.1.8 Alcoholic beverages are not permitted.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

2.1.9 Audio player devices such as radios and boom-boxes are not permitted.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

Rule 2.2 - Tennis Courts

<u>2.2.1</u> Any activity which damages the tennis court surface, netting, fencing, gate, or signage is prohibited. No sitting on the net. Parents will be held responsible for the actions of their children under the age of 18.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

2.2.2 Tennis court gates are to be closed and locked after use.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

2.2.3 Tennis courts are for tennis only. No pets, bicycles, scooters, or roller-blades.

Minor; Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180; Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

Rule 2.3 – Playgrounds

<u>2.3.1</u> Any activity which damages playground equipment is prohibited. Parents will be held responsible for the actions of their children under the age of 18.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

2.3.2 Playground and basketball court hours are sunrise to sunset. No disruptive activities while playground or court is closed.

Minor: Times: A=90 B=60 C=30 D=30 E=90 F=120 G=180 H=180: Fine factors: A=0.05 B=0.05 C=0.05 D=0.05

Rule 2.4 – Grills

2.4.1 Gas or charcoal grills of any size may not be operated on single-floor garden-style unit patios, balconies, or breezeways. Operating a gas grill in such a location is a violation of State and Local fire code and ordinances. Operating a charcoal grill in such a location carries a risk of fire. You may operate such grills out on the lawn, a safe distance from the building.

Serious; Times: A=15 B=15 C=20 D=30 E=180 F=180 G=270 H=360; Fine factors: A=0.125 B=0.25 C=0.125 D=0.25

<u>2.4.2</u> All types of grills must not be operated in a manner that may result in damage to the exterior of the building, the privacy fences, the grounds, or other common elements.

Serious; Times: A=15 B=15 C=20 D=30 E=180 F=180 G=270 H=360; Fine factors: A=0.125 B=0.25 C=0.125 D=0.25

2.4.3 Propane tanks on gas grills must be properly maintained.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

2.4.4 All coals from charcoal grills must be extinguished and disposed of properly. DO NOT BRING COALS INTO YOUR UNIT OR STORE THEM NEAR THE BUILDING.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

See Rule 1.4.5 for additional restrictions on the storage of grills.

Rule 2.5 – Vehicles and Parking

<u>2.5.1</u> No parking is permitted in the assigned spaces of other units. You can only park in your assigned spot, or any unassigned spot. Owners are responsible for informing their guests for this rule.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

<u>2.5.2</u> Vehicle repairs are not allowed, except those which are minimally necessary to render the vehicle operable for removal to a repair facility.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors; A=0.05 B=0.125 C=0.05 D=0.125

- **2.5.3** Vehicles must not damage the parking lot surface. Fluid leaks must be repaired.
 - Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125
- <u>2.5.4</u> Curb-side parking is not allowed on all Association owned streets, including Townsend Court, Vernon Court, Sheffield Court, Norwich Court, Manchester Court, Canterbury Court, Bedford Court, Berkshire Court, Abott Court, Hampshire Court, Lancaster Court, and Harwick Court.

<u>2.5.5</u> Posted speed limits must be observed. The Association has a "Title 39" agreement with the Township of Piscataway, which means the Piscataway Police Department has been granted the authority to issue summonses for all NJ motor vehicle violations on Association owned streets. The Association will take violation complaints on vehicles which appear to be exceeding the speed limit.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

2.5.6 All motorized vehicles may not be operated or parked on the lawn or the sidewalks. Trailers may not be operated on or parked on the lawn or the sidewalks.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

<u>2.5.7</u> Vehicles must be operated in a safe manner. The Association will take violation complaints on vehicles which appear to be operated in an unsafe manner.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

2.5.8 The unnecessary use of horns is prohibited.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

Rule 2.6 - Pets

<u>2.6.1</u> Solid pet waste must be collected. All solid pet waste must be removed from the common-element and disposed of properly. There are garbage cans by either tennis court and playground.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

2.6.2 All pets must be kept on a leash and are not allowed to run free.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

2.6.3 No pets allowed in the clubhouse, in the pool area, or in the pool.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

2.6.4 Residents may not allow pets to relieve themselves on the balconies.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

2.6.5 Residents may not allow pets to make continual noises which disturb other residents.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

Rule 2.7 – Trash and recycling

<u>2.7.1</u> Trash and recycling may not be put out before dark of the evening before collection. Ideally, trash should not be put out until the morning of collection, to limit the chances of animals ripping open the bags.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

2.7.2 Garbage cans are not permitted. Trash must be in disposable bags.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

2.7.3 Trash bags must be of sufficient integrity to prevent trash from escaping from the bag.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

2.7.4 Recycling bins must be retrieved by sunrise of the day following recycling pickup.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

Rule 2.8 - No loud noise between 10:00 PM and 8:00 AM

Noise loud enough to disturb other residents is not allowed between 10:00 PM and 8:00 AM. This applies to both exterior noise such as horns, car radios, yelling, or engines, and interior noise such as televisions, radios, washing machines, vacuum cleaners, or exercise equipment.

Rule 2.9 – Laundry may not be displayed outside

Laundry may not be hung, displayed, or dried outdoors on the porches, patios, and balconies.

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

Rule 2.10 - No swimming, wading, fishing, ice skating, or boating allowed in the retention pond or waterways

Moderate; Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

Rule 2.11 – Window treatments must be maintained

The publicly exposed portion of drapes, blinds, shades, or other window treatments must be maintained and presentable, as determined by the Architectural Control Committee. In the absence of a formally appointed and active Architectural Control Committee, the Covenants Committee shall have approval authority. In the absence of a formally appointed and active Covenants Committee, the Board of Trustees shall have approval authority.

Moderate, Times: A=30 B=30 C=45 D=30 E=120 F=120 G=180 H=270; Fine factors: A=0.05 B=0.125 C=0.05 D=0.125

Rule 2.12 – No feeding of the wildlife

There has been an on-going problem with pigeons, geese, and other wildlife in the community. To help reduce the problem, continual feeding of any wildlife is prohibited.

Revision History

It is highly probably that changes will need to be made to this document. For every new release of this document, increment the revision number in the footer, and add a note here in the revision history of what was changed. Do not allow two different versions of the document with the same revision number to be distributed.

- Rev 0: 3/24/06 Document created and distributed for review.
- Rev 1: 4/3/06 Considerable changes made. Included in April 10, 2006 Board package.
- Rev 2: 5/19/06 Incorporated changes suggested at two public hearings.
- Rev 3: 5/24/06 Added rule 2.12 and edited rule 2.8 and 1.13.2
- Rev 4: 8/15/06 Removed rule 2.1.2 and re-numbered remaining rules in that section. Then fixed rule 2.1.5.