

Bay Shores Condominium Association

Homeowner's Handbook

Community Rules & Regulations

Bay Shores Condominium Association

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Management of Bay Shores Condominium

Apple Property Management is the managing agent for the Bay Shores Condominium Association. The management company functions under the direction of the Bay Shores Board of Managers. Apple's address and phone number are:

Apple Property Management
71 Rhoads Center Drive
Dayton, Ohio 45458
(937) 291-1740

ASSOCIATION RULES AND REGULATIONS

The Bay Shores Declaration sets forth various rules, regulations, and restrictions. The Board of Managers may also adopt various rules, regulations, and restrictions. Under the Declaration, the Board of Managers has the authority and the rights to establish, change, and delete rules and regulations they feel are necessary and reasonable. **Each Condo Owner should read and abide by Bay Shores' Declaration and By-Laws. (They are binding and legal documents.)**

The rules contained in this Policies Document do not constitute a complete listing of the rules.

Insurance

Contact Apple Property Management for the name of our current insurance carrier. Insurance coverage on the buildings and common, and limited common, areas is provided by the Association's insurance, and its cost is included in our monthly condo fee. The Association's insurance policy has a \$5,000.00 deductible.

If the originating source of a loss is something for which the Condo Owner is responsible, such as a leaking water heater or broken washing machine hose, the Condo Owner will pay the deductible. It is also the Condo Owner's responsibility to pay the deductible if a part of the unit that is the Condo Owner's responsibility to maintain is damaged. The Association's insurance will pay for damages to the unit in excess of the deductible, but will not pay for damage to personal property. You or your personal insurance company must pay for repairs of personal property.

Since a portion of my condo fee pays for insurance, do I need insurance?

YES. The Association's insurance does not cover your contents or any improvements (which were not in the builder's original plans incorporated in the original purchase and specifications; e.g., wallpaper, upgrade light fixtures.) You need to have a minimum of 5,000.00 for building coverage to pay the Association's deductible if you unit is damaged.

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We recommended that you have your insurance agent call the Association's insurance agent to determine what personal insurance coverage you need to carry to be sure you are adequately covered.

Each Condo Owner should carry liability coverage as the Association's liability coverage is limited to the common and limited common areas. The Association's insurance does not cover injury occurring inside your unit, nor does it cover damage done to a neighbor's contents resulting from a problem not insured by the Association in your unit. For example: if your water heater leaks into your neighbor's unit and the water damages their furniture, you are responsible for that damage, not the Association.

Common/Limited Common Areas

Common areas of Bay Shores are: Lawns, walkways, parking areas, roads, structure of the buildings, lampposts in parking areas, and lights on front of garages. Other common areas are: foundations, roofs, main and supporting walls, trees and shrubs, pool area, and ponds. Further description of the common area is detailed in the Bay Shores Condominium Declaration, Article VI.

Limited common areas of Bay Shores include: The patios, decks, entranceways, stairways, storage sheds, air conditioning pad, etc. Further description of limited common areas is detailed in the Bay Shores Condominium Declaration, Article VII.

The condo owner is responsible for all maintenance and replacement of everything within his/her unit and their limited common areas.

Condo Unit

Anything located within your unit, on your patio or deck, in your garage or storage area, and the doors of your unit is considered private property. The Condo Owner is responsible for, and expected to maintain all portions of his/her unit and all internal installations in the unit, and everything which exclusively serves that unit.

Also, it is the responsibility of each Condo Owner to maintain, repair, and replace at his/her expense, all portions of the common areas and facilities damaged or destroyed by reason of willful or uninsured negligent act or the negligence of himself or herself or any guest of the Condo Owner.

Examples:

Broken Window(s). You, the owner of the unit, are responsible.

You have a problem with insects and other pests in your unit. With the exception of termites, it is your responsibility to call an exterminator and pay for services rendered.

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Who pays for the repair and the water damage if a water pipe breaks in the wall of your unit?

If the water pipe does **not** exclusively serve your unit, the Condo Association will repair the pipe and the common area damage and the unit owner will pay for any damage to the unit up to the Association's insurance policy deductible. However, if the water pipe **does** exclusively serve your unit, you must pay the deductible and the insurance will pay for any damage done, except damage done to your personal property.

Will Apple Property Management perform services that are the Condo Owner's responsibility?

Yes, but **your** charges will be at Apple Property Management's current labor rates. Contact Apple Property Management for information.

Garages

Your garage door is **not** common area, and it is your responsibility to repair it. All replacements **must** first be submitted to Apple Property Management for approval by the Board. All garage doors **must** be closed when not in use.

Building Care and Maintenance

All outside painting must be submitted to Apple Property Management for approval by the Board. This includes your unit's doors, sashes, etc.

Outside lights. The bulbs for the outside garage lights and the lights around the pond will be replaced by Apple Property Management. If you notice a light has burned out, please contact them. The outside light fixtures attached to your unit, and the light bulbs in them, are your responsibility.

Emergency auto repairs in parking lot or driveways. If you must, in an emergency, perform mechanical work on your vehicle, care is to be taken so that fluids from the car cannot spill or drip on the asphalt surface. No extensive engine or body work is to be performed on Bay Shores property.

Snow and Ice Removal for Walkways and Driveways

It is neither practical nor feasible to totally control ice on the sidewalks and parking area. However, serious ice problems will be treated with potassium chloride or calcium chloride when possible. If you treat your own walks, please **DO NOT USE SALT!** It will damage the concrete. Potassium chloride or calcium chloride pellets are safer and cause less damage. These items can be found in hardware stores, grocery stores, etc.

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An independent contractor, hired by the Board, will remove snow from front walks, driveways and parking lots when snow reaches an accumulation of two (2) inches.

HOMEOWNERS SHOULD TAKE GREAT CARE WHEN OUTSIDE AND BE ON GUARD FOR ICY OR SLICK AREAS.

Lawn, Tree, and Shrub Care & Maintenance

The Board hires contractors to mow and trim the lawns, prune the shrubs, and apply lawn and tree treatments. The lawns are usually mowed every seven to ten days. However, actual frequency depends on weather and rate of growth.

If you want to spray/treat the lawn around your unit for insects or pests such as fleas or ants, **you must first request Board approval.** The lawns are fertilized and treated for weeds and insects four to five times each year, depending on what the Board believes is necessary.

If you wish to add any additional landscaping around your unit, you must submit all requests in writing to the Board, c/o Apple Property Management, along with plans drawn out on the attached form. The Bay Shores Declaration gives the Board authority over the building exteriors and common and limited common areas. Consideration will be on a case-by-case basis. It is your responsibility to properly maintain and replace the additional landscaping. The lawn care contractor will not maintain the addition. The responsibility for additional landscaping passes on to new owners when the unit is sold.

Parking

The Bay Shores community has established a reserve parking policy. Each Condo Owners is entitled to one reserve parking space adjacent to his/her unit. Those who purchased a garage(s) bought the potential of an additional parking space(s). Parking vehicles in any area other than obvious parking spaces or garages is NOT AUTHORIZED. PARKING IS NOT PERMITTED IN THE STREETS.

A. RESERVED SPACES

1. Each condo unit will have his/her number code on the blacktop in front of his/her space.
2. Violators who park illegally will be towed. (This includes parking in others' assigned space, parking on the grass, parking in the street, parking in front of garages, parking in areas that restrict the normal flow of traffic, or parking in any unsafe location.)
3. If your vehicle is towed, the owner is responsible for **all** towing and storage costs.

B. VISITOR PARKING

1. Visitor parking spaces are marked by the word VISITOR painted on the blacktop.
2. Condo Owners who have more than one vehicle are permitted to park in visitor spaces on a first-come, first-served basis.

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3. Visitor parking is to be used for short duration stays (less than eight (8) hours). This includes owners also.
4. Visitors staying for longer durations (more than 8 hours) must use overflow parking areas.

C. ADDITIONAL PARKING SPACES

1. Overflow parking is on a first-come, first-served basis.
2. Overflow **IS NOT** a storage space. A vehicle parked in overflow parking must move every 48 hours, or it will be towed. Some exceptions, such as vacations, business trips, illness, etc., can be granted by Apple Property Management. However, it is the resident's responsibility to notify Apple Property Management of these circumstances in sufficient time to avoid a towing charge.

D. BOATS, RV'S, CAMPERS, AND VEHICLES SUCH AS TRACTORS, TRAILERS, DUMP TRAILERS, LIMO'S, ANY OVERSIZED OR OUTSIZED VEHICLES, MOVING VANS ARE NOT AUTHORIZED ON BAY SHORES PROPETY.

Since parking is at a premium within the Bay Shores community, residents are encouraged to resolve parking difficulties with their neighbors before calling Apple Property Management about the problems. Only the management company has the authority to authorize towing with the towing contractor. All residents are encouraged to advise visitors to our community of the parking policies and rules. Your assistance in this matter could help prevent and embarrassing and unfortunate circumstances from occurring.

Neither the Condo Association nor Apple Property Management will be financially responsible for any vehicle towing nor storage costs.

Flower Beds and Patio Landscaping

The Board encourages owners and tenants to plant flowers in the beds around their unit and this does not require Board approval. No plants that cling to, or climb up the buildings, are to be planted. Maintenance of any plants or flowers planted by the owner is the responsibility of the owner. The Association, Apple Property Management, and the lawn care contractor will not be responsible or liable for damage to owners' plantings in the course of lawn or shrub care.

If you wish to put lawn ornaments or other decorations on or around your unit, you must request in writing Board approval. Bird feeders or any kind are NOT PERMITTED. It is your responsibility to trim the grass around these objects and maintain them.

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Exterior Changes to the Units

All exterior additions or changes must first be approved by the Board of Managers. Requests for exterior additions or changes **must** be made in writing and submitted to the Board, c/o Apple Property Management, on the attached form

To add storm doors you must have Board approval. Policy allows only for **LARSON CLASSIC FULL VIEW** in Almond. This policy was adopted to help us maintain the uniformity and attractiveness of our community. Storm doors installed before January 1, 2001, are exempt from this policy. **However, they must be removed upon resale of the unit if they do not meet the policy set forth above.** Send all requests for storm doors to Apple Property Management.

Satellite dishes are allowed, but the installation location must be approved before work begins. The decision on installation location will vary on a case-by-case basis.

Requests for exterior additions or changes must be in writing and mailed to Apple Property Management to guarantee uniformity. Contact Apple Property Management for Board-approved materials.

Selling a Unit

One professional 36" X 24" real estate sign may be placed inside a window. "Open House" signs are allowed, but only during the time of the open house. **"For Rent" signs are not allowed.**

If you intend to sell your unit you should inform Apple Property Management. **If you sell your unit, your copy of all governing documents** (the Declaration, By-Laws, Bay Shores Association Policies Document, etc.) are to be given to the buyers. If you have lost your copy, a replacement can be purchased from Apple Property Management for a nominal charge. Prior to closing, the unit exterior must be in compliance with Bay Shores Condominium Association Rules & Declaration.

Mailboxes

Contact the Post Office for keys and any repairs to your mailbox. Be sure you tell them you live in a condominium complex. Apple Property Management does not have keys to the mailboxes.

Going Away for Awhile

If you are going away for a few days you should tell the police, a neighbor, and Apple Property Management. Apple Property Management should also be given the name and daytime and nighttime telephone number of a person who has the keys to your unit, so if

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there is an emergency (e.g., water leak), Apple Property Management can get into your unit to stop the leak or prevent further damage.

Leave the heat on at least 60 degrees if you are going to away during cold weather, even if it is only overnight. Cabinet doors to the pipes that are on an outside wall should be kept open. Turn off the main water supply valve whenever you are going away. Remember to turn off the circuit breaker to the water heater to avoid damage to the heating elements in case of leaking.

Be sure to stop newspaper deliveries, etc., while you're away.

Pets

Article XI of the Bay Shores Condominiums Declaration outlines the pet policy for Bay Shores community. All Condo Owners are expected to abide by this policy.

In addition, dog owners are not to permit their dogs to bark excessively at any time, including when the owner is away. (It is urged that you ask your neighbors if your dog barks while you're away.) **Pets are not permitted to run loose at any time.** They must be on a leash at all times and under control by the animal owner. Pets are not permitted to be tied up outside at any time. No chains, stakes, or visible fences are permitted in the common area and will be removed. Please report any unleashed pets to the Animal Control (898-4457) or the police (433-4400) **PLEASE DO NOT LEAVE FOOD OUTSIDE FOR ANIMALS TO EAT.**

ALL PET DROPPINGS ARE TO BE PICKED UP IMMEDIATELY AFTER OCCURRING. It is the pet owner's responsibility to clean up after the pet. If the Board should consider it necessary to clean up fouled or damaged area, **the pet owner will be billed for this service.** The common areas must be kept clear of droppings

Leashes and any other animal related paraphernalia that might hinder lawn care or maintenance must be left outside.

****Please note that the Association's Insurance does have a clause in the insurance policy regarding vicious dogs. If you have a dog that is considered vicious, (please contact management company for a list of dogs) you the individual homeowner is responsible to have additional liability coverage on your dog. Also, please be aware if there were ever to be a problem with the dog attacking another individual on the property of Bay Shores the association is at a major risk of a liability claim that could and most likely would result in the association not being able to renew the insurance policy for the entire association. We have consulted an attorney on this matter. The homeowner would be personally responsible for any increase or monetary damage if this would occur.**

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Trash

Trash is to be disposed of in trash cans only. Trash cans must have closable lids. Trash cans and lids must be marked with unit address. **Trash is not to be set out until 7:00 P.M. the night before pick-up. PAPER BAGS OR CARDBOARD CARTONS** are not to be left outside overnight. Trash cans are to be taken back inside at the end of the day. If you will be away, ask a neighbor to put your can(s) away.

Items that the trash company won't take on their regular pick up include furniture, appliances, mattresses and box springs, and other large items. You must make special arrangements with the trash company to have these items picked up. This will be an additional expense to you.

Trash containers are to be stored **inside** your garage or storage closet on other than pick-up days. The management company will confiscate (but will not empty) containers left outside in unauthorized places and the Condo Owner will be assessed a \$25.00 fine. Containers will be returned upon payment of the \$25.00 fine.

Clothesline-Laundry

No clothes, sheets, towels, blankets, laundry of any kind are to be hung out or exposed on any part of the common, or limited common, areas and facilities, including patios and decks.

Seasonal Decorations

Seasonal decorations are permitted in limited common area only and must be removed by the end of the season. Christmas decorations are not to be installed prior to Thanksgiving and must be removed by January 10th. Decorations must be in good taste. Inappropriate decorations will be determined by the Board, and unit Condo Owners will be asked to take down decorations deemed inappropriate for the community. If the management company is required to remove any decorations due to inappropriateness or failure to comply with time frames, the unit owner will be assessed a fine according to the fine policy. No decorative flags are authorized. The U.S. flag may be flown at any time.

Operating a Business within the Unit

No industry, business, trade, occupation or profession of any kind, commercial, religious, educational or otherwise, designated for profit, altruism, etc., is to be conducted, maintained, or permitted on any part of the condominium property. Storing of hazardous materials in storage units or garages is prohibited.

Window Coverings

Only appropriate window coverings are permitted at all times. Sheets, blankets, foil etc., are not permitted to be hung at the windows even on a temporary basis.

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Other Important Items

Feeding the ducks, geese, and swans is not permitted and is subject to the Fine Policy detailed on pages 9 of this document.

Bicycles, toys, etc. are not to be left in any common areas.

Riding of bicycles, roller blades, skateboards, etc., on the sidewalks is prohibited.

Speed limits within our community must be obeyed.

Loud noise, such as radio's, stereo's, TV's, parties, etc., which can be an annoyance to your neighbors should be minimized. Immediate action should be taken to remedy the situation if you are notified by a neighbor of annoyance. This includes loud noise from motorcycles or other motorized vehicles.

Condominium Fees

The monthly condo fees are due on the **FIRST DAY OF EACH MONTH**. A ten (10) day grace period is granted, and fees must be postmarked on or before the tenth of the month to avoid a \$10.00 late fee being automatically charged to your account.

Checks should be made payable to Bay Shores Condominium Association and mailed to:

Apple Property Management
P.O Box 752108
Dayton, OH 45475-2108

If you pre-pay your monthly fees, your payment for the period being pre-paid must be received on the first day of the month in the period that you are pre-paying. Therefore, if you are pre-paying **annually**, your payment for twelve months should be postmarked on or before January 10th. If you are pre-paying **semi-annually**, your payment should be postmarked on or before January 10th and July 10th. If you are pre-paying **quarterly**, your payment should be postmarked on or before January 10th, April 10th, July 10th, and October 10th.

Any payment postmarked later than the tenth day of the first month of the period is considered late.

Your monthly fee pays for a variety of your Association's expenses including:

- Insurance on the buildings and other common elements
- Exterior and common area maintenance
- Lawn care, common area landscaping, and snow removal
- All water and sewer used at Bay Shores, including water and sewer used by the residents
- Administrative expenses
- Electricity and bulbs used in the outside garage and pond lights

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- Pool maintenance, equipment, and furniture
- Pond care and maintenance

Since your fees are important to the operation of the Association as described above, delinquent Condo Owner accounts will not be tolerated.

If a unit is being rented and fees are in arrears as stated above, the owner and the renter will be enjoined in any legal action.

The Board recognizes that unfortunate circumstances may cause a Condo Owner to develop a past due account. In those cases, it is the owner's responsibility to communicate with Apple Property Management.

Fine Policy

To insure compliance with the rules and regulations, in those rare instances when a friendly reminder doesn't work, the following schedule of fines for repeated violations has been instituted by the Bay Shores Board of Managers:

<u>EVENT</u>	<u>FINE</u>
First Time Rules Violation	Written Notice
Second Time Rules Violation	\$50
Third Rules and Violation & Each Subsequent and/or Continuing Offense	\$100 per day

Fines will be assessed against the Condo Owner. A lien will be recorded on the owner's unit if the fines are not paid when due.

In the case where the unit is a rental, it is the Condo Owner's responsibility to advise the tenant of these rules and regulations.

Apple Property Management will notify the Condo Owner in those cases where a fine has been levied. Payment for the fine will be due in the next monthly condo fee payment after receipt of the notification.

The Condo Association will seek recourse for any noncompliance to any of these rules.

***PLEASE BE CONSIDERATE AND COURTEOUS TO YOUR
NEIGHBORS!***

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Swimming Pool Rules

Pool Hours ~ 10 A.M. to 10 P.M.

1. **NO LIFEGAURD IS ON DUTY!!! YOU ARE SWIMMING AT YOUR OWN RISK!!!**
2. **NO** guests are permitted at the pool without the hosting Condo Owner in attendance. Please, **NO MORE** than two (2) guests per household during peak crowded times and weekends.
3. Children under the age of fourteen (14) **MUST** be accompanied at all times by an adult.
4. **NO** glass bottles, containers, etc., are permitted in the pool or pool area. Please use non-breakable containers.
5. **Alcoholic beverages are not permitted** in the pool or pool area.
6. **DO NOT** leave trash or debris in the pool area. **ALL TRASH** must be placed in the trash containers before leaving the pool.
7. Cigarette butts are to be placed in the ashtrays and the ashtrays emptied into the trash containers when you leave. They are not biodegradable and if not disposed of properly, they will cause major pool problems and expense.
8. If you see anyone in the pool who does not belong, please, ask them to leave, or contact the police (433-4400)
9. Pets are not permitted in the pool or pool area. The Health Department will close the pool for this violation.
10. The last person to leave the pool area should lower the umbrellas and lock the gate.
11. Any infraction of these rules will cause pool privileges to be restricted and the Fine Policy section of this document to be invoked. **PLEASE** work together to help keep the pool clean and make it an enjoyable place to relax.
12. The pool area must be cleared by 10:00 P.M. daily.
13. Be considerate of those units in the immediate vicinity of the pool area. **NO** rowdiness, running, or horseplay in the pool area.