



Bay Court Condominium Association Community Rules

**Bay Court Condominium Association
Community Rules
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Bay Court Condominium Association Community Rules

These rules apply to all residents of Bay Court Condominiums. These rules are designed to maintain peace and harmony among residents, maintain their safety and health, preserve and enhance the value of the property, maintain the architectural coherence of the neighborhood, and conform to all necessary statutes. It is each resident's responsibility to read and follow these rules. Not reading them is no excuse for violating them.

Additional rules may apply to those who rent from owners. Tenants should check with their landlords for further information on restrictions.

1. Association Fees

- a) Unit owners are responsible for payment of association fees to the Treasurer. Association fees are due by the first of each month.
- b) Failure to pay on time can result in a penalty each month for each monthly association fee that is in arrears (the penalty amount is set by the Board of Directors). The association also reserves the right to change the maximum legal interest on late association dues.
- c) At the discretion of the Treasurer, penalties and interest charges on association fees in arrears may be waived for owners who make a good faith effort to pay their debts to the association.
- d) If an owner is in arrears of the association fees 60 or more days the Treasurer will attach a lien on that owner's unit.

2. Carports - Carports are the common property of the Bay Court Condominium Association; carports are not the property of individual owners. Use of the carports is a privilege granted by the association that can be revoked if residents do not maintain their carports according to the rules.

- a) Residents must be able to park a vehicle in their carport at all times.
- b) Residents are required to keep their carports neat and clean; litter, leaves and debris should be removed and properly disposed of.
- c) Residents are prohibited from storing recycling bins, trash, old appliances, old mattresses or junk in the carports; large junk items must be hauled to the dump at the owner's expense - not left in the trash area.
- d) Residents may construct a storage area or shelves in their carports.
- e) Residents may not store oil, gasoline, paint, or other chemicals in the carports.
- f) Residents may not hang tarps from the rafters in the carports.
- g) The Association has the right to have a carport cleaned at the resident's expense, revoke the resident's privilege of using the carport, and obtain injunctive relief (at the resident's expense) to enforce conformance to the Association's rules and regulations.
- h) A unit owner may lease or otherwise grant the exclusive right to use that owner's carport to any other resident, but not to anyone who does not own a unit or live at Bay Court Condominiums.

3. Carport Rafters

- a) Residents may not store personal property in the carport rafters *unless* the rafters have been reinforced. The rafters are designed to support only a snow load. Storing goods in the rafters could

result in the roof caving in.

- b) There are inexpensive ways by which a resident can reinforce the carport rafters so that personal goods can be stored there. Such improvements will be at the resident's own expense.
- c) People wishing to store personal property in the carport rafters should contact a member of the Board of Directors for information on how to reinforce the struts.

4. Exterior Decorations/Alterations

- a) No exterior change, addition, structure, projection, decoration, property, or feature shall be erected or placed upon or attached to the exterior of any unit without the prior written approval of the Board of Directors, except under provisions made by the Directors in the paragraphs of this section.
- b) On the exterior walls in the entrance ways adjacent to their units, owners are authorized to display wreaths, mail baskets, welcome signs, door plaques, signs denying solicitation, welcome mats, mud rugs, door bell ringers. If such authorized items are deemed to violate the architectural coherence and integrity of the building and the units, or present safety hazards, or be obstructions to egress, or to potentially reduce the value of that unit or other units, the Board of Directors reserves the right to rescind the authorization for such displays at the unit's entrance way.
- c) Owners are authorized to install screen or storm doors, if the frames are white.
- d) Owners are authorized to install on the front doors of their units door knockers, peep holes, and door chimes.
- e) No painting or attaching of decalcomania on any exterior surface of any unit is allowed (except the Board of Directors may authorize a unit owner to paint or stain an exterior deck or balcony).

5. Balconies and Decks

- a) The Board of Directors may authorize a unit owner to paint or stain an exterior deck or balcony. To maintain the architectural coherence of the buildings, the Board of Directors has final and absolute authority on what colors it will permit.
- b) Additions, expansions, replacements, or other alterations to outside decks or balconies (which are common area properties) maybe be made only with the prior written approval of the Board of Directors. Prior to issuing any approval, the Board of Directors will review written plans for changes to the deck or balcony.
- c) Residents may not habitually hang laundry form any deck or balcony. An occasional hanging of wet items is permissible. No laundry will be hung outside on weekends under any circumstances.
- d) Decks and balconies may not be used for personal storage.
- e) Decks and balconies will contain only seasonally appropriate furniture. For example, patio chairs are fine, but stuffed couches are not acceptable.
- f) The storage of trash and recycling bins on decks and balconies is strictly prohibited.

6. Grills & Barbecues

- a) Residents may use charcoal, wood chip, gas, electric, or wood burning grills on the Bay Court property only in accordance with State of Vermont Fire and Life Safety rules. Violations will be reported to the South Burlington Fire Marshal for legal action. Note that our insurance policy expects our residents to use and store grills and gas canisters in accordance with the State of Vermont code and rules. Violations put claims and the future renewal in jeopardy.
- b) Vermont Code and rules (updated Bay Court Rules - April 2019)
 - a. NFPA 1: Sec10.10.6.1 For other than one- and two-family dwellings, no hibachi, gas-fired grill, charcoal grill, or other similar devices used for cooking, heating, or any other purpose, shall be used or kindled on any balcony or under any overhanging portion or within 10 ft (3 m) of any structure.
 - b. NFPA 1: Sec10.10.5 Open fires and cooking fires shall be constantly attended by a competent person until such fire is extinguished. This person shall have a garden hose connected to the water supply or other fire extinguishing equipment readily available for use.
 - c. NFPA 1: Sec 69.3.10.1.2.2 The use of cylinders indoors shall be limited to those conditions where operational requirements make the indoor use of cylinders necessary and location outside is impractical.
 - d. Vermont Special Notes: Gas Grills located on decks - it is permissible to have a gas grill on a deck in a multi-family structure provided the grill is located 10 feet or more from the structure and the deck has an independent set of stairs leading to ground level.
 - e. NFPA 58 Liquefied Petroleum Gas Code Sec 8.3.5 Storage within Residential Buildings. Storage of cylinders within a residential building, including the basement or any storage area in a common basement of a multiple-family building and attached or detached garages, shall be limited to cylinders each with a maximum water capacity of 2.7 lb(1.2 kg) and shall not exceed 5.4 lb (2.4 kg) aggregate water capacity per each living space unit.

7. Motor Vehicle Registration & Operation

- a) The speed limit in the Bay Court area is 5 miles per hour.
- b) Motor vehicles parked on the Bay Court premises shall carry valid state registrations, with current license plates. Exceptions may be granted with the prior written consent of the Board of Directors. Unregistered vehicles outside carports without the board's approval may be towed at the owner's expense.
- c) Residents must register their vehicles with the Secretary of the Association. Each vehicle must display a valid Bay Court registration card in the front or rear window. Vehicles without these registration cards may be towed at the owner's expense. Note that the cards are coded so that the unit number may be identified by a resident, but would be meaningless to non-residents (for security reasons).

8. Resident Parking - Bay Court is designed so that each unit has two parking spaces: One in the carport designated for the unit and one in a marked space designated for the unit in the area in front of the building.

- a) Residents are allowed TWO vehicles per unit; vehicles include private passenger cars or trucks of no more than ½ ton capacity.

- b) Residents must register their vehicles with the Board of Directors and display parking stickers in their front windows.
- c) Residents who have more than one vehicle per unit must always park one vehicle in the carport assigned to that unit.
- d) Trailers and boats count towards a resident's two vehicles (See 8.d).
- e) Residents are allowed one motorcycle or scooter in addition to their two vehicles; it must fit in the carport with another vehicle.
- f) Exceptions to this rule can be made only with the prior written consent of the Board of Directors.
- g) Parking spaces are marked with white lines and are assigned and numbered with the designated unit number or for visitors. Drivers will park their vehicles within the designated spaces. A vehicle occupying more than one designated space can be towed at the owner's expense.
- h) Residents may not park in areas outside the marked spaces. Violators will be towed at their own expense. Note regarding 8.h) i-iv below.: short term, temporary GUEST parking or parking for loading/unloading purposes is tolerated, although technically illegal since such parking may block emergency vehicles. Overnight parking will not be tolerated in areas outside marked spaces under any circumstances. Additionally, parking in front of the mailboxes or fire hydrants is never permitted. Specifically, No Parking Zones include all areas of the drives and parking lot not marked for parking with white lines. Especially related to right of ways for other vehicles and emergency services:
 - i. Any walkway in front of a building (at the base of the stairwells).
 - ii. At the east end of carport #2 (by the flagpole).
 - iii. Between carport #3 and the lawn next to the side of building #3.
 - iv. Between carport #3 and building #5.
 - v. On the side of the roads leading into Bay Court.
 - vi. Any place where parking a vehicle would reduce the road width to less than 18 feet (the distance required by law for emergency vehicles).
- i) The Bay Court parking lot does not accommodate oversize vehicles. RVs are not permitted under any circumstance. Vehicles with trailers are permitted, but must use the parking space and carport assigned to the owner. Exceptions will be made for the temporary parking of moving trucks.
- j) When it snows, please give everyone the courtesy of moving your vehicle when the plow comes.

9. Parking For Guests

- a) It is each resident's responsibility to insure that guests follow Bay Court's parking regulations. If a resident expects company, the resident should either park in one of the spaces marked for visitor parking, or instruct the guest to park in one of the visitor parking spaces.
- b) There is a visitor parking space for each building except Building 1 where space is limited. Additional visitor spaces are located at the corner of the parking lot between Building 3 and 4
- c) Bay Court registration cards for long-term guests are available from the Secretary of the Association.

10. Pets

- a) The Board of Directors may conclusively determine, in its sole and absolute discretion, that a dog, cat, or other domestic pet will be permitted to reside in a unit when it is determined that the pet will not create a nuisance, noise, or otherwise disturb any other unit owner. Among the factors the directors will consider are species, breed, size, and typical behavior for that breed.
- b) Before granting permission to keep a pet, the Board of Directors will notify owners whose units are adjacent to the unit proposed to house such a pet, and allow those owners to object.
- c) All pets will be registered with the Secretary of the Association. Registration information will include owner's name and unit number, and a description of the pet, its name, any identifying tags or dog tag numbers, and proof of rabies vaccination. If a pet gets loose, board members will contact the owner if the pet is registered. If the animal is not registered, it will be impounded by the police.
- d) If any pet proves to be a nuisance, makes an unreasonable amount of noise, or otherwise disturbs any other unit owner, then the Board of Directors may conclusively determine that said pet be removed from its unit.
- e) No tenant may under any circumstances have any pet.

Dogs

- a) **NEVER** are dogs allowed on the grounds without being leashed, nor may they be tied up outside unattended.
- b) All messes **MUST BE CLEANED UP** immediately by the owner (using pooper scoopers, baggies, paper towels, etc.)
- c) Unit owners with dogs shall abide by the South Burlington City Ordinance for *The Care And Control of Dogs*. Note that people have the right to call the police to impound dogs that run loose or are constantly barking. Owners of impounded dogs will pay impoundment fees and boarding charges, and there may be other fines.
- d) There is a limit of 40% of all units being allowed to have dogs, and the canine occupancy rate for each building cannot exceed 50% of the units in that building.

Cats

- a) Owners are typically allowed one domestic cat per unit at the discretion of the Board of Directors. Additional cats may be allowed at the discretion of the Board of Directors with the board's written consent.
- b) Never are cats allowed to roam free on the grounds unless they are wearing bells (to help protect birds and other wildlife). Owners are encouraged not to let their cats roam free, especially during nesting season.

Guest Pets

- a) Dogs belonging to day or overnight guests of owners are subject to all association rules, i.e., the dogs may not run loose, they must not be nuisances, messes must be picked up immediately.
- b) Except for durations of less than one week, owners may not keep dogs of guests or others.

11. Noise Levels / Interference With Others

- a) No unit shall be used or maintained in a way that shall interfere with the comfort or convenience of occupants of other units. The Board of Directors has sole discretion to determine what shall constitute interference with others.
- b) No musical instruments, sound systems, or noise of any kind shall be loud enough to be heard outside the individual unit. This includes sound systems being played out the windows or being played on the common grounds of the association.
- c) Continuously barking dogs are deemed to be a public nuisance and will constitute a violation of noise level restrictions and of the city ordinances on noise.
- d) Residents in upstairs units are reminded to be thoughtful of their downstairs neighbor. Jumping up and down, dropping barbells, and other hard impacts on the floor can make a ruckus downstairs, and can shake the pictures off the wall or damage the ceiling. Such behavior is not permitted.
- e) The grounds and carports will not be used at night in such manner as to disturb residents. Shouting in the parking lot, operating power tools, hammering, and any other noisy activities are forbidden.

12. Maintenance

- a) Each owner is responsible for maintaining the interior of the unit in such a way that there is no hazard to other units, nor to cause the market value of any other unit to be lessened.
- b) If a problem exists and is not remedied within a reasonable time after notification from the Board of Directors to an owner, the Board can have the appropriate repairs done and charged to the owner.
- c) The Board of Directors reserves the right to expedite repairs when, in its best judgment, the repairs are necessary immediately or as soon as practical.
- d) An owner may not do any work on the interior of a unit that would jeopardize the soundness or safety of the condominium property or reduce its value (unless all owners consent unanimously).
- e) The Board of Directors, or its designee, has the right to enter a unit during reasonable hours for maintenance or any time for emergency repairs to prevent damage to other units or the common areas of the association.

- f) Note that in emergencies the Board of Directors, or its designee, may have to use force to enter a unit unless a key is available.

13. Interior Walls

- a) A unit owner may modify, remove, or install a non bearing wall only after a city building permit has been issued, *and*
- b) The Board of Directors has granted written approval for the changes in the interior

14. Plumbing & Leaks

- a) No resident shall replace any shower, sink, or bath device except with one that possesses an equal or better availability to conserve water.
- b) The Bay Court Association is responsible for maintenance of plumbing within the interior walls. It is the owner's responsibility to maintain and repair the plumbing within a unit, including faucets, pipes under the sinks or toilets, clogged drains, wax seals on toilets, toilet tanks, spray nozzles and hoses, shower heads, pipes connected to dishwashers and/or ice makers, and washing machine connections (both inlet and outlet pipes inside the unit).
- c) If downstairs unit, or personal property contained therein, is damaged by a water leak coming from an upstairs unit, it is the responsibility of the owner of the upstairs unit to pay for such repairs or replacement of property as needed to restore the downstairs unit to its previous condition, except when such a leak is the result of broken or cracked pipes inside the walls, which are the property of the Bay Court Association.
- d) Specifically, but not to the exclusion of other circumstances, the owner of an upstairs unit is responsible for repairs to any downstairs unit caused by water leakage when in the upstairs unit a washing machine leaks, the washing machine's drain pipe is not properly inserted or attached to the building's drain outlet, when a sink, dishwasher, bathtub, or toilet overflows, when plumbing within the interior of the upstairs unit leaks, when a Christmas tree stand overflows or leaks, a waterbed leaks, or other such type leaks.
- e) The water heaters and furnaces located in the common utility room and serving the respective units are the property of each owner respectively. Each owner is therefore responsible for the maintenance, repair, and replacement of their water heaters and furnaces, and for the repair of any damages that may be caused by such appliances. The Board requires that the owners schedule inspection and service of the appliances at least once per year and send proof of the service to the Board. Owners who do not replace their water heaters at the end of the warranty tank life may be found negligent should such a tank fail and cause damage.

15. Signs

- a) The use of the Association's common areas for personal advertising is inappropriate and unacceptable. The erection of any type of sign on the Bay Court premises is prohibited, except as specified below.

- b) An owner is allowed the placement of one outside "For Sale" sign at the entrance of Bay Court on property immediately adjacent to Baycrest Drive for a period not to exceed three hours, and only during the time the owner is holding open house. Before and after an open house the sign must be removed from the property.
- c) The Board authorizes each owner to maintain one "For Sale" sign in one window in the interior of a unit.

16. Swimming Pool at Harbor View

- a) The pool at Harbor View is only for those residents. It is not open to Bay Court residents. If you use that pool, you are trespassing and can be prosecuted. No insurance will cover you, and you could be held liable for any accident happening while you are there. The Bay Court Condominium Association has no responsibility or liability of any sort regarding that pool.

17. Trash & Garbage

- a) Trash will be disposed of only in the dumpster. All trash and garbage will be in plastic garbage bags or in boxes. No trash will be disposed of in paper bags.
- b) Materials designated by the trash hauler as recyclable may not be put in the dumpster. That includes corrugated cardboard boxes, which must be flattened and put in the recycling bins, NOT in the dumpster.
- c) It is illegal to use the dumpster for such items as tires, appliances, or old furniture. Residents must make their own arrangements for disposing of items that the trash hauler cannot accept or that cannot be put in the recycle bins.
- d) No resident may temporarily store trash, garbage, or recyclable materials in the front entrance ways, on stairs, on decks, on balconies, or in carports.
- e) Residents are encouraged to put degradable garbage in the nearest compost bin. Degradable garbage includes vegetable peelings, rinds, fruit skins and cores, eggshells, coffee grinds, tea bags, dead flowers, etc. It does NOT include animal products such as scrap meat, bones, or skins, or pet droppings.

18. Windows & Screens

- a) Window dressings, if used, must be appropriate. Blankets, sheets, towels, tablecloths, cardboard panels, and similar materials are prohibited unless fashioned to appear to be curtains, drapes, or shades.
- b) No decalomania, painting, or devices of any sort will be attached to the exterior of any window.

- c) It is the responsibility of the owner to insure that any broken or damaged window or screen (including bent screens) is promptly replaced. Owners can consult with the Board of Directors for information of where to obtain compatible replacement materials.
- d) The Board of Directors reserves the right to replace broken or bent screens if an owner fails to do so (after being requested to do so by the Board), and to charge the owner for both the cost of the screen and a labor charge for replacing it.
- e) Residents are required to keep their screens on their windows **at all times** (unless a window has an air conditioner installed in it).

19. Planting/Landscaping

- a) Residents are encouraged to plant around their units and in some common areas of Bay Court.
- b) Residents must obtain permission from the Board of Directors or its designee before digging up any areas or putting in any plants.
- c) The Board of Directors reserves the right to prohibit planting in any area or to prohibit specific types of vegetation.

20. Board Authority

- a) The above rules are derived from the Vermont Condominium Ownership Act, the Declaration of Condominium for Bay Court Condominium, the Bay Court Condominium Association Bylaws, and the administrative decrees of the Board of Directors, and ordinances of the City of South Burlington.
- b) The Board of Directors has the authority to take legal sanctions and/or civil actions against any violator of the above rules and regulations. Costs for legal actions will be levied on the violating owner or resident.

21. Other Rules & Requirements

- a) In addition to the above rules, any and all sections, conditions, and stipulations of the Condominium Ownership Act, The Bay Court Declaration of Condominium, and the Bay Court Association Bylaws are in effect.
- b) The above rules are not exclusive of any other administration rules the Board of Directors may, from time to time, at its sole discretion, promulgate, or which the Association may approve by majority vote at a regular or special meeting.
- c) Any subsequent rules or regulations will be given in writing to all residents and owners, who should append them to this document to maintain a complete set of rules.

END OF RULES