

CONDOMINIUM OWNERS' MANUAL OF BASIC RULES AND REGULATIONS

Although we have tried to keep the rules at a minimum, guidance is necessary for those who may not be used to living in a condominium community, in close proximity, sharing facilities and using common property. They also remind all residents of existing state rules and regulations (e.g., open flame devices) and the practices that lead to neighborly living, thus helping to prevent hard feelings and misunderstandings.

These rules may be revised by the Courtyard Board of Directors to keep in compliance with changing local, state, federal and, Pointe Services Association (PSA) rules/regulations, and to reflect new situations which arise from time to time and come to the attention of your Board of Directors. Changes may become official when voted on at an official board meeting, and at the date specified by the board. New regulations will be mailed or e-mailed to residents with the quarterly communications.

Please contact the Board if there are any questions or comments...
By phoning: (219) 617-8902,
In writing: Courtyard HOA - P.O. Box 215, Smithville, IN 47458,
Or via e-mail: EaglePointe.CourtyardHOABoard@yahoo.com

The Courtyard Board of Directors requests that all residents of Courtyard - which includes owners, lessees, renters, and guests – conform to the following common sense rules. **THE BOARD OF DIRECTORS ASKS ALL OWNERS TO OBSERVE THESE ADOPTED REGULATIONS, MAKE ALL OCCUPANTS AWARE OF THESE RULES, AND TO KEEP THIS DOCUMENT EASILY ACCESSIBLE WITHIN THEIR UNITS FOR REFERENCE.**

I. ARCHITECTURAL INTEGRITY AND VILLAGE APPEARANCES

All occupants must respect and show consideration of the rights of others in Courtyard. Patios, porches, and decks should not distract from the general appearance of the building and should conform to the accepted standards of Courtyard.

1. Unit owners must have the consent of the Board of Directors before undertaking decorations of entrances, stairways, exteriors, and other portions of the common ground area.
2. Unit owners should refrain from (1) hanging clothing, beach towels, etc. from decks, windows, and stairways; and (2) shaking, throwing, or sweeping off debris from decks and stairways if it affects a nearby property.
3. Each Unit owners must keep the exterior area of his/her condominium unit clean and in good state of repair. Common areas shared by your building should be free of toys, recreational equipment, trash, detracting objects, and unattended tools/machinery as a risk to others.
4. Unit owners must have approval in writing from the Board of Directors before adding exterior shades, awnings, window guards, ventilators, fans, or air-conditioning devices visible from the exterior of their unit or to common areas.
5. No radio or television antenna, satellite dish, or electronic or mechanical device shall be attached to or hung from the exterior of the building without the written approval of the Board of Directors.
6. Unit owners must not paint, decorate, or make alterations and/or modifications to the exterior of buildings or common areas without written approval from the Board of Directors.
7. Unit owners may not erect, post, or display any signs in or about any unit without written approval from the Board of Directors.
8. Unit owners must not erect tents, shacks, barns, or temporary storage structures on any portion of the common or parking areas without written approval of the Board of Directors.
9. No trees shall be removed from any portion of the common area without written permission from the Board of Directors.

II. RENTAL CONCERNS

Current restrictive lending practices by financial institutions make it difficult if not impossible to obtain a favorable mortgage in condominium associations that allow short term rentals (less than 90 days). Eagle Pointe Security has stated that over 95% of complaints and instances involve individuals who are on the property for short term stays.

1. Unit owners renting their unit must provide the Secretary of the Board of Directors with the names, mailing address, telephone numbers, e-mail addresses, terms of the lease, and vehicle information for ALL their tenants **BEFORE** they remain overnight. Unit owners will be notified of adverse tenant behavior that is not in the best interest of the Courtyard Homeowners Association. Unit owners could be assessed a security fee if renter/guest behavior warrants intervention by Eagle Pointe Security.
2. The Board of Directors retains the right to conduct a criminal background check on anyone residing at Courtyard. The presence of illegal drugs or dangerous substances/chemicals that violate local, state, or federal law are prohibited from being on property and common grounds of Courtyard Homeowners Association. Flammable, dangerous, or highly combustible substances, liquids, and materials i.e.- containers with or storage of fuel/oil are also prohibited.
3. Unit occupancy under rental conditions is limited to no more than two (2) persons per bedroom per unit.
4. Tenants are limited to two (2) cars per rental unit in Courtyard parking lot, which includes visiting guests and family/extended relatives etc.

III. PARKING, VEHICLES, GARAGES, AND CARPORTS

1. All vehicles operated by Unit owners or renters **MUST** display either the permanent Courtyard homeowner decal or the temporary pass in the front window while on the property. These permits can be obtained by registering at the Eagle Pointe Security main gatehouse. Vehicles not displaying these permits may be towed at owner expense if it is determined that the vehicle has no right to be on the Courtyard property. All vehicles must be legally licensed and registered.
2. Parking of Unit owners or renter vehicles is limited to two spaces. Do not park on the grass or along the roadway.
3. There are to be no recreational vehicles, buses, boats, boat trailers, golf carts, or vehicles of similar nature parked or stored in the open common areas of Courtyard except for brief in/out privileges.
4. Unit owners and guests may not repair automobiles or other motorized vehicles on the Courtyard property, except in cases of emergency.
5. Unit owners must keep common areas free of bicycles, scooters, skateboards, baby carriages, etc. Garage doors should be kept closed when not occupied.

IV. UTILITIES

1. Any damage to the sewer system, resulting from the misuse of drains and toilets, shall be paid for by the homeowner of the offending unit.
2. Unit owners must not modify any lighting fixture located in the common areas.
3. **UNIT OWNERS ARE RESPONSIBLE FOR MAINTAINING AN INSIDE TEMPERATURE OF AT LEAST 57 F THROUGHOUT THE HEATING SEASON.** (Damage to any and all units due to frozen pipes, as a result of insufficient heating within the unit, is the responsibility of the offending unit's owner.)

V. DISTURBANCES

1. Unit owners shall be held responsible for the actions of their children, their guests, their pets, and their renters.
2. Unit owners and/or renters must not permit any noise or annoyance to disturb or interfere with the comfort and convenience of other owners. Renters will be asked to permanently vacate a residence if they prove to be a nuisance to the community.
3. No hunting or discharge of firearms is permitted anywhere on the Courtyard property.
4. No fireworks or other explosives shall be kept or exploded on the Courtyard property.
5. Loud noises from radios, stereos, TVs, home theater systems, and computers that can easily be heard outside your condominium should be closely monitored and modified if disturbing to others in close proximity.

VI. TRASH

1. A dumpster has been provided. Trash and garbage must be placed in dumpsters provided for that purpose. Trash and refuse should be placed in sealed bags or boxes before depositing into dumpsters.
2. Paint or other chemical-based products proven to be harmful to the environment **MUST NOT** be placed in dumpsters or flushed down the drain, into the toilet, or poured onto the ground. These products must be disposed of properly. The Monroe County Solid Waste Management District accepts all types of paints and stains, as well as household hazardous items, and should be the place of disposal.
3. Trash may not be burned or accumulated on any portion of the Courtyard property.
4. No construction materials from remodeling or demolition shall be placed in the dumpsters.

VII. PETS

The State of Indiana has a dog “restraint statute” requiring dogs to be restrained at all times.

1. All pets **MUST BE KEPT ON A LEASH** and under control whenever they are outside of the homeowner’s condominium. Noncompliance with the leash law could result in legal action against the pet’s owner. Dogs must not be chained or staked out on common property.
2. Pet owners must clean up dog waste in proper containers and dispose of properly in the provided trash dumpsters on the property.
3. For whatever reason, if the Board of Directors determines that a pet has become a regular nuisance, disturbance, or threat to other owners or their pets, the Board will conduct an investigation and may require the offending homeowner to relocate the animal.
4. Unit owners may not use the common areas to raise livestock, poultry, and/or other animals.
5. Pet food will attract critters and should not be stored outside.

VIII. GRILLS AND OUTDOOR COOKING

Section 308 of the Indiana Fire Code states:

“308.3.1 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3,048 mm) of combustible construction.

Exceptions:

1. One- and two-family dwellings.
2. Where buildings, balconies, and decks are protected by an automatic sprinkler system.

308.3.1.1 Liquefied-petroleum-gas-fueled cooking devices. LP-gas burners having an LP-gas container shall not be located on combustible balconies or within 10 feet (3,048 mm) of combustible construction.

Exceptions:

1. One- and two-family dwellings.
2. Where buildings, balconies, and decks are protected by an automatic sprinkler system.

The National Fire Protection Codes reveal the same types of prohibition:

“For other than one- and two-family dwellings, no hibachi, grill, or other similar devices used for cooking, heating, or any other purpose shall be used or kindled on any balcony, under any overhanging portion, or within 10 ft. (3 m) of any structure.”

All gas and charcoal grills must be replaced with electric grills immediately.

1. Any outdoor cooking grill or decorative displays utilizing an open flame, such as tiki torches or open fire pit devices, cannot be used on the Courtyard property.
2. No LP gas tanks can be kept on Courtyard property.

IX. GENERAL RULES

1. Make certain there is an emergency contact phone number available with the Courtyard Board of Directors and Pointe Security.
2. Make certain you have provided Eagle Pointe Security with a door key to your condominium in case the need for emergency access arises. **This is a requirement for all owners.**

X. ENFORCEMENT OF REGULATIONS

Enforcement of the regulations is one of the most delicate problems which the community must handle. However, in the interest of the community as a whole, enforcement becomes a matter of necessity. Therefore, unless otherwise noted above, violations of the rules and regulations will be treated as follows:

1. Unit owners will be issued a written notice of the violation and be given the opportunity to correct the situation. In the case of a vehicle or item in which the ownership cannot be determined, the particular item will be marked. Owners who rent their property bear the same responsibility as those 'in residence' owners.
2. Should the violation continue, or be repeated, a second written notice will be issued. Such notice will carry with it a fifty dollar (\$50) special assessment.
3. A third such notice will carry with it a hundred dollar (\$100) special assessment.
4. Any and all successive notices will carry with it a two hundred fifty dollar (\$250) special assessment and the Association attorney will be notified.
5. Special assessments levied by the Association for violation(s) of established rules and regulations shall be a charge on the land and shall be a continuing lien against the property against which each assessment is made.
6. The cost of repairing damage to the grounds or other units caused by cars, dogs, children, or any other means is the sole responsibility of the Unit owner and will be subjected to the same rules of enforcement as would any other problem.