

# BARDEN WOODS CONDOMINIUM ASSOCIATION

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## COMMUNITY RULES AND REGULATIONS (PHASE I)

The purpose of any Rules and Regulations is to lay a foundation by which all members of a community can mutually enjoy their environment, while protecting the investment they have made in that community.

The following Rules and Regulations of Barden Woods Condominium Association (Phase I), have been carefully developed to provide co-owners with useful information, which should ensure the quality of life and investment all co-owners have in their property.

These Rules and Regulations are not intended to cover all facets of condominium living. They are based upon Barden Woods Condominium Documents, County and City Ordinances, as well as Michigan Law. You should refer to these sources for specific information regarding your legal rights, obligations, responsibilities and restrictions.

While it is not the intent of the board of directors to restrict a co-owner's freedom of expression, the board is obligated to carry out the Rules and Regulations as they are stated. If there are violations of any of the restrictions as stated in these Rules and Regulations or the Master Deed, the enforcement cost(s) will be assessed to the co-owner of the unit. Each co-owner is responsible for any damage to any elements he/she causes, even if normally the responsibility of the Association.

### Rule I: Alterations

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Reference – Article VI, Section 3 and 13 of the Barden Woods Bylaws

- A. Any co-owner wishing to make changes in appearance to the exterior of their unit or on their grounds, must request written permission from the board of directors.
- B. Permission may be obtained from the board of directors by submitting the appropriate "Alteration / Modification Form" to the board of directors for their consideration.
- C. Failure to obtain written permission may result in the co-owner being asked to remove their alteration at their own expense.
- D. Co-owners are responsible to maintain their approved alteration at their own expense.
- \* E. No co-owner shall perform any landscaping or plant any trees, shrubs or flowers, or place any ornamental materials upon the Common Elements without the prior written approval of the Association.
- F. Co-owners are required to use a licensed, bonded and insured contractor to perform any type of building alteration and must be able to provide a copy of said documentation should the Association request.
- G. Co-owners and/or their contractor(s) are responsible to contact Miss Dig and to obtain any/all applicable permits necessary for their alteration (as applicable).
- H. Approval of the Board of Directors does not relieve the co-owner of responsibility should their approved modification cause any damage.

## Rule II: Aesthetics

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Reference - Article VI, Sections 3, 4, 6, 14 and 15 of Barden Woods Bylaws

- A. The Common Elements shall not be used for storage of supplies, materials, personal property or trash or refuse of any kind, except as provided in the Master Deed or the duly adopted Rules and Regulations of the Association.
- B. No unsightly condition shall be maintained on any patio, balcony or porch.
- C. Only furniture and equipment consistent with ordinary seasonal use shall be permitted to remain on patios, balconies or porches during seasons when the same are reasonably in use.
- D. Trash receptacles and/or recycling bins shall be maintained on a co-owner's property at all times and shall not be permitted to remain elsewhere on the common elements, except for such short periods of time as may be reasonably necessary to permit periodic collection of trash recyclables.
- E. In general, no activity shall be carried on, nor condition maintained by a co-owner, either in his/her unit or upon the common elements, which is detrimental to the appearance of the condominium.

## Rule III: Pets

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Reference - Article VI, Section 5 of Barden Woods Bylaws

- A. Co-owners are permitted to keep one (1) cat or one (1) dog within his/her unit.
- B. Co-owners wishing to keep more than one (1) cat or one (1) dog, or any other type of domestic pet, must obtain prior written permission from the board of directors. The term 'pet' does not include small animals which are constantly caged such as small birds or fish.
- \* C. All pets must be registered with the Association.
- D. All pets shall have such care and restraint so as not to be obnoxious or offensive on account of noise (e.g.: excessive or persistent barking), odor or unsanitary conditions.
- E. Owners of pets shall clean up immediately and remove any fecal deposits left on the condominium premises by their pet.
- F. Any landscaping that is damaged by the pet of a co-owner, will be repaired or replaced and the co-owner charged accordingly.
- G. No savage or dangerous animals shall be kept and any co-owner who causes any animal to be brought or kept upon the premises of the condominium shall indemnify and hold harmless the Association against any damages or injuries other co-owners may sustain as a result of the presence of such animal on the premises, whether or not the Association has given its permission for the keeping of such animal.
- H. No animals may be permitted to run loose upon the common elements, and any animals shall at all times be attended by a responsible person while on the common elements.
- I. The Association may, without liability to the co-owner thereof, remove or cause to be removed, any animal from the condominium which it determines to be in violation of the restrictions imposed by these Rules and Regulations or the Bylaws.



#### Rule IV: Advertising

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##### Reference - Article VI, Section 10 of the Barden Woods Bylaws

- A. No signs or other advertising devices of any kind shall be displayed on the Common Elements including "For Sale" signs, without prior written permission from the Association.
- B. Political signs of any type are not permitted.

#### Rule V: Vehicles

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##### Reference - Article VI, Section 8 of the Barden Woods Bylaws

- A. Unlicensed or inoperative vehicles parked on the condominium property, in excess of 48 hours, will be towed away at the expense of the co-owner.
- B. All vehicles in the common parking areas must be moved frequently (at least every 48 hours), so as not to be considered abandoned.
- C. No vehicle repair, non-emergency maintenance or similar repair, will be allowed on the common elements.
- D. No house trailers, commercial vehicles, boat trailers, boats, camping vehicle, camping trailers, snowmobiles, snowmobile trailers, all-terrain vehicles or vehicles other than automobiles and passenger vans, used as a co-owner's primary means of transportation, may be parked or stored upon the premises of the condominium, without written permission from the board of directors.
- \* E. During snow removal season, co-owners must make every effort to move vehicles to assist the contractor while he/she is in the process of plowing snow.
- F. Parking in front of sidewalks is allowed for a period of thirty (30) minutes only. Vehicles parked longer than this time may be towed away at owner's expense.

#### Rule VI: Leasing

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##### Reference - Article VI, Section 2 of the Barden Woods Bylaws

- A. A co-owner desiring to rent or lease a unit shall disclose that fact, in writing, to the Association of co-owners at least ten (10) days before presenting a lease form to a potential lessee, and at the same time, shall supply the Association with a copy of the exact lease form for its review to ensure compliance with the Condominium Documents.
- B. Co-owners are responsible for informing their tenants and/or non-owner occupants of the Bylaws and the Rules and Regulations for Barden Woods Condominium. Lease agreement should include acknowledgement of receipt of recorded Bylaws and Community Rules, as well as an agreement to abide.
- C. The Association shall notify the co-owner by certified mail, advising of the alleged violation by the tenant. The co-owner shall have fifteen (15) days after receipt of the notice to investigate and correct the alleged violation or to respond to the Association in writing. Co-owner may request a hearing before the board.

## Rule VII: Fines

### Reference - Article IX, Section 2(a) of the Barden Woods Bylaws

- A. Upon finding that a violation may have occurred, the violator shall be notified by first class mail, addressed to his/her unit, of the nature of the violation, the possible penalties and of the date, time and place of a scheduled hearing before the board of directors. Said hearing shall be scheduled no sooner than 7 days nor later than 30 days after the board's determination that an offense may have occurred.
- B. At the scheduled meeting, the violator shall be entitled to offer evidence in defense of the alleged violation.
- C. Failure to appear shall constitute a default, and the violation shall be presumed.
- D. Following the hearing, the board or the managing agent will notify the violator (or in case of juveniles and/or guests, the appropriate co-owner or resident) of the decision and action of the board of directors. Notification will be in writing and sent to the unit address by first class mail or by personal service within 7 days of the date of the hearing.
- E. In the case of an accountable violation, co-owner or resident shall have 21 days to appeal in writing to the managing agent. If not appealed, the decision will be enforced.
- F. The managing agent will notify the board of directors of all appeals and shall invite the violator to a closed board meeting for review, no sooner than 7 days nor later than 30 days after receipt of the appeal.
- G. The decision of the board of directors is final.

## Rule VIII: Fine Structure

As allowed under Article IX, Section, the following fines have been established:

1. No fine levied for first violation
2. Fine not to exceed \$50.00 for second violation for the same rule.
3. Fine not to exceed \$100.00 for third violation for the same rule.
4. Fine not to exceed \$150.00 for subsequent violations of the same rule.

Violation of the nuisance restrictions of the  
Governing Documents, as it interferes with  
Association management.