

Board of Directors
339 Ocean Boulevard Condominium Homeowners' Association (HOA)

October 17, 2018

Dear HOA Members,

The enclosed Rules and Regulations document has been prepared pursuant to the requirements set forth in our Declaration of Condominium and Bylaws. It reflects and clarifies rules specifically stated in our Declaration and Bylaws. It includes the addition of rules and regulations that are required by the Declaration to be developed by your Board of Directors, and it contains rules that are necessitated by the experience gained over our approximately 3-years of operation. The document also contains information pertaining to enforcement of these rules and regulations.

As you know, condominium living requires that owners exercise appropriate restraint, moderation, tolerance and consideration in their conduct and living habits, since their actions may affect their neighbors. Rules and regulations typically assist in promoting the enjoyment of the condominium by the residents, and enhancing the value of homes within it. Our attorney has advised us that this document is essential to the operation of our HOA. In addition, the agent handling our Master Condominium Insurance Policy has indicated that having rules and regulations that enforce our Declaration and Bylaws is an excellent way to be proactive in controlling our insurance liability and cost.

We expect that revisions may be made to these rules and regulations, over time, as experience is gained in implementing them. The Board of Directors has the authority to modify, add, and/or delete rules that may not be appropriate. Of course, the Association membership may make changes to the Declaration itself by vote. You should communicate any concerns you have in regards to specific rules to any Board member.

The Board of Directors suggests that each owner keep these rules and regulations, along with the Declaration of Condominium, Bylaws, and the current edition of our HOA Owners Manual in a convenient location for reference.

A copy of this document has been placed on the True North, 339 Ocean Blvd Condominium website.

Sincerely,

Steve Copley
President
Board of Directors
339 Ocean Blvd Condominium HOA

339 Ocean Boulevard Condominium Homeowners' Association

RULES AND REGULATIONS

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Effective Date: November 1, 2018

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The following Rules and Regulations have been adopted by the Board of Directors of 339 Ocean Boulevard Condominium Homeowners' Association pursuant to Section I, Paragraph F, Appendix A (By-Laws) of the Declaration of Condominium of 339 Ocean Boulevard Condominium recorded in the Rockingham County, New Hampshire (hereinafter referred to as the "Declaration.")

I. GENERAL POLICY

These Rules and Regulations are established in order to provide for the common use and enjoyment of the condominium.

The Declaration and By-Laws contain restrictions relating to the Condominium including ownership and occupancy of units and the use of the Common Areas, and Limited Common Areas.

II. ENFORCEMENT

Any Unit Owner in violation of the Declaration or Rules and Regulations is subject to immediate enforcement, fines, and/or other appropriate action at the discretion of the Association's Board of Directors. In cases of violations pertaining to payment of assessments, the penalties are as stated in the Declaration (and repeated herein). In most other cases, if any violation of these Rules and Regulations has not been remedied within five (5) days after written notice to a Unit Owner requesting that a violation cease and desist, the Board of Directors may, levy a fine of up to Fifty Dollars (\$50.00) per day for a continuing violation, or \$50.00 per violation for any one (1) violation, and/or temporarily suspend applicable common services if appropriate. However, without any additional notice, any vehicles found to be in violation of parking requirements covered in Sections IX and XIII of these Rules and Regulations shall be subject to immediate removal (towing) from the property at the owner's expense and/or assessment of a fine. Additional legal action may be brought against violators of these rules and regulations at the discretion of the Association's Board of Directors.

III. SAFETY AND SECURITY

A. Update Owner Contact Information

Owners are required to provide and keep updated their personal contact information. Unit owners shall chose a preferred form of communication for making contact updates, and shall provide this information to the 339 property manager (currently True North Property Management).

B. Storage in Common Area Walkways, Stairways, and Parking Areas

No personal property may be stored or left standing on any Common Area walkway, lobby, deck, stairway, or parking areas. Items left unattended in these areas will be removed at the expense of the owner.

C. Children's Play and Common Areas
Unit Owners are responsible for the conduct of children occupying or visiting the Unit, playing in Common or Limited Common Areas.

D. Security Cameras
Security cameras, in Common Areas, and the recording equipment associated with these devices, may not be tampered with in any way. Problems noted with any security equipment should be reported to the Board of Directors.

E. Outside Grilling
Charcoal and Propane Grills are not permitted on any Common or Limited Common Area decks, or walkways due to the fire hazards they pose. Renters are prohibited from using any type of grill in the Common or Limited Common Areas of the 339 property. Residential unit owners may use electric grills on their assigned Limited Common Area decks; however, it should be noted that grease and smoke from these grills tends to permeate the siding and railings on the decks and may also have similar effects on adjacent units. These areas will require additional cleaning at unit owner's expense. No grilling can be done in Common Areas without the written approval from the Board of Directors.

F. Smoking
The 339 Ocean Boulevard Condominium is a non-smoking building. Use of all types of smoking devices, including vaping devices is prohibited.

G. Firearms and Fireworks
Firearms and fireworks may not be displayed or fired from any part of 339 Ocean Boulevard including the Common and Limited Common Areas. Renters and visitors are prohibited from having firearms on the property.

H. Safety and Security Devices
Unit owners must not interfere with and fire safety and security devices and must keep these devices installed and in proper working order.

IV. PAYMENT OF ASSESSMENTS

A. Late Payment or Failure to Pay Assessments
Assessments not paid within ten (10) days after the date when due shall bear interest at the rate of eighteen (18) percent per annum from the date when due until paid. All payments on account shall be first applied to interest and then to assessment.

B. Liens for Non-Payment of Assessments
The Board of Directors may place liens on property for which there are unpaid assessments. The Board of Directors shall also secure reasonable attorney's fees incurred by the Association incident to the collection of such assessments in the enforcement of such liens from the date when due until paid.

V. EXTERIOR – GROUNDS CARE AND AESTHETICS

A. Alterations – Architectural Controls

1. Any addition, modification, or alteration to the exterior of the building, including deck areas, which requires attachments of any kind is prohibited.

2. Unit Owners making improvements to their units, except personal property, which exceed a total value of \$1,000 shall notify the Board of Directors prior to making such improvements. Upon receipt of such information the Board shall notify the insurer under the condominium master insurance policy when required.

3. To ensure that proper installation/construction procedures are followed, Unit Owners must employ only licensed and insured contractors and must coordinate with the property manager when scheduling any electrical or plumbing work that could affect the Common or Limited Common Areas.

4. Storm doors may be added to the entrance door located on the west side of a residential unit, at the unit owner's expense. The storm doors must be white, blend-in with the existing trim, and be a "full view" type similar to the Anderson 3000 Series doors. All subsequent maintenance, repair and replacement of the storm door shall be at the unit owner's expense

B. Sand on the Premises

Tracking excessive sand from beach areas into Common Areas is prohibited.

C. Clotheslines

Outside clotheslines, poles, or other outside facilities for drying or airing clothing are prohibited in Common and Limited Common Areas.

D. Windows

Window darkening materials that are permanently installed on the glass surfaces are prohibited.

E. Decks

Unit Owners shall maintain decks in a clean, neat, and orderly condition and appearance. Towels, bathing suits, car covers, blankets, rugs or other such items shall not be draped over the deck railing or left on or in any portion of the Common or Limited Common Areas. Mops, brooms, buckets or other such cleaning items shall not be stored on decks. Deck umbrellas are prohibited.

F. Decorative and Personal Items

The following items are not allowed and may not be displayed on the outside of residential units (front deck and/or back deck).

- Antennas
- Window Stickers (except security decals)

- Bird feeders, bird houses, bird baths
- Planters or containers with plants or flowers
- Electric heaters, such as fireplaces – mounted or otherwise
- Wind socks, wind chimes, decorative flags
- Signs (except security signs)
- Wall plaques or decorations
- Basketball backboards and nets
- Laundry poles/clotheslines
- Decorative lights of a permanent nature

G. Holiday Decorations

Holiday lights and decorations are permitted to be placed in the Limited Common Areas, and/or building exteriors provided the decorations do not damage Limited Common Areas, building, or siding (no holes in exterior surfaces). Unit owners must be mindful of the length of time that these decorations are displayed. The Board of Directors reserves the right to request immediate removal should the display time become excessive.

H. The American Flag

The American Flag may be flown or displayed at any time following normal flag protocol. For safety and liability reasons, the flag and staff may not extend past the railing of any deck.

I. Satellite Dishes and Antennas

No antennas, satellite dishes, or other similar devices shall be erected by a Unit Owner on any Common Area or Limited Common Area.

VI. SANITATION

A. Trash Rooms

Trash for the residential owners of the condominium is collected in two common area trash rooms. Access to these rooms is via locked doors. Regular trash is collected weekly and recyclable items are picked up every other week. Trash rooms will be inspected periodically to ensure compliance with the following requirements, since this impacts the Association's contract and cost for trash pick-up services. All owners, renters, and visitors are required to follow the posted trash rules. They are also required to:

1. Safeguard the combination of the trash room doors to prevent unauthorized use.
2. Use for 339 Ocean Boulevard garbage/trash only – no outside trash is permitted.
3. Place all garbage/trash in bags – do not throw loose trash into bins – tote lids must close completely.

4. Break down large recyclable items, such as cardboard boxes, and place in the containers provided – tote lids must close completely.
5. Never dispose of hazardous materials, medical waste, furniture, large household items, any item that does not fit into a tote with the cover completely closed, etc.

B. Grease in Drains

Unit owners and renters must ensure that they do not place grease down drains of any sinks. Sealed grease cans must be used and properly disposed of. Annual inspections are conducted of the condominium's catch basins, drain manholes, roof drains, etc.

VII. SALES, RENTING, LEASING

A. Sales

Sales of any condominium unit must be in compliance with the requirements specifically stated in Section VII (SALE OF UNITS) and Section VIII (RESALE BY PURCHASER (RSA 356-B:58) of Appendix A (BY-LAWS OF 339 OCEAN BOULEVARD CONDOMINIUM) of the Declaration.

B. Renting and Leasing

Renting and Leasing of any condominium unit must be in compliance with Section VI (RENTAL OF UNITS), as amended, of Appendix A (BY-LAWS OF 339 OCEAN BOULEVARD CONDOMINIUM) of the Declaration. In addition, the following rules apply as clarification and/or augmentation to Section VI of the By-Laws:

1. Unit owners who are renting or leasing must comply with local and NH state regulations and laws and provide such documentation as is necessary to address the requirements of the master insurer.
2. Unit owners who rent or lease are also required to complete the necessary 339 Ocean Boulevard Condominium forms found on the property manager's website. These include the Intent to Rent Form, and the Acknowledgement form. They must be submitted to the property manager prior to the first renter occupying the unit. These forms must be kept updated and on file with the property manager.
3. Units must be rented or leased for a minimum of weekly during the period May 1 through September 30, and a minimum of monthly for the remainder of the year.
4. Unit owners will be responsible for their renters or any of their guests found to be in violation of any of the 339 Rules and Regulations. Fines for noncompliance will be issued to the owner of the unit.
5. Other specific rules pertaining to those renting or leasing are included in Sections VIII (Pets) and IX (Parking) that follow.

VIII. PETS

A. General

No animals, livestock, or poultry of any kind shall be raised, bred, or kept in any unit or in any of the Common Areas or Limited Common Areas without the express written permission of the Board of Directors (Permission will only be given per Section VIII, B below).

B. Owners

One pet per unit shall be allowed only with prior written permission of the Board of Directors and such permission may be withdrawn should the pet become a nuisance to other owners. The Association's pet policy is located on the property manager's website. In general, no animal other than a small domestic dog or cat will be approved. In order for an approved pet to be in the Common or Limited Common Areas, a responsible individual must be present and in control of the pet at all times. Owners desiring permission to have a pet must complete a pet registration form, and this form must be approved by the Board of Directors. In addition to typical consequences of violations, failure to comply with pet rules and regulations could result in immediate removal of the animal from the premises

C. Visitors

If an owner has a visitor with a pet, that pet must go through the same registration procedure prior to being on the 339 Ocean Boulevard premises. Owners will be responsible to ensure that the Association pet policy is understood and followed by their visitors.

D. Renters

Renters and their visitors are not allowed to have pets on the premises.

E. Animal Supervision, Control, and Confinement

Approved animals shall be supervised by a responsible individual at all times when outdoors. Such individuals shall be responsible for the immediate cleanup of all pet litter. Animals outdoors shall be maintained on a leash not more than eight (8) feet in length. No pet shall be tethered outside in the Common and Limited Common Areas, nor shall any pet be tied to any part of the building, a parked vehicle, a pole, etc.

F. Accommodation Requests

The Board will review and approve any appropriately supported application for a service dog in accordance with federal law.

G. Fines

In addition to standard fines for violations of rules, if pets become a nuisance, they may be removed from the premises

IX. PARKING

A. General

1. Each residential unit has been assigned two (2) spaces for parking. Some spaces, located in the covered garage, otherwise known as the "tunnel", have lifts installed. A

space with a lift provides two parking spaces. All remaining approved parking spaces are numbered and lined. All parking spaces including car lifts are Limited Common Areas.

2. The surface of the parking Common and Limited Common Areas is paved with an eco-paving product that requires special care. Using or placing chemicals, oil, or other similar hazardous materials on any paved surface is prohibited. If any surfaces are intentionally or accidentally exposed to these materials, they must be cleaned or repaired immediately at the offending owner's expense.

3. Boats, trailers of any kind, trucks larger than ¾ ton, and/or motor homes are prohibited from parking in the Common or Limited Common Areas of the condominium at all times.

4. Parking by commercial unit owners, employees, or customers anywhere on the 339 property is prohibited.

5. No vehicle can be placed/stored in a parking space for an extended period without the unit owner being readily available to move the parked vehicle when required, unless the owner has made the necessary arrangements to have the vehicle moved during their absence.

6. Space #49 is a shared space for use by all residential unit owner vehicles if needed, for short term loading/unloading. It is also available for visitors of owners for a period of up to 12 hours maximum. It is not to be used by renters or their visitors, commercial unit owners, employees, or customers. Any vehicle parked in space #49 must have the unit owner's visitor placard displayed properly on the drivers' side dashboard, in clear view. Vehicles not having a placard displayed are subject to fines and/or towing without prior notification, at vehicle owner expense. Unit owners who intentionally park their vehicles in space #49 to "reserve" it for an expected visitor are violating the intent of this rule. Only a member of the Board of Directors or the property manager are authorized to initiate towing action against a vehicle improperly parked in Space #49.

7. There are two handicap parking spaces in the parking area. These spaces are not for use by unit owners, renters and their visitors, commercial unit owners, employees, or customers. They may only be used by visitors of residential owners. Any vehicle parked in the handicap spaces must have authorized handicap license plates or a handicap placard clearly displayed. Additionally, these vehicles must have the 339 unit owner's visitor placard displayed properly, in clear view. Only a member of the Board of Directors or the property manager are authorized to initiate towing action against a vehicle improperly parked in handicap spaces.

B. Owner Parking Spaces

1. Unit owners control their assigned parking spaces. They may let other unit owners or renters use their spaces when they are not in use. Unit owners may not separately rent their spaces to outsiders. Unit owners are expected to have contractors, repair persons, personal cleaning personnel, and others providing service to the unit owner park in their units assigned spaces. Space #49 can be used for these service vehicles if the owner's spaces are occupied. Unit owners may have any unauthorized vehicle parked in their assigned parking spaces towed

immediately without notifying the offender. All towing related expenses are charged to the vehicle owner.

C. Exceptions

1. In order to accommodate effective and efficient snow clearing, parking assignments are partially suspended during winter months. The Property Manager will send notifications to owners notifying them of the start date of this parking assignment suspension (based on impending snow storms). Another notification will be sent in the spring reminding unit owners to resume parking according to their unit's assignment. Tunnel parking assignments and rules are unchanged. The rules for space #49, and the handicapped spaces will apply throughout the year. However, outdoor parking will become flexible in order to facilitate thorough snow clearing, and minimize the high cost of trucking snow from the property. Renters should be provided this information by their unit owner, or by the rental agent representing the owner. In most situations this guidance may be reinforced via e-mail communication to unit owners provided by the property manager in their efforts to coordinate snow plowing activities. In addition to the typical fines for violating the rules and regulations, failure to follow winter snow parking instructions may result in towing, at vehicle owners expense.

2. Vehicles cannot be stored or left in the parking lot during the winter months unless owners are present, or they have made arrangements to move the vehicles during snow and other emergencies.

X. MOVING IN / MOVING OUT POLICY

A. General

Unit owners permanently moving in or out of units at 339 Ocean Blvd Condominium must comply with the Association's moving policy. Fines up to \$250 may be levied for violations of this policy at the discretion of the Board of Directors.

B. Unit Owner Requirements.

Unit owners desiring to move in or out of the condominium must contact the Association property manager seven (7) business days in advance of the desired move date to ensure installation of elevator pads, and approval of the desired date. In addition the following must be provided:

1. A copy of the moving company's insurance certificate for Association records.
2. Assurance that the vehicle being used for the move will fit under the tunnel doorway. Alternatively, if the vehicle is too big to go under the building, a plan for parking/loading/unloading must be presented.
3. A non-refundable moving fee of \$100.
4. A refundable security deposit of \$300.

C. Damages

Any and all damages to the building or Common Areas incurred due to any move in or out of the condominium will be assessed against the unit, first to the security deposit with any remaining charges billed to the unit owner's account, for immediate payment.

D. Move In / Move Out Times

Moves are allowed only between the hours of 8 AM and 5 PM. Only one move at a time is permitted.

XI. WINTER HEAT CONTROL

A. General

All residential units have primary and secondary heating units installed. The primary heat in winter is provided in each unit by the unit's roof mounted Panasonic heat pump and distributed in each unit by three remotely controlled Panasonic wall mounted units. Secondary, or back-up, heat in each unit is provided by StelPro electric units. Temperature sensors have been installed in all units to remotely monitor inside temperatures in order to preclude freezing during periods of extreme cold. When a sensor alarms, provisions must be in place to ensure that the alarming sensor will be checked for possible problems, and the unit itself will be examined to ensure adequate temperatures are being maintained.

B. Requirements

1. During cold weather months unit owners must ensure that all heating units are operational. The Panasonic heat in unoccupied units must be turned on, all three wall units must be set on "heat," and each must be set to a minimum temperature of 60 degrees.

2. Back-up StelPro heaters must be turned on, and each square wall mounted thermostat must be set at a minimum of 55 degrees. If the Panasonic heat pumps fail to maintain heat at 60 degrees due to cold, the StelPro units will kick in at 55 degrees and maintain temperatures above freezing inside the unit.

3. All unit owners must provide the property manager contact information for one or more designees to enter their unit in the event of a low temperature alert. If the owner elects to designate the property manager, the property manager will directly bill the unit owner for their services. It is imperative that any low temperature alarm in any unit be checked promptly. The designees must be able to be contacted immediately and be available to come to the property promptly.

4. In addition to standard fines, owners who fail to comply with the requirements set forth above may be negligent in the event of building damage.

XII. NUISANCES, DISTURBANCES, SOLICITATION

A. Nuisances

Breaking of any rules is a nuisance. Warnings may be given before the Board of Directors takes action to correct any violations or impose fines. However, there are violations where immediate action will be taken without prior notification. (See section II. Enforcement)

B. Noise Disturbances

A Unit Owner, visitor, or renter shall not conduct activities within a unit, or use a unit in a manner that interferes with or causes disruption to the use and quiet enjoyment of another unit. Furthermore, noxious, destructive or offensive activity shall not be carried on within any portion of the condominium. No owner or occupant of a unit may use or allow the use of the unit or any portion of the condominium at any time, in any way, or for any purpose which may endanger the health, unreasonably annoy, disturb, embarrass, or cause discomfort to other owners or occupants, or which may, in the sole opinion of the Board of Directors, create a nuisance. In addition, no owner or occupant of a unit may use or allow the use of a unit or the common areas in any manner which creates disturbing noises, that in the sole discretion of the Board of Directors interferes with the rights, comfort, or convenience of the other owners or occupants.

C. Solicitation and Garage Sales

Solicitation is not authorized within the residential portion of the condominium complex. Garage sales, yard sales, flea markets, or similar undertakings are prohibited.

XIII. COMMERCIAL UNITS

A. General

1. The Declaration specifies the scope of primary businesses of the commercial units, and procedures/processes for making changes to these currently approved businesses. Additionally, prohibitions for certain types of businesses are specified in the Declaration.

2. Commercial Unit Owners with problems and/or concerns should first direct these issues to the Board of Directors Commercial Unit Representative for resolution.

3. Nothing shall be done or kept in any commercial unit, or in the condominium Common or Limited Common areas that will cause an increase in rates, or cancellation of the master insurance policy.

4. Unit Owners must provide initial contact information to the condominium property manager, and update this information whenever changes occur.

5. Unit Owners are required to coordinate the dates/times they plan to open/close stores at the beginning of each season, and must provide access information to the condominium property manager

6. Smoking is not permitted in any commercial unit or in the adjacent Common and Limited Common areas.

7. All Common and Limited Common Areas adjacent to Commercial Units must be kept free and clear at all times of all debris and personal property.

B. Business Operations

1. Commercial Unit Owners are responsible for the actions of their employees and customers. Unit Owners must ensure that no loud, or offensive activities take place which may become a nuisance or annoyance to other condominium unit owners.

2. The hours of operation of businesses shall be regulated by the Hampton Town Zoning and other ordinances and land use regulations.

3. Mail boxes for Commercial Units are not provided in the building lobby, or in outside unit entrances.

4. No food, packages, delivery trays, and/or supplies are allowed to be left outside the condominium entrance doors (front or rear), or delivered to the building's inside lobby. Trucks or any vehicles making deliveries or stopping in front of the condominium building must not obstruct the ability of any vehicle trying to exit the tunnel. Vehicle engines must be turned off while vehicles are parked.

5. Clothing or merchandise racks may not be placed outside of the Commercial Unit storefronts.

C. Trash

Unit Owners are responsible for all trash in their units and in the Common and Limited Common areas adjacent to their units. Waste will not be permitted in these Common or Limited Common Areas. Trash cans may be placed at curb-side on days of trash and recyclables pick-up. These containers must be kept clean and put away promptly after pickups have been made

D. Signs

Signs placed in Commercial Unit storefronts and windows must be approved by the Board of Directors in advance of purchase or installation. Unapproved signs shall be removed. Cost of purchasing, installing, and/or removal shall be borne by the Unit Owner.

E. Furniture

Unit Owners desiring to use the exterior Common or Limited Common Areas in front of their units to place furniture, such as tables, chairs, umbrellas, etc. shall, prior to purchasing furniture and using the space, submit a layout and design plan. This plan must note the size and location of furniture and displays. The plan must be approved by the Board of Directors. Plans will be approved in writing to use such space (with provisions). Furniture and other items included in the plan must be kept in new or like-new, well maintained condition at all

times. Costs of purchasing and maintaining the approved items shall be borne by the Unit Owner. Failure to comply with the terms and conditions of the written approval may result in revocation of the approval, and subsequent removal of the furniture and other items at the Unit Owner expense. It may also subject the Unit Owner to fines, penalties, attorney's fees and costs, additional condominium fee assessments, and other available remedies as shall be provided for in the Declaration.

F. Cleaning and Snow Removal

1. Commercial Unit Owners are responsible for the maintenance and cleaning of the windows and doors of their units.

2. Commercial Unit Owners are responsible to clean both the front and back areas of their Common and Limited Common Areas on a regular basis. Owners who fail to maintain standards of cleanliness of the Common and Limited Common Areas may be cited, and will be subject to fines, or other remedies available to the Board of Directors.

3. Commercial Unit Owners are responsible for snow removal of the walkways in front of their units. The sidewalk is defined in the Declaration as the respective paved area to the east of each unit as shown in the site plan. If a Unit is open for business during the snow season, that Unit's owner shall be responsible to promptly remove snow from the front of the Unit out to the roadway and to promptly treat all outdoor areas used by the public with ice melt in an effort to minimize any hazards.

G. Parking

Commercial Units do not have parking spaces in the condominium Common or Limited Common Areas. Thus, Commercial Unit Owners, their employees, and customers are not authorized to park in any area of the 339 property. This includes any of the residential condominium parking areas, handicap spaces or on areas close to the building not traditionally considered a parking space (unlined). Each Commercial Unit Owner shall take all reasonable steps to ensure that their employees and customers do not use the parking spaces provided for the residential unit owners. Any vehicle parked in an owner's assigned spaces, handicap spaces or space #49 without authorization, will be towed at the vehicle owner's expense.

XV. CONFLICTS OR AMENDMENTS

The Declaration of Condominium shall control in the event of any conflicts between this document and the Declaration. These rules and regulations may be subject to change at the discretion of, and by a majority vote of the Board of Directors.