

Waterville Estates Association Rules, Regulations

I. Introduction

1. The following Rules and Regulations have been adopted by the Board of Directors of Waterville Estates Association in accordance with the Restrictions, Easements and Covenants (RECs) and By-laws to promote the safety and welfare of residents, maintain an acceptable quality of life, and preserve and enhance property values. The RECs shall always supersede the Rules and Regulations in the case of doubt.
2. The Rules and Regulations do not replace the By-laws and/or the RECs, which the Board of Directors uses as its primary governing document. Both documents are in force. In case of conflict between the wording of these documents, the RECs will prevail.
3. The Rules and Regulations shall apply to all property owners, their residents, family members, tenants, occupants, agents, visitors, employees and guests; and they shall be enforced by the Board of Directors in accordance with applicable RECs and By-laws.
4. In establishing and maintaining the Rules and Regulations, the Board shall make every effort to ensure that they do not affect the property owner's right to the enjoyment of reasonable and unrestricted use of their property or privileges of ownership.
5. The Rules and Regulations may be modified, repealed or amended at any time by a resolution of the Board of Directors when deemed necessary in the best interest of property owners/residents and the community.

II. General Rules and Regulations

These are the general rules and regulations of the Association. Exceptions to these rules

may be granted only by written notice from the Board.

1. Any damage to common property, buildings, grounds, or other common areas or to equipment by any owner, tenant guest, family member or pet shall be repaired at the expense of the property owner. This charge may be assessed in addition to a fine.
2. Property owners are fully responsible for the actions of their tenants, family members, guests and pets, and shall be held accountable for any damage done to the property.
3. Unlawful and disturbing noises/practices: No property owner shall make or permit any unreasonable noise and behavior that will disturb or annoy other residents, or permit anything to be done that will interfere with the rights, comfort and convenience of other residents. No heavy equipment, chainsaws or other power equipment may be used before 8am or after 6pm on Saturdays/Sundays and/or Holidays. **In no case shall power equipment be used before 7:30am or after 8pm on other days.**
4. Trash and garbage shall be placed in sealed plastic bags. Trash cans shall be kept out of view. It is the responsibility of each owner to either remove his or her own trash, or arrange for such removal. The dumpster at the Community Center is not to be used by any resident for trash disposal. Use of the Community Center's dumpster is considered theft of service and violators will be prosecuted.
5. Defacing of property: Signs, notices, advertisements, or any alteration of exterior surfaces shall not be placed, inscribed, or exposed on any window, door, or other exterior parts of a dwelling, or anywhere on an owner's property or on the common areas. Specifically excluded from this regulation are seasonal decorations in accordance with the RECs, or as approved in writing by the Board. Such decorations must be displayed only during the time frame of the specific holiday and must be removed in a timely fashion following the holiday.
6. Rental property: All property owners who rent to a tenant shall: (1) provide the tenant with a copy of the By-laws, Rules and Regulations, and a copy of the RECs, (2) include in the lease agreement a provision that the tenant has been given said copies, has read and understood them, and agrees to abide by these documents. The renter must sign a form acknowledging the receipt of these materials and this form is to be kept on file by the owner and/or the rental agency.

7. Vandalism: Property owners and their families, tenants, and guests shall not deface, remove, or destroy, or permit the defacing, removing or destruction of any element of the common areas.

III. Conduct

1. Residential use: All living units shall be used for residential purposes exclusively.
2. No noxious or offensive trade or activity shall be carried on within any living site, nor shall anything be done therein or thereon which may be or become an annoyance to the neighborhood or other owners.

IV. Animals and Pets

1. The maintenance, keeping, boarding and/or raising of animals, livestock or poultry of any kind, regardless of number, shall be and is hereby prohibited within any living site or on Common areas, except that this shall not prohibit the keeping of dogs, cats, and/or caged birds as domestic pets, provided they are not maintained, kept or bred for commercial purposes and provided further that the keeping of dogs, cats and/or caged birds will not constitute such type of noxious or offensive activity as covered in Part III, item 2.
2. All pets shall be kept leashed or under the control of their owner whenever they are outside the owner's property, and shall not be allowed to run free or unleashed at any time, or to otherwise interfere with the rights, comfort or convenience of other residents.
3. Owners are responsible for all damages caused by their pets to common areas and to the property of others.
4. Dogs walked on the community center's property must be picked up after.

V. Motor Vehicle Operation

1. Except as herein provided, no junk vehicle or other vehicle on which current

registration plates are not displayed, no trailer, truck, camper, house trailer, or boat may be stored on any property. It is permitted during the winter months to keep a snowmobile trailer on the property or during the summer months to keep a boat trailer on the property provided that this item is being used on a regular basis. The aforementioned trailers must be removed immediately at the end of their respective seasons. Additionally the use of snowmobiles and/or ATVs on our roads is against New Hampshire Law and is never permitted.

VI. Parking policy

1. Parking over night on the Association's roads during the winter months is strictly prohibited; doing so will result in the local police being called and the owner of such vehicles being issued a summons and/or the vehicle being towed.

VII. Architectural Maintenance/Control

1. The architectural covenant imposes a legal requirement on the Association to approve or disapprove construction of new structures, exterior additions or alterations to the original design of the Living Site , and all subsequent alterations thereto BEFORE they are started by the property owner. The Board of Directors has delegated to the Building Committee the task of reviewing applications and making recommendations to the Board for the approval or disapproval. No structural alteration (construction, addition or removal) of any living site shall be commenced or conducted except in strict accordance with the provisions of the RECs and under the supervision and approval of the Building Committee

2. All changes proposed by the owner to the exterior of his/her living site shall be submitted in writing to the Building Committee in accordance with Building Committee rules (available at the front desk or on the Association's web page. All requests shall include a written description and a diagram of the proposed changes, and must be signed by the property owner. Once written approval has been received from the Committee and changes have been made, the owner must contact the Committee so that a final inspection may be made and signed off by the Committee. The time frame for completion of such projects is nine (9) months from date of approval.

3. Decisions made by the Building Committee may be appealed to the Board of Directors.

4. Approval of any project does not preclude subsequent adoption of more restrictive or more liberal standards where deemed necessary to maintain or improve overall architectural standards and harmony. No amendment shall affect any project approved prior to adoption of such amendment.
5. Any project or exterior modification that was completed prior to the issuance of these regulations which would normally require Board approval prior to initiation shall not be construed as setting a precedent, and will require Building committee approval before any major repairs, changes, and/or additions are made to said project or modification.
6. Any project, exterior modification, or other act in violation of these standards is subject to a citation by the Board and may require corrective action to bring the violation into immediate or future compliance with these standards.

VIII. Enforcement/Penalties

1. A system of penalties has been established to ensure compliance with the Rules and Regulations of the Association. The Board believes that the enforcement procedure will result in greater community awareness of reasonable conduct that all property owners have the right to expect from each other. If the violator is not an owner, the owner will be provided with copies of all correspondence pertaining to the violation and any ensuing penalties and hearings. The property owner is ultimately responsible for all fines and the removal of all violations.

2. Fines may be imposed for violation of any of the above rules, according to the following schedule:

1st violation, after written warning	- \$25.00 per day
Repeated violation	- \$50.00 per day

Unapproved tree cutting may result in fines up to \$2500 per tree taken down.

Failure to correct violations may result in additional fines being placed by the Board of Directors

3. The Board of Directors may not impose any fine or infringe upon any rights of a property owner for violations of the rules until the following procedures have been

complied with.

A. If a violation of the rules is alleged in a written complaint to the Board, and investigation by the Board determines that the violation exists, the Board will notify the alleged violator in writing to cease and desist from the violation. This notification will include: (a) the nature of the alleged violation; (b) the action required to remove the violation, and (c) notification of a grace period of ten (10) days, within which the violation may be removed without penalty. Should the violation continue beyond the grace period, a fine will be imposed.

B. The violator may request a hearing within ten (10) days after imposition of the fine. The request must be made in writing and be addressed to the Board of Directors. The hearing shall be held in executive session (that is, a closed session) of the Board, and will afford the violator a reasonable opportunity to be heard. The violator may present his/her case to the Board, and the Board will decide, based on the available information regarding the alleged violation, whether or not any fines and/or penalties should be lifted.

C. If a violation is repeated within twelve (12) months of the first notice, a fine will be imposed without a grace period.

D. If any property owner fails to comply with the Rules and Regulations or By-laws, or with any decision rendered under the Rules and Regulations and By-laws, the owner may be sued for damages or injunctive relief, or both, by the Board. The prevailing party in any such proceeding may be entitled to an award for legal fees, as determined by the court. The owner may also be restricted from the use of Association facilities.

E. A fine will be applied to the property owner regardless of whether the offender is the owner, a tenant, a guest or a household member. The payment of a fine does not relieve the offender of the obligation of correcting the violation. If the Association incurs expenses to correct the violation, this expense will be applied to the owner. If the bill is not paid by the property owner, a higher fine may be imposed, as well as interest and any legal fees incurred by the Association.

F. If this fine remains unpaid, a lien may be placed against the owner in question. This means that the property cannot be sold unless the fine and all associated expenses in filing the lien are paid, and the lien has been removed. In addition, the Board of Directors may foreclose on a lien if it is deemed necessary. Other penalties for not paying the aforementioned fines and expenses may also be considered including, but

not limited to, the following:

- a. Suing the property owner for damages.
- b. Imposing criminal penalties through the proper authorities (violations of county or state laws).