

**AMENDED AND RESTATED RULES AND REGULATIONS FOR THE ESSEX AT GLEN EDEN
HOMEOWNER'S ASSOCIATION**

EFFECTIVE DATE: February 21, 2022

PURPOSE

These Rules and Regulations are hereby established under Article VII; Section 7.01 of the Amended and Restated Declaration of Condominium for the Essex at Glen Eden Condominium which identifies the Powers and Duties of the Executive Committee of the Board. The Declaration gives the Executive Committee the power to establish reasonable rules and regulations concerning the use and maintenance of the Common Elements, Limited Common Elements; and, the personal conduct of the Members, and their guests thereon, as well as Rules and Regulations concerning the use of units. In addition, Article VII, 7.01, states a rule or regulation may be terminated or amended by the Board or by the affirmative vote of a majority of the Owners of all the Units.

The Duties of the Board also include enforcing the provisions of the Declaration, Bylaws', and Rules and Regulations; therefore, such regulations shall be binding upon the Members, their families, tenants, guest invitees and agents. These Rules and Regulations are in force and effective as of February 21, 2022. Enforcement may include posing reasonable monetary fines.

These Rules and Regulations were initially drafted with the aid of members who responded and provided suggestions to foster a harmonious environment for the communal wellness of the Essex at Glen Eden Condominium.

These Rules and Regulations may be amended by the Executive Committee of the Board. Should an amendment take place, the amended copy will be disseminated with a future effective date.

THE CONDOMINIUM: PURPOSE, NOTIFICATIONS AND FEES

1) Purpose:

Units are not to be used for purposes other than a residential dwelling. Leasing is permitted on a limited basis. Units may not be rented or leased without express permission of the board: and, in accordance with Article VII, 7.03. Owners are permitted to work from home: although business activities are not permitted except as specifically presented in Article VII, 7.07.

2) Notifications:

A member **must notify** the Board of Directors, through the Community Manager, **in writing** of any of the following occurrences; the manager will direct the information to the Board of Directors.

- Within **seven business days** when a unit is **being listed**; owner must, also, submit a request for a real estate sign placement, should one be desired.
- Within **seven business days** when a unit is **going under contract for sale and purchase**; the name and contact information of the buyer (or their real estate agent). **Community manager will contact the new owner for move-in date**; and, **inform them where to park the moving van**; and, that the movers **are to place the provided, protective pad in the elevator prior to moving furniture**.
- Owner selling the unit is **to confirm in writing** that the new owner was given a copy of the **Amended and Restated Declaration of Condominium for the Essex at Glen Eden Condominium and the 2022 Rules and Regulations** prior to a contract to Purchase and Sale execution. Copies may be obtained from Elite Management for a fee.
- Within **seven business days**: the anticipated **move out date** of the current owner.

3) Move-In Fees

At closing of the initial conveyance of a unit, a **non-refundable move- in fee of \$300** is to be paid by the buyer and sent to the Community Manager of The Essex at Glen Eden Owners Association, Inc. Movers never intend to damage walls, floors, ceilings or elevators-it just happens.

4) Leased Units and Member Responsibilities

Member **must notify** the Board of Directors, through the Community Manager, **in writing** of any of the following occurrences; the manager will direct the information to the Board of Directors:

- Within **fifteen (15) business days** prior to their tenants moving in and out. The new tenant is to be informed **where to park the moving van**; and, that movers **are to place the provided, protective pad in the elevator prior to moving furniture**.
- Confirmation that these Rules and Regulations have been provided to the renter prior to signing a lease.
- Within **fifteen (15) business days** prior to move in date, provide a copy of the executed lease; and valid driver's license, or other legal ID, of the member's tenant.
- Within **fifteen (15) business days** prior to move in date, submit a **non-refundable move- in fee of \$300** to the Community Manager of The Essex at Glen Eden Owners Association, Inc. Movers never intend to damage walls, floors, ceilings or elevators-it just happens.

PETS

The Essex at Glen Eden Condominium is located within the city limits of the City of Raleigh and, therefore, members who own pets **must** comply with all Raleigh and Wake County ordinances pertaining to pets. For the **health, safety, welfare, comfort and convenience of all residents**, the following rules shall be observed:

- 1) Homeowners are permitted a maximum of two animals, (cats, dogs, or one of each) of reasonable size; or other recognized domestic household pets without permission of the Board of Directors.
- 2) No exotic animals (i.e., snakes, ferrets, spiders, etc.) or traditional livestock of any size will be allowed. No savage or dangerous pet can be kept within any unit or common area. Refer to Article VII Use Restrictions 7.09.
- 3) All pets shall be kept on a leash while in any common area or limited common area, and may not approach other owners without their consent. The City of Raleigh, also, has an ordinance regarding animal restraint.
- 4) No animal may be leashed to any stationary object while in a common area.
- 5) Any member owning or person in charge of an animal shall remove the feces deposited by such animal from the common or limited common areas. Should a pet defecate, urinate or vomit inside the building on Common Elements, the member responsible for the pet must advise the Community Manager immediately. Any cost to clean soiled carpet, etc. shall be charged to the owner.
- 6) Pets should be encouraged to use the areas away from the front of the building.
- 7) Members are responsible for any property damage, injury, and disturbances caused by their pets.
- 8) No pet shall be permitted to bark, howl, or make other loud noises for such a reasonable time to disturb the rest of the owners. Various anti-bark products, professional trainers and other resources are available for hire or sale in Raleigh. Should this be a problem, please discuss this with your veterinarian.
- 9) Any pet acting aggressively such as defensive barking, bearing of teeth or growling shall be muzzled while in any common area.
- 10) Pets shall be properly groomed, cleaned, and have all appropriate vaccinations. City of Raleigh permits/tags are mandatory.

PERSONAL CONDUCT AND CONSIDERATIONS OF OTHERS

- 1) Condominium property shall not be used for any illegal activity.
- 2) All governmental regulations shall be observed and obeyed at all times.
- 3) Smoking is not permitted in any part of the condominium. This includes inside the units, common elements, limited common elements, or any part of the property.
- 4) No owner may operate, or allow to be operated, any radio, television, or other loud speaker between 10:00PM and 7:00AM at a volume that can be heard by occupants in other units.
- 5) No owner shall play or practice, or allow to be played or practiced, any musical instruments between 10:00PM and 7:00AM at a volume that can be heard by occupants in other units.
- 6) No construction or repair work that can be heard, at any level, by occupants of other units, shall be conducted except on week days between 8:00AM and 5:00PM unless such construction or repair work is necessitated by an emergency.
- 7) Not less than seventy-five percent (75%) of the floor area of the second and third floor units (excluding kitchens, pantries, bathrooms, foyers, and laundry or utility rooms) must be covered with rugs and /or carpeting.
- 8) Members are responsible for the conduct of minor children.
- 9) Climbing in trees, playing in shrubbery or flower beds are forbidden.
- 10) Verbal and non-verbal harassment, intimidation and solicitation of other members or their guests or invitees which is sufficiently severe, pervasive, or persistent to create an objectively disharmonious environment is forbidden.
- 11) The parking lot between the condos and townhouses is owned by The Townes and must not be used by residents or guests of The Essex. Offending vehicles may be towed.

COMMON AREAS AND LIMITED COMMON AREAS

- 1) Landscaping of common elements or limited common areas is not permitted without prior written authorization from the Board of Directors.
- 2) Any damage, defacing, modifications, meddling, or usage other than its original intended use of any and all common or limited common elements or property is forbidden.
- 3) Any damage, defacing, modification, movement, tinkering or meddling with property owned by another party or person other than that of the member is forbidden.
- 4) Accessing common areas/limited common area equipment rooms; and trash room are forbidden.
- 5) Storing of personal property in common area or limited common area storage rooms is forbidden.
- 6) Accessing of the building's electrical panels is forbidden.
- 7) **With the exception of emergency fire alarms;** activations, deactivations, or adjustment of any common elements/limited common element's building system is forbidden.
- 8) Sunbathing is not permitted in the common areas/limited common areas.
- 9) Working, repairing, or mechanical servicing of vehicles in the parking lots is not allowed. Vehicles leaking oil or other unsightly or hazardous fluids must be removed promptly from the property and unit owner will be assessed the cost of returning the pavement or damaged area to its original condition if damage is incurred.
- 10) Vehicles not considered road worthy (inoperable, flat tires, etc.) are not to be parked anywhere on the property. Unlicensed vehicles (but road worthy) may only be parked in the allocated exclusive limited common elements assigned to a member's unit.
- 11) Storage/parking of jet skis, trailers, boats, motorhomes, and recreational vehicles is prohibited, except on limited common elements allocated for a member's unit and only with prior permission from the Board of Directors.
- 12) Parking is restricted to passenger automobiles, SUVs, motorcycles, vans, and pick-up trucks (standard 2-ton or less) in an area no greater than one parking spot.
- 13) Each homeowner is allowed a maximum of two vehicles per unit on a permanent basis. Approval from the Board of Directors must be granted in writing for 3 or more vehicles (maximum of 30 days).
- 14) Parking on a limited common element not specifically allocated to a member's unit is not permitted without the permission of that owner.
- 15) Yard sales are not permitted without written approval from the Board of Directors.
- 16) No signs or statements of any kind may be displayed, inscribed, or exposed to public view from any window and/or veranda or on/in any common area or limited common areas. This includes, but is not limited to, signs related to real estate (i.e., open house, for rent and/or for sale), political endorsements, political ideologies, religious endorsements, or solicitations. Only advisory notices or encasements which are harmonious and nondescript in nature may be posted with written permission of the Board of Directors. An example of such notice would be an SPCA notice of animal on premise, oxygen use, Handicapped/ Hearing Impaired Person.
- 17) Personal property is not to be left **at any time** in or on common areas or limited common areas.
- 18) Lockbox for sale of units is to be placed on the inside handle of the outside door that does not open in the entrance lobby. Written approval of the Board of Directions is required to place the lockbox in another area for a specific period of time.
- 19) Keyless locks installed to replace unit entrance keys must be the same color and style of the handles and unit numbers.
- 20) Littering, including but not limited to cigarette/cigar butts, paper, plastic or food is forbidden.
- 21) No individual shall cause any chewing tobacco or dipping tobacco or similar product to be spit, expelled, or otherwise deposited onto any common element, including limited common elements.

VERANDAS

In order to maintain the integrity and uniformity of the building's structure and exterior appearance, the Board of Directors have established the following Rules and Regulations;

- 1) Verandas are considered limited Common Elements and are a prominent part of the condominiums and, therefore, need to be aesthetically appealing. Well-maintained deck or veranda furniture and plants are appropriate. The cleanliness and orderliness of the verandas shall be the responsibility of the individual unit owners.
- 2) No alterations or additional structural components-such as painting or penetration or tampering of walls-are to be done without prior approval of the Board of directors.
- 3) Phantom screens are the only screens for veranda doors that are approved by the Board of Directors.
- 4) Only outdoor deck or veranda furniture is allowed. Indoor furniture is not permitted.
- 5) No rugs, clothing, towels, or other household linens shall be draped over any open veranda or patio.
- 6) Verandas are not be used as storage areas.
- 7) Personal belongings/items shall not be stored or extended onto the adjacent Common Elements.
- 8) The throwing of plants, trees, trash, liquids, objects, or debris of any kind from a veranda is prohibited.
- 9) Radios and stereos are to be used at a reasonable volume so as not to disturb the peaceful enjoyment of the Condominium by others.
- 10) No colored lights may be placed in the exterior light fixtures.
- 11) Holiday decorations or religious symbols are permitted in the common elements and limited common elements for the specific, celebration timeline.
- 12) No contractors are allowed to use the verandas without written permission of the Board of Directors.

FIRE AND OTHER SAFETY ISSUES

- 1) Individual smoke detectors within a unit should be maintained and tested per the manufacturer's recommendation and batteries replaced at least every six months.
- 2) Carbon monoxide monitors should be placed in each bedroom area, maintained, tested and replaced per the manufacturer's recommendation.
- 3) Cooking with an OPEN FLAME APPLIANCE fueled by charcoal, wood, propane gas, etc. on verandas is STRICTLY PROHIBITED.
- 4) It's the unit owner's responsibility to ensure that all systems in their unit (not limited to mechanical, electrical, and plumbing) are maintained and serviced.
- 5) Flammable, toxic, combustible, or corrosive materials are not allowed to be left in any storage area.
- 6) Garage storage units are not climatized, controlled space. Please take this into account when choosing how to store your personal property. .
- 7) The garage storage unit's door must be kept closed at all times.
- 8) No servicing to a unit's electrical wiring or plumbing shall be done except by a licensed electrician or plumber.

TRASH AND RECYCLING

1. Use of the trash chute requires the proper disposal bags; they must be firmly closed. All trash bags and garbage are to be disposed of in household garbage bags of excellent quality, reenforced flexible bags and should always be firmly tied. Use of cellophane, paper, or thin plastic bags distributed by retail stores are forbidden. Any costs associated with the sanitizing, disinfecting, or replacing of the chute, chute rooms, flooring, garbage bins, or compacter due to non-compliance will be borne by the violating member.
2. No liquids or toxic substance or industrial garbage may be disposed of in the chute. Only household garbage is permitted.
3. All cardboard boxes must be broken down, measure no larger than 36"x 36", placed in or beside the proper recycling containers in the garage and not disposed of in the garbage chute. The recycling containers are also appropriate for paper disposal (newspapers, junk mail, magazines, paper bags,) plastic, and glass bottles. NO STYROFOAM, PRINTER CARTRIDGES, PLASTIC BAGS, RAGS OR PAINT CANS.
4. No trash or recycling shall be placed outside a unit in the common areas, or verandas at any time.
5. Unwanted items are **NOT** to be placed in the trash room. Owners are responsible for taking these items to a recycling center or landfill.
6. No garbage shall be left in a unit for a time long enough to create a foul or offensive odor.
7. The garbage chute should not be used between 10PM and 7AM.

OTHER

1. Doors between a unit and common area within a building shall be shut at all times unless being used for ingress and egress.
2. Proper, effective weather stripping shall be maintained on unit doors to ensure noise and odors are minimized in the common areas.
3. Access to the roof is available to individuals authorized by the owner requesting service. For access to the roof, the owner is to obtain the key from the hook on the left wall of the third-floor closet. The owner must have the contractor sign in: when finished, lock the door, and return the key to the owner. It is the owner's responsibility to verify that the roof door is locked and to return the key to the third-floor closet.
4. Owners are to provide a key to their unit and give the name of an emergency contact to the President of the Board. Note- A key, rather than a code, is required should the battery to the keyless lock not be functioning. In case of an emergency situation, the key and emergency call list will be in a locked box, accessible only by board members. In case no board members are available call the community manager. Should any owner change the key to their unit, they must provide a new key to the President.
5. New owners are to provide a phone number to the property management company to set up guest access from the security call in the lobby. Visitors and service persons can use the access panel to scroll through the directory to the owner's name and press dial, calling the owner. When the call is answered, the owner should press 9 to admit the visitor. Should an owner wish to change the telephone number used, he/she must call the community manager to change.
6. New owners should provide a 4-digit security code to the property management company for personal access to the building. Please share the code only with trusted individuals for the safety of all association members.

COMMITTEES AND GUIDELINES

Homeowners are encouraged to volunteer to serve on the committees appointed by the Board of Directors to assist the Board of Directors in addressing community issues, tasks and activities. The committees include the Audit, and Nominating Committees. The committee's primary functions are to gather information, assess data, identify problems, determine plan of action, execute actions or recommend solutions to the Board of Directors for approval.

Actions taken are to include an evaluation. **All committee reports, and recommendations** to the Board of Directors **must be in writing** and are **subject to budgetary constraints**. Additional committees will be appointed as needed.

Any owner considering/interested in serving on the board in the future, is encouraged to become active on one of the committees.

PROTOCOLS AND FINES

1. Fines may be imposed as allowed by the State of North Carolina, the Declaration and By-Laws of the Association.
2. The Board of Directors (Executive Board) will exercise professionalism, consideration, and act with reason and fairness in levying fines.
3. **Written notification of an** infraction or violation **must be delivered** to the member **in writing**.
4. **Fines will not be levied for first time violations**. The owner has **thirty days to correct** the infraction or violation **before additional actions occur**.

AMENDED AND RESTATED RULES AND REGULATIONS

Effective February 21, 2022

By authority of its Board of Directors of The Essex at Glen Eden's Owner's Association Inc., the undersigned officers hereby declare that this document is effective as of February 21, 2022.

**THE ESSEX AT GLEN EDEN
OWNERS ASSOCIATION, INC.**

BY: _____

President

Secretary

Treasurer

DATE: _____