

# SANDS OF ELK RAPIDS

## RULES AND REGULATIONS

Reference: MD=Master Deed

CBL=Amended and Restated Condominium Bylaws

ABL=Association Bylaws

PR=President's Report

Board Approved Update 12/2012

**IN ADDITION** to the restrictions and other provisions of the above referenced documents, Article 8.1 of the ASSOCIATION BYLAWS allows for the adoption of rules and regulations governing the operation, use, maintenance, management and control of the common elements and the operation of the Association, and prescribe reasonable sanctions, penalties and fines for violation thereof. Copies of such rules and regulations shall be furnished to each unit owner and uniformly applied and enforced. It is the responsibility of the unit owner to make these available to all their residential guests. Please ask your guests to familiarize themselves with these rules to avoid yourselves and the management any embarrassment. COMPLAINTS should be directed to the Condominium MANAGER in writing. The Board of Directors has assigned the responsibility for the enforcement of rules and regulations to the Manager. Complaints should not be directed by telephone or in person to the Directors/Officers.

**1. ABSENT OWNERS:** The Association has the irrevocable right of access to each unit during reasonable hours when necessary for the maintenance, repair or replacement of any common elements or for making emergency repairs that are necessary to prevent damage to common elements or to another unit or units. Keys to your unit must be provided to Management and to the Elk Rapids Township Fire Department key box. (CBL Art. VIII [12] )

**2. ALTERATION OF CONDOMINIUM:** Unit owners are specifically cautioned that their right to make any addition, change, alteration or decoration to the exterior appearance of any portion of the Condominium or common grounds is subject to the provisions of the Condominium Bylaws. For example, no unit owner may install screen/storm doors, or apply any type of film or covering to the inside or outside of window or door glass without the prior approval of the Association. All such additions changes or alterations must be presented in writing to the Board of Directors for approval. (CBL Art. VIII [3] )

**3.**

**(a) STORM/SCREEN DOORS:** Prior to installation of a storm/screen door, the owner shall make a written request to the Board of Directors to determine the current models permitted. The request shall include a covenant to indemnify and hold harmless the Association from any and all damage and liabilities arising from the installation and use of such a door.

**(b) WINDOW TINTING: THE FOLLOWING RESOLUTION WAS ADOPTED 5/16/95:**

Window tinting film must be non-reflective and medium gray in color. (No bronze, blue, tan, green, or yellow and none with reflective (mirror) tendencies.)

**(c) WINDOW AND DOOR COVERINGS: THE FOLLOWING RESOLUTION WAS ADOPTED**

5/16/95:

Resolved that coverings and appearance of windows and doors, whether by draperies, shades or blinds, or other materials visible from the exterior of the unit, shall be white or off-white in color.

**4. BARBECUING: THE FOLLOWING RESOLUTION WAS ADOPTED 5/16/g):**

- (a) No grilling permitted in any garage or on any deck, balcony or stairwell, or any area on the bay side of the complex.
- (b) Grilling permitted only on the tarmac outside of garages. Garage doors must be closed.
- (c) Grills must be attended as coals are being prepared and during cooking.
- (d) Grills must be cool before returning grill to the garage and should not be left out beyond that time.

**5. EXTERIOR BALCONIES, BAY ROOMS AND STAIRWAYS:**

- (a) The streets, sidewalks, walkways, entrances and stairs must not be obstructed or encumbered or used for any purpose other than ingress and egress to and from the units, nor shall any carriages, toys, bicycles, wagons, shopping carts, chairs, tables or any other object of a similar type and nature be left therein or therein thereon. No airing of clothing, carpeting or laundry or hanging of clotheslines is permitted on balconies or railings.
- (b) Personal property of unit owners shall not be stored outside their units.
- (c) No bicycles, garbage cans, supplies, containers, plants, pots or other articles shall be placed in or on the walkways, stairways, balconies and entry ways or under stairways, nor shall any linens, cloths, clothing, curtains, rugs, mops or laundry of any kind or other articles be shaken or hung from any of the windows, doors, walkways, balconies or entry ways, or exposed on any part of the limited common elements. Association property shall be kept free and clean of refuse, debris and other unsightly material. (CBL Art. VIII [6][7])

**6. GARBAGE DISPOSAL:** All garbage that cannot be disposed of in the garbage disposal unit shall be securely tied in plastic bags and placed in the trash disposal containers located in the enclosed areas. If trash is dropped outside the container, it must be picked up. Cigarette butts, grease, coffee grounds, tea bags, paper toweling and other fibrous items shall not be placed into the kitchen garbage disposal. Cardboard cartons and other large items should be broken down and deposited in trash containers for collection. Garbage, rubbish, debris or other unsightly materials are not to be left on, or under stairways or in any limited or common area. Items placed outside the dumpster not be picked up.

**7. PARKING OF VEHICLES:**

(a) Recreational vehicles, commercial vehicles, boat trailers, boats, camping vehicles, camping trailers, snowmobiles, snowmobile trailers or vehicles other than passenger vehicles may not be parked or stored upon the premises unless approved by a member of the Board of Directors.

Each co-owner shall park their vehicle in the garage assigned to their unit. (CBL Art. VIII [8] )

(b) Do not block the south emergency gate or the trash corral gates.

(c) Parking on the lawn is prohibited and the cost of any damage to the sprinkler system by a unit owner or their guest will be assessed to the unit owner.

(d) Cars should be parked in garages in the winter to facilitate snow plowing. \_

**7. PARKING ENFORCEMENT:** Failure to adhere to these regulations will result in the fining procedure as outlined in the Bylaws of the Association. Any vehicle that is abandoned may be removed by the Association with due notice to the owner(s) of said vehicle and at the vehicle owner(s)' expense.(ABL Art. 9.2)

**8. PETS:** One household pet may be kept. No animal may be permitted to run loose and shall be attended by a responsible person while on the common elements. Any pet shall not be obnoxious on account of noise, odor, or unsanitary conditions. No savage or dangerous animal may be kept. Deposits of fecal material must be disposed of by pet owner. Michigan law requires all dogs to be "held properly in leash". (CBL Art. VIII [5] )

**9. SAFETY:**

(a) Co-owners and guests are discouraged from allowing children under their care from using the parking area as a playground.

(b) Vehicles may move at a speed of not more than ten (10) miles per hour.

(c) No co-owner shall use, or permit to be used, any dangerous weapons, projectiles or devices on the condominium premises.

(d) No explosive fireworks may be used anywhere on the property.

(e) No inflammable, combustible, or explosive fluid, chemical or substance shall be kept in any unit or limited common element, except those necessary and suited for normal household use.

(f) **FALSE SMOKE ALARMS:** If you have a false alarm, you have 90 seconds to reset your alarm and call Engineered Protection Services at **1-800-632-8767** and provide them with your pass code. To reset, press the reset button on your alarm. **DO NOT PUSH AS A TEST BUTTON.** If the Association is billed by the Village or Township for a false alarm, that charge will be passed on to the unit owner. (9/7/98 Minutes)

#### **10. SALE, LEASE, OR TRANSFERS OF OWNERSHIP OF CONDOMINIUM UNIT:**

(a) **SALE OR LEASE:** An owner intending to sell or lease his unit (one year minimum required-CBL Art VIII [2]) shall comply with all the requirements of the Condominium Bylaws, including, but not limited to, Article IX, and shall give the Board of Directors written notice at least ten (10) days prior to the intended closing or lease occupancy date, together with:

- (1) A completed application with the name and address of the proposed purchaser or lessee.
- (2) A copy of the sales contract or lease.
- (3) Such other information about the proposed purchaser as the Board may require.

(b) **OTHER TRANSFERS OF OWNERSHIP:** Transfers of ownership by any other means, i.e. gift, trust, devise or inheritance, shall be done in the following manner:

- (1) The person or persons who have obtained title thereby shall give the Board notice of the acquisition and a copy of the recorded instrument evidencing title. (CBL Art. IX [5] ) and comply with the provisions of Article 2 of the Association Bylaws before membership and voting rights become effective.

**11. MEMBERSHIP AND VOTING:** Membership and voting rights will not be effective until the qualifications for membership set forth in Article 2 of the Association Bylaws have been completed and a certificate designating the person authorized to vote and receive notices has been filed with the Secretary of the Association. (CBL Art. I[2][c] )

**12. SEWER SYSTEM:** DO NOT flush or otherwise place in the sanitary sewer system disposable diapers, tampons, sanitary napkins, paper towels, tissues and other non-biodegradable materials. CAUTION YOUR GUESTS- particularly those with children.

**13. PATIOS AND DECKS:** Patios and decks may only be used for furniture and equipment consistent with ordinary patio and deck usage and no furniture shall be stored on patios and decks during the seasons when such areas are not in use. (CBL Art. VIII [14])

#### **14. USE OF LAWNS AND COMMON AREAS:**

- (a) The lawn in front of the first floor units must be kept free of all items such as furniture, lawn games, barbecue grills and recreational equipment.
- (b) Feeding of wildlife is strictly prohibited

15. **LANDSCAPING:** No co-owner shall perform any landscaping or place any ornamental materials upon the common elements. (CBL Art. VIII [13])

16. **MISCELLANEOUS MAINTENANCE:**

(a) **WINDOWS AND DOORS:**

(1) To prevent damage from sudden storms to your own or an adjoining condominium, it is suggested that occupants CLOSE AND LOCK all windows and doors when leaving the condo unit. The wind can force open unlocked windows and damage can result.

(2) Outside storm doors should be closed at all times unless being used for ventilation or as an entrance or exit as in the case of co-owners on the ground floor.

(3) Windows need to be opened periodically to prevent rotting of the wood casing.

(b) **APPLIANCES:** It is very important that you do not leave any appliances on (washer, dryer, dishwasher, oven, etc) while you are not present in your unit- even if only absent for a short time. Hoses can break causing water damage to your unit and the unit(s) below.

(c) **MAIN WATER VALVE:** Always turn the main water valve off and set your water heater to pilot or vacation setting when leaving your unit unattended for a period in excess of 24 hours.

(d) **FURNACE:** When leaving your unit for an extended period of time in the winter, set your thermostat to 60 degrees and no lower. The heat from your unit is important to the rest of the building.

(e) **AN EMERGENCY AUTHORIZATION FORM** must be signed and on file with the manager's office. Any expenses incurred in locating an owner shall be assigned to the owner.

17. **BEACH AND BOATING:** The Sands beach is for the exclusive use of Sands co-owners and their families. A guest of a co-owner may only use the beach when the co-owner is on the premises or when the guest has received permission from a co-owner to use a unit overnight. This rule also applies to anyone who has leased a unit.

(a) Any holes dug on the beach by any owner, guest or pet must be filled in and not left unattended to avoid injury to persons or animals walking the beach.

(b) No beach fires allowed.

(c) You may not operate any motorized watercraft within 200 feet of the shoreline unless traveling at slow-no wake speed perpendicular to the shoreline.

(d) Anchors are not to be left in the swimming area when the watercraft is not in use.

(e) Owners and guests are required to park, load or unload their watercraft in front of their building.

(f) Do not leave chairs or other personal items on the beach overnight

18. **FINES AND ENFORCEMENT POLICIES:** The Board of Directors may levy reasonable fines against units whose owners commit violations of the Condominium Act, the provisions of the Condominium documents, or Association Rules and Regulations, or condone such violations by their family members, guests or lessees. The fines shall be in an amount deemed necessary by the Board to deter future violations, but in no event shall any fine exceed the maximum amount allowed by law. No fine shall be imposed until the unit owner has been given reasonable notice. (ABL Art. 9)