

**RULES AND REGULATIONS OF
COUNTRY GARDEN CONDOMINIUM OWNERS' ASSOCIATION
BY THE BOARD OF DIRECTORS - UPDATED JULY 8, 2005**

SECTION 1. GENERAL

1.1 Country Garden Condominium Owners' Association, acting through its Board of Directors, has adopted the following Rules and Regulations. These Regulations may be amended from time to time by resolution of the Board of Directors.

1.2 Wherever in these Regulations reference is made to "Unit Owners", such term shall apply to the owner of any Unit, to his family, tenants, whether or not in residence, servants, employees, agents, visitors, and to any guest, invitees, or licensees of such Unit Owner, his family or tenant of such Unit Owner. Wherever in these Regulations reference shall include the Association and the Managing Agent when the Managing Agent is acting on behalf of the Association.

1.3 The Unit Owners shall comply with all the Regulations set forth governing the buildings, decks, drives, grounds, parking areas and any other such appurtenances.

1.4 The Association reserves the right to alter, amend, modify, repeal, or revoke these Regulations and any consent or approval given hereafter at any time by resolution of the Association or the Board of Directors.

SECTION 2. RESTRICTIONS OF USE

2.1 No part of the Condominium shall be used for any purpose except housing and the common purposes for which the Condominium was designed. Each unit shall be used as a residence for a single family, its servants and guests. Nothing shall be done in any Unit or on the Common Elements that may impair the structural integrity of the buildings or that may structurally change the buildings, nor shall anything be altered or constructed on or removed from the Common Elements, except upon the prior written consent of the Board of Directors, in keeping within the guidelines of the Maine Condominium Act, the Declaration and the Bylaws.

2.2 There shall be no obstruction of the Common Elements. Nothing shall be stored on the Common Elements without the prior consent of the Board of Directors as herein or in the Bylaws expressly provided.

2.3 Nothing shall be done or kept in any of the Common Elements which will increase the rate of insurance for the buildings or contents thereof applicable for residential use without the prior written consent of the Board of Directors. No Unit Owner shall permit anything to be done or kept in his Unit or on the Common Elements which will result in the cancellation of insurance on the Buildings or contents thereof or which would be in violation of any public law, ordinance, or regulation.

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No waste shall be permitted on the Common Elements.

2.4 All garbage and trash must be placed in trash bags for refuse collection and no garbage or trash shall be placed elsewhere on any Common Element.

2.5 No baby carriages, tricycles, bicycles, playpens, wagons, toys, benches, chairs, or other articles or personal property be left in public areas, parking areas, sidewalks, or lawns or elsewhere on the Common Elements.

2.6 Water and sewer apparatus shall be used only for the purposes for which designed, and no sweepings, matches, rags, ashes, or other improper articles or liquids shall be thrown therein. The cost of repairing any damage resulting from misuse of any of such apparatus shall be borne by the Unit Owner causing such damage.

2.7 Each Unit Owner shall keep his/her Unit in a good state of preservation, repair and cleanliness and shall not sweep or throw or permit to be swept or thrown therefrom, or from the doors or windows thereof, any dirt or other substance.

2.8 No noxious or offensive activity shall be carried on in any Unit or on the Common Elements, nor shall anything be done therein which may be or become an annoyance or nuisance to the other Unit Owners or occupants. No Unit Owner shall make or permit any disturbing noises in the buildings or do or permit anything that will interfere with the rights, comfort, or convenience of other Unit Owners. All Unit Owners shall keep the volume of any radio, television, or musical instrument in their Units sufficiently reduced at all times so as not to disturb other Unit Owners. Despite such reduced volume, no Unit Owner shall operate or permit to be operated any such sound producing devices in a Unit between the hours of 11:00 p.m. and the following 8:00 a.m. if such operation shall disturb or annoy other occupants of the buildings in which his/her Unit is located.

2.9 No industry, business, trade, occupation, or profession of any kind, commercial, religious, education, or otherwise, be conducted, maintained or permitted on any part of the Condominium that will result in increased traffic to any part of the Condominium. Overt and visible advertising for industry, business, trade, occupation or profession shall not be permitted to or in any part of the Condominium. No Unit shall be used or rented for transient, hotel or motel purposes.

2.10 No decks shall be enclosed or covered by a Unit Owner without the prior written consent of the Board of Directors. Only the umbrella type clothes line will be acceptable to hang any items on the Common Elements and only in such areas as specifically designated for such use by the Board of Directors. Decks shall not be used as storage

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areas. No decks or fences shall be covered with paint or staining other than treatment with a clear preservative only. Unit Owners will be responsible for removing paint or stain and returning decks to appropriate condition at their own expense.

2.11 No Unit shall be used for any unlawful purpose and no Unit Owner shall do or permit any unlawful act in or upon his Unit.

SECTION 3. PARKING AND STORAGE

3.1 No buses, trucks, trailers, boats recreation or commercial vehicles shall be parked in the parking areas or in the Common Elements or driveways. All vehicles must have current license plates and be in operating condition.

3.2 No private or commercial car, bus, truck, trailer, boat or other recreational vehicle may be stored in driveways or Common Elements with the intention of long term storage without express consent of the Board of Directors. Such vehicles will be considered abandoned by the Board of Directors. Abandoned vehicles parked in violation of any such regulations may be towed away at the unit Owner's risk and expense, after a written warning is issued.

3.3 Unit Owners are allowed 2 parking spaces: (1) vehicle one being in garage (2) vehicle two being in driveway of Unit Owner. Exception being the three Units that have no garage have the spaces available outside their Unit for two parking spaces. This rule being the City of South Portland police and fire department need the road area clear, to enable some of their trucks to maneuver the cul-de-sacs. There is extra parking in what is called visitor parking. As there has not been a problem, with not enough parking spaces for visitors, the Board of Directors has approved parking in visitor parking providing in the event a visitor needs the space the Unit Owners will move their vehicle, to their own driveway, until visitor no longer is using the space.

3.4 Unit Owners who park vehicles in Common Elements or extra parking are responsible for moving these vehicles during storm so that snowplows can efficiently access the areas.

3.5 Parking so as to block sidewalks or driveways shall not be permitted. If any vehicle owned or operated by a Unit Owner, any member of his family, tenants, guests, invitees or licensees shall be illegally parked or abandoned on the Condominium, the Association shall be held harmless by such Unit Owner for any and all damages or losses that may ensue, and any and all rights in connection therewith that the Owner or driver may have under the provisions of state or local law and ordinances are hereby expressly waived. The Unit Owner shall indemnify the Association against any liability which may be imposed on the Association as a result of such illegal parking or abandonment and

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any consequences thereof.

3.6 All Unit Owners and their guests shall observe and abide by all parking and traffic regulations as issued by the Board of Directors. Vehicles parked in violation of any such regulations may be towed away at the Unit Owner's sole risk and expense.

SECTION 4. PET RULES

4.1 A pet may be maintained in a unit so long as it is not a nuisance. Actions that will constitute a nuisance include but are not limited to abnormal or unreasonable crying, barking, scratching or unhygienic offensiveness.

4.2 No dog shall be allowed upon Common Elements unless on a leash and/or under the direct supervision of a Unit Owner or other person.

4.3 Owners of dogs allowed upon Common Elements will promptly clean up all pet droppings. Owners are responsible for any damage a pet may cause to the Common Areas. Dogs shall be walked, (and owner/visitor travel among condominium units should be) in the front of the complex, thus reserving the back yard area, though considered common property, for the privacy of the unit owners.

4.4 All dogs must be registered and inoculated as required by law. Dog owners are fully responsible for personal injuries and/or property damage caused by their pets. No animal shelters shall be maintained on decks or Common Elements.

SECTION 5. ASSOCIATION

5.1 All charges and assessments imposed by the Association are due and payable on the first day of each month. A financial penalty may be assessed against the Unit Owner if payable moneys are not received prior to or on the 10th calendar day of each month.

5.2 Complaints regarding the management of the Condominium or regarding actions of other Unit Owners shall be made verbally or in writing to the Board of Directors. No Unit Owner shall direct, supervise or in any manner attempt to assert control over or request favors of any employee of the Country Garden Condominium Owners' Association.

SECTION 6. GENERAL RULES

6.1 Planting of plants, flowers, trees, shrubbery and crops of any type is prohibited anywhere on the Common Elements without the prior written consent of the Board

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Board of Directors. No fences may be erected around or on the Common Elements without the written consent of the Board of Directors.

6.2 Flower gardens are permitted in the rear of units only. The Board of Directors will approve as to how, where, shape and size. After approval, the Unit Owner must maintain, edge and weed on a regular basis.

6.3 Flowers are not permitted around the base of light poles. Flowers may be hung from the light poles with Board-approved hardware.

6.4 No rocks, bricks, fencing, etc., except as authorized by the Board of Directors, is allowed on any Common Elements.

6.5 No hoses left in front on unit or lawn that are visible from road. Hoses in rear of units must be kept off Common Elements when not used.

6.6 Lawn furniture must not be left on Common Elements.

6.7 Antennas or "dishes" may not be erected within the Common Elements.

6.8 No lawn ornaments of any type may be placed on the front of any unit. Pots only, on door stoop.

6.9 No activity is permitted on Common Elements that may cause damage or deterioration of such areas. This includes the operation of bicycles or other vehicles on the lawn.

6.10 Fixing or replacing screens in doors or windows is the responsibility of the Association upon the decision of the Board of Directors.

6.11 An Owner is required to contact the Board prior to interfacing with a subcontractor for repairs, replacements, grounds keeping, or other upkeep issues. The Board, as a matter of course, identifies best prices, establishes subcontractors, and pays vendors. Failure to use the Board in this capacity, or incurring costs with subcontractors without prior Board approval, may result in the Owner being responsible for any bills to the subcontractor not approved by the Board.

6.12 If goods or services have been approved by the Board, the Owner is responsible for ensuring that the goods or services are provided to the Owner within six months of approval. Failure to complete the goods or services with the subcontractor may result in the Board rebidding for the goods or services or the Owner being held responsible for any bills to the subcontractor.

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The procedure taken by the Board of Directors to correct any misuse of the Rules and Regulations of Country Garden Condominium Owners' Association shall be as follows:

- 1. A written notice to the Unit Owner stating the violation.**
- 2. Unit Owner to correct the violation within ten (10) days.**
- 3. Unit Owner to bear the expense of the repair or restoration.**

**ADDITIONAL RULES AND REGULATIONS OF
COUNTRY GARDEN CONDOMINIUM
OWNERS' ASSOCIATION
BY THE BOARD OF DIRECTORS - DATED APRIL, 2001**

**TO BE INCORPORATED INTO THE ADDITIONAL
RULES AND REGULATIONS THAT ARE ALREADY IN
EXISTENCES.**

**IT IS NOT ALWAYS THE BOARD OF DIRECTORS
CREATING NEW RULES, IT IS THE ASSOCIATION
MEMBERS INQUIREING TO ISSUES THAT THE BOARD
OF DIRECTORS FEELS IT NECESSARY TO ADDRESS
AND CREATE ADDITIONAL RULES. IN THE EVENT
THE BOARD OF DIRECTORS RECEIVES MORE THAN
TWO, CONTINUING, INQUIRES ON ANY ISSUE THE
BOARD FEELS IT MAY NECESSITATE A CLEARER
VIEW.**

**RULES AND REGULATIONS OF
COUNTRY GARDEN CONDOMINIUM
OWNERS' ASSOCIATION
APRIL, 2001**

ADDITION TO RULES AND REGULATIONS

SECTION 2. RESTRICTIONS OF USE

2.3 Addition to. Each Unit Owner shall deposit only ordinary household type waste into the sewage system. If an item is not biodegradable it does not belong in our sewer system.

2.4 No Unit Owner shall place trash or refuse out prior to sundown of the day before scheduled trash collection. Garbage should be in "secure" dark colored bags to prevent its being preyed upon by birds and animals.

2.6 When internal damage occurs which would be covered by the Rules of the Association, the Association will contract with its contractors for all necessary repairs. Under no circumstances will the Association reimburse owners or contractors hired by the Unit Owner which are to be paid by the Association or the Associations insurance.

2.12 Unit Owners are responsible to maintain the interior temperature of their Units during the heating season at a temperature adequate to assure that pipes will not freeze up. Collateral damage to another unit caused by failure to maintain a proper temperature shall be the responsibility of the offending Owner.

2.13 No Unit Owner shall overload the electric wiring in the Unit or operate any machinery, appliances, accessories or equipment in such a manner as to cause any unreasonable disturbance or make any alterations to or connections with the heating, plumbing, wiring or sewage disposal systems without the written prior consent of the Board of Directors.

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SECTION 6, GENERAL RULES

6.11 Addition to. Any damage to the exterior, including garage doors, unit doors, sliders and windows caused by Unit Owner or guest negligence, will be the responsibility of the Unit Owner. Needed repairs, which are the Unit Owners responsibility, which are not completed in a timely or professional manner, will be completed by the Association and billed back to the Unit Owner.

6.13 Unit owners who burn wood in their fireplaces, should have their chimneys inspected on a regular basis depending on the amount of wood they burn each year. Should a Unit Owner not be able to show proof of an inspection, in the event of a fire, Unit Owner may be held responsible for expenses due to fire or fire damage.

6.14 It will be the Unit Owners responsibility to apply an adequate supply of water to the lawn areas around their individual unit. Adequate water has been determined to be 1" per week (less in rainfall) during the primary growing season from May - September. Failure to do so could result in damage to the lawns. The cost of repairing or replacing the damaged areas could be the results of an increase amount in the budget.

6.15 All subleases of Units within Country Garden Condominiums shall be subject to the following restrictions:

- a. Within seven (7) days of executing any approved Lease or Sublease, the Unit Owner shall notify the Association, in writing, of the name of the Tenant or Subtenant, the term of the Lease and any options as to renewal or extension.
- b. The Unit Owner is responsible to provide the tenant with a copy of the Rules and Regulations and must confirm that they read and understand them.

ATTACHMENT #1

**ADDITIONAL RULES AND REGULATIONS OF COUNTRY GARDEN
CONDOMINIUM OWNERS' ASSOCIATION BY THE BOARD OF
DIRECTORS – UPDATED OCTOBER 20, 2002**

Section 6. General Rules

Page 3a.

- 6.16** Display of American Flag. The Board of Directors has adopted a resolution to “The Rules and Regulations of Country Gardens Condominium Association” consenting only to the display of a single staffed, no larger than 3’X5’, American Flag on a building unit.

Please insert this as page 3a in your “Additional Rules and Regulation” dated April 2001.

**ADDITION TO THE RULES & REGULATIONS
ADOPTED BY THE BOARD ON JULY 8, 2005**

Please insert this as **Page 3b** in the "Additional Rules & Regulations", dated April, 2001, under

Section 6. General Rules

- 6.17 Insurance Deductible:** In the event of a loss covered by the Association's insurance policy, the responsibility for the payment of the "deductible" amount in all or in part, either by the unit owner involved or the Association, shall be determined by the Board of Directors on a case by case basis.

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SECTION 7. FINES, FEES AND COLLECTIONS

7.1 All and any liens will be recorded with the Cumberland County Registry of Deeds and there will be (rate at time of registering) fee both for recording and removing said lien, both to be paid by the offending Unit Owner.

7.2 Any fees incurred by the Association caused by the request or action of a Unit Owner will be borne by that Unit Owner. Any legal fees incurred by Unit Owners for special requests requiring legal opinion will be borne by the Unit Owner. The legal fee will be the rate at the time of occurrence.

Violations of Rules and Regulations:

1. When a rule violation occurs, a written warning will be delivered to the Unit Owner and/or the current occupant stating the complaint, the appropriate rule and penalty if applicable.
2. Unit Owner to correct the violation within ten (10) days of written warning.
3. In cases of repeated complaints following the warning letter, a fine (to be determined by the Board of Directors) may be imposed.
4. Unit Owner to bear the expense of the repair or restoration.
5. Any Unit Owner has the right to appeal in writing to the Board of Directors and request a hearing before the Board. The resolution of the Board of Directors in all such matters shall be final in accordance to the laws pertaining to Condominium living in Country Garden Condominiums.

**ADDITION TO THE RULES & REGULATIONS
ADOPTED AT THE ANNUAL MEETING ON JULY 25, 2004**

Please insert this as Page 4a in the "Additional Rules & Regulations", dated April, 2001, under

Section 7. Fines, Fees and Collections

7.23 A fee of \$50.00 for processing the paperwork related to obtaining the necessary approval to expand over the rear deck area shall be charged to any unit owner submitting such a request. In addition, the owner will be responsible for any and all permit, notary or filing fees related to such an expansion.

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APRIL, 2001**

SECTION 4. PET RULES

- 4.1 Dogs are permitted as long as the owners comply with the following rules.
- 4.2 A dog may be maintained in a unit so long as it is not a nuisance. Actions that will constitute a nuisance include but are not limited to abnormal or unreasonable crying, barking, scratching or unhygienic offensiveness.
- 4.3 All dogs must be registered and inoculated as prescribed by law, and a verbal notification to the Association.
- 4.4 When outside, dogs must remain on their own common area and under effective control at all times. No pet may be allowed to run loose and dogs must not be tied up outside the units at any time.
- 4.5 Unit Owners and their guests are responsible for cleaning up after their dogs at all times and places within the condominium, without exception.
- 4.6 Unit Owners or their guests shall be liable for personal injuries, Property damage and the full cost of any work (including cleaning and sod replacement) made necessary by dogs owned by them. No animal shelters shall be maintained on decks or Common Elements.
- 4.7 Unit Owners are allowed to place bird feeders in their Common Area provided that the location of same does not restrict the landscaper's ability to mow or clean up the lawn area. Unit Owners are expected to clean up the area around the feeders on a regular basis so as to maintain a neat orderly appearance.

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- 4.8 The Board of Directors shall have the power to further regulate dogs and animals under the Rules and Regulations of the Association, to establish additional behavior requirements and to expel any offending dogs and animals from the Property.