

# **RULES AND REGULATIONS**

## **OF THE INGRESS AT ERIE CANAL PARK HOMEOWNERS' ASSOCIATION**

**APPROVED AND ADOPTED BY THE BOARD OF DIRECTORS, JUNE 11, 1990**

**FIRST AMENDMENT, MARCH 9, 1992**

**SECOND AMENDMENT, FEBRUARY 14, 1994**

**THIRD AMENDMENT MAY 8, 1996**

**FOURTH AMENDMENT FEBRUARY 1, 1997**

**FIFTH AMENDMENT JULY 2021**

### PURPOSE:

The purpose of these Rules and Regulations is to ensure the rights of each resident of the Ingress at Erie canal Park to a safe and amiable home life. To this end, your Board of Directors has enacted these Rules and Regulations which are, in essence, common sense guidelines for good neighbors. For additional guidelines, please refer to the By-Laws and conditions specified in the Ingress Homeowners' Association prospectus.

We first recommend a neighbor-to-neighbor communication for any violation of these Rules and Regulations, the By-Laws, or conditions and Restrictions. If this fails, document the violation and forward it to the Board of Directors or Property Manager for action. Your cooperation and observance of the Rules and Regulations will enhance the quality of life we all enjoy at the Ingress at Erie canal Park.

### I. HANGING PLANTS, FLOWERS AND PLANTS:

- A. Hanging planters must be suspended from a galvanized or plated eye bolt attached to the underside of the wood framing of the porch overhang only. Flower box must be securely fastened to deck railings using galvanized or plated fasteners.
- B. All hanging plants, flower boxes and planters must be removed by November 1st.
- c. Clinging plants or climbing vines and trellises are not permitted.
- D. sod may not be removed to provide additional planting area, unless such removal has been pre-approved by the Board of Directors.

## II. PETS:

### A. Rules and Regulations

1. Dogs must be leashed at all times. Dogs may NOT run free on the common area. Only one dog per unit is allowed.
2. Dog houses, staking-out or fencing-in of any pet in the common area are prohibited.
3. The placement of food on porches for consumption by pets is prohibited.
4. Tying or tethering pets to the exterior of the building or on the private lots or in the common areas is prohibited.
5. The harboring of pets within individual units which creates a nuisance is prohibited.
6. Pet owners are required to remove their pet's excrement from common area, place in plastic bag and put in their trash container.

### B. Enforcement of Pet Rules and Regulations:

1. The cost of repair of any damages to the common areas is chargeable to the unit owner involved.
2. Fines may be imposed against unit owners violating any of these rules as provided in Rule XIV.

## III. REFUSE DISPOSAL:

Refuse must be contained in enclosed or covered plastic, rubber or metal containers or heavy gauge 3-ply bags tightly sealed. Residents shall set out their OWN **refuse can** on the evening before refuse pick-up day and return the container to their garage the same day of pick-up.

## IV. MOTOR VEHICLE OPERATION AND PARKING:

### A. A resident is defined as:

1. Persons who continuously and consecutively resides at a *unit in* Ingress for over one week, or
  2. Persons whose legal address is within Ingress.
- B. Residents may only park cars *in* their garage, on the driveway in front of their garage, or in one of the common area parking areas.
  - C. Residents with three or more registered vehicles must park those vehicles in excess of two *in* the common area parking areas.
  - D. The common area parking areas between buildings and around the property are available to any licensed motor vehicle authorized to be on the premises. Common area parking areas are not reserved for the use of any particular building merely because of their proximity to that building.
  - E. Residents and visitors may NOT park in fire zones, in front of the mailboxes, along mailbox areas, on lawn areas, on or along any Ingress roadway, or so as to impede the flow of traffic or block roads or driveways.
  - F. Motor vehicles may NOT be driven or parked on lawns or sidewalks AT ANY TIME.
  - G. Residents are requested to keep their motor vehicles in their garage during the winter to make snow removal easier and therefore, less expensive.
  - H. Residents and visitors are requested to observe the posted speed limit at all *times* while on Ingress property.

V. ENFORCEMENT OF PARKING RULES AND REGULATIONS:

- A. unregistered vehicles must be parked inside a garage, unless other parking has been pre-approved by the Board of Directors. unregistered vehicles parked elsewhere will be considered abandoned if not removed within seven days of written *notice* placed on the vehicle by the Manager. The vehicle *will* then be disposed of as deemed appropriate by the Board of Directors.

- B. The Ingress Homeowners Association has authorized the Manager to have any vehicle towed, at the owner's expense, whether it be that of a resident or a visitor, when the owner of the parked vehicle chronically or flagrantly violates the parking regulations. The vehicle will be towed at the owner's expense after the owner has been notified once within a one-year period, by written notice affixed to the vehicle or mailed to the owner, by the Manager. If your vehicle or that of a visitor is not found where it was originally parked, you should contact the Manager before notifying the Sheriff's Department of stolen vehicles.
- c. Fines may be imposed against unit owners violating any of these rules as provided in Rule XIII.

VI. COMMERCIAL VEHICLES:

No commercial vehicles, except for those temporarily on the premises for the purpose of making deliveries or providing services to the Dwelling Units or in connection with the maintenance of the common Areas, may be parked or stored on any portion of the Properties.

VII. STORM DOORS:

- A. All storm doors must be WHITE with full-length glass and screen in keeping with original design of existing units.
- B. All storm door windows must be shatter-proof or tempered safety glass.
- c. Maintenance of all storm doors is the full responsibility of the Homeowner and must meet or exceed minimum standards for appearance and safety as determined by the Board of Directors.
- D. The repair cost of any damages caused by any storm doors to any exterior common element is the full responsibility of the Homeowner. Door jambs, as with any other common element, may only be repaired by the Association and will be billed to the Homeowner.

VIII. PORCH FLOOR COVERING:

- A. Plain green or brown indoor-outdoor bank-rug type door mats must be used only.
- B. The covering shall be the Homeowner's maintenance responsibility and must continue to meet or exceed minimum standards for appearance and safety as determined by the Board of Directors.

**IX. MODIFICATIONS:**

- A. All exterior modifications and installations must be pre-approved by the Board of Directors. Homeowners desiring to make any type of exterior modification or installation must complete and submit to the Board of Directors a variance request form. variance request forms are available from the Manager.
- B. THE FOLLOWING MODIFICATIONS OR INSTALLATIONS WILL NOT BE ALLOWED OR APPROVED:**
  - 1. Brackets of any kind, for any purpose, attached to the exterior of the building.
  - 2. LAWN OR GARDEN ORNAMENTS.
  - 3. PERSONAL PLAYGROUND APPARATUS.
  - 4. PERSONAL PICNIC TABLES OR PERMANENT BARBECUE GRILLS ON LAWN AREAS.
  - 5. CHAIN FALLS, BLOCK & TACKLE, OR HOISTS may not be fastened to garage ceiling, walls or floors.
  - 6. DECORATIVE FENCES.
  - 7. Window air conditioning units are not permitted. Only central air conditioning units are permitted.

The foregoing is not intended to cover ALL possible modifications or installations to the exteriors or common areas. Homeowners who desire changes not mentioned above are cautioned that a variance must be submitted and APPROVED in

writing by the Board of Directors prior to making the desired **change.**

- C. Any modifications or installations listed above, or not previously approved in writing by the Board of Directors, must be removed immediately or the Manager will remove the same at the Homeowner's expense. NO FURTHER NOTICE WILL BE GIVEN.

**X. BARBECUE GRILLS:**

- A. Charcoal open-flame type barbecue grills may not be used or stored on terraces, decks or porches. Charcoal open-flame barbecue grills may not be used in garages or enclosed areas.
- B. Any damage to property resulting from the improper use and/or storage of a barbecue grill will be the responsibility of the Homeowner and fines will be levied according to the extent of damages. Damage to the exterior of any unit shall be repaired by the Association and billed to the Homeowner.

**XI. MISCELLANEOUS RULES AND REGULATIONS:**

- A. The reckless and imprudent operation of bicycles, skateboards, etc. on the sidewalks and roadways of Ingress is prohibited.
- B. The riding and parking of motorcycles, motorbikes, minibikes and snowmobiles on the sidewalks and lawns of Ingress is prohibited.
- C. Hanging laundry outdoors is prohibited.
- D. The storage of large quantities or flammable materials in the storage areas is prohibited.
- E. Toys, bicycles, barbecue grills, starting fluids, etc. must not be left on common property.
- F. commercial shopping carts are NOT permitted to be left on Ingress property.

**XII. "FOR SALE" SIGNS:**

"For sale" signs may only be posted in front of a unit that is for sale while an "open house" is being held in the unit by the Homeowner or the Homeowner's Realtor. The "For Sale" sign must be removed immediately after the open house. "For Sale" signs may only be posted along the road in front of the unit for sale and may not be affixed to the exterior of any unit. "For Sale" signs remaining on the property at times other than during an "open house", or otherwise displayed not in accordance with these Rules and Regulations, will be removed by the Manager and any damage caused by improperly displayed signs will be repaired by the Association and billed to the Homeowner.

XIII. SALE OR LEASING OF UNITS:

Any Homeowner who intends to lease his/her unit must first advise the Board of Directors in writing of their intention to rent. The lessor-Homeowner must submit to the Board of Directors a copy of the proposed Lease Agreement, a copy of the Prospectus, and a copy of these Rules and Regulations. All Lease Agreements MUST contain a clause that incorporates and references the Rules and Regulations and restrictions contained in the Prospectus; and all lessee-tenants must agree in the Lease Agreement to abide by all Rules and Regulations and Prospectus restrictions existing or enacted during the term of their lease. Lease Agreements that do not meet these requirements will not be approved. Once approved, the proposed Lease Agreement and accompanying Prospectus and Rules and Regulations will be returned to the lessor-Homeowner for execution and delivery to the lessee-tenant. These restrictions assure the Association and all Homeowners that the Lessee-tenant has the pertinent information they need and will abide by the Rules, regulations and restrictions that we all observe. It is the lessor-Homeowner's responsibility to ensure that the lessee-tenant has a copy of the Rules and Regulation at all times. Copies of the property Operating Documents can be obtained from the Kenrick website at [www.kenrickfirst.com](http://www.kenrickfirst.com) for a fee.

Any Homeowner intending to sell his/her unit must advise the Board of Directors in writing of their intention to sell. It is the seller-Homeowner's responsibility to ensure that the buyer-Homeowner receives a copy of the Prospectus and these Rules and Regulations.

XIV. ENFORCEMENT OF RULES & REGULATIONS:

In addition to the specific powers as to enforce these Rules & Regulations, as otherwise stated herein, the Association Board may, after giving violators two written warnings and 60 days have elapsed from the first written warning, impose and assess fines in accordance with the following schedule:

Pets	\$100
Parking	\$100
Any other violation not specifically listed	\$100

The foregoing fines may be imposed for each separate violation.