

# NORTH POINTE CONDOMINIUMS HOMEOWNERS'S ASSOCIATION, INC.

## RULES and REGULATIONS

### PREAMBLE (from the condominium declaration)

- A. The term "Condominium Unit", as referred to in the Condominium Declaration dated the 5th day of June, 2001, shall constitute that part of this Condominium intended for independent private residential use, including garages, comprised of one or more cubicles of air at one or more levels of space having outer boundaries formed by the interior surfaces of the perimeter walls, floors, ceilings, windows, window frames, doors and door frames of the building before finishing. All windows, window frames and doors, including all glass, shall be considered part of the Condominium Unit. Condominium Unit Owners have exclusive and private use of the Condominium Units they own.
- B. The Common Elements shall consist of all the North Pointe Condominiums land, improvements and appurtenances, except for the individual Condominium Units as defined herein including without limitation the land on which the building or buildings are located, the surrounding land, bearing walls, floors, and ceilings, except the interior surfaces thereof which form the outer boundaries of a Unit, roofs, foundations, and those hallways, stairways, entrances and exits which are designed for the common use by the Owners of more than one (1) Condominium Unit pipes, ducts, electrical wiring and conduits, public utility lines, water and sewer laterals, outside walls, girders, beams and supports, structural parts of the buildings, walks, driveways, parking spaces, landscaping and other parts of the property necessary or convenient to its existence, maintenance and safety or otherwise normally in common use. The Unit Owners have the right to access and use of all the Common Elements in common with other Unit Owners. The Common Elements may be used only for the purposes for which they were intended, and such Common Elements are subject to mutual rights of support, access, use and enjoyment by all Unit OWNERS.
- C. A PORTION OF THE Common Elements and facilities to be used exclusively by the Unit Owners shall be designated as "Limited Common Elements" Such Limited Common elements consist of all patios, driveways, stoops and sidewalks, the plumbing, heating, air conditioning and ventilating fixtures and mechanical equipment installed in each building for purposes of serving an individual Condominium Unit, if any, such as are intended for private use of specific Unit Owners. Replacement and /or repair is at the Unit Owners expense. Use of Limited Common Elements is reserved to the Unit Owners to whose Unit these elements are appurtenant. In any Condominium building containing joint party walls between Units, mechanical fixtures, piping , electrical service , equipment and duct work serving that building only, shall be deemed joint Limited Common Elements for the owners of the Units in that building being served by these fixtures.

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### 1. VEHICLES and PARKING

- A. Overhead garage door should be closed when not in use for ingress and egress.
- B. No commercial vehicle, motor home, recreational vehicle, boat or trailer is allowed on the condominium premises longer than three (3) days unless it is parked inside of a garage. Permission beyond three (3) days must be authorized by the Board.
- C. Parking is not permitted on private streets after a 2" or more snow fall until the snow is removed.
- D. Vehicles are not permitted on patios or grass areas. The term "vehicles" includes: bikes, cycles, and snowmobiles, in addition to other motorized vehicles.

### 2. PET CONTROL

- A. All pets, being walked, must be on a leash.
- B. The owner of each pet is responsible for immediately cleaning up, into a plastic bag, any feces caused by the pet in any developed area. Soiled cat litter must be placed in a plastic bag and securely tied.
- C. Landscape damage, caused by the resident's pet(s), shall be repaired at the expense of the unit owner involved.
- D. The leash or electric fence, used to tether pets, must be kept to so as not to become a nuisance to other residents or their guests.
- E. Dogs must not be left unattended in the garage.
- F. A unit owner is responsible for the pets of anyone living in or visiting their unit.
- G. No pet shall be allowed to create a noise nuisance on the condominium premises, including, but not limited to, barking.
- H. No more than one dog or two cats are allowed per unit.

### 3. GARBAGE and RECYLED MATERIALS

- A, Garbage must be maintained in an approved, City of Appleton, container and be stored in the owners garage, except when set out for pick-up.

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- B. Garbage, as well as Recycled Materials which are to be placed in appropriate containers, can be put out at the designated area before a pick-up day or on the day of pick-up in accordance with the City of Appleton ordinance.

### 4. GENERAL USE and OCCUPANCY

- A. A Unit owner or occupant shall not cause or permit anything to be hung or displayed on outside windows or placed on the outside walls of their Unit and no sign, awing, shutter or antenna shall be affixed to or placed on the exterior walls or roof, on any part thereof, without the prior consent of the Board, except signs used by the Declarant, or his agent, to advertise the sale of the Unit. NOTE: Seasonal items are acceptable.
- B. Common walks, lawns, and other common areas and facilities shall be kept free from rubbish, debris, and other unsightly materials and shall not be obstructed, littered, defaced, or misused in any manner
- C. No outdoor clothes lines may be erected and nothing shall be hung or exposed on any part of the common areas and facilities except as approved IN WRITING by the Board of Directors.
- D. Every Unit owner or occupant shall observe all laws, ordinances, rules and regulations now or hereafter enacted by either the State of Wisconsin, the City of Appleton, or adopted by the Association.
- E. Unit owner or occupant shall not do any work which would jeopardize the soundness or safety of the property, or reduce the value thereof, or impair any easement.
- F. A Unit owner or occupant shall be liable for the expense of any maintenance, repair, or replacement to the common areas and facilities rendered necessary by their negligence or by that of any member of their family or their guests, employees, agents or lessees
- G. A Unit owner or occupant shall not paint or otherwise decorate or adorn or change the appearance of the patio to which said Unit owner has exclusive use and possession
- H. No exterior structural changes or alteration shall be made to any Unit without prior written consent of the Board of Directors, (i.e.) Solar Tubes, Radon Installations, awnings, etc.
- I. Patio-13'x12', up to 13'x16'. Paver or landscape stone, approved plants on stone for 2ft section. The 2 ft. section has been approved to equal width of stone around the Four Season Room.

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### **5. MAINTENANCE PERSONNEL**

- A. All employees/independent contractors of the Association are hired by and remain under the direction of the Board of Directors. They are all assigned to specific duties and may do no other work unless they have a Work Order issued by the Board of Directors.
- B. Work in the owner's or occupant's Unit by Association employee shall be only if authorized by the Board of Directors and the owner or occupant shall pay for such work on a time and materials basis at a rate established by the Board of Directors

### **6. LANDSCAPE GUIDANCE**

- A. Homeowners will be permitted to maintain a limited patio garden area, not to exceed 24" from the sides of the patio, for the purposes of growing decorative plants and flowers provided such patio garden does not interfere with maintenance of common areas.
- B. Unit sides, with 2 foot landscaping sections from the foundations, will be approved for planting of plants as authorized by the Board of Directors. The Unit Owner has the responsibility of purchase, planting and maintaining at their expense.
- C. Maintenance for shrubs/plants located in the front and back of the Units are paid by the Association.

### **7. ENFORCEMENT of DECLARATION, BY-LAWS, RULES and REGULATIONS**

Each unit owner shall be responsible for his family, tenants, employees, agents, and guests, and their conduct at the Condominium, and shall see that these individuals abide by the provisions of the Declaration, By-laws, Rules and Regulations and any decisions made by the Association which are authorized thereby. Unit owners shall report infractions to the Board of Directors in writing and the Board shall reply to the reporting unit owner within fifteen (15) days concerning the action taken. In the event of a violation of any provision of the Declaration, the By-laws, the Rules and Regulations, or any authorized Association decision, the Board of Directors shall notify the alleged offender. If the violation is not corrected within a reasonable time, the Association may take such actions as it deems appropriate, including legal action, to correct the violation. In the event the Association takes legal action against any unit owner or occupant of a unit which results in a judgment in favor of the Association, the unit owner defendant in such action shall pay the Association's costs and the actual attorneys' fees. In the event the Association fails to take appropriate enforcement action, any unit owner may take appropriate legal action against any other owner or the Association to enforce the provisions of the Declaration, the By-laws, and the Rules and Regulations.