

# Bay Village Condominium



## House Rules

When you purchase a home that's part of a community/homeowner's association ("HOA"), such as Bay Village, you automatically become a member of the HOA and become responsible for following all its rules and regulations ("House Rules"). The primary purpose of having House Rules and standards is to both protect your investment as a homeowner and provide a common framework for neighbors.

Bay Village consists of one hundred (129) individually owned condominiums encompassing approximately two hundred (200) residents. Our amenities include, but are not limited to, a heated pool, tennis court, boat docks, clubhouse, exercise room, and sauna.

The House Rules are designed to help Bay Village homeowners, with so many varied interests, likes, and dislikes, be able to enjoy living in our resort-like atmosphere and enjoy all that Mother Nature offers on the western shore of Irondequoit Bay.

The objective of the Bay Village Board of Managers ("Board of Managers" or "the Board") is to foster an environment in which all homeowners are treated fairly and equally. It is not their intent to present hardships to the homeowners and only enhance their living experience here.

The House Rules will be strictly enforced and there will be no exceptions. That said, a Variance (as defined in the House Rules) is always encouraged should you feel one is necessary.

While infractions will not always be seen, it is up to all homeowners to call the HOA Management Company and report them. If a homeowner does so, their name will remain anonymous, but please use your discretion as to the validity of the infraction.

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## Acknowledgement

I have read and will abide by the House Rules as contained in this packet.  
Each resident is to sign.

Unit #	Signature+	Date
Unit #	Signature+	Date

I will provide a copy of these house rules to my tenant(s) if I rent out my condo

Unit #	Signature+	Date
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List names of all renters as of this date and be responsible for their compliance:

Unit #	Signature+	Date
Unit #	Signature+	Date


Please Note: All unpaid fines will be added to your HOA Account.

The Board of Mangers' objective is to see that all residents are treated fair and equal. It is not their intent to present hardships to the residents.

The house rules will be strictly enforced.

There will be no exceptions.

A variance is always encouraged should you feel one is necessary.



# Bay Village Condominium

## House Rules

(revised 7/2022)

The purpose of these House Rules is to ensure the rights of each Owner/resident to a safe and amicable home life.

If there is an alleged infringement or violation of the House Rules, please contact the Management Company with any issues or alleged infringements of the House Rules.

### SECTION I

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#### OWNER RESPONSIBILITIES

##### A. Individual Condominiums:

1. All condominiums shall be used only for single-family residence purposes as such term is defined in the Declaration and By-Laws.
2. Each Owner shall keep their condominium in a good state of preservation and cleanliness. Please do not sweep - or throw dirt, cigarette butts, or other material from the doors, windows, terraces, balconies, or catwalks.
3. Toilets and other water apparatus (hot water tanks, sinks, faucets, drains, showers, tubs, A/C units) in all condominiums shall not be used for any purpose other than those for which they were specifically designed.
  - i. At no time are wipes to be flushed down the toilet.
  - ii. Do not place sweepings, rubbish, rags, or other articles in them.
  - iii. Any damage resulting from the misuse of any toilet or other water apparatus in any condominium shall be repaired and paid for by the responsible Owner.
4. Owners must promptly repair all malfunctioning items in their condominium which, if neglected, might adversely affect neighboring condominiums.
  - i. Owners will be responsible for any damages and liabilities to other condominiums that may result from the failure to maintain and/or repair such malfunctioning items.
5. All repairs to internal installations of any condominium, such as electrical power, telephone, and plumbing installation, shall be at the individual Owner's expense. All such work shall comply with building codes (Town of Irondequoit and/or New York State) in effect at the time of repair.
6. No resident, at any time, shall bring into or keep in their condominium any flammable, combustible, or explosive fluid, chemical, or substance except those specifically intended for normal household use.
7. All radio, television, computer, or other electrical equipment of any kind or nature installed or used in each home shall comply with the rules, regulations, requirements, or recommendations of the "Underwriters Laboratory", the "FCC" or the electrical

enforcement agencies having jurisdiction. The Owner is solely liable for any damage or injury caused by any such equipment in their condominium.

8. A minimum temperature of 55° F shall be always maintained in each condominium to prevent damage to other condominiums.
9. No resident shall be under the age of eighteen (18) years of age unless living with an adult resident.

**B. Restricted Common Elements:**

1. Skateboards, inline skates, riding toys, and the like are not to be ridden on the sidewalks in the common areas, in the garages, fire lanes on the bayside, or any Bay Village property.
2. Please refrain from hanging clothes, towels, and other articles to dry on balconies, patios, or terraces.
3. Each resident shall keep balconies free of snow and ice.
4. When furnishing balconies and patios use appropriate outdoor furniture. Storage of equipment and property such as bicycles, exercise equipment, strollers, watercraft, boxes, or other items not specifically designed for balcony or patio use is not permitted on balconies or patios.
5. No resident shall paint patio or balcony walls. No resident may affix any objects of any kind to a balcony or patio wall or any exterior building wall or store objects thereon, except as specifically provided for in these rules.
  - i. Potted plants are permitted on the inside railing lines of individual condominium balconies and patios. Care should be taken that such planters will not fall from balconies. Hanging plants on balconies shall be hung safely to not pose a safety hazard to people below.
  - ii. Two (2) hanging planters for single-wide patios and four (4) for double-wide ranch-style patios are allowed (total).
    1. Planters may be hung from the ceiling, from the fascia board, or on the wooden balcony wall. Any damage caused to the wood or ceiling by the hanging baskets must be repaired by the person living in the unit.
    2. No plants may be hung on the Comproco (i.e., stucco) wall surfaces.
    3. The Bay Village Board of Managers ("Board of Managers")/Management Company may, at their discretion, ask residents to remove any hanging plant they feel may present a danger to others.
    4. Individual condominium Owners will be held liable for any accidents caused by any objects falling from their balconies.
  - iii. Planters on the railings are allowed, but they must hang on the inside of the railing.
  - iv. Potted plants are allowed on the floor of the balcony only.
  - v. Only one object may be attached to the wall area. Placement is restricted to the wooden wall surfaces only. Any item to be hung on the wooden wall surface must be approved by the Board through the appropriate variance process. Nothing may be hung on the Comproco (i.e., stucco) wall surfaces. Do not place mirrors, religious symbols, chimes, or political signs on patios/balconies. The Board of Managers/Management Company may, at their discretion, ask residents to remove any items they feel may offend others.
6. Condominium Owners who have wood-burning fireplaces in their condominiums must have their chimney inspected by a professional service provider each year between June and August and professionally cleaned if necessary.

- i. A receipt or proof of inspection must be provided to the Management Company by the condominium Owner each year.
  - ii. The Management Company will maintain a list of inspection dates for those properties.
- 7. The storage of firewood on balconies and patios is permitted for units with wood-burning fireplaces but must be limited to one face cord per balcony or patio and piles no higher than the railing.
- C. **Parking:** "Restricted Parking Area" refers to all inside/covered garage spaces and outside parking areas that are designated for "Residents Only".
  - 1. To park on Bay Village property, you must be a resident.
    - i. To be considered a resident one must be either an Owner or someone residing with an Owner at Bay Village permanently or a tenant with an approved application and lease on file with the Management Company.
  - 2. To be considered a "qualified" vehicle at Bay Village, each vehicle must be properly registered with the Management Company by the homeowner(s).
  - 3. Each condominium is allowed only two (2) vehicles on the premises at all times.
    - i. A resident who wishes to park and/or maintain more than two (2) vehicles must file a variance request to do so with the Management Company due to the number of residents and spots available at Bay Village and no additional vehicles may be parked unless approval of the variance is received in advance from the Board of Managers.
  - 4. All vehicles properly registered with the Management Company must visibly display a Bay Village Parking Sticker.
    - i. Any qualified vehicle, as defined above, must complete a "Bay Village Parking Registration Form" and obtain a sticker from the Management Company. Forms are available from the Management Company.
    - ii. Each resident must attach a Bay Village identification sticker to the rear or side window of each vehicle that parks regularly on the Bay Village premises.
    - iii. Any vehicle without a sticker is NOT permitted in restricted parking areas.
    - iv. When a new replacement vehicle is purchased, you must fill out a new vehicle registration form which is available from the Management Company.
    - v. No transferring of a sticker from vehicle to vehicle is allowed.
  - 5. Each condominium is allowed only two (2) parking spaces for vehicles with current parking stickers; one (1) in a deeded inside/covered garage in front of the appropriately numbered storage area for the unit in question AND one (1) in an unassigned space on the outside deck (any signs identifying a space as belonging to any specific condominium are not permitted and are to be removed by the resident and/or Maintenance Supervisor).
    - i. Only one (1) vehicle per condominium may be parked regularly on the outside, upper garage decks (a restricted parking area), or in the identified visitor's parking lot(s).
    - ii. An Owner may only lease their inside covered designated parking space to another resident. Such leasing arrangement must be in writing and on file with the Management Company.
    - iii. There are five (5) extra covered parking spots in the South Garage.
      - 1. These parking spots will be part of an annual lottery via which all residents interested in those parking spots can submit their names for a one (1) year lease of those spots.

2. Those that are awarded the spots via the annual lottery will pay a yearly fee for the same as determined by the Board of Managers.
6. Any resident with a non-stickered vehicle parked in the restricted parking areas for residents only, will:
    - i. Receive a written warning upon the first documented infraction.
    - ii. Receive a fine of up to one hundred dollars (\$100.00) for a second infraction.
    - iii. Receive an additional fine of a minimum of three hundred dollars (\$300.00) for a third, and/or each subsequent, infraction.
    - iv. Please note that a vehicle may be towed at the Owner's expense following a third documented infraction and the name of the towing company can be obtained from the Management Company.
  7. When parking in an assigned garage/covered space, residents are asked not to obstruct garage access, not to allow their vehicle to extend beyond garage pillars or supports, and not to exceed their fair portion of their assigned space.
  8. Designated guest or visitor parking areas are common property. It is expected that residents and their guests will respect the rights of others by not abusing the parking privileges and only parking in appropriate parking areas.
    - i. Residents are expected to see that their guests do not park in garages or restricted parking areas.
    - ii. During parties please explain to your guests where to park.
    - iii. At no time shall any condominium encumber more than a total of two (2) parking spaces within the restricted parking areas.
  9. Personal storage in garage areas is not guaranteed to be theft-proof or weather (water) proof, and Bay Village accepts no liability for such personal property.
  10. No personal property is to be stored in any garage space outside of assigned storage lockers.
  11. Storage of anything on top of lockers in the garage area is prohibited unless properly enclosed.
  12. Except for boat trailers, no unlicensed, uninsured, or unregistered vehicle is allowed on the Bay Village property.
  13. No vehicles are not permitted to be plugged into Bay Village electric outlets at any time.
- D. Common Elements:**
1. Residents shall not use or permit the use of any of the common property in any manner which might be disturbing or a nuisance to other residents or in any way that may be injurious to the reputation of the Bay Village Community.
  2. The drives, sidewalks, and fire lanes shall not be obstructed or used for any purpose other than entering or exiting homes. Objects shall not be left or stored in any common areas. No resident shall place any personal property/structure of any kind in any portion of the common area or usurp any portion of the common area for personal use. No Vehicles are to be parked or driven on the fire lanes.
  3. Owners, their families, and guests shall not, at any time, or for any reason enter or attempt to enter the roof of any building; service personnel are NOT permitted on the roof, unless under the direct supervision of the Maintenance Supervisor, or Property Manager.
  4. In the event of damage to any common area, building, garage, grounds, or storage facility, through the negligent or culpable act of any Owner or any of their guests, tenants, employees, or family members, the Owner irrevocably authorizes the Board of



Managers to repair the damaged area. The Owner will reimburse the Board of Managers for the cost of the repairs.

## SECTION II

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### GENERAL COMMUNITY RESPONSIBILITIES

#### A. Noise:

1. No Owner shall make or permit to be made any disturbing noises, or permit anything to be done which will interfere with the rights, comforts, or conveniences of other residents. Noise must be controlled in compliance with the Noise Ordinance of the Town of Irondequoit, especially between the hours of 10:00 p.m. to 9:00 a.m.
  - i. Outdoor wind chimes are prohibited.
2. Musical instruments, vocal music, stereos, radios, televisions sets, trash compactors, garbage disposals, vacuum cleaners, dishwashers, clothes washers, or dryers should not be operated during times that would disturb other residents.
  - i. Please keep in mind that loud conversation, walking along the building walkways, walking on catwalks, or going up and down stairs can disturb neighbors whose bedrooms are nearby.
  - ii. "Quiet time" is 10:00 p.m. to 9:00 a.m. in compliance with the Noise Ordinance of the Town of Irondequoit.
3. Loud noise from parties, arguments, and/or barking dogs is not permitted. Please speak to your neighbor in a kind manner regarding your concerns.
4. Consequences of violating noise regulations (the Noise Ordinance of the Town of Irondequoit also applies here in addition to the below):
  - i. Receive a written warning upon the first documented infraction.
  - ii. Receive a fine of up to one hundred dollars (\$100.00) for a second infraction.
  - iii. Receive an additional fine of a minimum of three hundred dollars (\$300.00) for a third, and/or each subsequent, infraction.
5. Boats and personal watercraft whose exhaust and/or engine are above the level of noise permitted by the State of New York Navigation Law, Article 4, Paragraphs 44 and 44-a, are illegal and are not permitted at Bay Village unless equipped with a special muffling device as described in Paragraph 44-a of the law.
  - i. Any boater receiving two separate, written noise complaints for a single incident of excessive noise shall receive a warning letter.
  - ii. Receiving two separate, written noise complaints for a second incident shall result in a Board of Managers review and direction to the Waterfront Committee to revoke docking privileges for the balance of the current season (this paragraph is repeated in the Docking section of the rules).

#### B. Pets:

1. All pets must be registered with Bay Village Condominium. Forms may be requested online from the Management Company.
2. Bay Village Condominium restricts dog size.
  - i. Only small breed dogs (not to exceed 40 lbs at maturity) are allowed.
  - ii. Only one dog or two cats per condominium is permitted.



- iii. Any other pets require an approved Variance and, if granted, all pets must be registered with the Management Company (the Variance form is available from the Management Company).
  - 3. All pets must be on a leash at all times when on the property, including the Point.
  - 4. Tenants (those who rent/lease from the respective condominium Owner) are prohibited from having dogs at Bay Village. One indoor cat is permitted in a lease, with the Owner's/landlord's approval.
    - i. Tenants allowed to have a cat or cats according to their lease are subject to all Bay Village House Rules, including, but not limited to the Pet section.
  - 5. Each resident, tenant, and guest must abide by the Pet Rules as set forth by the Bay Village Condominium Association as well as all Town of Irondequoit Pet Ordinances.
  - 6. Visiting guests are allowed to bring their pets onto Bay Village property for a maximum of seventy-two (72) hours.
  - 7. Residents are required to keep all pets under control and must walk them outside the perimeter of the complex.
    - i. The property on the south side of the boat storage barn (the "Point") is recommended as a suitable area for walking pets.
    - ii. The walking of dogs is also allowed on the west side of Bay Village Drive, preferably south of the visitor's parking lot.
    - iii. No pets shall be walked along the waterfront or bayside lawn except when walking to or from a boat.
    - iv. Pets shall not be tied within the community common area or on a ground-level patio at any time.
  - 8. Excessive barking/noise.
    - i. Residents are asked to call the management company if barking becomes an issue.
    - ii. Owners are required to control any excessive barking or remove the dog from the property. Refer to the Noise Section of House Rules as well as both the Pet and Noise Ordinance of the Town of Irondequoit.
  - 9. Per the Town of Irondequoit Pet Ordinance, no pets, dogs or cats, are allowed to roam in the common areas. If allowed, this would create sanitation problems, damage to shrubs and landscaping, and potential injury to people and other pets and would also diminish property values and be a problem for neighbors. Please control barking and prevent a leashed dog from lunging or jumping on passers-by.
  - 10. Pet Owners must always carry waste bags when walking pets on Bay Village grounds (common areas) and pick up all pet waste immediately. Please dispose of waste bags appropriately in the dumpster in the visitor's lot only.
  - 11. Infractions of the Pet Rules will:
    - i. Receive a written warning upon the first documented infraction.
    - ii. Receive a fine of up to one hundred dollars (\$100.00) for a second infraction.
    - iii. Receive an additional fine of a minimum of three hundred dollars (\$300.00) for a third, and/or each subsequent, infraction.
  - 12. No pets are allowed in the Community Center, Tennis Court, Pool, or Pool Area at any time.
- C. **Planting and Gardening:** Limited planting or gardening may be permitted within the boundaries of the Condominium complex, but only as specifically provided for by the Board of Managers. A specific Variance request must be made via the Management Company, and approved by the Bay Village Board of Managers, for any outside planting in common areas.

- D. **Wildlife:** Feeding any wildlife, including birds, is not permitted. Please do not feed geese, ducks, fish, deer, birds, squirrels, and the like. Also, please do not feed feral cats. Food left out can present an unsanitary situation and can become a nuisance for all.
- E. **Traffic Control:**
1. Speeding or careless driving on private drives and in the parking areas is prohibited. Signs are posted with the speed limit (15 MPH maximum) and drivers are requested to adhere to this limit, especially at blind corners and sharp curves. Motorcyclists are expected to exercise similar care in operating their vehicles.
  2. Vehicle, truck, and motorcycle engines are not to be revved on roadways or in the garage.
  3. The Town of Irondequoit Police Department, acting at the request of the Board of Managers, has permission to make arrests on condominium property for violations of the Motor Vehicle Law.
  4. Fire Lane: At no time are vehicles allowed on the fire lane. The fire lane runs from the driveways along the bay side of buildings 2, 3, and 4. The lanes are to provide access to all units for fire and emergency vehicles only.
  5. Moving Vans:
    - i. May only park on Bay Village Drive or at the North end of the North garage.
    - ii. May not enter the parking garages or the parking garage roofs (limited weight loads).
    - iii. May not block other residents from accessing their parking spots.
    - iv. The owner utilizing the moving van is to provide a driver to move the vehicle if there are issues.
- F. **Trash Collection:** Residents will please observe the following procedures when handling and disposing of garbage, refuse, and recycling.
1. All recyclables should be placed in the designated receptacles. Do not place plastic bags in the recycle bins.
  2. "Returnable" bottles and cans being donated (to the Bay Village Club House) should be placed in the receptacles provided for this purpose at various marked locations in the Club House and other areas.
  3. All refuse items should be placed in the appropriately designated dumpster(s).
  4. Cardboard boxes must be broken down flat and placed in the appropriately designated recycle bin(s).
  5. Glass and plastic containers should be placed loosely in the appropriately designated recycle tote(s). Please do not throw them in the bin in a plastic bag.
    - i. Do not leave items outside the dumpster in the visitor's parking lot. If an Owner requires a special trash pick-up for oversized items (i.e., appliances, grills, furniture, mattresses) they are to contact the waste management company for an extra pick-up. All extra fees for the same are to be paid by the resident.
  6. Known violations of trash/recycle rules will:
    - i. Receive a written warning upon the first documented infraction.
    - ii. Receive a fine of up to one hundred dollars (\$100.00) for a second infraction.
    - iii. Receive an additional fine of a minimum of three hundred dollars (\$300.00) for a third, and/or each subsequent, infraction.
- G. **Private Business Activities:**
1. No business activities that generate traffic in the Bay Village Community are permitted.
  2. Please note that it is not the intention of the Board of Managers to limit a resident's use of their home for business purposes. The variance procedure is to be used to request

approval to conduct business activities within Bay Village. The primary concern is to avoid creating situations that may overload the use of the common areas – especially parking and become a nuisance to neighbors. (See “Variance Requests” in Section III of House Rules).

**H. Signs:**

1. No signs may be erected or displayed anywhere in the Bay Village Condominium complex for any purpose, except as otherwise specifically provided for in these House Rules. The community newsletter is available to post messages.
2. The Board of Managers may erect signs as necessary to regulate traffic and provide information.
3. A maximum of two (2) signs per home may be erected for the resale of a condominium. Such signs may be in place only on Saturdays and Sundays from 1:00 p.m. to 6:00 p.m. to announce an Open House.
4. No signs other than those about the sale of the unit are permitted in windows of any unit for any purpose at any time.

**I. Rental and Sale of Homes:**

1. No Owner shall convey, mortgage, pledge, sell or lease such Owner's Home unless and until all unpaid common charges assessed against their home shall have been paid to the Board of Managers.
2. Rentals:
  - i. Any Owner who leases their home must provide a copy of a current lease agreement and all extensions and amendments to the Management Company and that lease must require full compliance with the Condominium Declaration, By-Laws, and Rules and Regulations.
  - ii. All Owners who intend to rent or lease their condominium are required to notify the Management Company in writing which includes, but may not be limited to, the names and former addresses of intended occupants or buyers, anticipated date of occupancy, etc.
  - iii. All lease agreements must be for a minimum of six (6) months.
  - iv. It is the Owner’s responsibility at all times to provide their tenants with a copy of the Bay Village House Rules and to provide the Board of Managers with an acknowledgment of the receipt of the same. If the Owner does not have a current copy of the By-Laws/Declaration and House Rules, copies are available from the Management Company. A duplication fee applies for printed copies.
  - v. Any Owner not providing an appropriately signed lease with the Property Manager/Management Company will:
    1. Receive a written reminder of the Rule and be given thirty (30) days to comply.
    2. Be fined a minimum of one hundred dollars (\$100.00) per month there is no documentation provided, following the thirty (30) day reminder period identified above.
  - vi. A non-resident Owner who leases their unit relinquishes use of all Bay Village amenities including boat docks & storage, launch ramp, tennis/pickleball court, pool, and rental and use of the Club House.
3. Sales:
  - i. A prospective seller must provide a copy of the House Rules and By-Laws/Declaration to a prospective buyer and provide the House Rules to all listing real estate agents.

1. The Board of Managers recommends that any prospective buyer meets with the Welcoming Committee before the closing of the purchase. The House Rules will be reviewed, and any prospect questions can be answered to avoid confusion about expectations.
- ii. Signs for the sale of homes may be erected, as provided in Section II, Subsection H of the House Rules, and strict compliance with the provisions and restrictions in that section is required.

### SECTION III

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#### STANDARD CONDOMINIUM PROCEDURES

##### A. Entry into Individual Homes:

1. The on-site Maintenance Supervisor will retain a copy of a key to each condominium.
2. If and when a new lock is installed, it is the Owner's responsibility to give a key to the Maintenance Supervisor, for safekeeping.
  - i. Failure to provide a key may result in a forced entry during an emergency.
  - ii. In this case, the Owner will be responsible for any damages resulting from the forced entry.
3. No one will enter any home without the express permission of the resident for any reason other than a clear and imminent emergency.
4. Individual residents expecting servicemen, deliveries, etc. are personally responsible for making their condominium accessible.
  - i. Maintenance staff will not open any home for such purposes, even at the resident's request.

##### B. Service Requests:

1. All requests for maintenance and service must be made to the Management Company. There is an "after hours" answering service for emergencies outside business hours.
2. During weekday work hours, emergencies requiring immediate attention can be brought to the attention of the on-site Maintenance Supervisor, and/or the Management Company.

##### C. Variance Requests:

1. Variance requests are to be completed and mailed to the Management Company. The Management Company will forward the request to the Board of Managers for consideration.
2. Structural Variance: Owners wishing to make any modification or alteration to the exterior appearance of their condominium(s), or other alterations that would impact/impair the structural soundness of the building, must submit a Variance Request to the Board of Managers through the Management Company.
  - i. "Modifications or alterations" shall include, but are not limited to, all changes made upon the condominium grounds, buildings, and garage exteriors, construction of patio or balcony enclosures or covers, Installation of paving, walkways or patio extension, erections of outside antennas, poles, fences and any other observable external changes to grounds or structures.
  - ii. Such requests must include detailed plans and specifications of the proposed modification or alteration.

3. Internal Variances: Include but are not limited to requests for changes or modifications to plumbing, electrical work, changes, or modifications to walls and floors that would have an impact on a neighbor or building structure.
  4. House Rules Variance: Residents may request a variance to these House Rules by making an application to the Management Company who will review it with the Board of Managers.
    - i. Such application shall include a detailed justification of the need for the requested variance.
    - ii. House Rule variances are to be granted to a specified individual(s) for a specified period and are subject to renewal.
  5. Violation of variance guidelines may result in the below with any fine(s) attached to the responsible Owner's account by the Management Company.
    - i. Receive a written warning upon the first documented infraction.
    - ii. Receive a fine of up to one hundred dollars (\$100.00) for a second infraction.
    - iii. Receive an additional fine of a minimum of three hundred dollars (\$300.00) for a third, and/or each subsequent, infraction.
- D. **Violations:** Violations of House Rules of any kind should be reported to the management company. Any person making a report will remain confidential and not identified to the Board of Managers or other residents.
- E. **Communications with the Board:** All Owners' suggestions or requests concerning condominium procedures may be directed to the Board of Managers, who can assist in getting the matter to the appropriate person and having the issue resolved.

## SECTION IV

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### USE OF COMMON ELEMENTS

- A. **Docks:**
1. The rental of the docks is for Bay Village residents only. Only boats owned by and registered to residents of Bay Village will be assigned a dock space and all residents must provide ownership by providing a copy of the title showing ownership if requested by the Dock Committee.
    - i. Violation of this rule shall be grounds for revocation of rights to dock space.
  2. All residents wishing to dock their boats in the dock area must register the boat with the Waterfront Committee dock master and submit the appropriate application, documents and fees annually. Every consideration will be given to dock preferences and sizes, mix, and the draft of boats may dictate some dock assignments.
  3. No rights to a dock space beyond those contained in the House Rules shall be conferred.
  4. Rights to a dock space cannot be transferred by a resident to any other resident or person.
  5. The following maximum boat lengths, beams, and weights have been established. 20' docks – 24', 8'6" beam, 5,500 lbs 30' docks – 36', 13' beam, 16,000 lbs 32' docks – 36', 13' beam.
    - i. Spring lines must be used to tie up any boat that is longer than the assigned slip.
  6. All boats with motors must have liability insurance of one hundred thousand (\$100,000.00) minimum.

7. Boats whose exhaust and/or engine are above the level of noise permitted by the State of New York Navigation Law, Article 4, paragraphs 44 and 44-a, are illegal and are not allowed at Bay Village unless equipped with a special muffling device as described in paragraph 44-a of the law. Any boater receiving two separate, written noise complaints for a single incident of excessive noise shall receive a warning letter. Receiving two separate, written noise complaints for a second incident shall result in a Board of Managers review and direction to the Waterfront Committee to revoke docking privileges for the balance of the current season, without any refund.
8. Sailboat halyards should be secured when the boat is docked to prevent the noise of the halyard slapping the mast.
9. Tires and fire hoses shall not be used as dock fenders.
10. Gear will be stowed aboard boats and not left on the docks or on the ground in the dock area. Nothing will be left on the dock or hung from dock supports that would be a hazard to persons using the dock.
11. An additional slip may be rented with the approval of the Waterfront Committee, based on Slip availability. Please be aware that these "second slips" are subject to revocation if the slip is needed as the first slip for another resident.
12. As space permits, the two (2) outside slips on each dock system will be reserved as guest slips.
  - i. Persons with assigned boat slips may not use the guest slips.
  - ii. These are to be used only by guests of Bay Village residents with courtesy and consideration for other residents who may have visitors.
  - iii. Waterfront Committee approval is required for all stays over twenty-four (24) hours at a guest dock. Please notify the Dock Master and a sign-in sheet for overnight visitors and flags for display on visiting vessels are in the electric box at North Dock.
13. Dock fees will be recommended annually by the Waterfront Committee and approved by the Board of Managers. There are no refunds for vacating space before the end of the season.
14. No one (Owners, members of their families, guests, etc.) shall board any boat not belonging to them except by invitation of the Owner.
15. No children under the age of fourteen (14) are allowed on the docks unless directly supervised by an adult Bay Village resident. All children under the age of 13 are required to wear a PFD when on the docks.
16. Fishing, swimming, or water-skiing off the docks, or off of any boat while docked, at Bay Village, is strictly prohibited.
17. Use of Boat Ramp: The Bay Village boat launching ramp is for use by Bay Village residents only. Guests may occasionally use the ramp, with the Bay Village resident present at all times.
  - i. Guest trailers must be clearly identified.
  - ii. Cars and trailers are allowed in the launch area only during launching or trailering.
  - iii. No cars or trailers may be parked at the launching ramps or on the gravel roads in this area.
  - iv. No vehicles are to be parked at the ramp or in the boat house area at any time with or without trailers and tow.

18. Kayak/Canoe/Wakeboard storage is available in a locked cage area for both Summer and Winter fees as determined by the Waterfront Committee. At no time are these items to be stored on patios.
  19. All trailers stored on the Point must be clearly marked with the Owner's name and unit number on the tongue of the trailer.
  20. All small boats on the Point must be clearly marked with the Owner's name and unit number on the bow or seat.
  21. The Board of Managers shall appoint a Waterfront Committee which will govern the docks and one or more members of the Waterfront Committee must be a current board member.
  22. Refer and check for any seasonal supplements to these Waterfront Rules. Any variation of the Waterfront Rules is at the discretion of the Bay Village Dock Master. Any violation of these rules may result in the forfeiture of Bay Village dock privileges.
  23. The Declaration and By-Laws define "irrevocably restricted common areas" and dock spaces are not included.
  24. The Board of Managers shall have final jurisdiction in all dock matters.
- B. Tennis/Pickleball Court:** The tennis/pickleball court is available on a first-come, first-served basis. A resident must be always present at the court during play.
1. Time Slots: one (1) hour for singles play; one and a half (1 ½) hours for doubles play.
  2. Tennis shoes should be worn while playing on the court. Hard-soled shoes are not permitted.
  3. Players are expected to clean up their trash, check for personal items and lock the gate when finished.
- C. Club House:** All residents are permitted to use the Club House.
1. Use of appliances for personal food preparation is not allowed unless the rental fee and deposit are paid in advance.
  2. Use of the Club House is allowed until 11:00 p.m.
  3. There is a limit of seventy-five (75) people allowed in the Club House at one time or the limit as posted by signage within the Club House.
  4. The Club House is not to be used for profit-making functions unless the function has the approval of the Board of Managers.
  5. No furniture or equipment of any kind is to be removed or borrowed from the Club House.
  6. No personal property and/or equipment of any type shall be stored in the Club House. The Board of Managers will not be responsible for loss of, or damage to, the Owner's personal property left in the Club House.
  7. Only the party room, kitchen, and lounge areas may be reserved. The sauna, showers, and swimming pool may not be reserved.
    - i. Reservations will be on a first-come, first-served basis.
    - ii. A lottery is held for Holiday reservations so that every resident is given a fair chance to reserve the Club House.
      1. Lottery winners are not permitted to be in the lottery for the event the following year in fairness to all residents.
  8. A "Club House Reservation" form must be filled out, read in its entirety, and submitted to the Property Manager along with a reservation fee and deposit (refundable if the center is spotless, including proper disposal of garbage) which must accompany the reservation before confirmation of date is provided.



9. Bay Village social groups and committees may reserve the entire building at no charge for functions open to all Bay Village residents.
10. Bay Village community events have preference over all rental dates.
11. All residents will use a fingerprint entry system that will open the Club House front door.
  - i. Residents using the Club House should make themselves familiar with the operation of the fingerprint security system.
12. Family members eighteen (18) years of age or younger must be accompanied by a resident adult at all times.
13. All guests must be always accompanied by a resident. Residents will be responsible for the action of their guests.
14. Each Owner shall be responsible for any damage caused to the Club House or its contents by the Owner, or any of the Owner's tenants or guests, regardless of if the rental fee is paid. The Owner shall be liable for all damages.
  - i. Dishes, bowls, silverware, cooking utensils, and towels are provided and must be properly washed and put away.
  - ii. Dishwashers must be emptied no later than noon the next day.
  - iii. Missing items will result in a deduction from your deposit for their replacement cost.
  - iv. Stoves and ovens must be left clean.
  - v. Should you have a large spill in the ovens, please use the self-cleaning feature (please refer to the Club House checklist).
15. Persons using the Club House must conduct themselves so that their actions do not offend others or violate any of the Bay Village House Rules.
16. There is no smoking in the Club House.
17. The Board of Managers has the authority to remove or exclude from the Club House any individuals whose actions are deemed not to be in the best interests of the Association.
18. Facilities such as the kitchen, stove, dishwasher, refrigerator, showers, and bathrooms are maintained and intended for the specific purpose of supporting Club House functions and events and are not intended for the daily personal use of residents. Residents should use their condominium facilities for daily personal living requirements.
19. No pets are allowed in the Club House at any time.

**D. Exercise Room and Sauna:**

1. The sauna is not available for use when the Community Center is reserved for a private function.
2. The exercise room and sauna are restricted to residents only who are 18 years of age and older. No guests are permitted in the exercise room or sauna area without a resident present at all times.
3. The Resident's use of the exercise room and sauna is at their own risk.
4. The number of persons in the sauna must not exceed four (4) at any time.
5. Food or drinks (except water) are not permitted in the exercise room or sauna area.
6. Posted instructions must be read and followed carefully in the sauna area.
  - i. Please note that this is a dry sauna.
  - ii. Use of the sauna may be dangerous to persons who are not fully aware of its methods, purpose, and consequences, and residents are strongly advised to familiarize themselves with the posted instructions.
7. No street shoes are permitted and athletic shoes should be clean and dry.

**E. Swimming Pool:**

1. The pool will be open each year from approximately Memorial Day to Labor Day.

2. All residents and guests must obey all posted pool rules, signs as well as the Bay Village house rules.
3. No one may reserve the pool for private use.
4. All guests must be always accompanied by a resident.
5. Children under eighteen (18) years of age must always be supervised by an adult resident.
6. The pool is limited to space and, as such, residents must use consideration and common sense in the utilization of the pool by guests.
  - i. During weekends and holidays, the maximum number of guests per home in the pool area shall be four (4).
7. No diving, running, or horseplay is permitted in the pool area.
8. Bicycles, tricycles, or similar toys or equipment are not allowed in the pool area.
9. No pets are allowed in the pool area.
10. No glass containers or bottles are permitted in the pool area.
  - i. Metal and plastic containers are allowed on the patio and lawn area only and not on the pool apron.
11. Food is allowed to be eaten in the pool area, but the resident must clean up after consumption and trash properly disposed of.
12. Bulky inflatable toys and rafts are not permitted in the pool however flotation aids and small inflatable rings are permitted.
13. All swimmers, including children, must wear appropriate bathing attire. No street clothes are permitted in the pool and no nude bathing, including infants and children, is permitted.
14. For the health and safety of all swimmers, infants, and children who are not toilet trained must wear approved waterproof swim diapers. Children in regular diapers are not allowed in the pool.
15. Health and Safety: The following regulations of the New York State Sanitary Code will be observed.
  - i. Pollution of the swimming pool is prohibited and urinating, expectorating, or blowing the nose in the swimming pool is strictly prohibited.
  - ii. Communicable Diseases: No persons having skin lesions, sore or inflamed eyes, mouth, nose, or ear discharges, or are known to be a carrier of microorganisms of any communicable disease, shall use the swimming pool.
  - iii. Persons not dressed for bathing shall not be allowed in the swimming pool or on walks immediately adjacent to the swimming pool.
    1. "Street dress" is permitted on the patio and lawn areas adjacent to the pool.
16. The rental of the Club House does not include the use of the swimming pool.