

**BAYVIEW MANOR MAINTENANCE CORPORATION
RULES OF CONDUCT**

**ADOPTED BY THE BOARD OF DIRECTORS – SEPTEMBER 17, 2007
EFFECTIVE – OCTOBER 1, 2007**

The purpose of these rules is to clarify areas of the Deed Restrictions, as set forth in Declaration of Restrictions for Bayview Manor, Dated April 16, 2002 and recorded at the Office of the Recorder of Deeds in and for the County of New Castle as Instrument #20020422-0037602, and to assist in the compliance of all community owners in the adherence to the **Deed Restrictions**.

All Homeowners are responsible for the conduct of their tenants, guests, contractors or visitors. Any violation will be assessed to the Homeowner.

1. Pets

Deed Restrictions Section 3 Animal and Pets - Additional – Unleashed Dogs shall be kept within the confines of the owner's property. Owners will be responsible for the actions of their pets and shall take reasonable steps to prevent noise, waste, fleas, ticks, etc., of their animals from disturbing or annoying any other resident of the community.

In addition, all pets must be licensed as required by law. Dogs must be on a leash within the community at all times unless on the owners property. If a dog should defecate anywhere within the community the owner shall be responsible for immediate clean up. No dog shall be left *unattended* outside the owner's property.

Any destruction of common property or limited common areas as a result of the owner's pet shall be restored at the owner's expense.

2. Prohibited Vehicles

Deed Restrictions Section 9 – Prohibited Vehicles – Additional

Enforcement – Any 3rd or subsequent violation will result in the immediate towing of the offending vehicle, trailer or equipment by the association at the owner's expense.

3. Security and Safety Signs

Deed Restrictions Section 10 clarification - Security Signs The display of small signs less than 12"x12" to denote the use of a security system are allowed and are exempt from the provisions established in section 10 of the deed restrictions.

Deed Restrictions Section 10 clarification - Safety Signs The display of small signs less than 12"x12" to denote the use of a various safety systems (e.g. invisible fence) are allowed and are exempt from the provisions established in section 10 of the deed restrictions.

4. Swimming Pool Fences

Deed Restrictions Section 11 – Fences and Deed Restrictions Section 12 – Additional

Deed Restrictions Section 12, not Deed Restrictions Section 11, will govern swimming pool fences.

Swimming pool fences may enclose the pool areas only and may not be visible from the front of the home.

Swimming pool fences may be constructed of materials as listed in Section 11, wrought iron, aluminum or other similar materials of high quality as approved by ARC after a properly submitted ARC application.

5. Lawn Mowing

Deed Restrictions Section 14 – Lawn Mowing - Additional

Enforcement – Any 3rd or subsequent violation will result in Association hiring a contractor to cut the grass at the owner's expense.

6. Structure

Deed Restrictions Section 15 - clarification
Deed Restrictions Section 20 - clarification

Columns or pillars, with proper ARC submission and approval, will be deemed as hardscaping, not a structure, and may not be permanently attached.

7. Trampolines, Basketball Goals

Deed Restrictions Section 16 - Trampolines, Basketball Goals - Additional

Enforcement – Any 3rd or subsequent violation will result in Association hiring a contractor to remove the equipment at the owner's expense.

8. Delinquent Assessments by Home Owner

Any Homeowner who is delinquent in assessments will not be entitled to vote, be ineligible for election to the Board of Directors, submit ARC approvals, or attend or participate any Association sponsored event.

9. Required Voting by Mail Ballot

A recommended amendment or change to the Deed Restrictions which requires an approval by the lot owners or members of the Corporation, may at the discretion of the Board, be voted on by the means of a written ballot mailed by first class mail to the recorded address on record of the lot owner or member of the Corporation with a return envelope enclosed. Also enclosed with each ballot shall be a cover letter explaining the effects of the recommended amendment or change and the Board's recommendation on the passage or rejection of the amendment or change.

Mail balloting shall be open for a period of 30 days. Any ballot not returned within the 30-day period shall be considered a VOTE IN SUPPORT of the Board's recommendation. All ballots shall state this on the ballot.

All ballots shall be retained for a period of 3 years.

ENFORCEMENT AND COMPLIANCE – Sections 1-20, Sections 22-24

Non-compliance with the provisions established in the Deed Restrictions, Sections 1 thru 20 and 22 through 24 is subject to the following enforcement actions inclusively:

1. Upon the first offense for each section violation, the board shall notify the offending owner in writing
2. A fine of \$50 shall be levied against the owner for all subsequent section offenses.
3. Provided there are no further offenses for the same section within the following 12 months, a first offense is purged from the record and this offense schedule is reset.

Section 9 – Prohibited Vehicles – Additional

Enforcement – Any 3rd or subsequent violation will result in the immediate towing of the offending vehicle, trailer or equipment by the Association at the owner's expense.

Section 14. Lawn Mowing - Additional

Enforcement – Any 3rd or subsequent violation will result in Association hiring a contractor to cut the grass at the owner's expense.

Section 16. Trampolines, Basketball Goals - Additional

Enforcement – Any 3rd or subsequent violation will result in Association hiring a contractor to remove the equipment at the owner's expense.

ENFORCEMENT AND COMPLIANCE – Sections 21

Non-compliance with the provisions established in the deed restrictions is subject to the following enforcement actions for section 21:

- 1. Upon the first offense for violation of this section, the board shall notify the offending owner in writing and an immediate fine of \$500 shall be levied against the owner. This fine may be suspended, by a vote of the Board, if the violation is corrected within 15 days. Violations of this section includes and are not limited to:**
 - a. Failure to submit plans and specifications for construction or improvements as outlined in Section 21**
 - b. Failure to receive approval from the Architectural Review Committee prior to commencing any construction or improvements as delineated in Section 21**
 - c. Failure to receive approval for modifications or failure to complete the improvement as approved by the Architectural Review Committee prior to commencing/completing any construction or improvements as delineated in Section 21**
- 2. All subsequent violations will be fined at the \$500 level**

All fines levied in enforcement of the Deed Restrictions and Rule of Conduct will be an assessment on the homeowner, personally. If the fine is not paid within 10 days of being levied, legal action will immediately begin, the cost of which will be assessed against the offending owner, to obtain a judgment and lien against the property.

These rules are subject to revision at the discretion of the Board of Directors and become effective 15 days after publication by first class mailing to the address of record for all properties located within Bayview Manor I

Drafted by Board – August 16, 2007
Reviewed and Approved Legal – September 17, 2007
Final Approval by Board – September 17, 2007
Sent to Community – September 18, 2007
Effective – October 1, 2007