

ARTICLE XIII

RULES AND REGULATIONS

Section 1. General Regulations.

- (a) Each owner shall comply with all applicable laws, ordinances and regulations and shall hold the Association and other owners harmless from all fines, penalties, costs and prosecutions for any violations thereof.
- (b) No business activity designed for profit or otherwise shall be permitted on the property.
- (c) No garbage cans, trash containers, or other unsightly personal property shall be placed anywhere on the property.
- (d) Nothing shall be done, either willfully or negligently, which may become an annoyance or nuisance to the other owners. No owner shall make or permit any disturbing noises on the property by family or guests.
- (e) The Association reserves the right to access an owner's property to respond to an emergency condition that presents a danger of serious loss to property or imminent harm to any person.

Section 2. Pets.

- (a) Owners may keep dogs, domestic cats, small birds and fish in their units subject to the following restrictions:
 - 1) No pets or other animals may be bred or kept upon the property for any commercial use.
 - 2) There shall be no more than 2 dogs or cats to a unit, and if required by ordinance, licensed with the City.
 - 3) All pets must be kept within the unit. Dogs must be on a leash and under the control of their owner at all times when outside the unit.
 - 4) Dogs are not to be a nuisance or threatening in any way and barking must be controlled.
- (b) Any violation of the above rules regarding pets will be subject to the following action by the Board:

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1) First Complaint/Offense.

Upon receipt of a written complaint by another owner detailing the offense, and upon the Board affirming the legitimacy of the complaint, the offending owner of the pet will be notified and assessed a \$25.00 penalty.

2) Second Complaint/Offense.

Upon receipt of a second written complaint for the same pet, and upon the Board affirming the legitimacy of the complaint, the offending owner will be notified and assessed a \$50.00 penalty and will be directed to remove the animal from the premises unless an "Action to Cure" the complaint is submitted in writing to the Board

within 10 days of receipt of the second notice of complaint.

3) The Board will place the "Action to Cure" statement on the agenda of the next Board of Directors meeting for a hearing. If the offending owner does not respond with an "Action to Cure" statement or appear at the Board meeting, the Board is authorized to permanently prohibit the pet from the offending owner's lot. If the offending owner submits an "Action to Cure" and appears at the Board meeting, the Board, at its sole discretion, is authorized to place the "offending owner" on a probationary period, fine the offending owner an amount not to exceed \$1,000.00, and/or permanently prohibit the pet from the offending owner's lot.

(c) The Board of Directors has full authority to regulate and enforce the rules and regulations under this Section to further the health, welfare, and safety of the members. Any owner who violates or disregards the directives of the Board can be required to pay a non-compliance penalty of \$10. 00 per day until the violation is corrected. In addition, any owner shall also be subject to any and all legal equitable remedies available to the Association.

Section 3. Children.

(a) No children occupants are allowed without the prior approval of the Board. Occupancy is limited to two adults and one of the occupants must be over the age of 55.

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(b) Parents and/or grandparents are totally responsible for children's/grandchildren's behavior, welfare, and safety while in or on the property or the public street.

(c) The Association shall comply with the insurance requirements of Minnesota Statute Section 515B.3-11 l(b) to indemnify the unit owners with the statutory protection against tort liability arising out of the ownership of the common elements.

Section 4. Motor Vehicles, Parking and Garage Units.

(a) ,Motor Vehicles are allowed only on the driveways and in the garages.

(b) All motor vehicles must be operational and with up-to-date license tags.

(c) No recreational vehicles, trucks, and other vehicles (other than automobiles) rated at more than three-quarter ton will be allowed to be parked on the property except for short periods of time to load and unload.

(d) Boats and other recreational equipment are not allowed to be parked on the property at any time.

(e) The Association reserves the right to limit the use of owners' garages by prohibiting the following uses to protect the safety and convenience of its members:

- 1) No storage of flammable fluids of any kind is allowed at any time except in approved containers.
- 2) Overhead garage doors are not to be left open and unlocked when not in immediate use for safety as well as appearance.
- 3) Garages may not be used for any purpose other than the parking of the owner's vehicle. An owner's vehicle shall not be kept elsewhere on the property when the garage is available.
- 4) Maintenance and repairs of vehicles is prohibited except for minor routine maintenance that is not of a potentially dangerous nature and is not a disturbance or nuisance of any kind to neighbors.

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Section 5. Patios (front and back).

- (a) Members have exclusive rights to use their patios, including the placement of portable furniture.
- (b) Holiday decorations and lighting may be used but must be removed within thirty (30) days after the holiday, weather permitting. The American flag may be displayed at any time according to protocol.
- (c) Planter boxes are to be maintained by the owner.
- (d) .Storage of wood, tires, bicycles, etc. is prohibited.

Section 6. Grounds and Landscaping.

- (a) Garbage, rubbish and trash shall be kept in a sanitary container in the garage. Such containers may be placed at the end of driveways on pick-up days only.
- (b) Structures of a temporary nature, such as trailer, mobile home, tent, shed, or other building are strictly prohibited on any lot, unless approved by the Board.
- (c) All sporting equipment and toys shall be stored within the living unit or garage. No living unit or garage shall be used for the storage of material not customary, necessary and convenient for residential living.
- (d) Garden areas are permitted but must be maintained by the owner according to community ordinances.
- (e) No sign may be displayed for public view on any lot without the express prior written approval of the Board.

Section 7. Architectural and Exterior Regulations.

- (a) Each lot shall be used for residential purposes only. No structural modification of any kind shall be commenced without prior written approval of the Board. A modification cannot be considered until all plans and specifications have been submitted to the Board.

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- (b) The Board shall approve or deny the request within sixty (60) days from receipt of the request. In the event the Board fails to act within 60 days, approval of the request is presumed granted.
- (c) Antennas may only be placed on the back of a unit so as not to be seen

from the street.

Section 8. Compliance with the Rules and Regulations.

Each owner is responsible for full compliance with the Rules and Regulations by all family, guests, visitors, and other persons during the time they are upon or using the property. By acceptance of title to a unit, each owner agrees to hold the Association harmless and indemnify it from and against any liabilities, loss or damages arising from acts or negligence of the owner or his/her family, guests, visitors, or other persons in violation of the Association Rules and Regulations.

Section 9. Approvals and Denials.

Approval of a request is granted upon the completion of the following:

- (a) The Board of Directors receives a written request.
- (b) The Board's approval or denial is recorded in the minutes of a Board of Directors meeting.
- (c) Written notification of approval or denial is received by the requesting member(s) or its designee from the Board.

Section 10. Complaint and Enforcement Procedures.

Members of the Board and any Association committees serve without compensation and are under no special obligation to enforce regulations or arbitrate disputes between neighbors, except in their official capacity at noticed Board or committee meetings.

(a) Complaints regarding Association Rules and Regulations must be forwarded or submitted in person or in writing at a meeting of the Board.

(b) Anonymous complaints will not be accepted.

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(c) Enforcement of the rules and regulations:

1) The Board will review the complaint at its next regularly scheduled Board meeting and enforce the Rules and Regulations as provided in the governing documents or policy adopted by the Board and/or the Association Members.

2) Any owner who violates or disregards the decisions and directives of the Board in its enforcement of these Rules and Regulations may be fined a non-compliance penalty in a maximum amount of \$10.00 per day each day in which the non-compliance continues.

3) Any owner who violates the Board's directives and enforcement decisions shall be subject to all legal and equitable remedies available including but not limited to unpaid non-compliance penalties becoming a lien against the property.

Section 11. Board's Authority.

The Board reserves the right to amend, alter, and grant waivers to any of the Rules and Regulations, and requirements under these By-Laws, and to make such other Rules and Regulations from time to time as may be deemed necessary for the safety, care and cleanliness of the properties and for security, comfort, and

convenience of all owners. Any material amendment or alteration of the requirements under these By-Laws by the Board shall be subject to approval of the Members at the next regular or special meeting of the Members.

Section 12. Notice to Members.

The Board of Directors will provide reasonable notice of any changes in the Rules and Regulations to the members of the Association.