

# KING FARM VILLAGE CENTER CONDOMINIUM II

## RULES

The Board of Directors of the Council of Unit Owners of King Farm Village Center Condominium II has adopted the following Rules for the mutual benefit of the owners and occupants of the Units therein. These Rules may be modified from time to time by the Board of Directors as it deems necessary to promote the safety and welfare of the owners and occupants of the Units. The managing agent has been authorized and directed by the Board of Directors to uniformly enforce the Rules at all times. Any capitalized terms used herein shall be defined as set forth in the Declaration of Condominium of King Farm Village Center Condominium II, unless specifically provided otherwise herein.

1. The sidewalks, paths, driveways and other areas for use in getting to and from parking spaces, Units and/or common elements shall not be obstructed or used for any purpose other than for ingress to and egress from the parking spaces, Units and/or common elements.

2. Unless specific portions of the common elements are designated by the Board of Directors for such purpose, no portion of the common elements shall be used for the storage or placement of furniture or any other article, including, but not limited to, plants, boxes, shopping carts, bicycles, shoes or other articles of clothing and the like.

3. No Unit Owner or occupant shall make or permit to be made any disturbing noise in the common elements or in the Units by himself, his family, friends, tenants, employees, servants or invitees, nor permit anything to be done by any such persons as would interfere with the rights, comfort or convenience of other Unit Owners or occupants. No Unit Owner or occupant shall play or allow to be played any musical instrument, radio, TV, hi-fi, tape recorder or the like if the same shall unreasonably disturb or annoy any other Unit Owners or occupants.

4. No rugs shall be beaten on common elements, nor dust, rubbish or litter swept from the Unit or any other room thereof onto any of the common elements. Unit Owners and occupants must deposit all rubbish or litter in the designated areas and receptacles provided for such purpose.

5. Persons shall not be permitted to loiter in any portion of the common elements not specifically designated for such purpose.

6. The repair of all damage to the common elements resulting from the moving and/or carrying of furniture and/or other articles therein shall be paid for by the Unit Owner or the person in charge of such articles.

7. No one shall interfere in any manner with the lighting in or about the buildings and common elements.

8. No awnings or window guards shall be used except as shall be put up or approved by the Board of Directors, and no signs of any kind (except for temporary real estate signs, as permitted by the Bylaws or other signs permitted by law) shall be placed in windows or on doors or other exterior surfaces, or on patios or decks, or the common elements without the prior written approval of the Board of Directors. Notwithstanding the foregoing, the Declarant or its agents may place in windows or on doors or on other exterior surfaces or parts of the common elements signs relating to the sale or rent of any Units which it owns.

9. Unit Owners and occupants, their employees, servants, agents, visitors, licensees and their families will obey the parking regulations posted at the parking areas, and any other traffic regulations promulgated in the future for the safety, comfort and convenience of the Unit Owners and occupants. Double-parking shall not be permitted, except in case of emergency or except for tandem parking spaces.

10. The Unit Owners and occupants shall not cause or permit the blowing of any horn from any vehicle in which his guests, family, tenants, invitees or employees shall be occupants, approaching or upon any of the driveways or parking areas serving the Condominium, except as may be necessary for the safe operation thereof.

11. The owners and occupants of the Units shall in general not act or fail to act in any manner which unreasonably interferes with the rights, comfort and convenience of other Unit Owners and occupants.

12. Unit Owners will faithfully observe the procedures established from time to time by the Board of Directors, the managing agent or the manager with respect to the disposal of garbage, rubbish and refuse.

13. All draperies, shades, blinds and other window coverings hung, displayed or installed at or in the exterior windows of any Unit shall be of materials and construction manufactured for purposes of serving as window coverings, as determined by the Board of Directors. Sheets, towels, bedspreads, aluminum foil and other similar materials not manufactured for purposes of serving as window coverings, as determined by the Board of Directors, shall not be hung, displayed or installed at or in the exterior windows of any Unit.

14. No Unit Owner or any of his agents, servants, employees, licensees, or visitors shall at any time bring into or keep in his Unit any inflammable, combustible or explosive fluid, material, chemical or substance, except for normal household use.

15. Installation of antennas, including satellite dishes, shall be governed by the "Rules for Installation of Antennas" attached hereto as Exhibit "A". The Federal Communications Commission (the "FCC") adopted a rule effective October 14, 1996 (the "FCC Rule"), preempting certain restrictions in the governing documents of planned communities concerning the installation, maintenance, and use of direct broadcast satellite, television broadcast, and multipoint distribution service antennas (collectively, "antennas"). The Rules for Installation of Antennas set forth on the attached Exhibit "A" are generally consistent with the FCC Rule; however, because the FCC Rule is subject to change or modification, the Board of Directors

reserve the right to amend and modify the Association's rules governing installation, maintenance, and use of antennas, which rules may be more restrictive than current regulations and which may, in the discretion of Board of Directors, be applied retroactively.

16. Subject to the provisions of the Bylaws, dogs, cats and other domestic pets are allowed, provided that the same shall not disturb or annoy other Unit Owners or occupants. Any inconvenience, damage or unpleasantness caused by such pets shall be the sole responsibility of the respective owners thereof. All such pets shall be kept under the direct control of their owners at all times and shall not be allowed to run free or unleashed or to otherwise interfere with the rights, comfort and convenience of any of the Unit Owners or occupants.

## EXHIBIT A

### RULES FOR INSTALLATION OF ANTENNAS

#### KING FARM VILLAGE CENTER CONDOMINIUM II

##### I. Definitions

- A. Antenna: any device used for the receipt of video programming services, including direct broadcast satellite (DBS), television broadcast, and multipoint distribution service (MDS). A reception antenna that has limited transmission capability designed for the viewer to select or use video programming is a reception antenna, provided that it meets FCC standards for radio frequency emission. A mast, cabling, supports, guy wires, conduits, wiring, fasteners, or other accessories necessary for the proper installation, maintenance, and use of a reception antenna shall be considered part of the antenna.
- B. Mast: structure to which an antenna is attached that raises the antenna height.
- C. Transmission-only antenna: any antenna used solely to transmit radio, television, cellular, or other signals.
- D. Owner: the owner of record of any Residential Unit within the Condominium, whether one or more people or entities; provided, however, that the term "Owner" excludes those having an interest merely as security for the performance of an obligation. For the purpose of this rule only, "Owner" includes a Unit tenant.
- E. Telecommunications signals: signals received by DBS, television broadcast, and MDS antennas.
- F. All other capitalized terms used in these Rules for Installation of Antennas, unless otherwise defined herein, have the meanings specified for such terms in the Declaration of Condominium for King Farm Village Center Condominium II.

##### II. Installation Rules

###### A. Antenna Size and Type

- 1. DBS antennas that are one meter or less in diameter may be installed. DBS antennas larger than one meter are prohibited.
- 2. MDS antennas that are one meter or less in diameter may be installed. MDS antennas larger than one meter are prohibited.

3. Installation of transmission-only antennas are prohibited unless approved by the Architectural Control Committee.
4. All antennas not covered by the FCC Rule are prohibited.

**B. Location**

1. Antennas shall be installed solely within the Owner's Residential Unit or appurtenant Limited Common Element. (This may be any front or rear deck or patio deemed to be a Limited Common Element appurtenant to a Residential Unit.) Installation of antennas upon Limited Common Elements does not convert the Limited Common Element to individually-owned property of such Owner.
2. If acceptable quality signals can be received by placing antennas inside a Residential Unit, without unreasonable delay or unreasonable cost increase, then outdoor installation may be prohibited.
3. Antennas shall not encroach upon any General Common Elements or any other Owner's Residential Unit or Limited Common Element, or the air space of another Owner's Limited Common Element.
4. To the maximum extent possible, antennas shall be located in a place shielded from public view and from the view of other Owners; provided, however, that nothing in these Rules would require installation in a location from which an acceptable quality signal cannot be received, as certified in writing by a licensed installer. This section does not permit installation on General Common Elements, even if an acceptable quality signal cannot be received from an Owner's Residential Unit or appurtenant Limited Common Element. (The Board of Directors may expand this rule to state which locations are the most preferred for antenna installation, followed by less favorable, and so on.)

**C. Installation**

1. Antennas shall be no larger nor installed higher than is absolutely necessary for reception of an acceptable quality signal.
2. All installations shall be completed so that they do not materially damage the General Common Elements, Limited Common Elements, or Residential Units, or void any warranties of the Association or other Owners, or in any way impair the integrity of the building(s) which comprise the Condominium.

3. Any installer other than the Owner shall provide the Association with an insurance certificate listing the Association as the named insured prior to installation. Insurance shall meet the following minimum limits:
  - a. Contractor's General Liability (including completed operations): \$1,000,000.00.
  - b. Worker's Compensation: Statutory Limits.
  - c. The purpose of this regulation is to ensure that the antennas are installed in a manner that complies with building and safety codes and manufacturer's instructions. Improper installation could cause damage to structures, posing a potential safety hazard to other Owners and personnel.

(This section may be enforced only if the Association requires contractors to provide insurance for the installation of similar devices, such as air conditioning devices.)

4. Antennas must be secured so that they do not jeopardize the soundness or safety of any other structure or the safety of any person at or near the antennas, including damage from wind velocity.
5. There shall be no penetrations of the building exterior unless it is necessary to receive an acceptable quality signal or it would unreasonably increase the cost of antenna installation. The following devices shall be used unless they would prevent an acceptable quality signal or unreasonably increase the cost of antenna installation, maintenance or use:
  - a. Devices that permit the transmission of telecommunications signals through a glass pane without cutting or drilling a hole through the glass pane;
  - b. Devices, such as ribbon cable, which permit the transmission of telecommunications signals into a residence through a window or door without penetrating the wall; or
  - c. Existing wiring for transmitting telecommunications signals and cable services signals.
6. If penetration of the building exterior is necessary, the penetration shall be properly waterproofed and sealed in accordance with applicable industry standards and building codes. The purpose of this rule is to prevent structural damage to the building(s) and residences which may result from moisture.

**D. Maintenance**

1. Owners who install or maintain antennas are responsible for all costs associated with the antenna including, but not limited to, costs to:
  - a. Place (or replace), repair, maintain, and move or remove antennas;
  - b. Repair damage to any property caused by antenna installation, maintenance or use;
  - c. Pay medical expenses incurred by persons injured by antenna installation, maintenance, or use;
  - d. Reimburse residents of the Condominium for damage caused by antenna installation, maintenance, or use; and
2. Owners shall not permit their antennas to fall into disrepair or to become a safety hazard. Owners shall be responsible for antenna maintenance, repair and replacement, and the correction of any safety hazard.
3. If antennas become detached, Owners shall remove or repair such detachment within seventy-two (72) hours of the detachment. If the detachment threatens safety, the Association may remove the antennas at the expense of the Owner.
4. Owners shall be responsible for antenna repainting or replacement if the exterior surface of the antenna deteriorates.

**E. Safety**

1. Antennas shall be installed and secured in a manner that complies with all applicable county and state laws and regulations, and manufacturer's instructions. The Owner, prior to installation, shall provide the Association with a copy of any applicable governmental.
2. Antennas shall be placed within a safe distance from electrical and other utility lines and apparatus (above-ground or buried) and in no event shall antennas be placed where they may come into contact with such utility lines and apparatus. The purpose of this requirement is to prevent injury or damage resulting from contact with utility lines and apparatus.
3. Antennas shall not obstruct access to or exit from any Residential Unit, walkway, ingress or egress from an area containing electrical service equipment, or any other areas necessary for the safe operation of the Condominium. The purpose of this requirement is to ensure the safety of

residents of the Condominium and personnel and safe and easy access to and within the building(s) comprising the Condominium.

4. All installations must comply with all applicable codes.
5. In order to prevent electrical and fire damage, the antennas shall be permanently and effectively grounded.
6. Antennas are required to withstand wind gusts up to 90 mph, and shall be designed to withstand the pressure of snow and ice.

### **III. Antenna Camouflaging**

- A. Antennas shall be painted to match the color of the structure to which they are installed, unless such paint will degrade the signal.
- B. Camouflaging antennas through inexpensive screening or plants is required if antennas are visible from the street or other Residential Units, unless such camouflaging interferes with an acceptable quality signal.
- C. Exterior antenna wiring shall be installed so as to be minimally visible.

### **IV. Mast Installation**

- A. Mast height may be no higher than absolutely necessary to receive acceptable quality signals.
- B. Masts that extend 12 feet or less beyond the roofline may be installed subject to the regular notification process (see below). Masts that extend more than 12 feet above the roofline must be approved by the Architectural Control Committee before installation due to safety concerns posed by wind loads and the risk of falling antennas and masts. Any application for a mast longer than 12 feet must include a detailed description of the structure and anchorage of the antenna and the mast, as well as an explanation of the necessity for a mast higher than 12 feet, as certified in writing by a licensed installer. If this installation will pose a safety hazard to residents and personnel of the Condominium, then the Association may prohibit such installation. The notice of rejection shall specify these safety risks. (This 12-foot baseline may change, if the BOCA Code is amended.)
- C. Masts must be installed by licensed and insured contractors.
- D. Masts must be painted the appropriate color to match their surroundings.
- E. Masts installed on a roof shall not be installed nearer to the lot line than the total height of the mast and antenna structure above the roof. The purpose of this



regulation is to protect persons and property that would be damaged if the mast were to fall during a storm or from other causes.

- F. Masts shall not be installed nearer to electric power lines than the total height of the mast and antenna structure above the roof. The purpose of this regulation is to avoid damage to electric power lines if the mast should fall in a storm.
- G. Masts shall not encroach upon another Owner's Unit or the General Common Elements.
- H. Masts installed on the ground are required to withstand wind gusts up to 90 mph.
- I. Masts must be designed to withstand the weight of ice and snow.

#### **V. Antenna Removal**

Antenna removal requires restoration of the installation location to its original condition. Owners shall be responsible for all costs relating to restoration of this location.

#### **VI. Association Maintenance of Locations Upon Which Antennas are Installed**

- A. If an antenna is installed on property for which the Association has maintenance responsibility, the Owner who installed such antenna shall retain responsibility for such antenna maintenance. Owners shall not install antennas in a manner that will result in increased maintenance costs for the Association or for other Owners. If an antenna is installed in a manner that results in increased maintenance costs for the Association or for other Owners, the Owner responsible for such antenna shall be liable for such increased costs.
- B. If Association maintenance requires the temporary removal of antennas, the Association shall provide applicable Owners with 10 days written notice. Owners shall be responsible for removing or relocating antennas before maintenance begins and replacing antennas afterward. If an Owner does not remove his or her antenna(s) by the required time, then the Association may do so, at the Owner's expense. The Association is not liable for any damage to the antennas caused by the Association's removal of the same.

#### **VII. Notification Process**

- A. Any Owner desiring to install an antenna must complete a notification form and submit it to the Architectural Control Committee. If the installation is routine (i.e., the installation conforms to all of the above rules and restrictions), the installation may begin immediately.
- B. If the installation is other than routine for any reason, the Owner and the Architectural Control Committee must establish a mutually convenient time to

meet to discuss installation methods. (A schedule of convenient times for the Architectural Control Committee will be provided to the Owner.)

#### **VIII. Installation by Tenants**

These Rules shall apply in all respects to tenants. A tenant desiring to install an antenna shall provide prior written notification to the Owner of the Unit. A copy of such notice must be furnished with the notification statement.

#### **IX. Enforcement**

- A. If these rules are violated, the Association may bring an action for declaratory relief with the FCC or any court of competent jurisdiction after notice and an opportunity to be heard have been afforded to the Owner. If the court or FCC determines that the Association rule is enforceable, a fine of \$50 shall be imposed by the Association for each violation. If the violation is not corrected within a reasonable length of time, additional fines of \$10 per day will be imposed for each day that the violation continues. To the extent permitted by law and/or the governing documents of the Association, the Association shall be entitled to reasonable attorney fees, costs, and expenses incurred in the enforcement of this policy.
- B. If antenna installation poses a serious, immediate safety hazard, the Association may seek injunctive relief to prohibit the installation or seek removal of the installation.

#### **X. Severability**

The provisions of these Rules for Installation of Antennas are severable and the invalidity of one or more of the provisions shall not affect the validity or enforceability of any other provisions.