

POWDER MILL CONDOMINIUMS RULES AND REGULATIONS
June 2015

INTRODUCTION

The following Rules and Regulations have been adopted by the Board of Directors of the Powder Mill Condominiums in accordance with the Declarations and By-laws. The purpose of these rules is to protect the physical integrity and harmony of the community and to promote the safety and welfare of residents. The Rules and Regulations do not replace the Declarations and By-laws, which the Board of Directors uses as its primary governing documents. In case of a wording conflict between these documents the Declarations and By-laws will prevail. The Rules and Regulations apply to all unit owners, residents, family members, tenants, and guests. They will be enforced by the Board of Directors in accordance with the penalties included in this document. Owners are responsible for the actions of their tenants and guests and should make sure their tenants are provided with a copy of these rules.

PENALTIES

A. A system of penalties has been established to address individuals who violate these rules. The Board of Directors has no intent to restrict unit owners' rights to reasonable and unrestricted use of their property or privileges of ownership.

B. Fines will be imposed for violations of the rules according to the following schedule:
First violation: written warning
Subsequent violations: a fine of \$25/day will be imposed until the violation is corrected.

C. The violator may request a hearing within ten (10) days after imposition of the fine. The request must be made in writing and be addressed to the Board of Directors. The violator will be afforded a reasonable opportunity to be heard and may present his/her case to the Board. The Board will decide, based on the available information regarding the alleged violation, whether or not any fines and/or penalties should be lifted. The hearing shall be held in executive session (that is a closed session) of the Board.

D. If a violation is repeated within twelve (12) months of the first notice, a fine will be imposed without warning.

E. If the violator is not a unit owner, the violation will be addressed with the unit owner and their tenants with a copy of these rules. The unit owner is ultimately responsible for all fines and the removal of all violations.

F. Unpaid fines may result in a lien against the owner's property.

PROCEDURES FOR COMPLAINTS:

A. All complaints must be received in writing by the managing agent. Unit owners may submit complaints to the managing agent by email, fax, or regular mail. See www.greatnorth.net.

B. Disputes will be resolved according to Section 18, *Procedure for Resolving Disputes* found on page 29 of the Declarations document.

RULES AND REGULATIONS:

1. Obstruction of Common Areas

Obstruction of the sidewalks, driveways, entryways, and parking lots is not allowed. These areas must be kept clear of bicycles, skateboards, play equipment, ladders, racks, tools, hoses, trash, etc., so that residents and their guests have unrestricted access to these areas.

2. Noise

Loud or disturbing noises made by residents, family members, guests, pets, etc., are not allowed. Televisions, radios, stereos, musical instruments, etc., will be turned down after 10:00 p.m. and will remain that way until 8:00 a.m. the following morning; and at all times volumes will be kept at a level which will not annoy neighbors or other residents. Fireworks are not allowed at any time.

3. Offensive Activities

a. Offensive or potentially dangerous activity that may annoy, harm, or otherwise interfere with the rights, comfort, and convenience of other owners or residents is not allowed in any unit or in any common or limited common areas.

b. Repair and maintenance of vehicles is not allowed anywhere on the Powder Mill premises, with the exception of repair of flat tires, jumpstarting, and fluid replenishing. Oil changing is not permitted.

c. Parking vehicles on grass/lawn to wash them is prohibited. Vehicles have to be parked on pavement when they are being washed.

4. Parking/Parking Lots

a. Each unit has two assigned numbered parking spaces.

b. All unnumbered spaces are for guest parking. A guest is someone who visits for no longer than two weeks.

c. All cars parked at Powder Mill must be registered and operational. They must be able to be moved during snow plowing, parking lot cleaning, maintenance, and in an emergency.

d. All residents' cars must be registered with the management company and have a parking sticker on display on the windshield (inside right side) of each car. Parking stickers are obtained from the property management office (207-361-8000). If a resident sells his/her present car and/or buys another car, the resident must re-register the car and a new sticker will be issued. Stickers are not transferrable. A resident who has given an unused space to another resident to use may do so at their discretion. If this is for the long term, then this car should display a sticker designated for that space. If this is for a temporary period, then a visitor's tag may be used for a period of 2 weeks or less. Fines will be imposed for cars unregistered after May 1, 2015.

e. Residents' guests with their own cars and who are staying overnight must have a visitor's tag displayed on their car's windshield. Each owner was issued two visitor tags with stickers. Additional visitor tags may be obtained from the property management office. (A visitor is defined as someone staying overnight for a period of two weeks or less.

f. Motorcycles are exempt from stickers, but are expected to be parked within the boundaries of the assigned parking spaces for the unit.

g. IMPORTANT NOTE: During the snow season (November 1 through March 31): when a snow storm is forecast no guest cars may be parked overnight at Powder Mill Condos. (Powder Mill Condos does not have sufficient alternate parking spaces during a snow storm for any cars other than those belonging to residents.)

h. Owners will be fined for non-compliance with these rules. See Penalty Section above.

i. There are no exceptions to any of the above rules without permission of the Board of Directors.

5. Snow Storm Parking

a. A snow storm is defined as a forecast of 2 or more inches of snow in a 24-hour period.

b. When a snow storm is forecast, residents with valid parking stickers must move their vehicles to alternate spaces as soon as possible before or after the snow begins to fall. This is so the snow plows are not encumbered by cars and can plow the parking lots without obstructions.

c. During the storm the plowing crew will plow access roads and the parking areas once or twice, pending on the severity of the storm; this allows access for residents and emergency vehicles. During the snow season (November 1 through March 31),

residents who are away during this time period must make arrangements for their car(s) to be removed for snow plowing. The parking lot next to the Farragut access road is no longer available for long-term parking during this period.

d. After the storm is over the plowing crew will again plow the parking areas and will clean sidewalks and stoops of the condos.

e. When the cleaning mentioned above is complete, unit residents should immediately dig out their cars and park them in their regular spaces. Building 3 residents should then move their cars to visitor spots below the circle so their area can be plowed. This will allow the plowing crew to clean off the alternate parking areas. If unit residents do not move their cars with 2 hours, the plowing crew will not be able to plow the alternate parking areas (the crew services many other condo complexes and must move on quickly to do so.)

f. Prohibited parking areas are: Farragut access road, dumpster entry, snow dumping areas, non-river side of Powder Mill Drive, and by the railroad ties below the circle.

g. Alternate parking for Powder Mill residents with stickers is as follows:

1. Buildings 1, 2, 8, 9, and 10 are allowed to back across their parking areas onto the grass.

2. Building 3 residents are to remain parked in their designated spots. Any open spots may be used as alternate parking for other residents. The two visitor spaces are for alternate parking.

3. Building 5 residents are to back into the visitors' area in front of that building. Residents need to back in straight so that more cars can be parked in this area. Open spaces can be used by other residents.

4. Buildings 4, 6, and 7 may use the parking lot next to the Farragut access road on a first-come basis. Parking can be in tandem (when there are two residents agreeable to doing this) by backing the first car onto the grass and backing the second car in front of the first car.

5. The space between buildings 4 and 3 may be used for one car.

6. The space on the left side of the dumpster (non-entry) may be used if this area has been plowed.

7. Parking on the river side of Powder Mill Drive may be used as a last resort.

8. Residents may park in any open areas on the grass at buildings 1, 2, 3, 5, 9, 10, and 11.

6. Recreational Vehicles

a. Boats, campers, and trailers or other recreational vehicles may not be parked or stored upon the premises unless they can be stored under the resident's deck. Snowmobiles and ATVs are not allowed under any circumstances.

b. Exceptions to this rule are: (1) a camper or recreational vehicle may park in designed

parking solely for the purpose of loading or unloading; and (2) some spaces in the extra parking lot by the traffic circle will be available for boats or RVs from May 1 to September 30. Owners must request permission in advance from the Board through the managing agent to use these spaces and the boat or RV must be locked and secured for safety. *Neither the managing agent nor the Board of Directors will be liable for any damage to the boats or RVs parked on the premises. If the Board determines a safety or convenience issue exists, owners will be notified to move their vehicles.*

7. Dogs and Cats

a. General

1. Unit owners must have written permission from the managing agent before bringing any dogs or cats into Powder Mill.
2. As of 6/30/09 owners at Powder Mill are allowed only two dogs or two cats or one cat and one dog. Owners or tenants who had more dogs/cats before the date may keep their animals, but may not replace them if it brings the household over the allowed number (i.e., two dogs or two cats or one cat and one dog).
3. Renters are not allowed to have either dogs or cats while living at Powder Mill.

b. Dog Policy

1. All dogs at Powder Mill must be registered with the managing agent.
2. Dogs and their owners are subject to applicable Town of Kennebunk ordinances and the State of Maine Leash Law and, for safety reasons, all dogs on Powder Mill grounds must be leashed at all times.
3. Dog owners are responsible for picking up and disposing of their dog's feces immediately. Fines will be levied for failing to pick up after a dog.
4. Unattended dogs may not be kept outside a unit on a lead or rope.
5. Dogs may not interfere with the comfort, safety, or convenience of other residents, guests or visitors.

c. Cat Policy

1. All cats at Powder Mill must be registered with the managing agent.
2. Cats and their owners are subject to applicable Town of Kennebunk ordinances.
3. Cat litter must be disposed of by sealing it in plastic bags and putting it in the dumpster.
4. Cats may not interfere with the comfort, safety, or convenience of other residents, guests or visitors.
5. As of 2/4/14, there will be no new outdoor cats at Powder Mill Condos. This

regulation applies to both new owners and current owners.

d. Penalties: See Penalty Section on the first page of these rules.

8. Decks

a. Decks must be kept free of trash, junk, and debris at all times. Nothing may be placed or hung from the deck railings if there is reasonable risk of the object falling from the deck.

b. Expanded Decks

1. Deck expansion is subject to approval by the Board of Directors and to the specifications that have been developed. A copy of these specifications may be obtained from the managing agent. A written request must be submitted to the Board in advance of any work, a building permit must be obtained from the Town of Kennebunk, and expansion is subject to code requirements as determined by the Town of Kennebunk.

2. When decks are expanded the present and all future owners are responsible for all maintenance and upkeep of the entire deck.

3. [Click here for building requirements and compliance for expansion of decks.](#)

9. Trash

a. The dumpster area is exclusively for depositing household trash and items to be recycled. All trash must be tied in plastic bags and placed inside the dumpsters.

b. Items that are not household trash or to be recycled (such as furniture, mattresses, construction debris, etc.) are not to be placed in the dumpsters. These items can be disposed of at the transfer station on Sea Road.

c. Construction debris may not be placed in dumpsters. Unit owners should arrange to have construction debris removed by the contractor.

d. Bins for paper and comingled containers are located inside the dumpster enclosure.

e. Anyone who has items they are unable to dispose of properly should call the managing agent. The agent will advise of available options for disposal of these items.

10. Sports and Play Equipment

a. Bicycles, skateboards, roller blades, sleds, and basketballs may be used only in normal daylight hours and those using them are expected to behave safely and courteously to the residents of the complex. Bicycles, skateboards, etc., may not be left or stored in front of units, on the grass, or on sidewalks. These items should be stored inside the unit or on the back deck.

b. Portable basketball hoops may be permitted with prior approval of the Board of Directors. However, the unit owner will be responsible for overseeing the use of such equipment.

11. Flowers/ Exterior Decoration/Composting

a. It is important to maintain an attractive visual appearance of our buildings in order to protect our individual investments. Please keep this in mind when choosing decorative items that will be visible from the outside of the buildings.

b. Any changes to front yards must have prior approval from the Board of Directors. Annual flowers are exempt from this rule.

c. Those who wish to plant flowers/gardens (perennials) will be responsible for their upkeep and must maintain them properly. Please note that artificial flowers or artificial plants, and bird baths are not allowed.

d. Owners must have permission from the Board for exterior decorations other than annual plantings.

e. Composting: any owner who wishes to compost must:

1. Obtain *Guidelines for Composting* from the property management agent OR [click here for the Guidelines.](#)

2. Submit a plan following these guidelines to the Board of Directors for approval.

3. After approval and implementation of the composting plan, the site will be periodically reviewed by a representative of the Board to ensure continuing compliance with these guidelines.

12. Signs

Signs or advertising of any kind in windows or unit are not allowed. "For Sale" signs may be placed upon the lawn fronting a unit, but realtor signs at the front entrance to Powder Mill Drive will not be allowed. The Powder Mill sign at the entrance has a small drop sign that indicates there are unit(s) for sale.

a. Federal law prohibits posting anything on federal property, i.e., mail boxes.

b. Residents are prohibited from posting anything on telephone poles, directional signs, and tress on the property.

13. Storm/Screen Doors

New or replacement storm doors will be white, full-view, and made of a maintenance-free all-weather material; their design must be approved by the management company. The cost of storm doors is the owner's responsibility.

14. Construction/Remodeling

Any changes to electrical, plumbing, heating, attics, decks, doors, windows, or other parts of a unit which may affect common areas are subject to prior approval by the Board of Directors and local building permits and codes. Owners must contact the property management company before beginning any construction.

15. Skylights

a. The installation of a skylight requires approval from the Board of Directors before installation. If approved by the Board of Directors, all skylights must be installed: 1. On the rear roof of the unit. 2. With the size and location of the skylight similar in size and location to any others on that building. 3. In conformance with the local building code. The skylights must allow egress from the third floor according to the local building code and cannot be more than 44" x 46" in size.

b. Exception to the above regulation: Because the building housing units 29, 30, 31, and 32 is unique in that both the front and rear of each unit is visible from the roadway, these units may be permitted to install skylights on either the front or rear of the unit. However, all other regulations listed above relating to skylights apply to these four units.

16. Satellite Dishes (amended March 27, 2012)

The Board of Directors unanimously voted to amend the rules for satellite dishes so that the size cannot be larger than one meter and it must be mounted within the interior space of the deck (within the exclusive use area) and it must be approved by the Board of Directors before installation; dishes may not be installed on the roof, through the siding or building trim, or on the front of a building.

17. Winter Minimum Temperature

A minimum temperature of 55 degrees Fahrenheit is required at all times from November 1 to May 1 to prevent potential damage to common elements from frozen water pipes.

18. Rental Units/Tenants

a. A six-month minimum rental agreement is required for renters.

b. A copy of the lease with the names of tenants and their phone numbers must be

provided to the property management company for any unit not occupied by the owner.

c. Unit owners are responsible for the actions of their tenants and are responsible for providing a copy of these rules to their tenants.

19. Late Charges for Condo Fees

Monthly condo fees are due on the first of the month and must be paid no later than the 10th of that month. After the 10th of the month a late fee of \$25 per month will be charged until the account is fully paid with no outstanding balance.

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