

# BRISTOL HARBOUR VILLAGE ASSOCIATION



Managed By:  
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Corporation

# **RULES AND REGULATIONS** **BRISTOL HARBOUR VILLAGE ASSOCIATION**

This section publishes, in abbreviated form, the principal covenants, constraints, rules and regulations of the BHV Association. All BHV Homeowners have agreed in advance to observe these covenants, constraints, rules and regulations, by the act of purchasing or leasing property subject to the BHVA “Offering Plan”.

The basis of these “Rules and Regulations” were devised with appropriate conditions, constraints and common sense aptitudes conversely directed at assuring a pleasing environment in which to live. The “Rules and Regulations” were also intended to assure consistency and uniformity.

Adherence to these “Rules and Regulations” is the responsibility of all BHV Homeowners / Tenants and Guests as they are intended to provide a standard for maintaining Bristol Harbour Village as an outstanding community where residents may enjoy living and where property values are protected. The “Rules and Regulations” are intended not to restrict BHV residents, but to clarify our role in stabilizing the community in which we live and for our mutual benefit; which will further the concept of “leisure time” living, by insuring pleasant, orderly and sanitary surroundings.

The Environmental Committee initially approves the Environmental Committee applications. The committee then makes the report to the Board of Directors.

Utility companies are not obligated to contact the site office prior to commencing work on the property.

## **RESIDENTIAL COVENANTS:**

No professions or home industry may be conducted in any residential area without written BHVA Board approval.

Within South Bristol Town’s zoning restrictions, the use of a single-family house for more than one family, or use of a structure other than the principal dwelling (house) for residential purpose(s) *is/are not allowed without prior written approval from the Town of South Bristol.*

## **SPECIFIC RULES**

For convenience, specific “Rules and Regulations” have been listed below, by subject, alphabetically:

**ANIMALS** – No animals, birds or insects may be kept or housed at Bristol Harbour, except for domestic (*not commercial*) purposes. The BHVA Board may limit the type and number of these animals; domesticated animals may not run at large – They must be on a leash in accordance with the New York State “leash laws”.

No resident of Bristol Harbour Village may keep on the premises an animal which constitutes a nuisance to other residents or behaves in any way injurious to the common property or threatening to the residents, tenants and/or guests of the BHV (*See also PETS and WILDLIFE*).

**The staff does not have the authority, training or expertise to remove any animals.**  
**Residents are encouraged to call Animal Control.**

**ANTENNAS** – No exterior television or radio antennas, satellite dishes and/or outside wiring of any type shall be attached to buildings or placed anywhere in the common area(s) without prior written Environmental Committee (EC) approval. The size and location can be restricted by the Environmental Committee \*Satellite dish installation must be approved before installation(s)\*

**ARCHITECTURE** – No exterior modifications and/or construction of any kind can be made (excluding emergency repairs/reconstructions) until the plans and specifications for the desired modification/construction has been submitted to and approved, in writing by the Environmental Committee (EC).

1. Requests for exterior changes and modifications must be submitted on a form that is available at the Community Center (*Monday – Friday, 8:00 a.m. – 4:30 p.m.*). This request should include detailed plans and specifications for the proposed changes as well as other pertinent information (*i.e. manufacturer's brochure*) to enable the Environmental Committee (EC) to assess the impact of the change. This submittal must also identify any contractor(s) that will be engaged/employed to perform any work. (*This submittal must be submitted not less than ten [10] days prior to the Environmental Committee monthly meeting.*)
2. Only construction (and/or repair) materials for exterior modifications and /or repair(s), which are identical to the existing exterior materials or are compatible with the architectural design of the BHV community, will be approved.
3. Repainting and/or re-staining any exterior surfaces require prior Environmental Committee (EC) approval, including any exterior color changes.
4. Any and all expenses relating to removal of or restoration of original features for changes, which did not have BHVA Board of Directors or Environmental Committee (EC) approval, are the responsibility of the Homeowner and NOT that of the BHV.
5. While the BHVA Board of Directors and the Environmental Committee (EC) will not knowingly give approval to changes that contradict building or zoning restrictions, the responsibility for compliance is solely that of the Homeowner. The BHVA Board of Directors and the Environmental Committee (EC) approval does NOT waive the need for such permits.
6. Anyone who installs and or constructs anything that requires Environmental Committee (EC) approval without first obtaining Environmental Committee approval must submit an

Environmental Committee application as detailed in item number one hereinabove along with a \$100.00 fine to BHVA.

*(See also, BHVA Architectural Design Controls, BHVA Design of Architectural Exterior Alterations and Additions and the BHVA Development Controls and Architectural Guidelines, Vardon Drive Section Including Cul-de-Sacs).*

**BEACH RULES** – We ask your cooperation to make the waterfront at Bristol Harbour a pleasant and safe place for all residents and guests alike by observing the following beach rules/regulations:

1. A certified lifeguard is on duty from 10:00 a.m. until 6:00 p.m. from Memorial Day to Labor Day.
2. Swimming beyond the hours referenced above or beyond the designated swim area(s) shall be done so at the swimmers own risk.
3. The docks, from time to time, are usually under repair during the season. The use of applicable footwear is a must on the docks and there is absolutely **NO RUNNING ON THE DOCKS AND/OR BEACH AREA(S)**.
4. No one is allowed on the stairways, beach or docks between the hours of 12:00 midnight to 5:00 A.M.
5. From January 1<sup>st</sup> until April 1<sup>st</sup> the elevator is not operational. From April 1<sup>st</sup> until January 1<sup>st</sup> the elevator is not operational between the hours of 12:00 midnight and 5:00 am.
6. No glass containers are permitted on the beach and/or swim dock(s).
7. Alcoholic beverages are strictly prohibited from the beach and/or swim dock(s)
8. **NO HORSE PLAY** is allowed on the beach, swim dock(s) or in the swim area(s).
9. **DIVING IS STRICTLY PROHIBITED.**
10. **NO SOLICITATION.**
11. In the event of an emergency, please **CALL 911.**
12. No domesticated animals are allowed on the beach (excluding the transiting purposes to and from docks, access road...etc...).

**BICYCLES** – Bicycles are not permitted on parking lots, parking decks, tennis courts, sidewalks, pedestrian paths, or any other applicable walkways (i.e. elevator walkway...etc...).

**BOATS** – Boats or boat trailers may not be stored outside or parked anywhere in the Village (*See also VEHICLES*).

**BULLETIN BOARDS-** BHVA reserves the right to screen and/or remove any information posted at or on the bulletin boards.

**CHARGES** – (“*Monthly Assessments*”) BHVA monthly charges (*unlike Condominium fees*) are equal for all residents.

1. The monthly payments are due and payable on the first day of each month. Assessments not received by the 10<sup>th</sup> of the month will be subject to a \$25.00 late charge. Unit Owners who are 30 or more days in arrears may be subject to a lien, suit, loss of vote, exclusion from BHVA facilities or even a forced sale of the residence (*See also ENFORCEMENT PROVISIONS*).
2. All payments received will first apply to attorney fees, other costs of collections, late charges, interest, and delinquent assessments or installments thereof beginning with the amounts past due for the longest period of time.
3. Homeowners will be held liable for all costs associated with collection of delinquent monthly assessments.
4. BHVA Homeowner Association fees cannot be accepted in the site office.
5. Likewise, if you are a member of a separate Homeowner Association, these fees cannot be accepted in the site office. Please refer to your Homeowner Association documents.

**CHEMICALS** – Chemicals that cannot be absorbed by normal sewage treatment (*i.e. gasoline, solvents, acids, paints, paint removers, oil...etc...*) are permitted, but are not **allowed to be disposed** of in BHV. If a BHV resident/homeowner stores and/or handles chemical substances as referenced above, they shall do so with the utmost diligence in approved containers. *\*The Environmental Committee (EC) and/or the BHVA Board of Directors may also limit the use of chemicals and/or pesticides where applicable\** Residents can contact the Town of South Bristol for disposal of these items.

**COMPLAINTS-**Complaints must be submitted in writing to the BHV Resident Manager.

**CONDOMINIUMS** – See Individual Condominium Association documents

**CONSTRUCTION** – See STRUCTURES

**DETERGENTS** – See CHEMICALS

**DIGGING** – Any and all exterior excavation is prohibited, unless previously approved, in writing, by the Environmental Committee (EC).

**DISTURBANCES** – See NOISE

**DOGS** – See ANIMALS and PETS

**ELEVATORS** – Under no circumstance is/are flammable substances (i.e. gasoline, oil, paint thinners...etc...) allowed in the elevator (*See also CHEMICALS*). There is absolutely NO SMOKING allowed in the elevator at any time(s).

From January 1<sup>st</sup> until April 1<sup>st</sup> the elevator is not operational. From April 1<sup>st</sup> until January 1<sup>st</sup> the elevator is not operational between the hours of 12:00 midnight and 5:00 am.

**ENCLOSURES** – Fences or enclosures may not be built, erected and/or altered without prior written BHVA Board (*EC*) approval (*See also STRUCTURES*).

**FEES** – See CHARGES

**FIREARMS & FIREWORKS** – Discharge of firearms or other weapons, or use of fireworks of all types and kinds in and/or upon BHV property is strictly prohibited and shall be enforced as hereinafter referenced and shall also be enforced in accordance with NYS law.

**GARBAGE** – Any garbage, trash and/or refuse that cannot be disposed of with the sink “disposer” unit should be placed in applicable trash/plastic bags, tied and stored in “out-of-view” containers (*approved by the Environmental Committee (EC) and/or the BHVA Board of Directors*) (*See also TRASH*).

1. To avoid food odors which can attract vermin to trash collection areas, all soft garbage (*i.e. food, grease...etc...*) should be put down the kitchen sink “disposer” unit (*See SINK DISPOSER*).
2. All garbage, trash and other refuse shall be placed in one of the dumpster containers located in the condominiums trash rooms and/or the trash compactor located at the recycling center.
3. Such material (*garbage*) shall be placed in these containers in such a manner as to keep the surrounding area clean.
4. Discarded appliance boxes items shall be placed in the recycling dumpsters in the recycling center. The individual Homeowner shall be responsible for removal of any items too large to fit in the containers provided, or the cost of removal by the BHV staff and/or applicable enforcement provisions that may be levied as specified.

*\*(please note: Town of South Bristol Transfer Station accepts furniture, box springs, mattresses, small amounts of building materials, wood, drywall, masonry products, carpet, appliances, excluding those with refrigerant [i.e. refrigerators, air conditioners, freezers...etc...], gas grills, TV's, VCR's, paint cans w/lids off, propane tanks w/valves*

*open, computers...etc...* Please contact the Town of South Bristol Transfer Station for hours of operation

*\*(appliances with Freon as referenced hereinabove may be taken to the transfer site located on Country Rd. 2 (off 20A) in Bristol on Saturdays between 8:00 and 1:00. Please note that a South Bristol Permit is required to use this site. To acquire a Town of South Bristol Permit, please call 374-6341).\**

5. NO HAZARDOUS materials (*i.e. gasoline, solvents, batteries, tires, aerosol cans...etc...*) Shall be placed in the condominiums trash rooms and/or the trash compactor located at the recycling center.

**GOLF CARTS** (*See also ATV / SNOWMOBILES*) – In accordance with the definition and/or description in the Vehicle and Traffic Law of the State of New York; only legally registered vehicles and valid licensed drivers shall be permitted to use the parking areas and drive on the roadways of/in the BHV(*See also VEHICLES*). **According to New York State Law, you have to have a valid driver’s license to operate a golf cart. This law applies to private as well as public roads.**

Any resident, homeowner, guest and/or person found operating a vehicle that is not legally registered in the State of New York and/or if such person(s) is found operating a vehicle without a valid drivers license (*i.e. ATV, Golf Cart, Snowmobile, Go Cart...etc...*), *such person(s)* will be ticketed in accordance with the New York State Traffic Law, which will be further enforced by the Ontario County Sheriffs Department and/or the New York State Police Department. Such resident, homeowner, guest and/or person found operating such illegal vehicle as described hereinabove may also be subject to BHV enforcement as further referenced herein.

**HEDGES & PLANTING** – Each BHV homeowner is responsible to keep their hedges and plantings trimmed so as not to obscure the view of street traffic, or to be detrimental to neighboring property(s), or be unduly unattractive.

1. Growing of vegetables (*i.e. tomatoes, pumpkins...etc...*) in a garden plot (*i.e. tilling*) is not permitted in the common area(s). (*See also the BHVA Design of Architectural Exterior Alterations and Additions*)
2. No Homeowner/Contractor may install or modify any exterior lighting (*i.e. spotlights...etc...*), without prior written approval from the Environmental Committee (EC).
3. No extensive landscaping may be planted without the prior written approval from the Environmental Committee (EC).
4. Removal or alteration of any portion of the common area or landscaping is not permitted by homeowners. *\*(Any Homeowner responsible for such removal or alteration will be held liable for all costs associated with restoring the common area to its original condition)\**

**HUNTING & TRAPPING** – Hunting and/or trapping is **NOT** allowed on any property/properties within Bristol Harbour Village (BHV).

**INSURANCE** – The BHVA Board is responsible for providing insurance for the Village as specified in the Declaration section of the Offering Plan. Accordingly, the Board secures a Master Policy, premiums for which are paid from the monthly assessments.

1. Homeowner's personal property should be insured by the Homeowner. This includes *(but is not limited to)* furniture, clothing, jewelry, silver, appliances...etc...
2. A Homeowner's liability **MUST** be covered by their own insurance to provide protection *(i.e. a guest trips and accidentally falls down a flight of stairs in a unit. Any resulting legal action would NOT be covered under the BHV Master Policy)*.
3. If a homeowner shall solicit/employ an independent company/contractor, they (the homeowner) shall assume responsibility for and against all damage and/or injury claim(s) that may arise from such companies/contractors employment, if such company/contractor does not have insurance coverage.
4. Requirements for contractors to conduct work within BHV are as follows: \$1,000,000.00 general liability with BHVA named as an additional insured, \$1,000,000.00 auto liability on all vehicles, and proof of Worker's Compensation. These requirements must be submitted with Environmental Committee applications.

**LUMBER** – No lumber, bulk materials, trash...etc... may be allowed to accumulate on any lot without prior written Environmental Committee (EC) approval. (See also BHV Environmental Committee Construction Requirements).

**MACHINERY** – No machinery (i.e. loader, bobcat, tractor...etc...) is permitted to be stored, placed and/or used in/upon BHV premises *\*(except that which is usual in the maintenance of a private residence; i.e. lawn mower)* without prior written Environmental Committee (EC) Approval.

**MOTORCYCLES & MINIBIKES** – Motorcycles and mini-bikes are not permitted for use in / upon BHV premises, including the Golf Course *\*(except for use directly associated with transportation purposes)\** (See also **VEHICLES**)

**NOISE** – Disturbances of the peace which cannot be settled on a friendly basis between neighbors/renters and/or guests should be reported directly to the Ontario County Sheriffs Department (394-4560) or call 911. If the disturbance(s) is being caused directly by a renter, and if such is adversely known, then the reporting individual(s) should directly contact the lodge 396-2600.

*\*\* (Whenever possible, when reporting problems, obtain whatever information you can reasonably acquire, such as: name of the offender, unit or house number of offender, description*

*of the animal or person(s), license number of vehicle(s) or motorcycle(s), date and time of disturbance/ violation, witnesses...etc...)\*\**

**OPEN FIRE(S)** – BHV Homeowner(s), Resident(s), Guest(s)...etc... are not permitted, for any cause or reason, to burn trash, brush, leaves and or structures (...etc...) in Bristol Harbour Village. Contained/controlled (i.e. containers, out-door fireplaces...etc...) camp fires are permitted (i.e. bonfires at the beach...etc...).

Violations and/or violators will be subject to all applicable local and state laws governing such as well as the enforcement provisions referenced herein below.

**PARKING** – Passenger cars may operate on BHV roads and park on BHV and Condominium parking decks, subject to speed; 15 MPH, stop and other traffic signs erected in/on BHV roadways in accordance with the New York State traffic laws. Private trucks, recreation vehicles and boat trailers may operate in the Village only on essential business and may not park for extended periods (*See also VEHICLES*).

1. Parking is permitted **ONLY** in the designated parking lots. It is illegal to park for long periods of time (i.e. overnight...etc...) on the BHV roadways. Vehicles will be towed at the violator's expense.
2. Speeding and careless driving in / on BHV property is both dangerous and inconsiderate. All Homeowners should remind the drivers in their family and their visitors to drive slowly and carefully in the Village parking areas and roadways as the "Village" speed limit is 15 MPH.
3. No extensive repairs to motor vehicles shall be made in any of the roadways, driveways or parking areas (*emergency repairs excluded, provided that they can be completed within a twenty-four (24) hour period*).
4. No long-term (*more than five (5) days*) parking or storage of motor vehicles is permitted in the BHV parking areas without specific written permission/approval by the BHVA Board of Directors and/or the BHV Resident Manager.

**PESTICIDE(S)** – The application of "commercial grade" pesticides are not permitted on BHV premises without prior written approval from the BHVA Board of Directors (EC) (excluding pesticides that do not require DEC and NYS permits; i.e. round up, turf builder...etc...).

**PETS** – The BHVA regulates the type and number of animals/pets that may be kept in/on any lot.

Nevertheless, with the compact nature of the housing and the physical layout of the Village, control of animals/pets is essential. When animals/pets are not properly controlled, they adversely affect both the safety and the health of residents of the Village. Because these must be paramount, the harboring of animals/pets is privilege which can be exercised only so long as the

individual owner abides by the regulations given herein below. When an Owner does not meet his/her responsibility, their privilege to harbor an animal/pet may be forfeited.

All pets housed within the confines of Bristol Harbour Village must have:

- A current NYS or US Department of Agriculture rabies license.
- A valid dog license.
- Form P101 “Pet Registration” (*sent to BHVA, 30 Golfside Circle, Canandaigua, New York 14424*)
- A BHVA identification tag

1. All pets must be leashed when on common areas. The resident is responsible for policing after his/her pet.
2. Long term renters of at least one year are allowed to house, harbor and or shelter a pet(s) /animal(s) (*See also ANIMALS and RENTALS*).

*\*(any renter long term or not, housing, harboring and/or sheltering a pet/animal prior to January 1<sup>st</sup>, 2007 shall be “grandfathered”, and may be allowed to keep their pet/animal provided that they abide by the “Rules and Regulations” published herein; however, once that pet/animal no longer resides at BHV, the applicable renter cannot replace such pet/animal)\**

3. Pets may not be tied, leashed or chained to any part of the common area(s).
4. Any damages to common areas caused by a pet will be the responsibility of the Owner. The Owner will be held financially responsible for all damages.
5. No doghouses, other pet structures or dog runs are allowed on common areas. Homeowners must obtain Environmental Committee (EC) approval to install an invisible fence. Invisible fences are restricted to the homeowner’s property and not allowed on BHVA common area.
6. Animals/pets are to be kept only as domestic pets. They cannot be used for any commercial purposes, including (*but not limited to*) breeding for sale, research or experimentation...etc...
7. Except in the areas designated herein pets must be walked, and leashed, in the vicinity of the “Doggie Dooley’s”. These are located as follows:

- Behind the marina parking deck between (*Condo*) Building 1 & 2
- Opposite (*Condo*) Building 3
- Opposite (*Condo*) Building 4

- Opposite (*Condo*) Building 5
- Spyglass Hill and Vardon Drive Intersection
- Golfside Circle and Hillside Drive Intersection
- On Golfside Circle near the Tennis Courts
- Lakewood Trail and Bristol Harbour Boulevard Intersection
- Spyglass Hill and Harbour Drive Intersection

It is the obligation of pet Owners, day or night, to immediately scoop up the animal's/pet's defecations and deposit them into a "Doggie Dooley" (*scoops and rakes are provided*).

8. Pets are allowed to be transported on the elevator to a resident's boat.
9. If any animal/pet causes or creates a nuisance, or unreasonable disturbance or noise, the animal/pet owner must correct the problem immediately.
10. Any Homeowner, Resident, Managing Agent personnel...etc... observing an infraction of any of these "Rule and Regulations" shall discuss the infraction in a neighborly manner with the animal/pet owner or Resident (*If the complaint is not satisfied voluntarily, please call the BHV Resident Manager to report the incident and then write to the BHVA Board of Directors relating the incident or incidents and the efforts made to obtain voluntary compliance*).
11. The BHVA Board of Directors will respond to the animal/pet owner and the complainant(s). If the BHVA Board of Directors determines that the complaint is justified, it (*BHVA*) may, but shall not be limited to:
  - Reprimand the animal/pet owner and solicit his/her cooperation in the future
  - Revoke the permit to harbor an animal/ pet request voluntary and permanent, removal of the animal(s)/pet(s) from BHV.

\*\*\* (*If necessary, BHVA Board of Directors is empowered to take legal action, at the Owner's expense*) \*\*\*

**PIPES** – No above-ground pipes are permitted (*except hoses and moveable irrigation pipes*).

\*\*\*\* (*Developer may enter easements on any lot for access to pipes...etc...and is not obligated to contact the site office*) \*\*\*\*

**PLAYGROUND RULES** – The following rules are to be observed and practiced by all whom use the playground area(s):

1. Adult supervision for children under 12 years of age is required.
2. Fighting, pushing, hitting, pulling or obscene language is not allowed.
3. Throwing of rocks, mud, sticks or sharp objects is strictly prohibited.
4. All individuals whom use the playground area are to stay within the designated play area(s). Playing of any kind in the parking lot is strictly prohibited.
5. Rollerblades, bicycles, scooters, motorized scooters and skateboards are not allowed on the Community Center walkway (*See also BICYCLES*)
6. No climbing or jumping on the playground equipment is allowed.
7. No use of the playground after sundown without adult supervision is permitted.
8. If any violation of these rules shall occur, the individual(s) involved may be asked to leave the playground area(s).

**PLANTS** – The Environmental Committee (EC) may make rules for their (*Plants*) preservation (*See also HEDGES & PLANTINGS and TREES*).

**POLES** – No poles or wires are permitted to be installed without prior written Environmental Committee (EC) approval (*See also ARCHITECTURE*).

\*\*\*\*(*Developer may enter easements areas on any lot to erect or maintain poles, cables, drains, pipes...etc...and is not obligated to contact the site office*)\*\*\*\*

**RECREATIONAL VEHICLES (RVs)** – See VEHICLES.

**RECYCLING** - All recyclables must be taken to the recycling center near the Community Center. Acceptable recyclables shall include (but not me limited to):

1. Plastic, glass and metal containers may be sorted together (no bags allowed)
2. Newspapers, magazines, junk mail, catalogs, office paper and telephone books may be placed loosely in the designated bins.
3. Cardboard must be broken down and placed in the appropriate dumpster

**RENTALS (SHORT/LONG TERM)** – All units at BHV (*prior to renting, please check with your individual condo or homeowner's association's specific rules regarding rentals*) are to be used exclusively for single family occupancy whether owner occupies such unit or chooses to rent such unit for a short or long term purpose(s).

*\*(Please Note: The definition of a “single family”, as adapted from that of the Town Of South Bristol; is: “One or more persons, related by blood, adoption or marriage, living and cooking together as a single housekeeping unit, or any number of persons living and cooking together as a single housekeeping unit, though not related by blood, adoption or marriage, provided that such single housekeeping unit meets the definition of the functional equivalent of a traditional family”.)\**

The responsibility for conforming to all of the rules and regulations of the BHV Offering Plan(s) and individual Homeowner Association documents reside with the individual unit Owner(s) (*See also RENTERS/TENANTS*).

The placement of rental signs is not permitted on/for the rental of any unit/units in/at BHV.

Short term rentals of less than three months are not allowed to have pets.

**RENTERS/TENANTS** – Owners of rented units are responsible for the actions of their Tenants. They (*Owners*) are also responsible for ensuring that their Tenants are aware of all of the “Rules and Regulations” herein.

**ROLLERBLADES**- rollerblades, skateboards, scooters, motorized scooters...etc... are not permitted on parking lots, parking decks, tennis courts, sidewalks, pedestrian paths, or any other applicable walkways (i.e. elevator walkway...etc...).

Penalties or special assessments arising from the actions of Tenants will be levied against the Owner(s) of the unit.

**SALES SIGNS** – This is permitted use by BHV

1. Free-standing “Open-House” signs may be placed in the common area on weekends from 11:00 a.m. – 5:00 p.m. only. Placement must not interfere with auto or pedestrian access to the property. No sign may be staked or driven into the ground or fastened to any Village structure.
2. BHVA permits standard real estate “For Sale” signs on Association roads, lands and private properties within the Village for resale. One sign per property for single family homes, detached single family patio homes and attached town-homes are permitted. No other signs anywhere inside or outside of the property are permitted (*i.e. attached to doors, windows...etc...; excluding those signs posted on the Village bulletin boards*).
3. Sold signs are allowed to be placed on properties for a maximum of thirty (30) days.
4. BHVA has authorized the use of one (1) standard Realtor sign on single family detached homes offered for sale. Realty signs are not permitted on condominium(s) (*except for “Open House”*).

5. One (1) sign for the Developer/Contractor/Builder on new construction will be permitted. Any violation of this ruling will result in the termination of the approval by the Environmental Committee (EC).
6. All sellers can have land and roadside signs indicating location of the property during weekend open houses. No signage is allowed on the Cliffside except during weekend open houses when one realty sign (18" by 24") may be permitted in the window.
7. The placement of signs is not permitted on/for the rental of any unit/units in/at BHV.

**SCOOTERS**- scooters, motorized scooters, rollerblades, skateboards, ...etc... are not permitted on parking lots, roadways, parking decks, tennis courts, sidewalks, pedestrian paths, or any other applicable walkways (i.e. elevator walkway...etc...).

**SIGNS: RESALE** – See SALES

**SIGNS: FOR SALE / OPEN HOUSES** – See SALES

**SIGNAGE:**

1. Contractor advertising (i.e. pest control, window washing, painting, etc...) are prohibited.
2. Political signs may be placed on homeowner's property but requires the written approval of the Environmental Committee (EC) prior to placement.
3. Rental signs are prohibited (See RENTALS (SHORT/LONG TERM) and SALES.

**SINK DISPOSER** – Maximum/normal use of the kitchen sink garbage disposers are encouraged, to minimize food odors in trash dumpsters and the attendant health and vermin problems (It is important that Owners point out these procedures to Tenants and house guests) (*See also GARBAGE*).

**SKATEBOARDS**- skateboards, scooters, motorized scooters, rollerblades, ...etc... are not permitted on roadways, parking lots, parking decks, tennis courts, sidewalks, pedestrian paths, or any other applicable walkways (i.e. elevator walkway...etc...).

**SNOWMOBILES & ATVs** – Recreational operation and use of such vehicles is / are not permitted on BHV premises. (*See also VEHICLES*).

**STORM SEWERS** – There may be a ban on certain detergents and any other chemicals which cannot be absorbed by the sewer system (*See also CHEMICALS*). Please check with the Bristol Harbour Water Works for a list of banned detergents / chemicals prior to the use of such.

\*\*\*\* (*Developer may enter any property easements for access to sewers...etc... and is not obligated to contact the site office*) \*\*\*\*

**STRUCTURES** – Existing structures may not be modified in appearance, nor new ones begun, unless plans and specifications have been first submitted to the Environmental Committee (EC) for their written approval (*See also ARCHITECTURE*).

The term “Structure” includes anything affecting the appearance of a lot (*i.e. porch, garage, pool, antenna, fence, hole in the ground...etc...*)

(*See also, BHVA Architectural Design Controls, BHVA Design of Architectural Exterior Alterations and Additions and the BHVA Development Controls and Architectural Guidelines, Vardon Drive Section Including Cul-de-Sacs*).

**TENNIS** – All players must place their names and start times on the control board located at the entrance to the courts when play starts (*the control board in NOT intended for use as a reservation system*). Players that are using the court(s) who have not placed their names and / or times on the control board have no status on the court(s) and must yield. Start times originally placed on the control board cannot be altered / changed.

Playing times shall vary by distinction of participants (*i.e. Singles = 1 hour, Doubles = 1 ½ hours*). If singles players are joined for doubles play, the court use time is counted from the time the singles started (*if others are waiting for the court, the time remains 1 hour*).

All players must wear tennis shoes or sneakers in order to preserve the quality of the court surface. Additionally, shirts must be worn at all times when occupying a court.

The Recreational Committee may reserve the courts for special tournaments or round robins which will be advertised in the Villager and/or posted in advance in notices on the tennis and BHV bulletin boards.

BHV homeowners may, with prior reservation and with the approval of the Chairperson of the BHV Recreational Committee, a group of eight may schedule a Round Robin tournament using two courts for a 2 hour period, starting on or after 11:00 AM on weekdays, and 12 noon or after on weekends (*subject to availability of the courts*).

Weekday play (excluding holidays) may not be reserved. Courts may be used on a first come first serve basis by using the control board method referenced hereinabove. Courts shall be available to all players prior to 4:00 PM. After 4:00 PM, Senior Groups shall have priority. Other groups must yield, if requested.

Specific schedules and applicable correlating timeframes shall be announced by the BHV Recreational Committee prior to the beginning of each season and further posted on the control board and at the Community Center for player reference.

All persons observing play, or waiting for a court shall do so quietly outside the court fence. Once available, and to avoid interrupting others in play, players are asked to use the door to the

court they will be using, or have finished using (*all of the courts have doors, so there is no need to cross courts in use to get to another court*).

Groups that are asked to yield a court should be allowed to finish the game in progress.

The tennis courts are for the purpose of playing tennis **ONLY**, skateboarding, soccer, basketball, rollerblading...etc... The use of glass containers in or upon the tennis court(s) is strictly prohibited.

**Pets are prohibited on the tennis courts regardless of the season.**

Any person/persons utilizing the tennis courts for play at night, is responsible for turning off the court(s) lighting upon departure / leaving.

\*(ALL MATTERS OF GOOD SPORTSMANSHIP AND TENNIS COURT COURTESY CANNOT BE COVERED BY A SET OF WRITTEN RULES. CONSIDERATION FOR OTHERS IS BASIC TO TENNIS COURT MANNERS AND IT IS EXPECTED THAT ALL PLAYERS TREAT EACH OTHER WITH MUTUAL RESPECT)\*

**TRAILERS** – See VEHICLES.

**TRASH** – Trash is collected primarily at the Condominium trash rooms and the Recycling Center. Written approval may be required by the Environmental Committee (EC) and individual Homeowner Associations prior to placement of dumpsters or storage containers and they may regulate the size, shape, color and type of the container.

All trash, garbage and refuse which cannot be flushed through the sink “disposer” must be placed in a tied, plastic bag and taken to one of the collection points. Owners must inform Tenants of their collection point.

\*[please note: the only collection point for recyclables is near the Community Center]\*

These contracts do not cover removal of heavy items such as appliances, old carpeting, bed frames, and debris from remodeling, brush...etc... The unit Owner and/or Contractor is responsible for such removal (*See also GARBAGE*).

Access to the Recycling Center requires an entry card. Contractors working on BHV property are not allowed use of an entry card.

**TREES** – BHVA Board of Directors and the Environmental Committee (EC) may make rules for preservation of trees and other natural resources; trees over 6” in diameter, and other selected trees, may not be cut without written BHVA Board (EC) authorization. All ‘stumps’ must be cut/trimmed down to ground level.

BHVA may, but are certainly not limited to, after 15 days' written notice, trim and prune plantings on any lot if they are un-attractive, or obscure traffic, or are otherwise detrimental to adjoining properties.

Please note: Anything over your property line, whether in the ground (roots) or in your air (branches) belongs to you and you have the right to do what you want with it. You could, however, be responsible to your neighbor if your actions kill the tree. It is the responsibility of the homeowner to work with their neighbor on a resolution. The association does not have any authority over this.

\*\*\*\*\* *(The trees lining the BHVA cliff below Cliffside Condominiums are on Condominium and BHVA property. Their environmental role in holding together the shale-covered cliff is paramount. Next in importance for the Village, as a whole, is their landscape function of hiding the Condominium bases from view of boaters, swimmers, and neighbors at Seneca Point, across the lake and next door. The BHVA approach, revised in 1985 and managed by the BHVA Board(EC), is explained in detail in their handout "TREE TRIMMING POLICY." It constitutes a long-term environmental strategy. It is balanced and seeks to preserve and enhance the attractiveness of our natural surroundings, while still maintaining lake views for residents. This is accomplished by a program of periodic professional environmental attention, to be reviewed each year. The trees are culled if necessary, their side branches pruned and / or trimmed, and supplemented by low-height soil-retaining plantings. This planned, overall approach is based on professional advise of experts such as Ontario County Soil and Water Conservation District)*  
\*\*\*\*\*

Individual Owners of Condominiums may not trim these or any other trees themselves. Comments or complaints should be addressed to the Individual Condominium Associations and the Environmental Committee (EC).

*(See also, BHVA Architectural Design Controls, BHVA Design of Architectural Exterior Alterations and Additions and the BHVA Development Controls and Architectural Guidelines, Vardon Drive Section Including Cul-de-Sacs).*

**TV CABLES** – *(See also ANTENNAS)* Like other utilities, television cables in our Village run in "easements" through BHVA, Condominium and private property. The cable television company's personnel, have the right to enter these easements to erect or maintain the cables, junction boxes and accessories.

PLEASE NOTE: the Cable and Telephone lines for the Condominiums are in the chase ways and are not accessible after 4:30 pm weekdays or on weekends.

**VEHICLES** – In accordance with the definition and /or description in the Vehicle and Traffic Law of the State of New York, only legally registered, non-commercial vehicles shall be permitted to use the parking areas and roadways of the BHV.

Legally registered, non-commercial vehicles include *(but are not limited to)*:

- Passenger Cars
- Suburban and Station Wagons
- Vans
- 1 ton (or less) pick-up trucks

Prohibited vehicles include (*but are not limited to*):

- Boats
  - House Trailers, Campers and RVs
  - Tractors and Trailers
  - Buses (*excluding school buses operated by a third party with incidental usage of the roadways as a means of ingress / egress*)
  - Commercial Vehicles weighing more than 1 ton (i.e. dump truck, delivery truck...etc...) (*may be approved by the BHVA Board (EC) with a variance request*)
  - Un-registered Vehicles (*See also GOLF CARTS & SNOWMOBILES & ATV's*)
  - Vehicles with “For Sale” signs
  - Vehicles with flat tires or on “blocks” or ramps.
1. The BHV Resident Manager may issue, and at a Homeowner’s request, a permit to allow a BHV Homeowner the right to park a prohibited vehicle on BHV premises in a location to be designated by the BHV Resident Manager and for a period not to exceed 10 days.
  2. All vehicles permitted on BHV property must be equipped with properly functioning mufflers in compliance with local and state laws.
  3. Unlicensed motor vehicles are not to be operated on BHV roadways or any part of the common area (*except those which are used for common area maintenance*). This specifically includes (*but is not limited to*) mini-bikes, go and golf carts, snowmobiles, ATVs...etc...
  4. No unlicensed operator shall operate a motor vehicle or golf cart anywhere on the BHV property, including (*but not limited to*) the common areas.
  5. Vehicles of any type cannot be parked on BHV roadways.

**WEAPONS** – See FIREARMS & FIREWORKS (*Provisions of NY State, Ontario County and South Bristol Town laws also apply*).

**WILDLIFE** – In keeping with BHVA’s aim of enhancing leisure time enjoyment through pleasant surroundings, some of our rules have evolved to shield residents from wildlife (*i.e. trash control ...etc...*), while others are to protect the wildlife, which is an integral part of those surroundings. Residents are urged to respect the “original inhabitants” of our environment/ community and not feed the wildlife (*ducks, deer...etc...*) in accordance with DEC recommendations.

### **AMENDMENT PROCESS**

The BHVA Board of Directors and its Committees, particularly the Environmental Committee (EC), have full powers to construe and interpret the provisions of the BHVA offering plan; hence they can amend (*or decline to amend*) any of the foregoing “Rules and Regulations”, provided the result is not in clear conflict with the Offering Plan, the By-laws or the Law.

The By-laws themselves can be altered or repealed at any annual or special BHVA members’ meeting by a “2/3rds Majority Vote” of the total members belonging to the Bristol Harbour Village Association, provided the result does not violate the Offering Plan.

### **ENFORCEMENT PROVISIONS**

Although there are a number of enforcement clauses, in practice they seldom come into play, because all Owners and Tenants accept BHVA’s “Rules and Regulations” by the very act of buying or renting at Bristol Harbour.

Because most of these powers are seldom invoked, some may think this fact could be used to avoid them. To the contrary, in accordance with the Offering Plan: the failure to enforce a restriction “shall in no event be considered a waiver of the right to do so thereafter...”

Nevertheless, when essential for the best interest of the community, the BHVA Board and its Committees have the right to enforce the “Rules and Regulations” hereinabove stated by invoking the provisions referenced herein below (*provisions are not in any specific order, nor is BHVA restricted in the use of any provision referenced below*):

1. Forward a courtesy letter to the Owner/Violator detailing the infraction and applicable Rule, along with an applicable timeframe and procedure to cure / rectify such infraction.

*\*(Such courtesy letter may require Owner/ Violator to respond in writing to the BHVA Board (EC) referencing their rectification of such infraction. All responses (if applicable) would be required in the timeframe previously allotted/ referenced in such courtesy letter).*

2. Forward a demand letter, US CERTIFIED MAIL RETURN RECEIPT REQUESTED to the Owner/Violator detailing the infraction and applicable rule, along with a specific timeframe of not more than 48 hours for rectification, upon receipt of demand letter.

*\*(Demand letter to be followed up with by Management Company personnel)\**

3. Levy a one-time fee/penalty (*amounts of fees and / or penalties are at the sole discretion of the BHVA Board*), which shall be added to the regular monthly assessment for the affected unit(s).
4. Levy an additional assessment of \$ 25.00 per day for each day the violation continues and/ or for each occurrence.
5. BHVA Board of Directors, its Committees and/or the Management Company will enter the property where the affected unit is located to “extinguish” a violation (*i.e. mowing tall weeds, removing an illegal structure...etc...*), and shall further bill all costs incurred back to the applicable Owner/Violator, which shall be added to the regular monthly assessments for the affected unit(s).
6. Restrict the Owner/Violator (*its guests, family members...etc...*) the right to use and enjoy the BHVA facilities, to file a variance request or Environmental Committee (EC) application and/or the right to exercise their vote as a resident of the BHV.
7. Place/file a lien on the property of anyone delinquent in paying BHVA charges or refusing to comply with an EC decision.

Other factors and/or circumstances may be taken into consideration by the BHVA Board and its Committees; such as, the severity of the non-compliance infraction(s), how often the Owner/Violator is in non-compliance with the “Rules and Regulations”, what means and/or procedures were/have been taken to rectify the infraction in the past (*if applicable*)...etc...