

RULES AND REGULATIONS



General

1. All Unit Owners and their immediate family, tenants, and guests shall abide by these Rules and Regulations and all local, county and state regulations including those governing campgrounds.
2. No individual exception or waiver of these Rules and Regulations shall establish precedent. These Rules may be amended and supplemented in the manner provided in the Master Deed, the By-Laws and these Rules.
3. No refuse, ashes, trash, or wet garbage shall be dumped or stored or allowed to accumulate on the property of any Unit. All refuse shall be deposited with care in the trash receptacles provided at the recycle center and at the seasonal bulk container. Recycling is mandated by New Jersey State Laws and the Township of Upper. Burning of trash, leaves, or refuse on the Property of any Unit or Common Element is strictly prohibited.
4. No animals of any kind except dogs or cats of Unit Owners, not to exceed two (2) pets per Unit, shall be kept in any Unit or in the Common Elements. Unit owners are not permitted to keep any animals for commercial purposes. Any pet causing or creating a nuisance or unreasonable disturbance or noise may cause Owner to be fined for each occurrence and/or the pet causing the action shall be permanently removed from the Condominium upon three (3) days written notice from the Board of Trustees. All animals shall be carried on a leash when outside the Unit. Feces shall be removed immediately and disposed of as required by the New Jersey State Sanitary Code, Chapter 13 Campground, 8:22-1.46(c). The Board requires that feces be placed in approved trash receptacles or dumpsters. Pets not specifically owned by Unit Owners are not permitted in the Park. Violators of these requirements will be issued a written warning, subject to fines and reported to the local authorities.
5. No open fires of any kind shall be permitted on the property of any Unit or Common Element. BCCA may permit an open bonfire for a community beach party. This fire shall be under the control of the BCCA. Charcoal or gas grills are permitted but shall be operated at least ten (10) feet away from the Unit to avoid fire hazards.
6. No Unit Owner shall use or permit to be stored on the Property of any Unit or Common Element any flammable oil or fluid, such as gasoline, kerosene, naphtha, benzene, explosives, or fireworks or articles deemed hazardous to life, limb or property. Propane is limited to 240 pounds per Unit.
7. No Unit Owner or their guest shall make excessive noises including the loud playing of radios or stereos. Flood or spot lights are not permitted on any Unit Owner's property. All owners and their guests, tenants, and family members must observe Association quiet hours – 11:00 PM to 8:00 AM. There is an 11:00 PM curfew for children under 16 years of age except when accompanied by an adult. Pre-school children must be accompanied by an adult at the pool and lake. Rowdy behavior will not be tolerated and vandals will be prosecuted.

8. Swimming Pool Common Lake Rules and Regulations:
 - a. No diving.
 - b. Unnecessary roughness, ball playing, running, pushing, loud radio playing and any disturbances are prohibited.
 - c. Profanity, vulgarity or other improper behavior are prohibited.
 - d. No pets are allowed in the pool area or Common Lake areas.
 - e. No glass containers are allowed in the pool or Common Lake Areas. Eating is permitted in the pool area and the Common Lake Area. Unit Owners must place all trash in the receptacles provided.
 - f. No smoking is allowed in the pool area or Common Lake area.
 - g. No trash of any kind shall be thrown into the pool or Common Lake.
 - h. Persons using the pool and Common Lake are responsible for the removal of items brought to the area.
 - i. No persons with fevers, colds, a cough, inflamed eyes, skin diseases or bandages shall be allowed in the pool or Common Lake.
 - j. Bobby pins, hair pins, etc., must be removed before entering the pool.
 - k. Children wearing disposable diapers without rubber pants covering the diapers will not be allowed in the pool or Common Lake.
 - l. All children under the age of twelve (12) must be accompanied by a responsible adult while swimming in the pool or Common Lake.
 - m. Inflatable items, including, but not limited to, rafts, floats, tubes, and beach balls may be used in the pool and at Common Lake at the discretion of the lifeguard conditions permitting; paddleboards are allowed in the lakes; hard plastic kayaks or motorized boats of any kind are prohibited.
 - n. Social conversation with the lifeguards is prohibited.
 - o. The lifeguards are the ultimate authority for the enforcement of any and all of the swimming pool and Common Lake Rules and Regulations.
 - p. Swimming in the common lake and pool is permitted when there is no lifeguard on duty but at the swimmer's own risk.
 - q. Pool hours are 10AM to 8PM. There are to be no chairs in the pool area until the pool is open.
9. Complaints regarding condominium employees shall be made in writing to the Board of Trustees via letter; complaints or the actions of other Unit Owners, members of their families, guests, tenants or licensees shall be made in writing via e-mail or hard copy letter; all complaints shall be signed and addressed to the Board of Trustees.
10. The Board of Trustees reserves the right to amend the Rules and Regulations at any time in accordance with the By-laws. Such amendments shall immediately become binding upon all Unit Owners, following notification.

Unit

11. The only Unit that may be installed on a site at Bayberry Cove shall contain a single floor living space and a maximum square footage living area per State and local guidelines and ordinances. An add-on structure may be erected but it may not be more than 10 feet wide and the enclosed covered area may not exceed the length of the Unit. The maximum exterior width of the Unit and the add-on structure may not exceed 23 feet. Total square footage (of the unit and the add-on) shall not exceed 805 square feet. Every unit structure shall have, as a minimum, the following setbacks:

- a. 1 – 18-foot setback, road to frontage of structure.
- b. 2 - 5-foot setback, porch side and rear yard.
- c. 1 - 2-foot setback, unit side.

The 18-foot setback must adjoin a Bayberry Cove road and be used for parking. Maximum sidewall height of 8'0" and maximum peak height of the unit and/or the add-on shall not exceed 12'8" from the floor level to the roof peak. One shed per unit shall be limited in size to 6 feet by 8 feet, maximum 48 square feet and 8 feet maximum height. Sheds must have a peaked roof.

12. Architectural Reviews

An Architectural Review Form must be completed, submitted to, and approved by the Board of Trustees for, but not limited to, the following:

- a. New Condo Unit and its placement on the lot
- b. Landings, stairs, decks and other exterior add-ons
- c. The removal of trees or shrubbery – see item #25
- d. The construction or placement of sheds – see item #11
- e. The installation and placement of new or existing air conditioning units
- f. Any additions or renovations of a Unit and/or add-ons or parking areas
- g. Any plans for new or existing landscaping/landscape lighting, paving blocks, walkways and patios, including wooden or other curbing.
- h. Flag pole installation
- i. Any and all changes to the site, Condo Unit, add-ons, or connected structures not specifically mentioned above including placement of non-permanent structures on common areas

13. The Architectural Review Form can be obtained from the condominium association staff. Approval of the Architectural Review must be obtained before entering into any contractual obligation or actual work begins. Approval will not unnecessarily be withheld for any of the above items meeting appropriate local and state regulations and applicable Master Deed and Association By-Laws provisions.

14. The Unit Owner must have an approved Architectural Review Form prior to applying for all Township building permits and applicable NJ State and Local Permits. An approved Architectural Review Form and all permits must be on hand, original at the Unit and a copy on file at the Office, prior to the commencement of any work.

15. A summary of Contractor requirements for working at Bayberry Cove are available from the Office. It is the Unit Owner's responsibility to ensure that their Contractors provide a current Certificate of Insurance to the Office prior to commencing any work.
16. Electrical Service – 110/220-volt electric service will be supplied to each unit by Atlantic Electric. The meter and the meter base are the responsibility of the Unit Owner. No Unit shall be permitted to connect, attach, or install the following electrical appliances:
 - a. Washers or Dryers
 - b. Garbage Disposal
 - c. Through the wall/window air conditioning unit
 - d. Dishwashers
17. Each Unit Owner shall keep his Unit and property in a good state of repair and cleanliness.
18. No more than one (1) sign, notice, advertisement, banner larger than 240 square inches shall be displayed on the unit owner's Unit or property. Contractor signs shall be removed no later than thirty (30) days after project completion.
19. Water conservation:
 - a. The Board recommends all toilets should be a low-flush 1.6-gallon maximum capacity type.
 - b. The Board recommends that water-saving shower heads be installed in each unit.
 - c. Hot water heaters shall be limited to systems with a maximum capacity of twenty (20) gallons.

Vehicles

20. Vehicle Registration
 - a. No vehicles, including boats and trailers, will be permitted in the Park unless they possess a current and valid State registration and State inspection if required. Any vehicle without proper registration will be considered abandoned and may be towed from the park at the Owner's expense.
 - b. No vehicle, even if properly registered and inspected, may be left in the Park between November 1 and March 31 of the following year.
 - c. Any vehicle in the Park between November 1 and March 31 of the following year may be removed at the Owner's expense.
 - d. No automobiles or motorized vehicle will be permitted to park in the boat yard.
 - e. Each Unit Owner is entitled to two (2) gate access cards at no cost. Unit Owners may purchase up to an additional four (4) gate access cards from the Office at Bayberry Cove at a cost of \$15 each. The total number of gate access cards issued to any Unit shall not exceed six (6).

21. Vehicles shall be parked in the Unit Owner's assigned areas. No more than three vehicles are permitted per Unit, provided they do not protrude into the street. Additional parking is provided at approved overflow parking areas. Personal motorized water craft, trailers and commercial vehicles over one ton (GVW) are not permitted to be parked within a Unit Owners Property. No vehicle belonging to a Unit Owner or to a member of the family or guest, tenant or employee of a Unit Owner shall be parked in such manner as to impede or prevent ready access to another Unit Owner's vehicle. Unit Owners, their families, their employees, agents, renters, visitors, and licensees shall obey all posted speed limits and stop signs in the Park. No parking shall be permitted on paved roads and walkways. Except as required to prevent an accident, no Unit Owner shall cause or permit the blowing of any horn from any vehicle.
22. No motorized mini-bikes, motorcycles, boats with motors, golf carts, ATV's, mopeds, motorized motor scooters or similar vehicles may be operated within the Condominium grounds (or maintained on the Unit), except by the employees and/or contractors of the Association for maintenance or security purposes. Disabled Unit Owners may apply for a waiver from the Board of Trustees.
23. No bicycles, scooters, baby carriages, toys or similar items or other personal articles shall be allowed to remain unattended in any part of the Common Elements except in approved facilities. Bicycles must be operated and equipped with NJ State mandated equipment. (N.J.S.A. 39:4-10)
24. Boats and boat trailer storage:
 - a. Seasonal – boats and boat trailers stored in the Boat Storage Area must be registered with the Condominium Association and a contract executed accordingly.
 - b. Temporary – Unit Owners and their guests and tenants are permitted to park or store their boats in the boat storage area, on an as-available basis, for a fee, established by the Board. Storage is limited to a thirty (30) day period per season. Boats and trailers must be registered with the Association.
 - c. All boats and trailers must have a current State registration and required inspection or they will be subject to removal at the owner's expense.

Common Elements

25. No Unit Owner shall alter, build upon, place temporary or permanent structures upon, or otherwise encroach upon the common elements without advance written approval of the Board of Trustees. Any such permitted structures belong to the Unit Owner and are the Unit Owner's responsibility.
26. No tree over 4-inch diameter shall be removed from any Unit Owner's property or common ground without the prior written consent of the Board of Trustees. The responsibility for grounds keeping in the common area shall be borne by the Association which may act through agents employed for such purpose. No rocks or trees shall be painted nor shall any Unit be fenced.
27. The excessive use of intoxicating beverages of any kind on the common elements is strictly prohibited. Persons appearing to be intoxicated shall not be permitted to enter upon or remain within the Common Elements.
28. Hunting, shooting or discharging of firearms, arrows or other projectiles is prohibited.
29. No Unit Owner shall plant, place, prune or remove trees, shrubs or other plants in or on any portion of the Common Elements. The responsibility for grounds keeping shall be borne by the Association which may act through agents employed for such purpose. Nothing contained herein shall be deemed to prevent a Unit Owner from planting grass, plants or shrubbery on his/her own property; however planting of any grass, plants, shrubbery and/or trees requires advance written approval of the Association.
30. Any damage to any portion of the Condominium Property (including Common Element) caused by minor children of Unit Owners or their tenants or guests shall be repaired at the expense of the Unit Owners. Parents shall be held responsible and financially liable for the actions of their minor children. Unit Owners shall also be held financially liable for any damages caused by the actions of their immediate family, tenants, and guests.
31. Unit Owners wanting to hold parties and gatherings on Common Elements must make reservations with the Condominium Association prior to the event.