

HALCYON HORSE POND CORPORATION RULES & REGULATIONS

REVISED 2019

The rules in this book are designed to maintain a comfortable co-existence for all unit owners, families and their guests. Every unit owner and not just the Board of Directors alone should bear the responsibility for abiding by these rules. The Board of Directors has tried to be as informative as possible with regard to basic Rules and Regulations. These rules are covered in further detail in the Master Deed. All Rules and Regulations included in the Halcyon By-Laws also apply. It shall be the responsibility of each unit owner, lessee, visitor or guest to report violations of these rules and regulations to the Board of Directors. The procedure for filing a complaint is to notify the business office via email halcyonhorsepond@gmail.com

Thank you for assisting us as we all strive to keep Halcyon a safe and desirable community.

GENERAL RULES & REGULATIONS

1. Any changes that any unit owner plans that will affect the exterior of the unit, must be approved by the Board of Directors, or a fine of no less than five hundred dollars (\$500.00) will be levied per the Halcyon By-Laws. Please submit any requests in writing to the Board of Directors.
2. Water in units must be turned off at the main valve, whenever a unit will be unoccupied for 24 hours or more. Anyone not in compliance with the above rule will be fined no less than two hundred fifty dollars (\$250.00) for each occurrence. The property manager will be checking to ensure you are in compliance when he is in the unit to check for smoke and carbon monoxide detectors inspections.
3. Septic Systems: Please refer to the Septic System "do's and don'ts" mailed annually. Remember; only Scotts 1000 Septic Safe Toilet Paper is to be used.
4. Plastic hoses connecting dryer ducts are not allowed, replace with new metal aluminum hoses which are required by code. Braided stainless steel hoses shall be used on all water sources, eg; toilets refrigerator, washing machine.
5. Existing wood burning fireplaces, wood or pellet burning stoves, and chimneys must be cleaned annually. No new installations permitted for a wood burning fireplace. No new installations permitted for a wood or pellet burning stove.
6. A copy of your unit key must be provided to the Halcyon office.
7. No open houses for the purpose of unit sales shall be permitted. Any infraction of this rule will be subject to a fine. Nor shall any "for sale" sign be posted on the building, shed, and windows or on the grounds.
8. There shall be no feeding of wild animals except bird feeders which are limited to two feeders per unit from 11/1 - 5/1.
9. Outdoor construction of any type is not allowed on the weekends except for emergency situations. Outdoor construction will not start before 8:00 a.m. nor continue after 6:00 p.m.
10. Hanging of clothes, towels, etc. on drying racks, clothes lines or on balconies are not allowed at any unit.
11. No yard/estate sales shall be permitted. Any infraction of this rule is subject to a fine.
12. Our septic system requires the use of Scott 1000 Safe toilet tissue, which is readily available. If a unit owner does not use Scott 1000 Septic Safe toilet tissue and the septic system clogs and requires pumping, up to \$500.00 will be charged to the owner for each offense.
13. Open or contained fires are NOT allowed on Halcyon property. As usual, BBQ grills are allowed.

AUTOMOBILE AND PARKING REGULATIONS

1. **Speed Limit:** The speed limit on Halcyon property shall not exceed 15 MPH.
2. It shall be the responsibility of each unit owner, lessee, visitor or guest to report violations of these rules and regulations to the Board of Directors. The procedure for filing a complaint is to notify the business office via email at halcyonhorsepond@gmail.com

3. **Vehicle Restrictions:** Parking of vehicles and other automobiles is prohibited unless with the written consent of the Board of Directors.

- a. The Board of Directors shall have the exclusive jurisdiction in determining what vehicle(s) shall constitute a permissible vehicle for parking privilege. No boats, pick-up trucks, including those with a cap, commercial vehicles with signage other than law enforcement or emergency vehicles, motorcycles trailers, recreational vehicles, vehicles with tire size more than 33 inches high or other motor vehicles, except normal four-wheel passenger automobiles and SUVs or normal four-wheel four passenger or more passenger vehicles as determined by the Board, shall be placed, parked or stored on Halcyon property, unless such vehicle is necessary in the actual construction or repair of a structure or for ground maintenance. No repair shall be performed upon any motor vehicle. All highly customized vehicles must be approved by the Board of Directors. No vehicles of any kind in serious need of visual repair (unpainted surfaces, missing components, perforated rust, etc.) shall be parked on Halcyon property. The Board of Directors is empowered to fine unit owners for unauthorized vehicles and to order and enforce the removal of said vehicles at the owner's expense.
- b. A commercial vehicle shall mean any motor vehicle which has a commercial license plate or is used for commercial purposes or has an outward appearance of being used in connection with a business, such as a display of work equipment to view and/or lettering or logos on the exterior surfaces.
- c. Commercial vehicles, vans, or trucks shall be allowed to park temporarily to deliver goods or furnish services during daylight hours only.
- d. Owners or renters having guests whose personal vehicles are pickup trucks or commercial vehicles; notify your guests that they will have to park their pickup trucks on the side of the Halcyon clubhouse in spaces designated "visitor". Guests using these spaces shall be allowed to park there for a period of up to one week. Pickup trucks and/or commercial vehicles parked at the clubhouse for over one week shall be subject to fines, which may include towing expenses in excess of \$200.

1. **Violation Notice:** If a vehicle is in violation of any of the rules and regulations herein contained, any member of the Board of Directors, the manager, or any unit owner shall have the authority to affix a "Violation Notice" ticket to the exterior of the driver's side windshield of the vehicle. This violation notice shall constitute an infraction.

2. **Fines:** Unit owners shall be held accountable for any violations of his or her lessee(s), visitor(s), and/or guest(s). If a violation should occur, the unit owner will be notified by the Board of Directors.

- a. First violation - written warning, except fines may be assessed for guest vehicles parked by the clubhouse for more than one week or parked in a space not designated as a "visitor" space or not in the unit owner's designated space
- b. Succeeding infractions - a fine of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) as determined by the Board of Directors, except in the event vehicle towing is required, in which case the actual cost of the tow may be added to the fine.

Note: Unit owners are responsible for all fines regardless of whether the unit owner or their guest owns the vehicle.

6. **Parking:** All vehicles shall park only in the parking space so designated for that purpose. Unit owners are entitled to one assigned space as defined in the Master Deed. Unit owner spaces are numbered 1 - 127.

- a. An additional unit owner or guest vehicles shall only be parked in spaces identified as "visitor".
- b. It shall be the responsibility of each unit owner and lessee to inform their guests to park only in a "visitor" space.
- c. Vehicles shall not be parked in any area or space not identified with a number or the word "visitor".

- d. Any vehicle belonging to a unit owner or to a member of his/her family or guest, lessee, or employee of any unit owner shall be parked in between the designated lines in the assigned space.
- e. Vehicles shall not be parked or otherwise left standing in a roadway except, for 15 minutes for loading or unloading.

1. **Traffic Rules:**

- a. Pedestrians and riders of tricycles and bicycles shall have the right of way.
- b. Vehicles shall be operated with great care and at speeds not to exceed the posted 15 MPH speed limit.

The Board of Directors has determined that there will be no rollerblading, skateboarding, scooter riding, dirt bikes or other motorized non registered vehicles allowed anywhere on the premises due to insurance liability.

Bicycles are restricted to roadways and parking lots, and all bicycle riders shall wear helmets at all times.

Storage and Repairs

- 1. No unit owner, lessee, or guest shall do or permit any repair, assembling or disassembling of motor vehicles except for emergency repairs, such as changing a flat tire or the starting of a battery. **Note:** The addition of or changing oil is not allowed.
- 2. Washing and polishing of unit owner or lessee vehicles shall be during daylight hours and only at the designated area adjacent to the clubhouse.
- 3. Any vehicle left on Halcyon property in excess of thirty days without the unit owner present shall require the owner to provide the manager with a key to the vehicle.
- 4. No unregistered or disabled vehicles shall be stored on Halcyon property.
- 5. Any vehicle abandoned shall be subject to fines. Twenty-five (\$25.00) a day, plus the actual cost to tow the vehicle should towing be necessary.
- 6. There will be no cars with covers allowed in any parking area at any time.

POOL and BEACH RULES

In case of emergency, an alarm system is located at the beach, pool and tennis court. The alarm at the beach is a small orange box mounted on a tree facing the pond. The alarm at the pool is located on the front of the pool shed inside the fenced area. The alarm at the tennis court is located at the rear of the shed, inside the tennis court. In case of emergencies, such as drowning, heart attack or anything pertaining to health, just remove the small sending unit and press the button once. The alarm system is hooked up directly to the paramedics in Yarmouth. If possible, do not leave the area until the paramedics arrive. Do not use these alarms for any other purpose. Tampering or ringing false alarms shall be subject to a fine no less than five-hundred dollars (\$500.00) and notification of the incident by Halcyon management to the Yarmouth Fire Department.

1. Swimming alone in the pool or pond is not advised.
2. The pool and beach are for unit owners, lessees and their house guests only.
3. Beach and Boating hours are daily from dawn to dusk. All activity at the beach shall stop by 9:00 p.m.
4. Pool hours are daily from 9:00 a.m. to dusk. Pool area use of any type is prohibited after 9:00 p.m.
5. No person with an open wound or communicable disease shall be allowed in the pool area or beach area.
6. All persons shall take a cleansing shower before entering the pool.
7. Children under the age of 16 and any non-swimmer shall be accompanied by an adult swimmer within the pool or beach area.
8. No adult shall supervise and be responsible for more than a total combination of four (4) children under the age of 16 or any non-swimmers.
9. Chewing gum or glass containers shall not be permitted within the fence of the pool or the beach.
10. Trash, paper goods or waste shall be cleaned up immediately after eating.
11. Rafts and inflated floats shall not be allowed in the pool.
12. Diving of any type shall not be allowed in the pool.
13. Running in the pool area shall not be permitted.
14. Ball playing, Frisbee throwing, or any form of horseplay shall not be permitted within the fence of the pool or the beach area.
15. Pets shall not be allowed within the fence of the pool, beach or picnic areas.
16. Buoys, permanent anchors, or moorings of any type shall not be permitted in the pond.
17. Children must wear swim diapers. Regular diapers are not allowed in the pool or pond.
18. Excessive noise shall not be permitted in the pool, beach or picnic areas.
19. When leaving the pool and no one else is there, it is your responsibility to close the gate, ensure that it is locked.
20. It is the responsibility of each unit owner, lessee, and their guests not to give the key to anyone not authorized to use the pool as described herein.
21. No notices of any kind are to be posted on the pool fence or gate without the approval of the Board of Directors.
22. The pool may be closed, when required, for the addition of chemicals or cleaning.
23. Smoking is not allowed in the pool, beach or picnic areas.

BOATS

The following rules apply to boats, canoes, paddle/sail, etc. stored at the beach area:

1. Boats, canoes or paddle boards shall not exceed eighteen (18) feet in length. Storage at the beach shall be for unit owners or lessees only.
2. Use of motors of any type shall not be allowed in the pond.
3. Unit owners or lessees shall register all boats, canoes or paddle boards which will be stored at the boat storage area.
 - a. Unit owners shall receive letter "H" and assigned a number to each vessel.
 - b. An identification number will be placed on each registered boat by Halcyon.
 - c. All boats, canoes, or paddle boards without the "Halcyon" identification tag, shall be removed at the owner's expense.
 - d. A maximum number of boats, canoes or paddle boards shall be determined by the Board of Directors. Only one item per unit is allowed. If more requests than availability are received during the registration period, a waiting list will be established.

- e. The unit owner or lessee shall indemnify the Horse Pond Corporation and hold it harmless against any loss or liability of any kind or character whatsoever arising from or growing out of storing or leaving a boat, canoe or paddle board at the Halcyon beach area.

TENNIS COURT RULES

1. It shall be the responsibility of each unit owner, lessee, visitor or guest to report violations of these rules and regulations to the Board of Directors. The procedure for filing a complaint is to notify the business office via email halcyonhorsepond@gmail.com
2. Use of the Courts is for unit owners, lessees and their house guests only.
3. Unit owners and lessees only may invite guests to play with them during their court time.
4. No glass products of any type shall be permitted.
5. Tennis/Bocce shall be the only activity for which the tennis courts are used - a Pickle Ball court has been added, and the same rules apply.
6. Daily court hours are as follows:
 - a. Starting time is 9:00 a.m.
 - b. Quitting time is dusk - (all play shall stop by 9:00 p.m.)

Court Reservation Procedure:

Sign up at the court - there is a clipboard available.

1. If a lessee, indicate your name, the unit owner's name, and unit number.
2. If a house guest, indicate your name, the unit owner's name, and unit number.

3. If a unit owner, indicate your name and:
 - a. If you are unable to play at the time reserved, please cross off your name as soon as possible.
 - b. Consideration shall be given to delaying in starting time due to brushing cleaning the courts of water and debris.
 - c. If people are waiting to play and you are more than 10 minutes late, the reservation is cancelled.
 - d. The play ends on the hour indicated on the sign-up sheet. If someone is waiting to play on your court, finish the point and leave the court.
2. Proper attire must be worn at all times.
3. Street shoes of any type shall not be worn while on the tennis court either as a player or a non-player.
4. Tennis shoes or sneakers are acceptable (not jogging shoes or sneakers with cleats, etc.).
5. Tops (shirts) must be worn at all times.
6. Tennis instruction for a fee is not allowed at any time. However, free tennis instruction is allowed.
7. When leaving the court and no one else is playing on either court, it is your responsibility to close the gate and ensure it is locked.
8. It is the responsibility of each unit owner or lessee not to give the key to anyone not authorized to use the tennis courts as described herein.
9. Smoking is not permitted within the tennis court. The smoking matter shall not be thrown on the ground/outside the courts.
10. No notices of any kind are to be posted on the tennis bulletin board without the approval of the Board of Directors.

Fines: Unit owners shall be held accountable for any violations of his or her lessee(s), visitors, and or guests. If a violation should occur, the unit owner will be notified by the Board of Directors.

1. First violation - written warning
2. Succeeding infractions - a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), as shall be determined by the Board of Directors.

Note: Please adhere to the tennis code of conduct.

PET REGULATIONS

1. The Commonwealth of Massachusetts, General Laws, Chapter 140 states:
All dogs three months old or older shall be licensed each year between April first and the following March thirty-first by the town. Additionally, dogs shall wear around their neck or body a collar or harness of leather or other suitable material, to which shall be securely attached a tag, and upon which shall appear the license number, the name of the town issuing such license and year of issue.
2. All dogs shall be leashed.
3. It shall be the responsibility of each unit owner, lessee, visitor or guest to report violations of these rules and regulations to the Board of Directors. The procedure for filing a complaint is to notify the business office via email halcyonhorsepond@gmail.com
4. Lessees, visitors or guests of any unit owner shall not bring or have any animal or pet on Halcyon Property at any time. Unit owners are responsible for the violations of their lessee's, guests and visitors and are subject to the following fines:
 - 1st offense - fifty dollars (\$50.00)
 - 2nd offense - seventy-five dollars (\$75.00)
 - 3rd offense - No less than one hundred dollars (\$100.00)
 Each succeeding offense shall be two hundred (\$200.00) per offense.

5. Unit owners are the only individuals allowed to have pets on Halcyon property. An approved lessee may have no more than one (1) service animal per unit and must provide a physician's letter to management.
6. No pets or animals shall be left outside.
7. Pets or animals are not allowed in the clubhouse except for service dogs.
8. Unit owners shall be subject to the following fines if their pets:
 - a. Are not restrained by a leash.
 - b. Cause damage or mess to commons areas, except in those areas designated for pets as defined herein.
 - c. Harass any individual on Halcyon property.
 - d. Are a nuisance or offensive to occupants of other units.
 - e. Continuous and/or excessive barking.
9. Fines for noncompliance:
 - 1st offense - Written warning
 - 2nd offense - No less than fifty dollars (\$50.00)
 - 3rd offense - No less than one hundred dollars (\$100.00)
 - 4th offense - Loss of the right to have the animal on Halcyon property.

Offenses are cumulative against the unit owner during the ownership of a unit, and not based on the person who owns the animal.
10. The following four areas are designated as the area's pets or animals shall be allowed to go to relieve themselves. See drawing at the end of this book.
11. For health and sanitary reasons, no animals shall be allowed (leashed, carried or otherwise) on the beach area, pool area, and picnic area.
12. Pet owners shall use a "scooper" or similar device to clean up their pet's excrement while in any of the four designated areas. This will help keep the clean for all users.
13. Unit owners of pets shall indemnify the Horse Pond Corporation and hold it harmless against any loss or liability of any kind or character whatsoever arising from or growing out of having a pet.
14. Anyone wishing to report stray dogs or cats should call the Animal Control Department of Yarmouth at 508-394-4422

RENTALS

The Master Deed stipulates that "Units shall be used solely for single family residence purposes, and that "no such unit shall be used for any purpose other than as a dwelling for one family." (In reference to the intent of this Article, the Board of Directors shall construe that **no more than (2) unrelated persons may occupy a unit under any lease arrangement.** The purpose of this Corporation is to provide for the operation of buildings with the condominium form of ownership. In order to provide for congenial occupations of the buildings and to provide for the protection of the values of the units, unit owners are responsible for payment of all fines and damage to common areas incurred by their lessee. Any infraction of the Rules and Regulations herein contained will be subject to a fine of not less than \$100.00.

The lessee, after fully understanding, agrees to abide by the rules and regulations by signing the "Rules and Regulations Receipt Form". Where the Halcyon Master Deed basically contemplates continuous owner occupancy of the units, allowable leasing periods must be in accordance with the following:

1. A lease period shall not exceed 12 months.
2. No more than two rentals shall be permitted during one calendar year and no less than a three consecutive month lease shall be issued on any one unit.
3. Approval of a lease agreement shall grant the lessee(s) the right to use all common areas and recreational facilities of the condominium, but subject to all conditions, requirements, and regulations set forth in the Halcyon Master Deed and the Corporation By-Laws.
4. In the event that a lessee or occupant violates any regulations or other requirements governing the Corporation, and such violations (at the sole determination the Board of Directors) may disturb or infringe on the rights and enjoyment of unit owners or other occupants, the Board of Directors may rescind such lessee's privilege to use any recreational facility or portion of the common areas, or

impose such penalty as may be provided in the Master Deed, the Corporation By-Laws and the Rules and Regulations.

No owner may lease their unit unless maintenance and fine payments are paid. It is the responsibility of the unit owner and/or their agent to obtain and provide a copy of proper references for any new tenant, i.e. employer, previous landlord, etc.

No lease shall receive written approval from the Board of Directors unless the following conditions are adhered to:

1. At any period of time, only 10% or 13 condos may be rented.
2. Owners must own their condo for no less than 1 year from the date of purchase to be eligible to rent.
3. If an owner moves back into his/her condo, it becomes an owner-occupied condo; no longer considered a rental unit. The owner must reapply should the owner decide to rent.
4. Owners eligible to rent must first apply for a rental permit from the Town of Yarmouth, and a copy of the permit be submitted to the Halcyon office. A fully executed lease shall be submitted to the office and will be kept in the owners' file. After completing these preliminary obligations, the owner shall schedule a meeting between their tenant and two Board members.
5. Should the number of rentals be filled to allowable quota (13), a list will be maintained for future rentals.
6. Existing rental units will have a 30 day grace period to allow the owner to ready the condo for a new tenant, but if a new tenant is not obtained or approved within that time, the owner will be added to the waitlist for future rentals should the allowable quota be filled at the time.
7. A fine of \$2,250.00 will be imposed every 6 months for non-compliance of these Rules and Regulations.
8. No lessee shall have pets, trucks or commercial vehicles on the property as stated by Halcyon By-Laws. An approved lessee may have no more than one (1) service animal per unit and must provide a physician's letter to management.
9. Scotts 1000 septic safe toilet tissue is to be used. This tissue prevents septic clogs.
10. Nuisance - No nuisance shall be allowed upon the property nor shall any use or practice be allowed which is a source of annoyance to occupants or which interferes with the peaceful possession and proper use of the property by its residents and occupants.

SEASONAL DECORATIONS

1. No lights are to be strung above the first floor on any unit. This also includes any trees or bushes which might be higher than the first floor.
2. Lights may only be strung within each unit owner's exclusive use area as defined by the Halcyon By-Laws. This includes the area from the front door to the shed. In the rear, the area from the slider to the end of the dividing walls. At no time are lights to be strung on the tops of dividers or sheds.
3. Any extension cords used must be rated for exterior use. Any other type of extension cord is strictly prohibited.
4. Any and all decorative lights must be turned off by 11:00 p.m. so as not to disturb neighbors.
5. Policy for flying a flag: Any unit owner or lessee may display one portable - removable United States flag in a respectful way.
 - a. The flag shall be no larger than 3 feet high x 5 feet wide.
 - b. The flag shall be mounted to staff and the staff shall not exceed 5 feet in length.
 - c. The flag, the staff, and mounting fixture shall be kept in good repair at all times.
 - d. The flag and staff shall be mounted within 2 feet of the perimeter of the unit's front door. The front door is defined as the door near the unit's shed.
 - e. An alternative method is to mount the flag and staff directly to the shed.
 - f. If the flag is mounted near the front door and will be displayed during darkness, the unit's front light shall be "on" from dusk to dawn and the flag shall be illuminated.
 - g. The flag shall be mounted in a manner such that no part of the flag shall touch the exterior of the light fixture due to a fire hazard.
 - h. Any flag other than the one United States flag defined in this policy is not permitted.

- i. The flag shall be mounted in such a manner as not to obstruct a neighbor's view or entrance.

There shall be no "grandfathering" of any existing flag prior to the date of this policy.