

Carleton Condominium Corporation No. 316

Schedule "A" Rules & Regulations

The following rules and regulations shall be observed by the owners. The term "owner" shall include the owner or any other person occupying the unit with the owner's approval, the term "property" shall include the units and the common elements comprising the condominium corporation, and the term "common elements" shall include all exclusive use common elements unless otherwise specifically provided herein. Failure of the Board or manager to enforce any rule or regulation on any occasion or occasions shall not be construed as a change in the rules or as permission to continue or repeat a breach of such rule or regulation. Any loss, cost or damages incurred by the corporation by reason of breach of any rules and regulations in force from time to time by any owner, the owner's family, guests, servants, agents or occupants of that unit, shall be borne by such owner and may be recovered by the Corporation against such owner in the same manner as common expenses.

1. GENERAL

- (a) Use of the common elements and units shall be subject to the Rules which the Board may make to promote the safety, security or welfare of the owners and of the property or for the purpose of preventing unreasonable interference with the use and enjoyment of the common elements and of other units.
- (b) Rules as deemed necessary and altered from time to time by the corporation shall be binding on all unit owners and occupants, their families, guests, visitors, servants or agents.
- (c) No animal, livestock or fowl other than a pet weighing a maximum of (20) pounds shall be kept on the property and no pet that is deemed by the Board or manager in their absolute discretion, to be a nuisance shall be kept by any owner in any unit or on any other part of the property, provided that no dog shall be allowed or kept in or about any apartment unit or kept on the common elements or exclusive use elements by any apartment unit owner. All permitted animals must be controlled by hand-held leash or caged when on the common elements. No owner shall tie up a pet on the common elements nor leave the pet unattended thereon. Any owner who keeps a pet on the property or any part thereof in violation of this rule shall, within two (2) weeks of receipt of a written notice from the Board or the manager requesting removal of such pet, permanently remove such pet from the property.

- (d) Pet owners are required to comply with the municipal stoop and scoop by-law in force at any given time, whether on the property or on the municipal property. Pet owners should also ensure that the eventual disposal (including disposal of cat litter) is performed in a sanitary manner.
- (e) No owner or occupant shall create or permit the creation of or continuation of any noise or nuisance which, in the sole discretion of the Board, may or does disturb the comfort or quiet enjoyment of the property by other owners or occupants or their families, guests, visitors, servants and persons having business with them.
- (f) Any repairs to the units or common elements shall be made only during reasonable hours.
- (g) Owners shall permit entry into their units by persons duly authorized by the Board in writing for the purpose of spraying for pest control. Owners shall advise the Board as soon as possible of any pests in their unit.

2. SECURITY

- (a) No duplication of common element keys shall be permitted except with the authorization of the Board, and the names of persons authorized to have keys shall be furnished to the Board at all times.
- (b) Under no circumstances shall the building access or common element keys be made available to anyone other than the corporation, an owner or occupant. No visitor may use or have access to the common elements and facilities unless accompanied by an owner or occupant.
- (c) Building access doors shall not be left unlocked or wedged open for any reason.
- (d) No owner or occupant shall place or cause to be placed on the access doors to any unit, additional or alternate locks, without prior written approval of the Board. All door locks and keys must be compatible with the lock systems on the property and a copy of each new key must be delivered to the superintendent.
- (e) Residents who will be absent from their dwelling units for more than three (3) days are to advise the superintendent of their period of absence and to give the name, address and telephone number of a contact person during their absence or the names of the persons who will be occupying the dwelling unit in such resident's absence.

3. SAFETY

- (a) Owners and occupants shall not overload existing electrical circuits.
- (b) No barbecues may be used in any unit or on any exclusive use common element area and may only be used on such part of the common elements designated for such use by the Board, save en except townhome units where barbecues may be used in their respective exclusive use common areas.
- (c) No stores of coal or any combustible or offensive goods, provisions or materials shall be kept on the property including firecrackers or other fireworks, and, with respect to townhomes, other than wood for use in the fireplace and propane gas for barbecues which may be stored on their own outdoor exclusive use common elements .
- (d) Smoking is prohibited in all interior common areas of apartment buildings except as may be designated as a smoking area by the Board.
- (e) All owners of units containing fireplaces shall have such fireplaces and chimneys cleaned annually.
- (f) Owners shall not use flammable fluids to start fires; flues shall be opened before igniting fires.
- (g) Embers shall be disposed of only once they are cold and shall be placed in a metal container.
- (h) Owners or occupants of dwelling units shall not tamper with nor cause the fire alarms, the smoke detectors or heat sensors to unnecessarily activate.

4. COMMON ELEMENTS

- (a) No one shall harm, mutilate, destroy, alter or litter the common elements or any of the landscaping work on the property including grass, trees, shrubs, hedges, flowers and flower beds.
- (b) No building, shed, structure or tent shall be erected, placed, located, kept or maintained on the common elements and no trailer, either with or without living, sleeping or eating accommodation shall be placed, located, kept or maintained on the common elements including exclusive use common elements.

- (c) No sign, advertisement or notice shall be inscribed, painted, affixed or placed on any part of the inside or outside of the buildings or common elements whatsoever except where authorized by the Board.
- (d) The sidewalks, entries, passageways, hallways, stairwells, walkways and roadways which are part of the common elements shall not be obstructed by any of the owners or occupants or used by them for any purpose other than for ingress and egress to and from the buildings, a unit or some other part of the common elements.
- (e) No mops, brooms, dusters, rugs or bedding shall be shaken or beaten from any window, door or balcony.
- (f) No television antenna, aerial, tower or similar structure and appurtenances thereto or satellite dishes shall be erected on or fastened to any unit or exclusive use area.
- (g) No goods and chattels may be left or stored on the common elements including exclusive use common elements except a specifically authorized by the Declaration, by-laws and rules and regulations of the Board.
- (h) No bicycle shall be placed, located, kept or maintained in the dwelling units in the apartment buildings or on the common elements except in the designated bicycle room or area or in the lockers. Bicycles shall not be taken on the elevators. Owners of the townhomes may store bicycles on their exclusive use common elements.
- (i) Only patio/lawn furniture is allowed on balconies and only in season. All such items shall be safely secured.
- (j) No clothesline shall be erected nor shall clothes be allowed to dry outside of a unit.
- (k) No owner may landscape any part of the common elements, including those areas over which he has exclusive use, without obtaining the written consent of the Board.
- (l) No one other than the owner of a ground floor unit having direct access to a brick patio, the owner's tenants, invitees, or anyone authorized by the owner shall be entitled to the use of such brick patio.

CARLETON CONDOMINIUM CORPORATION NO. 316

CONDOMINIUM RULES

[Date of Board Resolution December 5st 2005]

Introduction

The following Rules respecting the use of the common elements and units are made to promote the safety, security and welfare of the owners and of the property or for the purpose of preventing unreasonable interference with the use and enjoyment of the common elements and of other units. **All previous Rules respecting hard flooring are hereby repealed.**

The Corporation may pass additional Rules or amend or delete existing Rules from time to time in accordance with the *Condominium Act, 1998*.

Definitions

Owner: Shall include owners, their families, visitors, agents, tenants and occupants of the unit.

Any other words and phrases which are defined in the *Condominium Act, 1998* (as amended from time to time), or the Regulations thereunder or any successor thereto, ("the Act") shall have ascribed to them the meanings set out in the Act.

1. General

- 1.1 Any losses, costs or damages incurred by the Corporation by reason of a breach of any Rules in force from time to time by any Owner, his or her family, guests, servants, agents, tenants or occupants of his or her unit shall be borne by such Owner and may be recovered by the Corporation against such Owner in the same manner as common expenses. Without limiting the generality of the foregoing, such losses, costs or damages shall include, but shall not necessarily be limited to, the following:
- (a) All legal costs incurred by the Corporation in order to enforce, or in attempting to enforce, these Rules;
 - (b) An administration fee in the amount of \$50.00, to be payable to the Corporation for any breach of these Rules that continues after initial notice has been sent, and further administration fees of \$50.00 per month, for each month during which the breach of the rules continues.
- 1.2 No restriction, condition, obligation or provision contained in any Rule or Rules of the Corporation shall be deemed to have been abrogated or waived by reason of any failure to enforce the same irrespective of the number of violations or breaches thereof which may occur.

2. **Hard Flooring**

2.1 For the purposes of this Rule, "hard flooring" shall include hardwood, tile or any other hard-surfaced material.

(a) **Installation of hard flooring after passing of this rule**

Owners are permitted to install hard flooring in their units, subject to the following requirements:

- (I) The owner shall advise the corporation of the planned installation, and shall provide to the corporation full written details of the planned installation, at least two weeks prior to the commencement of the installation.
- (II) The owner shall allow the corporation full and complete access to the unit, in order for the corporation to inspect the installation in progress.
- (III) Prior to installation of the hard flooring, the owner shall screw down the sub-floor every four inches.
- (IV) The installation shall include "Torlys Acoustik Premium sound-rated acoustical underlayment", as detailed in the product flyer attached as Schedule "A", or an equivalent underlayment approved in writing by the Board. The underlayment must be installed in accordance with the manufacturer's instructions.
- (V) The underlayment must not be penetrated by any type of fastening system, such as nails, tapcons or any other fastener that may reduce the effectiveness of the underlayment. [The floor must be a "floating floor".]
- (VI) The owner shall abide by the sound transmission rating referred by CMHC as "Impact Insulation Class" rating (IIC) set by the Board of Directors at a minimum of 60. Please see the chart provided below.

<u>FLOORING MATERIAL</u>	<u>IIC RATING</u>
STEPS- LAMINATE 8MM	63
TWIN PEAKS HARDWOOD	62
FAIRMONT HARDWOOD	62
SUMMIT HARDWOOD	63

Provided for samples and located in the are Orleans Carpet and BMR Ottawa.
Both retailers supply underlayment of equal or higher values.

(b) **Installation of hard flooring before passing of this rule**

Prior to the date of this rule, hard flooring has been installed in the following units:

(list)

The owners of these listed units shall be entitled to keep their hard flooring provided they fully comply with paragraph 2.1 (c) below.

(c) In cases where hard flooring has been installed in a unit (whether before or after the passing of this rule), the owner shall take reasonable steps to minimize the transmission of noise through the flooring to other units (in order to ensure that noise transmission does not cause unreasonable disturbance to other residents). Such steps may include, but are not necessarily limited to:

- i. the use of area rugs in locations which are subject to heavy traffic;
- ii. the use of pads on the legs of furnishings;
- iii. such other reasonable steps as may be determined by the Board.

(d) Where an owner fails to comply with any of the requirements in this Rule, the Corporation may direct the owner to remove the hard flooring and to install new flooring similar to the flooring of the building's original construction, at the owner's sole expense.

Amended

5. DWELLING UNITS

- (a) No owner or occupant shall make any major plumbing, electrical, mechanical, and structural or television cable alteration in or to the unit without the prior consent of the Board.
- (b) No window shall be covered except with curtains, drapery, vertical or horizontal blind, wooden shutters or similar window coverings.
- (c) Save and except for bathrooms, foyers, kitchen and storage areas, any floor areas not covered by carpets shall be covered by the owner at the owner's expense by a noise reduction system approved by the Board.
- (d) The water closets and other water apparatus shall not be used for the purposes other than those for which they are constructed and no sweepings, garbage, rubbish, rags, ashes or other substances shall be thrown therein. Any damage resulting to them from misuse or from unusual or unreasonable use shall be borne by the owner who or whose family, guests, visitors, servants, clerks or agents shall have caused it.
- (e) No owner shall do, or permit anything to be done in that owner's unit or bring or keep anything therein which will in any way increase the risk of fire or the rate of fire insurance on any building, or property kept therein; or result in the cancellation or threat of cancellation of any policy of insurance arranged by the corporation; or obstruct or interfere with the rights of other owners; or do anything which is, on a reasonable standard, bound to annoy them or conflict with the laws relating to fire or with the regulations of the Fire Department or with any insurance policy carried by the Fire Department or with any insurance policy carried by the corporation or any owner or conflict with any of the rules and ordinances of the Board of Health or with any statute or municipal by-law.
- (f) Should the occupation or use of a unit result in an increase of premium payable by the Corporation for any policy or policies of insurance, then the owner of such unit shall be liable to the Corporation for the increased premium payable which shall be charged back to the owner as additional contributions towards common expenses and shall be recoverable as such.
- (g) Water shall not be left running unless in actual use.

6. MOTOR VEHICLES, PARKING AND PARKING SPACES

- (a) No parking space shall be used for any purpose other than to park one operable passenger vehicle that is either a private passenger automobile, station wagon, compact van or jeep or one light truck less than $\frac{3}{4}$ ton.
- (b) No repairs, lubrication or oil change shall be made to any motor vehicle on any part of the common elements or on any parking space.
- (c) A protective pad must be placed beneath the kickstand of all motorcycles when parked.
- (d) No car washing shall be permitted except in the area specifically designated by the Board, if any, for that purpose.
- (e) Electrical outlets situated at each parking space may be used for plugging in block heaters only.
- (f) No motor vehicle shall be driven on any part of the common elements at a speed in excess of the posted speed. Except where otherwise posted, the fixed speed limit for motor vehicles or bicycles on the common elements shall be ten (10) kilometers per hour.
- (g) No owner or occupant shall park a motor vehicle on any part of the common elements and without limiting the generality of the foregoing, a driveway, fire zone, fire zone, delivery, garbage pick-up, areas designated by the Board as posing a security risk, or visitors' parking spaces or on any parking space other than his or her own or other than one which he or she has leased.
- (h) In the event that the Board, for reasons of cleaning, snow removal, maintenance or repair, temporarily requires vacant possession of any parking space, the owner thereof shall ensure that such space is vacated for the period as the Board requires in the circumstances. In the event that such owner fails to so vacate the parking space upon reasonable notice of the Board shall be entitled to remove or have removed any motor vehicle or other obstruction from the parking space and the cost thereof shall be charged back against such owner as an additional contribution to the common expenses and shall be recoverable as such.

7. GARBAGE DISPOSAL

7.1.1 Apartment Buildings

- (a) Loose garbage is not to be deposited in the garbage chute. All garbage must first be properly bound, packaged or bagged to prevent mess, odors and disintegration.
- (b) Newspapers, magazines, bottles, cartons and large objects shall not be thrown down the garbage chute, but shall be placed in the designated garbage room or area.
- (c) No garbage shall be placed in the garbage chute between the hours of 10:00pm and 7:00am.

7.1.2 Townhomes

- (a) The owner shall not place, leave or permit to be placed or left in or upon the common elements any debris, refuse or garbage shall be contained in properly sealed refuse bags or properly secured containers and placed on the garbage pad or other area designated by the Board for the reception of garbage. Such debris, refuse or garbage shall only be placed on the garbage pad after 9:00pm the night before garbage pick-up and before 7:00am the day of garbage pick-up.

8. LAUNDRY ROOM HOURS

The laundry rooms located in the apartment buildings are reserved for the exclusive use of the owners of the units therein. The laundry rooms shall be used only during the hours between 7:30 am and 10:00 pm daily. Owners of units in the apartment buildings are not permitted to install washers and dryers in their units.

9. AIR CONDITIONERS

All owners may install individual air conditioning units in their units, and Townhome unit owners only may also install central air conditioning apparatus at the rear of their units, provided that to any such installation the written consent of the Board has been obtained thereto and that the requirements and regulations of all public authorities and the rules of the Corporation are complied with. Notwithstanding the foregoing, water-cooled central air conditioning apparatuses are prohibited on the property.

10. AUCTIONS/YARD SALES

Owners shall not conduct or permit to be conducted any auctions or yard sales (commonly known as "garage sales") on any part of the property, including the exclusive use common elements, without the prior written consent of the Board thereto.

11. ADDITIONAL RULES AND ENFORCEMENT

The rules shall be reasonable and consistent with the Act, the Declaration and By-laws and the owners may at any time after a rule becomes effective amend or repeal a rule at a meeting of owners duly called for that purpose.