

THE COLONY CONDOMINIUM TRUST RULES PACKAGE

2nd October 27, 2023 (retyped 06/24/25)

This is your “Rules Package”. Included, in addition to the Rules themselves, is a list of the forms currently in use for various purposes of association business and a few points of interest.

FORMS

The following items have forms that are required. All forms are available from the Manager upon request. Return completed forms to the office.

Air Conditioning and Mini-Split Systems: Such systems need to be installed according to the specifications shown and to Colony policies.

Awnings: This form and a fee are required before awnings are purchased for the unit. Awnings can only use approved fabrics and colors, and installation must be to Colony specifications.

Electric Vehicle Charging System (EVCS) Installation, Application, and Guidelines: list of requirements and the application for EVCS installation.

Front Door Specifications and Colors: This form contains the current list of approved makes / models of replacement front doors and paint.

Open House Signs: If a unit is being sold, the Real Estate Agent can request the use of the Colony’s Open House signs by contacting the office in advance. No other signs are allowed on the property.

Patio Extension: The Master Deed section 7D states: An area three (3) feet in width fronting said decks or patios is reserved exclusively for the use of the owner of said unit served by said deck or patio for gardening or landscaping purposes in keeping with general appearance of the area. Please submit a design of the proposed work for approval by the Board of Trustees.

Permit Application to Install Gas Conversion: This form (plus attachments), and a \$100.00 filing fee, is required before performing a gas conversion in any unit, such as bringing in gas for heat, cooking or fireplace.

Skylight Removal: The removal of skylights must be done according to Colony policies and standards and town and state codes.

Solar Panel Rules and Regulations: This form must be signed and returned to the office together with a \$100.00 filing fee. It contains a detailed list of requirements for the installation of solar panels. No work will start until the homeowner has written

permission from the Board of Trustees who will need the full scope of the work in writing.

Unit Owner Data Form: For owners, not tenants. Must be completed and on file in the office. If any data changes, the manager must be notified and the form updated.

Vehicle/Boat/Trailer Storage Request: Space permitting, storage is available behind the maintenance building for up to four months. This form needs to be filled out with the manager ahead of time, and you must have liability insurance. Storage is at your risk. This same form is to be used to request permission to store a trailer/boat, etc.

Visiting Pet Registration Form: Before a visitor can bring their pet to the colony, the homeowner must complete a Visiting Pet Registration Form and submit it to the Manager for the Board's approval five days prior to the planned visit,

Window Replacement-Exterior Building Work Form: The replacement of windows and sliders needs to adhere to the policies and construction standards as laid out in the form.

POINTS OF INTEREST

The following policies and procedures may be of interest.

Clubhouse Hours: 8:00 a.m.- 7:45 p.m.

Everyone must have a facilities pass. Children under the age of 18 must be accompanied by an adult. Those who are incontinent must wear appropriate undergarments.

Everyone must shower before entering the pool. This is mandated by the State of Massachusetts. **No food** is allowed in the pool areas. The clubhouse closes promptly at 8:00 p.m. Please plan on leaving the Clubhouse at 7:45 pm to allow the attendants to prepare for closing.

Exercise Room: Children under the age of 18 must be accompanied by an adult. Please pay attention to the operating instructions for your own safety. Do not drop weights and do not move the equipment.

Monthly Fee: The Monthly Fee (currently \$525 per month) is due on the 1st of every month. Payments that are received after the 15th will be assessed a 10% late fee (currently \$52.50)

Disposal Area: The disposal (Trash) area is open from 8am to 7:55pm. It is closed on Thanksgiving Day, Christmas Day and New Year's Day. It is closed at 2pm on Christmas Eve and New Year's Eve. It may also be closed in the event of severe weather. There is a dumpster for recycling paper, cardboard, glass & plastic bottles, and metal cans. All

boxes must be broken down (flattened). Plastic bags must not be put into the recycling bin. There is one dumpster, emptied three times a week, available for household trash. Household trash is defined by items one would normally put in a kitchen trash container. NOTHING is to be left outside the dumpsters or the gate at any time. Violators will be fined.

Dump Run: A dump run is organized usually on the last Friday of the month for items that cannot go in the dumpsters. There is a small charge for this service. Please contact the Manager at least 3 days prior to the run to make arrangements.

Snow Removal: Roads and parking lots are cleared when there is a snowfall of over 2". Walkways are shoveled. We ask that residents do what they can to help the snow removal process by moving their cars when the plows come and then putting them back, so all spaces and roads can be cleared. Please think about helping your neighbors if you are able.

Questions, comments and complaints: This is a large property and we appreciate everyone helping to keep our community a vibrant, well-kept property. Please address any and all comments to the Manager, so we can act on them as may be appropriate. Please reconsider before interrupting the landscapers, maintenance staff or other workers as they are doing their jobs. If it can wait, please tell the Manager. If you see something that is unsafe or illegal, please call 911 or the Brewster Police Department at 508-896-7011.

RULES AND REGULATIONS OF THE COLONY CONDOMINIUM TRUST

Pursuant to Article V, Section 5 of the By-Laws, and for the benefit of all Unit Owners and the Association, the Trustees, on April 25, 2025 have adopted the following Rules and Regulations regarding the Units and Common Elements replacing all old rules in their entirety:

1. Definitions

- Resident Unit Owner: A person who owns a condominium unit and uses it for his or her primary or secondary residence.
- Non-resident Unit Owner: A person who leases his or her unit to a tenant and in so doing (under the by-laws) relinquishes his/her facilities privileges.
- Tenant: A person who leases a unit from an owner for not less than 30 days. In so doing a tenant assumes the facilities privileges of the owner and also the responsibility of adhering to the rules and regulation established hereunder.
- Guest: A person other than an owner or tenant. Guests, regardless of age, must always be accompanied by their host (owner or tenant) while using the facilities.
- Temporary Resident: A guest who, with the owner's permission, occupies a unit during the owner's absence. Such guests may use the facilities but may not act as hosts and invite other guests.
- Other Residents: Children of the owners or tenants. They may use the facilities, subject to posted rules but may not act as hosts and invite other guests.

2. No unit shall be used for any purpose other than as a dwelling by one (1) family unit, or a maximum of six (6) persons unrelated by blood or marriage.

3. No business activities of any nature shall be conducted in any unit.

4. Units shall be owned for two years prior to any rental agreement. Units may be leased for use by other than the owners thereof provided

(i) the lease is in writing;

(ii) the lease is for not less than the entire unit;

(iii) the lease is not for transient or hotel purposes;

(iv) the terms of any such lease is not less than thirty (30) days;

(v) such leasing is specifically made subject to the provisions of this Master Deed, the Condominium Trust and By-Laws and all Rules and Regulations issued thereunder and provides that any failure to comply with the terms of such documents shall be a default thereunder; and

(vi) such lessee executes a written agreement directly with the Trustees of the Condominium Trust under which he specifically agrees to observe and be bound by the same. It shall be deemed during the period of occupancy as here provided for that the unit owner has irrevocably appointed and constituted the Trustees as the Unit Owner's attorney-in-fact to seek the eviction, equitable relief, and/or damages of and/or from a lessee upon a default under said lease or for a violation of this Master Deed, the Condominium Trust and By-Laws and all Rules and Regulations issued thereunder. The Unit Owner shall also be deemed to have agreed to indemnify and hold harmless the Trustees for any action or non-action they may undertake pursuant to such appointment.

5. One (1) dog or one (1) cat shall be allowed in any unit unless noisome or offensive to occupants of other units and shall be leashed or caged whenever on Condominium premises outside the interior of the owner's unit. Dog owners must remove their dog's feces immediately. Neither dogs nor cats shall be allowed to run free on common property. **All pets must be vaccinated with a rabies vaccine.** Violators are subject to appropriate fines or such other sanctions as the Board of Trustees may determine.

- a) Pets, except for service animals, are allowed only for resident unit owners and not for non-resident owners, tenants, guests, temporary residents or other residents as defined in the Rules and Regulations.
- b) In the event that a homeowner has a family member/guest who needs to bring their pet on their visit to The Colony, the unit owner must have an approval from The Board of Trustees before the pet's visit. To acquire the Board's permission for the pet visit, the homeowner must complete a Visiting Pet Registration Form and submit it to the Manager for the Board's approval. The Request for visiting pets must be submitted by the unit owner five days prior to the planned visit, and will be approved or rejected by The Colony a minimum of three days prior to the planned arrival.

Failure to adhere to the required prior authorization and completion of the Visiting Pet Registration Form will result in fines or sanctions as the Board of Trustees may determine.

This courtesy does not override rules number 5 and 5a, which will remain in effect.

6. The architectural integrity of the buildings and units shall be preserved without modification and, to that end without limiting the generality of the foregoing and without the prior written approval of the Board of Trustees, no awning, screen, antenna, sign, banner, doghouse or any other such device may be erected outside of the buildings on common areas. No exterior change, addition, structure, projection, decoration or other feature shall be erected or placed upon or attached to any such unit or any part thereof; nor shall there be any addition or change or replacement of any exterior light, door knocker or other exterior part of any unit nor on the interior surface of any window. The provisions of this paragraph shall not, however, restrict the right of unit owners to decorate the

interiors of their units as they may desire. It is provided further that, each unit owner or tenant may personalize a space under the front exterior light, not to exceed eighteen (18) inches on a side if not deemed objectionable by the Board of Trustees.

7. All maintenance and use by unit owners of all facilities shall be done so as to preserve the appearance and character of the same and of the grounds and buildings without modification.
8. All use and maintenance of units shall be conducted in a manner consistent with the comfort and convenience of the occupants of other units and in accordance with the provisions promulgated from time to time by the Board Trustees and in accordance of the By-Laws.
9. No improper, offensive or unlawful use shall be made of units or any part thereof and all applicable laws, zoning ordinances and regulations of all government bodies having jurisdiction thereof shall be strictly observed by all unit owners.
10. No boat, trailer, camper, pick-up truck, van, motorcycle, unlicensed vehicle or any other vehicle other than a private passenger automobile shall be stored, maintained or parked on the property common areas. The Trustees have designated an area for the storage of otherwise excluded boats and vehicles by the maintenance shed. No vehicle of any description shall be driven or parked on the common areas other than the paved roadways. Guest must also abide by all provisions of this rule. Any boat, trailer, camper or other vehicle parked in violation of this rule will be towed off the property at the owner's risk and expense.

Effective July 1, 2023 – Back Parking Lot Storage Usage:

All Colony unit owners have the option to park a vehicle for long term during the winter months in the back lot behind the maintenance workshop. Kayaks, canoes, and paddle boards may be stored on racks year-round. The availability of spots is limited and will be provided on a first come basis. Any recreational vehicle such as a boat, RMV, camper, or trailer will be required to pay a yearly fee of \$250 on July 1st.

All stored vehicles will require proof of insurance and valid registration. Please see the Colony Property Manager prior to storage for more information regarding the completion of the necessary forms and payments.

11. Parking spaces are assigned on a pre-determined basis with numbers placed on such spaces corresponding to the related unit number. Guest spaces are provided on a first come-first-served basis.
 - 11a. No car may be parked long term at the Colony condominiums except in space allocated by the maintenance shed. Violation of this rule may result in towing of the vehicle at the owner's risk and expense.
12. Personal property shall not be stored or abandoned on the property except as permitted in assigned areas.

13. No patio or deck shall be decorated or enclosed or covered by any awning, screen, wall or otherwise without the consent, in writing, by the Board of Trustees.

14. All windows and sliding doors must be draped or must have white or off-white blinds. Draperies must be lined with white or off-white fabric.

15. No unit owner or tenant shall cause or permit to be caused noise or activity that will interfere with the rights, comfort or convenience of other unit owners.

16. All electrical or plumbing equipment, appliances or accessories must be installed and used in compliance with the standards required by the agency or authority having jurisdiction. The unit owner shall be liable for any damage or injury caused by noncomplying equipment, appliances or accessories.

17. The trustees, or their designated agent, must retain a pass-key to each unit. No unit owner shall alter any lock or install any new lock on any door on any unit without the written consent of the Trustees. Where such consent is given the unit owner shall provide the Trustees, or their agent, with an additional key pursuant to its right of access to the unit.

18. The use of up to two (2) air conditioners per unit is allowed. In addition, one (1) portable air conditioner is allowed if it does not protrude past the outside window.

19. Units may be converted to gas heat, fireplaces, etc., with payment of a fee to The Colony Condominium Trust and written approval by the Trustees. Requests must be in writing on forms available from the manager.

20. No unit may have a device for the disposal of garbage through the sink drain. Owners of any units having such a device shall be liable for repair of any premature failure of the septic system.

21. "For Sale," "For Rent," "Yard Sale" or other signs or window displays or advertising shall not be permitted in or on any unit or on common areas.

22. Unit owners will not be allowed to put their name(s) on the buildings or common areas and facilities except as provided in paragraph 6 above.

23. All garbage, trash and recyclables shall be properly disposed of in receptacles provided for that purpose. Please follow posted guidelines. For sanitary reasons all trash and garbage shall be placed in plastic before being put in the receptacles. Because of the mechanics of the actual pick-up, no refuse shall be left outside the containers.

24. Washing of vehicles and boats, working on cars and other vehicles, etc., on the common areas is prohibited.

25. Organized ball games of any kind are not permitted on the lawn areas around the residential buildings or in any areas other than those designated for such activities.

26. Skateboarding, roller- or blade-skating or similar activities are prohibited within the Colony property, including, but not limited to: roadways, walkways, tennis courts, basketball courts, volleyball courts and badminton courts.

27. With the exception of Hummingbird Feeders, all other Bird Feeders are banned at The Colony. Bird houses and bird baths are allowed.

28. All open flame devices, including fire pits (wood or propane) and chimeneas, are banned due to insurance issues, fire code regulations, general fire danger and the potential neighbor issues.

29. The hot tub is intended for therapeutic use. Please be respectful and considerate of other residents who may be waiting to use it. The minimum age permitted to be in it is 12, though children 6 – 12 are allowed if accompanied by an adult in the hot tub. Toys and/or horse-playing are not permitted.

30- Patio Extension: The Master Deed section 7D states: An area three (3) feet in width fronting said decks or patios is reserved exclusively for the use of the owner of said unit served by said deck or patio for gardening or landscaping purposes in keeping with general appearance of the area. Please submit a design of the proposed work for approval by the Board of Trustees.

31. Unit owners are responsible for adherence to the Rules and Regulations of the association as summarized above and may be subject to fines and/or other legal action for failure to do so.

32. The Trustees reserve the right to amend, change and rescind these Rules and Regulations and to make such other rules and regulations from time to time as they deem necessary and desirable for the security, safety, care and convenience of the occupants thereof.

Any owner or tenant has the right to seek exception to, or modification of any specific Rules and Regulations. To do so, he or she may make a request in writing on forms available from the manager.

The foregoing Rules and Regulations shall be and are for the benefit of the owners of all the Condominium units and the Trustees of the Colony Condominium Trust as persons placed in charge of the common areas and facilities and shall be enforceable solely by said Trustees.

These amended Rules and Regulations were adopted by unanimous vote of the Board of Trustees on April 25, 2025 to replace those previously adopted by the Trustees.

Massachusetts Condominium Law, Chapter 400 of the Acts of 1992 now specifically permits associations to charge late fees or interest for late payments of condominium expenses, and to levy reasonable fines for violation of the condominium documents.

Standardized Fines for Violations of Rules

First Offense: Warning Letter

Second Offense: Fifty Dollars \$50.00

Third Offense: One Hundred Dollars \$100.00

Fourth Offense: The matter will be escalated to the Board of Trustees or legal counsel for appropriate action.

HOA Late Fees

HOA late fees will be \$52.50, 10% of the current HOA fee of \$525.00. In the event that the HOA fee should increase, the late fee will remain at 10%.

These Standardized Fines for Violations of Rules were adopted by unanimous vote of the Board of Trustees on October 27, 2023

Electronic Vehicle Charging System Rules

- The homeowner is responsible for following all The Colony rules and guidance from the electrician who installs the system.
- Charging from kitchen outlet, is prohibited.
- Owners are responsible for the upkeep, maintenance and repair of their EVCS. The Colony reserves the right to inspect EVCS systems to ensure compliance.
- All flexible cable used shall be suitable for the conditions of use. All cables connected must be approved for use for car charging.
- Use of the EVCS must not impede the walkway or others using the common walkway or parking spots.
- Cables run across walkways must use an ADA approved cable guard cover. (example <https://www.elascopeproducts.com/cable-protectors/5-channel/p/ug5140-ada/>)
- Charging must occur from a parking spot. Charging on grass or road is prohibited.
- While non numbered spots may be used for charging vehicles they are not reserved for this use and may be used by any homeowner or guest.
- All cables must be a high visible color and marked with safety cones to alert residents of potential trip hazard.
- Use of the EVCS must not impede the landscaping contractor or snow removal contractor from performing service.
- Homeowners are responsible for any additional insurance needed for the EVCS. Note some systems have > 110 V service loads and may require special handling/additional insurance coverage.
- When not in use, charging cables must be stored out of sight.