

# Americana Centre Condominium, Inc.

## Rules and Regulations

The Board of Directors is given express authority in the Association's By-Laws to adopt and publish policies, procedures, rules and regulations to enforce the protective covenants.

Article V (Directors), Section 3 (Powers and Duties), Paragraph (d) of the Americana Centre Condominium, Inc. (hereinafter "ACCI" or "Association") By-Laws authorizes the Board of Directors to:

provide for the promulgation and enforcement of such rules and regulations and such restrictions on, or requirements as may be deemed proper respecting the use, occupancy, and maintenance of the project and the use of the general and limited common elements as are designated to prevent unreasonable interference with the use and occupancy of the condominium project and of the general and limited common elements by the members, all of which shall be consistent with the law and the provisions of these By-Laws and the Master Deed.

Article X (Use Restrictions), Section 3 (Prohibited Uses and Nuisances), Paragraph (n) of those same By-Laws provides that

There shall be no violation of any rules for the use of the common elements, or other "house rules," which may from time to time be adopted by the Board of Directors and promulgated among the membership by them in writing, and the Board of Directors is hereby and elsewhere in these By-Laws authorized to adopt such rules.

All residents in our community benefit from procedures and rules that promote the common good and enjoyment of owners' investments, protect property values, and maintain a pleasant living environment.

Failure to adhere to the Rules and Regulations may result in monetary fines, liens on the unit, and the suspension of voting rights. Furthermore, owners may be held responsible for costs incurred by the Association to resolve the issue, including, but not limited to, legal expenses.

Submitted May 15, 2013

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FOR REFERENCE ONLY

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## **Article I. GENERAL USE OF UNITS**

### **Section 1.01 Occupancy Restrictions**

Residential units are limited to occupancy by any group of individuals living together as a noncommercial, nonprofit household. No more than two persons per bedroom, as designated in the building plans filed with Montgomery County, shall occupy a unit.

### **Section 1.02 Commercial Uses**

Industries, businesses, trade, or commercial activities may not be conducted on the premises, with the sole exception of home professional pursuits that are without employees, public visits, nonresidential storage, or nonresidential levels of mail, trash, or deliveries.

### **Section 1.03 Carpet Requirements**

Article XV, Section 2 of the By-Laws requires each unit to have "at least eighty percent (80%) of the gross floor area" covered with carpet or rugs.

### **Section 1.04 Cleanliness**

Unit owners and occupants must keep their units clean and in a good state of repair. This will prevent the accumulation of materials that will constitute a danger or promote the spread of vermin, roaches, odors, or conditions constituting a danger or nuisance to the common elements or the other units. Should such nuisances point to a specific unit, Management reserves the right to inspect the unit and to enforce this regulation.

### **Section 1.05 Exterminating Services**

Insect extermination is provided at no charge twice a month. Take advantage of this service if insects are evident in your unit. A periodic extermination is preventive maintenance to ensure insects remain outside your unit. You may sign up by contacting the Front Desk. If you have questions about this service or you have a chronic problem with insects inside your unit, please call the Management Office.

Report any insect activity in common areas to the Front Desk or Management Office.

### **Section 1.06 Signs**

No signs of any description may be displayed on unit doors or windows, or anywhere in/outside the unit visible to the public, with the exception of one small political sign, which may be placed in the INSIDE of a unit, provided the sign takes up no more than 25 percent of the size of the window and is only visible for 30 days before the election and no more than 7 days after the election.

### **Section 1.07 Windows**

No article(s) shall be hung or shaken from the windows. No articles shall be placed upon the window sills. Window treatments must be an acceptable fabric or blind (paper or bed-sheets are not permitted), and must be white or have a white lining. Blinds must be in good condition and not bent or broken. Damaged or torn window screens and cracked or broken windows must be replaced.

### **Section 1.08 Balconies and Patios**

Balconies and patios are limited common elements. ACCI is responsible only for the structural maintenance. The unit owner is responsible for keeping balconies and patios clean and swept. Residents may not sweep debris or water off balconies. Management provides for periodic power-washing of the balcony areas for a fee. Please contact the Management Office for the current rate and to schedule a washing. Balconies and patios shall not be enclosed.

No article(s) shall be hung, thrown, shaken or swept from the doors or balconies. No article(s) shall be placed outside of the balcony railing of the units, with the exception of the U.S. Flag, which may be displayed on national holidays. Nothing may be stored on the balconies or patios. No clothing, laundry, or the like shall be hung from any exterior part of any condominium unit or from or upon any balcony or patio.

Charcoal broilers or similar open-flame burners, or any grill, including electric grills, are not permitted to be used or stored on balconies, patios, or in any common area, as per Chapter 22, Section 81 of the Montgomery County Fire and Safety Code.

Nothing shall be affixed to the exterior of the balcony railing or attached to the exterior wall. Awnings, fans, or air conditioning devices, satellite dishes, window guards, or ventilators shall not be installed in or about the buildings. Holiday decorations are permitted but must be removed promptly after the holiday has passed. No bird feeders are permitted on the balconies or patios.

Residents must complete an Exterior Modification Request in order to install planter boxes. They must be equipped with attached drip pans, and may only be displayed inside the balcony railing. The contents of planter boxes must not contribute to the weakening or damage of railings, nor are they to be left empty, unplanted, or unsightly to neighbors except in the winter. Special care must be taken when watering so that overflow does not fall on lower balconies.

Items that could be blown away should not be placed on balconies.

### **Section 1.09 Keys**

Unit Door Keys - There are no master keys to the units at Americana Centre. Residents must provide the Management Office with keys to their units to be used by Management in the event of an emergency. If a unit key is not provided to the Management Office, the unit owner/resident will be charged for the services of a locksmith and/or damages to the door, should it be necessary for Management to access the unit.

With written permission of the unit owner or resident, unit door keys kept at the Front Desk may be used for convenience in scheduling maintenance or in the event of a lockout or other emergency. Under no circumstances may the key to any unit be signed out from the Front Desk without the written consent of the resident of that unit.

Management does not provide keys for units to tenants. New tenants must obtain unit

keys from the owner of the unit.

Common Areas - All residents are required to use key fobs to gain admittance to the high-rise buildings, pool area, and fitness center. Without a key fob, residents are unable to access the pool or fitness center and must confirm their identities with the Front Desk staff when entering Building 118.

Garden Buildings/Trash Rooms - The trash rooms are locked nightly at 11 p.m. by the safety officer and unlocked by staff at 8 a.m. One trash room key is required to be obtained by each garden unit and townhouse for a fee of \$50. These keys are usually passed from old owner to new owner or from landlord to tenant. No trash is to be left outside the trash rooms; place your trash in the appropriate container. If it won't fit, take it to the bins outside the high-rise buildings.

Mailbox Keys - Management does not have a copy of your mailbox key. If a resident loses a mailbox key, Management can arrange for replacement of the lock at the owner's expense.

Community Keys - Keys to the Dolley Madison Room, storage room, fitness room, saunas, and car wash may be signed out at the Front Desk.

#### **Section 1.10 Leases**

All leases must be in conformance with Article X, Section 2 of the By-Laws. A copy of the lease must be provided to Management prior to accepting and approving an application for a move-in reservation. In addition, the City of Rockville requires that a Rental License be obtained from the Code of Enforcement Division of the Rockville City Police Department. A copy of the Rental License must be provided to Management with the lease.

#### **Section 1.11 Deliveries/Contractors**

Deliveries are permitted Monday through Saturday, 8:30 a.m. to 5:30 p.m. In the high-rise buildings, all deliveries of furniture, appliances, carpet, or other large items must be scheduled in advance with the Management Office so that the elevator can be padded to prevent damage, and delivery must be made through the service entrance on the side of the building. The Lobby shall not be used for large deliveries. It is strongly suggested you schedule with the Management Office as soon as possible once you know delivery dates. Unscheduled deliveries are subject to a fine by the Board of Directors.

All vendors and contractors making deliveries to, or working in units must use the service entrance in the high-rise buildings. Vendors and contractors should not use the lobby entrances. The unit owner/resident is responsible to see that all contractor debris and/or delivery packing material is removed from the property.

The costs incurred by Americana Centre to remove from the common areas any delivery or construction debris, or items abandoned by delivery personnel, contractors, or residents, will be billed to the owner.



### **Section 1.12 Mail Delivery**

First Class Mail will be delivered by USPS and placed in individual mailboxes. Mailboxes are located in the lobby of the garden buildings and Building 4, and in the basement level of Building 118. Mail is delivered to the door of the town homes.

USPS Special Delivery Mail will be delivered by the letter carrier directly to the unit. The Front Desk staff is not authorized to accept special delivery or certified mail on behalf of residents.

USPS Parcel Post and other small deliveries too large to place in the mailbox will be delivered to the Front Desk. The letter carrier will leave a slip in your mailbox if a package is taken to the Front Desk.

United Parcel Service (UPS) and similar services will make an attempt to deliver packages directly to the addressee. Packages that cannot be delivered directly will be left at the Front Desk. Residents will be notified of packages left at the Front Desk in accordance with Section 3.03.

### **Section 1.13 Alterations, Renovations, and Structural Changes**

In accordance with Article X, Section 3(d) of the By-Laws, no structural alteration, construction, addition, or removal of any condominium unit or common element shall be commenced or conducted except in strict accordance with the provisions of the By-Laws. A Memorandum of Understanding (available in the Management Office) must be executed by the unit owner and his or her contractor prior to the commencement of any work. The Memorandum includes documentation requirements, work restrictions, and rules while working within the confines of the condominium complex.

Construction and/or repairs by contractors must be limited to the hours from 8:00 AM to 6:00 PM, Monday through Friday. The contractor must test the shutoff valves before replacing any plumbing fixtures. Owners are responsible for the actions of all contractors working in their units. Contractors are not permitted to conduct work in any common area nor permitted to accumulate or store any construction debris in any common area.

### **Section 1.14 Fires and Evacuation**

The most important things to remember in case of fire:

- Remain calm.
- **Call the fire department - Dial 911, NOT the Front Desk if you see or smell a fire.**
- Evacuate the immediate area and close doors behind you, but leave the door unlocked.
- Pull the alarm if the hall bells are not already sounding.
- Leave the building in an orderly fashion.
- DO NOT use the elevators.
- Call the Front Desk once you are safely away from the building and report the emergency.

For additional information on fire safety and prevention, please see the National Fire Protection Association website at <http://www.nfpa.org/> or contact the City of Rockville Inspection Services Division at 240-314-8263 or by emailing [rockvillefiremarshal@rockvillemd.gov](mailto:rockvillefiremarshal@rockvillemd.gov).

If you or someone in your unit is physically handicapped, ill, or needs extra assistance in case of an emergency, please notify the Management Office and give that person's name, unit number, and type of handicap. This information will be provided to the fire department in the event of an emergency, and they will assist in the evacuation, if required. Ensure, also, that the Management Office has the name, address, and telephone number of the person(s) to notify in any emergency involving a person needing special assistance.

### **Section 1.15 Insurance**

Unit owners are strongly encouraged to purchase and maintain an individual homeowners' policy (HO-6). The HO-6 policy provides coverage for your personal property, unit improvements, betterments, additions and alterations, additional living expenses, and personal liability.

Tenants should purchase an HO-4 policy to provide coverage for personal property, additional living expenses, and personal liability.

All owners and residents of ACCI are responsible for being aware of the provisions of the ACCI Master Insurance Policy, which is available for inspection in the Management Office. Building coverage under the Master Policy is subject to a \$10,000 deductible per occurrence. Accordingly, the Master Policy will cover claims only when the damage caused by any one occurrence exceeds \$10,000. Each owner is responsible for up to \$5,000 per occurrence of loss assessment liability. Therefore, check with your agent for current interpretations to the law and to ensure you are carrying adequate coverage. Individual owners cannot file a claim under the Master Policy. As the policyholder, the Association is the only party that may file a claim.

The Master Policy does not cover any individual unit improvements, betterments, additions, or alterations made subsequent to conveyance from the developer. For example, if kitchen appliances or bathroom fixtures have been upgraded in your unit, the Master Policy does not cover these improvements. If wallpaper has been installed or a new wall constructed to divide a room, these additions and alterations are not covered by the Master Policy. In addition to improvements, betterments, additions, and alterations, the Master Policy does not provide coverage for your personal property or additional living expenses, should temporary housing be necessary while you are unable to occupy your unit.

### **Section 1.16 Trash and Recycling Disposal**

Trash is picked up six days per week, recycling is picked up two days per week.

### High-rise Buildings

High-rise buildings have a trash room with a drop chute on each floor. Only bagged household trash should be put into the drop chute. Other larger items should be put into the large metal dumpsters located on the loading dock of each high-rise. Do NOT leave any items that will not fit in the chutes in the trash rooms! Residents are responsible for arranging for disposal of large items, such as appliances, furniture, carpeting, and mattresses; our trash contractor will not take these items.

PLEASE DO NOT LEAVE UNWANTED ITEMS IN COMMON AREAS OR ON THE PROPERTY. ARRANGE TO HAVE THEM PICKED UP!

Construction and remodeling debris may not be put into dumpsters or left on the ground. Owners and/or their contractors must make arrangements to dispose of these materials.

### Garden/Townhouse Buildings

There are 6 trash rooms located throughout the garden and townhouse buildings. Household trash and recycling should be placed only in the appropriate containers; nothing should be left on the floor. Larger household trash items may also be put in the large dumpsters located at the loading dock area beside each high-rise building.

All doors to the garden trash rooms are locked nightly at approximately 11:00 p.m. and unlocked at 8:00 a.m.

Residents are responsible for arranging for the disposal of large items, such as appliances, furniture, carpeting, and mattresses; our trash contractor will not take these items.

PLEASE DO NOT LEAVE UNWANTED ITEMS IN COMMON AREAS OR ON THE PROPERTY. ARRANGE TO HAVE THEM PICKED UP!

Construction and remodeling debris may not be put into dumpsters or left on the ground; owners and/or contractors must make arrangements to dispose of these materials.

### Recycling

Montgomery County requires each residential multi-family community to recycle appropriate items. As the list of recyclable items changes from time to time, contact the Management Office to obtain a full list of items or go to: [http://www.montgomerycountymd.gov/swstmpl.asp?url=/content/dep/solidwaste/education/trac/what\\_to\\_recycle.asp](http://www.montgomerycountymd.gov/swstmpl.asp?url=/content/dep/solidwaste/education/trac/what_to_recycle.asp)

ACCI provides a container for corrugated cardboard boxes (which must be broken down). You may also place used phone books and mixed paper (junk mail) in this container. There is one at the loading dock of each high-rise building.

### **Section 1.17 Heating and Air Conditioning System**

The central plant that supplies heat to your unit automatically turns the heat up and down

as the outside temperature changes. This feature saves you money by conserving fuel and also helps to maintain a higher humidity, which is a health benefit.

ACCI must change over from heating to cooling in the spring and from cooling to heating in the fall because of its two-pipe heating and cooling system. A two-pipe system consists of fan coil units with single coils that are connected to two pipes. Two pipes, one supply and one return, are connected to supply lines in the mechanical room. Supply lines can either supply hot water or chilled water.

During certain times of the year, especially in the fall and spring, it is not uncommon to have alternating hot and cold spells; for instance, cold mornings and warm afternoons. Since two-pipe systems cannot handle simultaneous heating and cooling, the entire building must be converted at the same time. To prevent damage to pipes and equipment caused by thermal shock and to maintain energy levels, the switching process takes a minimum of 48 hours to complete.

On days when the building's system is not able to compensate for outdoor temperature swings, residents can take a few measures to help their units remain cool. For instance:

- Keeping blinds or drapes closed during the sunniest hours
- Ensuring that the fan coil unit has not been blocked by furniture or other items
- Installing ceiling fans to improve comfort during periods of high temperature
- Unplugging electronic equipment when not in use, as most components generate heat
- Converting halogen and incandescent light bulbs to cooler compact florescent or LED bulbs.

Reducing heat-generating equipment will not only improve the interior temperatures within the units, but when ACCI takes these measures as a larger group, the overall energy consumption is reduced.

#### Air Filters

The dirtier fiberglass air filters or coils become, the more they restrict the air that must circulate through the unit to heat or cool it. When the filter restricts air circulation too much, it must be changed. It is recommended that filters be changed on a monthly basis. Change the filter if, when you hold it up to the light, you cannot see light coming through the fibers uniformly across the entire surface of the filter. Install the filter with the arrows on the edge pointing in toward your fan coil unit. This is very important. Filters are for sale in the Management Office for a nominal fee.

Clean and keep clear the area in front of the filter. Units will not heat or cool properly if there are any restrictions to the air flow to the unit. Do not install a solid door (without vents) in front of the air filter unit.

### Thermostat Setting

Set the knob on the thermostat for the correct mode of operation, heating or cooling. Change the temperature setting very slowly until the fan starts or stops and then wait one-half hour until the temperature stabilizes. Repeat as often as necessary until you find a comfortable setting. Because of the design of the main system and the reaction time involved, you will not be comfortable if you constantly change the thermostat setting. Try not to change the thermostat setting, once you have found a comfortable setting.

In winter, if you prefer a warmer bedroom, close the living room registers.

### **Section 1.18 In-House Engineering Services**

Routine maintenance service is available to residents by calling the Management Office. If the problem is caused by a common area situation, there is no charge; however, if the problem is the responsibility of the resident, charges will be assessed to the owner's account. Certain services—including measuring for drapes, wallpaper, or other decorative items, moving services, cabinet installation, and appliance and/or carpet removal—cannot be performed by the maintenance staff. Contact the Management Office for the current fee schedule and to find out whether your specific service can be performed by the in-house staff.

Unit owners must authorize billable work within their unit. Tenants must contact the owner and ask the owner to contact the Management Office to give authorization, unless it is an emergency. In some instances, the Management Office reserves the right to request written authorization to proceed.

To request work, contact the Management Office during office hours, or the Front Desk if the office is closed. Emergencies may be reported to the Front Desk, as well.

Charges are incurred beginning at the time the engineer is dispatched. If the service requires engineering parts, the cost of the parts will be included on the bill, which will be invoiced at a later date.

The in-house maintenance staff is available to provide advice on upgrades and preventative maintenance recommendations to residents. These services are provided free of charge to residents as part of the monthly condo fee, but an appointment must be scheduled with the Management Office.

Annual air conditioning maintenance will be provided in the spring at no charge. This is a highly recommended procedure. An electrical preventive maintenance procedure is conducted approximately every 1 to 3 years at no charge to the unit owner. This is a MANDATORY procedure to ensure the safety of both the common area and shared electrical equipment.

## **Article II. GENERAL USE OF COMMON ELEMENTS**

### **Section 2.01 Proper Use**

No person shall undertake activities that damage or permanently destroy any common

element or that interfere with the proper use by others, or commit any vandalism or engage in boisterous or improper behavior in the common areas that interferes with or limits the enjoyment of the common elements by others.

Owners and residents shall not permit their children, guests, or pets to loiter or play on the lawns, parking areas, landings, hallways, stairs or stairwells, lobbies, elevators, garage, or any other common element. Smoking is prohibited inside all building common areas and within 50 feet of any entrance.

Eating, drinking, and spitting gum are prohibited in the hallways. Lobbies are not to be used for prolonged social gatherings. Noise, disorderly or disturbing conduct, eating, and drinking are prohibited in these common areas. The lobby is not to be used for business or commercial purposes of any sort. Bare feet are prohibited except in the pool areas. Persons should be properly attired when in the public areas of the condominium.

### **Section 2.02 Lawns and Walks**

The greens and walkways and entrances to units within the community shall not be obstructed, or cause to be obstructed, or used for any purposes other than entering or leaving a unit. Any plantings by residents in any common area must be approved by the Board in advance and must conform to the general landscape plans.

### **Section 2.03 Hallways**

Packages, refuse, or any article of any description, other than those placed by Management or authorized by the Board, shall not be left in the hallways. Doormats may not be placed at entry doors of units in the high-rise buildings.

### **Section 2.04 Bicycles and Bicycle Racks**

Bicycle racks are provided at three locations in the garage. It is strongly suggested that bicycles be locked. All bicycles must be registered in the Management Office, and an identification sticker from the Management Office must be displayed on the bicycle.

ACCI assumes no responsibility for any loss or damage that may occur to bicycles stored in these areas.

Bicycles may not be stored on balconies, patios, or other common areas.

### **Section 2.05 Bulletin Boards**

Six bulletin boards are available to post notices. This service is available for owners and residents only, and notices are subject to a review of content by Management before being posted. Commercial use is prohibited. Submit six (6) completed 3x5 cards to the Management Office by Thursday afternoon for posting on Friday. The notices will be posted for 30 days and then removed.

### **Section 2.06 Smoking**

Per Montgomery County Board of Health Regulation 17-210, smoking is prohibited in common indoor areas of the complex, including elevators, lobbies, trash rooms, laundry

rooms, the Dolley Madison Room, stairwells, hallways, garages, saunas, storage rooms, Management Offices or maintenance rooms. Owners may smoke within their units, on their own balconies, and outside of the condominium buildings.

Cigarette butts, ashes, or any other tobacco products or remains are to be placed in metal or noncombustible receptacles and not dropped on the ground or thrown from balconies.

### **Section 2.07 Doors**

All doors to the high-rise and garden units are locked. All doors into the high-rise buildings are equipped with a closed circuit TV camera, which is monitored by the Front Desk.

To avoid unauthorized entrance into the high-rise buildings, the front and rear doors, as well as the service and pedestrian garage doors, must not be propped open. Similarly, garden unit doors must not be propped open at any time. Unit doors should also be locked for the safety of residents and their personal property. Stairway doors in the high-rise buildings must be kept closed to prevent the transfer of fire, fumes, and smoke, pursuant to a directive of the Fire Marshall.

#### Entry System

Visitors and delivery personnel can contact individual units from the station located at the front door of each building. By dialing the unit number at the garden buildings and the code at the high-rise buildings, the visitor is connected to the telephone number programmed into the memory system. The directory is coded according to unit numbers, not resident names. Owners should advise expected guests of their unit number for their convenience. All residents are required to notify the Management Office if the phone number is changed so that the system can be reprogrammed.

The resident answering the incoming call can unlock the door by pressing 9 on the phone. If a resident is on the phone when a visitor tries to call, the visitor will receive a busy signal. The entry system is compatible with touch-tone telephones, including cell phones.

Guests may also communicate with the Front Desk by dialing "000" on the entry system telephone.

#### Garage Doors for Vehicles

Garage doors require a key card for entry at all times. Key cards are available at the Management Office for residents who have assigned parking spaces in the garage. Lost or stolen key cards must be reported immediately, so they can be de-activated. Replacement cards are provided for a nominal fee.

## **Article III. FRONT DESK SERVICES**

### **Section 3.01 General**

A concierge is on duty at the Front Desk in Building 118, 24 hours a day. The Front Desk staff can accept and issue emergency keys, process admit slips, accept packages in your absence, register guest vehicles, and authorize the towing of vehicles in violation or as

necessary. If there is an emergency requiring fire and police, call 911.

### **Section 3.02 Condo Unit Emergency Keys**

Access to condo units via use of the emergency keys is only permitted by means of an authorized admit slip. Admit slips may be designated as temporary, or a more permanent order may be authorized by the unit owner/resident by completing the form at the Front Desk. In no event will a key to any condo unit be issued without a duly authorized and completed admit slip. Admit slips must be current; no admit slip older than one year may be used by the engineering staff or guests to gain access to the unit.

### **Section 3.03 Packages**

As described in Section 1.12, the Front Desk accepts package deliveries for residents by USPS Parcel Post, UPS, and other delivery services. The Front Desk will notify residents of a delivery through a 'Call'em-All' placed to the number that has been registered with the Management Office. The system is not fail-proof, however, and there are times when a busy signal or unanswered phone after four attempts can result in a missed call. Please check with the Front Desk if you are expecting a delivery and did not receive notification.

The Front Desk cannot accept oversized packages, such as TVs and furniture, or packages that weigh 40 pounds or more. Due to space limitations at the Front Desk, residents are asked to pick up deliveries promptly (within 7 days of delivery). Failure to pick up deliveries within that time period will result in returning the delivery to the sender.

### **Section 3.04 Keys**

Amenity keys for use of facilities such as the Dolley Madison Room, storage rooms, car wash, and sauna may be signed out at the Front Desk by residents who meet the required criteria.

## **Article IV. MOVING IN AND MOVING OUT**

### **Section 4.01 Notice**

Owners/residents must contact the Management Office at least 5 days in advance to schedule the date for a move. Only one reservation per building per day will be accepted. The Management Office will honor the request of the first person who reserves the date. If the date for the move changes or the move is cancelled, the resident must inform the Management Office as soon as possible.. The same rules and procedures apply to residents who are not officially moving in or out but are moving furniture or other large items to or from the unit. Large items are considered items that require padding the elevators in the high-rise buildings.

### **Section 4.02 Permitted Times**

Moves must be accomplished Monday through Friday only, between 8:30 a.m. and 5:30 p.m. Weekend moves are prohibited.

### **Section 4.03 Fee**

A non-refundable, one-time fee of \$250.00 for the high-rise buildings and \$150.00 for the



garden and townhouse units will be collected only once, prior to moving in, and covers both moving in and moving out. The fee covers wear and tear costs of both moving in and moving out and associated administrative costs. This fee can be paid by cash or check payable to Americana Centre Condominium.

#### **Section 4.04 Deposit**

In addition to the non-refundable moving fees mentioned above, a separate \$100.00 elevator deposit is required for each move, in or out of a high-rise building, prior to the scheduled move, which will be returned if an inspection of common areas shows no damage caused by the move. This fee can be paid by cash or check payable to Americana Centre Condominium. Any damage exceeding \$100.00 will be billed to the unit owner.

#### **Section 4.05 Requirements**

##### Move In

- Contact the Management Office at least five days in advance to schedule the move-in date.
- Fill out new owner/resident form(s) and provide current picture ID. The new resident form will include signing and acknowledging receipt of the Rules and Regulations.
- Register vehicle(s) and obtain parking sticker(s). Supply a copy of license and registration for all vehicles.
- Provide settlement papers or unit lease.
- The owner of rented unit is to provide a copy of the Current Rental License.
- Register any pets.
- Do not dispose of large items in the trash areas. (Our trash contract does not provide this service.)
- Complete a unit survey form with phone numbers.

##### Move Out

- Contact the Management Office at least five days in advance to schedule the move-out.
- Clean out storage bin(s) in case of sale. Items left will be discarded after 48 hours.
- Make arrangements for removal of large items to be discarded. (Our trash contract does not provide this service.)

##### High-Rise Buildings:

- All items must be taken in or out through the service entrances.
- Obtain an elevator service key from the Front Desk in Building 118.
- Use the freight elevator (on the right), which will be padded prior to your move.
- The above applies to moves both in and out.

#### **Section 4.06 Penalties**

Management will assess the unit owner the cost of all moving damages in excess of the \$100 deposit and the cost of removing any items left after a move has been completed. A \$100 fine will be assessed for moves that are not performed in compliance with these

procedures.

## **Article V. ACTIONS OF OWNERS AND OCCUPANTS**

### **Section 5.01 Annoyance or Nuisance**

ACCI follows the Montgomery County Noise Control Ordinance, Montgomery County Code, Chapter 31B, as it establishes maximum acceptable sound intensity levels at the property lines (any property where people live or work and where noise is heard) according to the use of that receiving property and the time of day.

The maximum allowable sound levels, measured at the nearest receiving property line, are as follows:

- **Residential receiving properties** (mixed-use zones are considered residential)
    - **65 dBA** during daytime hours
    - **55 dBA** during nighttime hours
  - **Nonresidential receiving property**
    - **67 dBA** during daytime hours
    - **62 dBA** during nighttime hours
  - Daytime hours:
    - 7 a.m. to 9 p.m. weekdays
    - 9 a.m. to 9 p.m. weekends and holidays\*
  - Nighttime (“quiet”) hours:
    - 9 p.m. to 7 a.m. weekdays
    - 9 p.m. to 9 a.m. weekends and holidays\*
- \*See <http://www.opm.gov/oca/worksch/html/holiday.asp> for a list of federally recognized holidays.

In addition, the Noise Control Ordinance makes it illegal to:

- Operate, or allow to be operated, a radio, television, or other sound-producing device on public or private property if the sound exceeds 55 dBA at the receiving property line during the designated nighttime “quiet” hours.
- Create a noise disturbance during quiet hours in a residential zone or multifamily structure.
- Operate any equipment that exceeds the receiving property line sound-level limits.
- Allow an animal or fowl to create a noise disturbance at any time.
- Load or unload material during quiet hours.

Enforcement of this ordinance is performed by both Management and the Rockville City Police Department. Noise complaints should be directed to the Management Office during regular business hours and to the Rockville City Police during off hours. When a noise violation is reported, an enforcement officer comes out to take a noise reading (if appropriate) and investigate the situation. The enforcement officer has some discretion in interpreting the noise readings and in determining whether the “nature and extent” of the reported issue warrants further action. For example, the ordinance allows police officers

to issue citations for noise disturbances based on their own judgment and the testimony of witnesses.

### **Section 5.02 Compliance with Law**

Unit owners will comply with and conform to all applicable laws and regulations of the United States, state and local ordinances, and ACCI rules and regulations. Unit owners or residents will hold ACCI or other unit owners harmless from all fines, penalties, costs, and prosecutions for the violation thereof or noncompliance therewith.

### **Section 5.03 Security Service**

ACCI contracts with a security company for the purpose of protecting the property. The guard patrols the property during set hours at night. The patrolling includes both the interior and exterior of the buildings and the parking areas. The Front Desk personnel do not perform security duties; however, they can relay information to the security guards on duty. If at any time, you perceive a crime being committed, you should call 911 immediately and then notify the Front Desk.

### **Section 5.04 Pets**

Keeping an animal(s) must be in accordance with the By-Laws. Two pets per unit are permitted. Any owner or tenant who has more than two pets per unit as of April 1, 2013, shall be permitted to keep those pets until the death of the pet(s). Pets in excess of the two-per-unit limit shall not be replaced by the owner or tenant. The adult weight of a dog for new move-in residents may not be in excess of 35 pounds, with the exception of service animals, trained and documented by a recognized agency. Residents with a pet assume full responsibility for disturbances, personal injuries, or property damages caused by the pet; each pet owner indemnifies the Board of Directors, Management, and each unit owner and holds each of them harmless against any loss, claim, or liability of any character whatsoever arising from the privilege of keeping a pet in any of the buildings.

Residents are reminded that keeping and maintaining pets is governed by the City of Rockville ordinances and such ordinances will be enforced. These include a requirement that dogs be licensed, and that dogs and cats be vaccinated against rabies and leashed and under control of the owner in common areas. Information on pet licensing can be obtained from the City of Rockville at <http://www.rockvillemd.gov/residents/doglicense>.

Pet owners shall file with the Management Office annually a written registration of each pet upon receiving new licensure, giving the description, including age, name, color, and license tag number, on the appropriate form. Any unregistered pet is subject to removal from the Condominium, and/or its owner may be subject to a fine as a result of a dispute settlement hearing before the Board of Directors.

If any pet disturbs other occupants of the Condominium by crying, barking, biting, or otherwise being a nuisance, or is found to exceed the weight limit, notice will be given to its owner to have the annoyance discontinued; if not corrected, action will be taken to remove the pet from the premises, and/or its owner may be subject to a fine as a result of a dispute settlement hearing before the Board of Directors.

Pet owners are responsible for the removal of excrement anywhere within the common elements, including interior and exterior areas of the buildings as well as the grounds and paved areas adjacent to them. This includes the removal of excrement that has been buried or otherwise covered by the pet. A pet owner, based on a valid complaint, who does not comply with the provision, will be subject to a fine of \$25.00 in accordance with Maryland State Law. A repeat violation will be considered a nuisance, and a written notice will be given to the pet owner to remove the pet from the Condominium. All kitty litter/waste must be bagged in plastic bags and securely tied before being placed in trash containers. No pet waste is ever to be placed in recycling containers.

Pets shall not be left unsupervised on balconies, patios, or other limited or common elements, and must be under the control of pet owners at all times.

Residents are responsible for ensuring that visiting pets are in accordance with these rules.

Pet feeding devices, housing, and litter boxes are prohibited on balconies and patios.

**Section 5.05 Indemnification for Actions of Others**

Unit owners will hold ACCI and other occupants harmless for the actions of all children, tenants, guests, pets, contractors, agents, or other invitees.

**Section 5.06 Employees of ACCI**

No unit owner or resident will send any employee of ACCI out of the property on any private business, nor will any employee be used for the individual benefit of the unit owner or resident, unless in the pursuit of the mutual benefit of all unit owners, or pursuant to the provision of in-unit services for a fee to be paid to ACCI.

**Section 5.07 Complaints**

Complaints of any kind must be made to the Management Office in writing.

**Article VI. LAUNDRY**

**Section 6.01 General**

Laundry facilities are provided exclusively for the use of residents in the high-rise buildings, excepting residents of garden and townhouse units when their equipment is under repair. Laundry rooms are not to be used by guests at any time, with the exception of overnight guests staying with a resident.

Only ventless-style clothes-dryers are permitted in the garden and town houses, due to the original building design.

**Section 6.02 Use Restrictions**

Use of the high-rise laundry rooms is restricted to the hours between 7:00 a.m. and 11:00 p.m. daily.

- No machine is to be used for dyeing.
- No smoking is permitted in the laundry rooms.
- Machines must not be overloaded.
- Rugs, pillows, blankets, or other large, heavy items should not be washed or dried in these machines.
- Conversely, one or two items cannot be used to constitute a full load, as loads that are too small will also cause the washing machines to become unbalanced and the dryer to overheat and, in some cases, cause fires.
- Please do not use excessive amounts of detergent in the washers.
- After completion, laundry should be removed promptly.

Users are responsible for maintaining the laundry rooms in a neat and orderly manner, and for cleaning the equipment and lint filters after each use.

Any machine malfunctions, such as excessive machine noise and floods, should immediately be reported to the Front Desk or the Management Office. Please be specific when reporting what is wrong with the machine.

## **Article VII. STORAGE AREAS**

### **Section 7.01 General**

Storage bins are located in the basement of each of the high-rise buildings and are provided for the convenience of residents only. Personal items may not be stored in any other condominium common area, including hallways, stairwells, basements, crawl spaces, parking areas, or the plaza deck.

Storage bins must be locked and some form of identification placed with the contents. Storage bins are distributed on a first-come, first-served basis, when available. If a unit changes hands by sale, any storage bin registered to the unit is to be cleared out and returned to the Management Office for re-assignment. If the new owner still needs a storage bin, he or she must contact the Management Office and ask to be added to the waitlist. Storage bins are not privately owned and are considered to be a common element belonging to ACCI.

ACCI will take no responsibility for items in the storage room/bins. Items in the bins should be placed on a pallet or otherwise off of the floor, and all items should be covered in plastic, in case of leaks.

Storage rooms will be locked at all times. Access to the storage rooms is provided by signing out a key at the Front Desk in Building 118. Please return the key promptly when finished.

Smoking is prohibited in the storage rooms, and lights must be turned off when leaving. However, residents should ensure that no one else is in the room before turning off the light!

## **Section 7.02 Availability**

Only one permanent bin may be assigned to each unit. Bins that are not in use may be reassigned by the Management Office for the use of other residents.

## **Section 7.03 Items**

Common areas cannot be used for storage purposes. No items are to be left outside the storage bin in the storage room, including the hallways between bins. The owner of the unit that the storage bin is assigned to accepts full responsibility for charges, should a staff member be required to remove items left outside a storage bin. Residents are not permitted to store gasoline, paint, or any combustible items representing a fire hazard. Neither ACCI nor Management assumes any liability for articles in storage bins.

## **Article VIII. CAR WASH FACILITY**

### **Section 8.01 General**

The car wash facility is available for use from approximately April 30<sup>th</sup> to October 30<sup>th</sup>. The facility is located on the lower end of the ramp outside the service entrance of Building 4. It consists of a locked metal box containing a water faucet, hose, and nozzle.

### **Section 8.02 Restricted Use**

Use of the car wash facility is limited to residents of ACCI only. Washing vehicles that do not belong to owners/residents is strictly prohibited. The vehicle parking sticker number must be provided when signing out the key for the car wash facility.

### **Section 8.03 Policies**

- Access to the car wash facility is provided by signing out a key at the Front Desk in Building 118. A valid ACCI vehicle parking sticker number must be logged in the Sign-Out Log at the same time. The Front Desk attendant will verify the parking sticker number with ACCI vehicle registration records.
- The key must be returned to the Front Desk in Building 118 immediately after using the car wash facility, preferably within one hour of signing out the key.
- Playing of a radio or other audio device is prohibited in the car wash facility.
- Only one vehicle at a time may use the car wash facility.
- Moves in and out of Building 4 take priority over the use of the car wash facility.

## **Article IX. MOTOR VEHICLES/PARKING**

### **Section 9.01 Types of Vehicles**

Parking spaces are to be occupied only by vehicles. No commercial vehicles, trailers, boats, campers, etc., are allowed to be kept on the premises. No go-carts or other unlicensed motor vehicles shall be operated in the complex. Commercial vehicles are permitted as long as the vehicle is also used as a personal vehicle and is registered with the Management Office. Noisy vehicles shall not be permitted on the premises (i.e., unmuffled). Local government regulations apply.

### **Section 9.02 Parking Rules & Regulations**

ALL vehicles of employees and residents regularly using the premises must be registered with the Management Office (301-340-7770). Parking permits can be obtained from the

Management Office. ALL vehicles parked in designated guest parking spaces must be registered on a daily basis with the Front Desk in Building 118 (301-340-0700). Garage key cards are not to be transferred to anyone else.

All residents of ACCI, whether owners or tenants, must register their vehicle(s) with the Management Office. Registration of vehicles must be accomplished within ten business days after owner or tenant moves in, although parking in guest spaces should be called in from day one. Presentation of the current government-issued vehicle registration card from the jurisdiction in which the vehicle is registered and a current, valid driver's license is required for registration of the vehicle. After moving in, residents should contact the Maryland Motor Vehicle Administration to update their vehicle registration and provide the updated registration information to the Management Office. Registration of more than one vehicle does not entitle assignee to the use of more than one assigned parking space. Registration stickers should be placed on the passenger side of the rear bumper or rear window of the vehicle.

Residents and employees are not permitted to park in designated guest parking spaces, except as directed by Management. Violators are subject to having their vehicles towed, not necessarily preceded by a written or verbal warning. Residents who have more than one vehicle and not a sufficient number of parking spaces must either park on the street or make arrangements to find a parking space. Illegally parked cars on the property are subject to being towed at the owner's expense. An additional parking space may be assigned to residents on a first-come, first-served basis, where two licensed drivers, with two vehicles, occupy the same residence. In no event will more than two parking spaces be assigned to one unit. Second spaces must be relinquished if the qualifications for a second space are no longer met by the resident or unit.

Vehicle maintenance or repair is prohibited on the premises.

Assigned parking spaces **DO NOT CONVEY** with sale of the unit or with the change of any of the tenants. However, parking spots are not reassigned upon sale or change of tenants of a unit. Per Article XIV, Section 1 of the By-Laws, parking is controlled and assigned by the Board of Directors or their designated agent.

Parking in designated "No Parking" areas and "Fire Lanes" is prohibited. Violators will be cited, and cars will be towed at the owner's expense. Nothing may be stored in any parking space. Vehicles are to be towed only by order of the Front Desk or Management Office; residents cannot authorize towing of a vehicle other than their own.

Violation of these rules and regulations will subject the vehicle to towing at the owner's risk and expense. In addition, these violations may be subject to citations issued by the Rockville City Police.

### **Section 9.03 Guest Parking**

Guests may park only in designated guest spaces and their vehicle must be registered on

a daily basis with the Front Desk. Parking in designated guest parking spaces may not exceed 72 hours. Residents must register their guest's vehicle each time the vehicle uses a guest space, even if the vehicle previously occupied the same numbered space. Long-term guest parking (beyond 72 hours) must be arranged through the Management Office where, when available, a space other than a guest parking space may be assigned, and the guest will receive a guest parking permit that is to be displayed on the dashboard while the vehicle is parked on ACCI property.

Guest parking is not intended for use by repeated long-term guests, such as significant others who frequently stay overnight or friends who visit often but are not on the lease. After 30 nights in any 6-month period, a guest is considered a tenant for purposes of parking and may not use guest parking.

#### **Section 9.04 Vehicle Storage**

Vehicles shall not be stored on the premises. Residents who plan to be out of town for an extended period must notify the Management Office. Abandoned and junked vehicles, and vehicles with expired license plates, may not be parked on the premises for more than thirty days. Without notification, any vehicle not moved for a period of one month is considered a stored vehicle and is prohibited.

#### **Section 9.05 Speed Limit**

The speed limit throughout the property is 10 miles per hour.

#### **Section 9.06 Responsibility for Damage**

The Association is not responsible for damage to vehicles parked on the property.

### **Article X. RECREATIONAL FACILITIES**

#### **Section 10.01 Limited to Occupants and Guests**

Recreational facilities within the common elements are limited to the use of unit owners, their tenants, and invited guests. All facilities are used at the risk and responsibility of the user, and the user shall hold the Association harmless from damages or claims by virtue of such use.

#### **Section 10.02 Improper Behavior Prohibited**

Boisterous, rough, or dangerous activities or behavior that interferes with the permitted use of facilities by others is prohibited.

#### **Section 10.03 Owners, Family, Tenants, and Guests**

Residents will direct and control the activities of themselves, their family members, and guests in order to conform to the regulations. Owners or tenants will be responsible for violations or damage caused by themselves, their family members, or guests, whether or not they are present.

#### **Section 10.04 Ejection for Violation**

Unit owners, guests, and tenants may be summarily ejected from a recreational facility by the Management in the event of violation of these regulations and may be suspended



from using the facility until a hearing concerning the violation can be carried out. Offenders may be suspended for additional periods following the hearing.

### **Section 10.05 Swimming Pool**

ALL PERSONS SHALL USE THE POOL FACILITIES AT HIS OR HER OWN RISK AND IN COMPLIANCE WITH THE RULES AND REGULATIONS. ANY PERSON MAY BE BARRED FROM THE POOL AND POOL ENCLOSURE AREA FOR VIOLATION OF RULES AND REGULATIONS.

The season begins Memorial Day weekend and ends on Labor Day of the same year.

Rules for use of the swimming pool are posted in the pool area. Any breach of the rules may result in immediate expulsion from the pool and denial of pool privileges. The duration of denial of pool privileges will be determined by the Board of Directors.

### **Section 10.06 Fitness Room**

The fitness room is provided for the use of ACCI residents and their guests only. No one under the age of 18 years is permitted in the fitness room, unless accompanied by a parent or guardian. Use of the fitness room is at your own risk. ACCI is not liable for injury or health risks. Failure to follow the rules will result in revocation of privileges.

No one is permitted to use the fitness room without first executing a fitness room application and agreement. Access to the fitness room is granted through the use of the key fob. If you do not have a key fob, contact the Management Office. Residents should not allow access to strangers. Non-residents are not permitted to use the fitness room unless accompanied by a resident.

Rules for the use of the fitness room are posted in the fitness room. The last resident to leave should turn off the lights, the fans, and the television to conserve energy.

### **Section 10.07 Sauna**

The saunas (located in the basements of the high-rise buildings) are provided for the use of ACCI residents only. Sauna keys can be signed out at the Front Desk from 5:00 a.m. to 10:30 p.m., every day. Use of the saunas is at your own risk. Americana Centre will not be liable for injury or health risks.

### **Section 10.08 Dolley Madison Room**

The Americana Centre Dolley Madison Room ("DMR") is located in the basement of Building 4 and is available for use by residents of ACCI for social functions and committee meetings.

The DMR may be used at no charge to conduct business on behalf of ACCI by any group or committee approved by the Board of Directors or Management. Individual residents may also use the DMR at no charge on a non-exclusive basis.

A resident may reserve exclusive use of the DMR for a private event for a refundable

deposit of \$150, which must be provided to the Management Office upon making the reservation. If the room is not left clean, a charge of \$50 will be assessed from the deposit. An additional \$50 per hour will be deducted from the deposit for any additional staff cleaning time needed past the first hour. Should the damage or cleaning necessitate an amount greater than the deposit, the resident will be billed for the balance. Reservations for use of the DMR must be made through the Management Office at least five days in advance, and reservations shall be granted on a first-come, first-served basis.

Residents using the DMR are responsible for any and all damage to any part of the room and to any surrounding common areas, equipment, or furnishings caused by them or their guests and will reimburse the ACCI on a replacement-cost basis for any repairs or replacements that may be necessary as a result of such damages not covered by the deposit. Ultimate responsibility for damage to the property rests with the resident who reserved the DMR and the owner, if the resident is a tenant.

The resident who reserves the room must be present for the duration of the function for which it is reserved.

The resident, and not ACCI, is responsible for the actions of the guests either within or outside of the ACCI complex. The room must be left with the lights off, and a reasonable effort must be made to restore the room to its original clean condition.

The resident who reserved the room must supervise the activities of the caterer or other parties involved in the activity, including letting them into the building on arrival and overseeing removal of equipment and debris. Under no circumstances may doors be propped open, nor should the Front Desk be asked to allow guests to be buzzed in without identification. The guests must also register any cars parked in guest parking or must park on the street or in adjacent city lots. Music and noise must be held to a level that will not disturb neighboring residents.

Caterers must remove their equipment and debris as soon as possible after the function. The DMR must be vacated by 11:00 p.m. Sunday through Thursday and by midnight on Friday and Saturday.

Management will inspect the DMR the next business day following use of the DMR. Based on this inspection, the deposit, less any cleaning and damage fees, will be mailed to the resident within 15 business days.

The use of the DMR for any function that involves an admission fee of any kind is prohibited unless sponsored by ACCI. No sale of alcoholic beverages, food, or merchandise, etc., is permitted. Food and beverages must remain in the DMR. No person under the legal drinking age shall be served alcoholic beverages of any kind at any time.

The use of illegal substances is prohibited, and violation will result in immediate expulsion from the premises and denial of further use of the ACCI facility. Montgomery County fire

regulations limit the number of persons occupying the DMR to 145 persons standing or 115 persons seated at tables and chairs.

Violation of these rules governing the use of the DMR may be reason for immediate suspension of ongoing activity and/or denial of future use of the room at the discretion of the Board of Directors.

**Article XI. VIOLATION AND FINE POLICY**

Any violation of the ACCI Rules and Regulations is subject to a fine by the Board of Directors. The Board of Directors follows the Dispute Settlement Mechanism process as described in § 11-113 of the Maryland Condominium Act. A copy of the Dispute Settlement Mechanism and the current fine schedule is available for review in the Management Office.

FOR REFERENCE ONLY