

**The Residences at Canalside Condominium**  
**HOUSE RULES**  
as amended by the Board of Managers through March 19, 2024

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**Rule 1. In General**

1.1. The board of managers has adopted these house rules pursuant to article IX, section 2 of the by-laws of the condominium. House rules supplement the declaration and the by-laws and are subject to change by the board of managers on its own initiative. The board of managers may at any time adopt a new house rule, amend an existing house rule in whole or in part, or repeal all or part of a house rule.

1.2. These house rules, including any subsequent amendment of these house rules, repeal and replace all rules and regulations deemed by article IX, section 3 of the by-laws to have been adopted by the board of managers as of August 19, 2020, together with any amendments to those rules adopted before the effective date of these rules. The effective date of these house rules is January 1, 2022.

1.3. The board of managers may, pursuant to article IX, section 4 of the by-laws of the condominium, add to, alter, or withdraw any consent, approval, or permission granted under these house rules or any prior house rules, whether granted by the board of managers itself or by a person to whom or a committee to which the board delegated such authority. All prior consents inconsistent with Rule 7 or Rule 11 below are hereby withdrawn.

1.4 A section of the state condominium act, Real Property Law § 339-j, provides in part, "Each unit owner shall comply strictly with the by-laws and with rules, regulations, resolutions and decisions adopted pursuant thereto." Under article IX, section 5 of the by-laws of the condominium, the board of managers may impose fines for non-compliance with these house rules.

1.5. As used in these house rules, the following terms have the associated meanings.

(a) "Common elements" includes both the general common elements and the limited common elements.

(b) "General common elements" has the meaning assigned in article VIII of the declaration.

(c) "Limited common elements" has the meaning assigned in article IX of the declaration and includes, as the case may be, a balcony, a patio, certain privacy fences, an assigned storage room or rooms, and an assigned parking space or spaces.

(d) "Nuisance" means an unreasonable or unjustified use of any part of the property by a person in a way that substantially disrupts, endangers, discomforts, annoys, inconveniences, or damages another person.

(e) "Person" means anyone to whom the by-laws apply pursuant to Article 1, section 3 thereof, and includes anyone who may use the facilities of the condominium in any manner whatsoever or who may be on the premises of the condominium for any reason.

1.6 One of the functions of the board of managers is to promote and maintain harmony within the community. These house rules are one means to that end. To the same end, whether or not the matter is directly addressed in the declaration, the by-laws, or these house rules, the board of managers may always redress a situation that:

(a) entails serious disruption, threatens grievous injury, or poses serious danger;

(b) constitutes a nuisance or affronts the senses, examples of which include excessive noises, troublesome odors, unsanitary conditions, unsightly environs, indecent behaviors, or violations of law; or

(c) has a deleterious effect upon the ability of residents freely to enjoy the property in peace and comfort without unreasonable interference.

The board may take appropriate steps to rectify such a situation. This may include imposing a fine; removing from the common elements an item that is vulgar, obscene, profane, or garish; ejecting from the common elements a person who is causing a disturbance; seeking the aid of law enforcement; or applying another suitable sanction.

## RELATED PROVISIONS OF THE DECLARATION

### VIII. COMMON ELEMENTS

The Common Elements consist of the entire Property, including all parts of the Building other than the Units, and including, without limitation, the following:

A. The land described in Article II of this Declaration and any easements rights appurtenant thereto;

B. All foundations, basement, parking garage, columns, girders, beams, and supports;

C. All portions of the exterior walls beyond the exterior surface of the gypsum drywall; all portions of the walls and partitions separating a Unit from other Units located beyond the exterior surface of the gypsum drywall enclosing the Unit; the space between the lower surface of floor joists and the upper surface of the sub flooring plywood sheeting; and the space between the upper surface of the ceiling of the Units and the roof of the Building;

D. Roof and truss system supporting the same;

E. All yards, corridors, parking lots, parking garage, basement, balconies, walks, plaza area with fire pit, grassy area and seating, elevators and other areas used in connection therewith and all green areas, and driveway areas;

F. All installations for services utilized such as gas, electricity, fire alarm system, telephone, television, hot and cold water (including all pipes, ducts, wires, cables, and conduits used in connection therewith, whether located in common areas or in the Units), and any mechanical equipment spaces; and

G. All other parts of the Property and all apparatus and installations existing in the Building and on the Property for common use or necessary or convenient to the existence, maintenance, or safety of the Property.

### IX. LIMITED COMMON ELEMENTS

A. Certain portions of the Common Elements are irrevocably limited in use to specific Unit Owners, subject to the right of the Board of Managers to enter upon any Limited Common Elements for maintenance, repair or improvements of a Unit or Common Element. The Limited Common Elements consist of a balcony appurtenant to each Unit, a rooftop patio appurtenant to the 4th floor units only, privacy fences separating units 403 and 404, 405 and 406, and 409 from 410, an assigned storage room adjacent to each Unit ... and one parking space per Unit in the parking garage.... Some units may have second or third storage room in the Building....

## **Rule 2. The Property Generally**

2.1 A person must not obstruct the common elements nor store anything in the common elements unless allowed to do so by the declaration, the by-laws, or a specific house rule.

2.2 A person must not, without the prior consent of the board of managers, i) alter the common elements, ii) construct anything in the common elements, iii) add anything to the common elements, or iv) remove anything from the common elements.

### **BY-LAWS RELATED TO HOUSE RULE 2**

#### **Art. IX, §1(1)**

The Property must not be used other than for residential purposes that are consistent with the zoning ordinance of the village of Fairport.

#### **Art. IX, §1(3)**

A Unit Owner must not do anything or keep anything, or allow another to do or keep anything, on the Property that would be illegal, noxious, or offensive, or that would be a nuisance to another occupant.

#### **Art. IX, §1(4)**

A Unit Owner must not do anything or keep anything in a Unit or the Common Elements that would increase the rate of insurance on the Building or its contents or that would result in the cancellation of insurance on the Building or its contents.

#### **Art. IX, §1(13)**

Soliciting is not permitted anywhere on the Property.

## **Rule 3. The Grounds**

3.1 Unit owners and residents, and their families and guests, may use the plaza area between the hours of 8:00 AM and 11:00 PM daily.

## **Rule 4. The Building**

4.1 A person must not do anything within a unit, nor in, on or to the common elements, that would impair the structural integrity of the building or that would structurally change the building.

4.2 A person must not cause nor permit anything to be hung or displayed on the outside of windows or placed on the outside walls or doors of the building. Except as allowed under Rule 20, a person may not affix to the exterior of the building any lighting other than lighting installed in the original construction of the building.

4.3 A person must not, without the prior written consent of the board of managers, affix to or place upon the exterior of the building an awning, canopy, or shutter.

4.4 A unit owner or resident must not place a radio or television antenna or satellite dish on the general common elements, but may place the same on the unit's limited common elements subject to the approval of the board of managers as to its size and location.

4.5 The building does not have a separate freight elevator, and the one passenger elevator provides a vital service. Large items and bulky materials must not be transported in the elevator unless the cab has been padded to protect the interior from dents, scratches, and other damage. The relevant unit owner or resident is responsible to install and uninstall the pads and is responsible for any damage to the cab resulting from failure to do so. Elevator doors should not be propped or held open, since doing so may cause a malfunction or another problem. A person who may need to tie up the elevator for moving, deliveries, or another purpose should arrange to obtain the elevator key and should inform other residents in advance when elevator service is likely to be disrupted.

### **Rule 5. Jimmy Boyle Club Room**

When using the Club Room for a specific, reserved function or an impromptu gathering, please abide by the following rules.

5.1 When preparing for the event:

(a) If decorating the room, remember that House Rule 20.2(e) applies and that decorating must be done in a way that does not mar the walls, flooring or carpet, or other surfaces.

5.2 During the event:

- (a) Note that occupancy must not exceed 49 people;
- (b) An adult resident must be present while non-residents are there;
- (c) The person making the reservation, together with any relevant unit owner, is responsible for the behavior of their visitors and guests;
- (d) Candles cannot be burned;
- (e) If alcohol is present, it may not be served to minors;
- (f) Neither smoking nor vaping is allowed;
- (g) If cooking, do not leave any appliance unattended while it is in use, and do not open any doors to vent the room and unnecessarily trigger a general, building-wide alarm.

### 5.3 After the event:

- (a) Furnish your own supplies for cleaning up;
- (b) Make a reasonable effort to cleanup within one hour of the event's conclusion;
- (c) Return all furniture, utensils, and other items to their proper places;
- (d) All food and alcohol must be removed from cabinets and the refrigerator;
- (e) Remove all trash, garbage, and recyclables and dispose of them properly.

### 5.4 To reserve the room:

(a) An adult resident may reserve the Jimmy Boyle Club Room for private use or a private social function. To make a reservation, send an email to Jean Van Etten or Diana Keller. The person making the reservation should remember to allot time to set up for, in some instances to cook for, and to clean up after the occasion.

(b) The person or persons making the reservation and the relevant unit owner or owners are pursuant to the by-laws and these house rules responsible for his or her conduct and that of those present, including family members, guests, invitees, and agents, as well as for their compliance with the applicable provisions of the Declaration, By-laws, Rules and Regulations, and policies governing the property. An adult resident must remain present in the clubroom whenever a non-resident is present there.

(c) No fee is charged to reserve the room. However, a \$100 cleaning fee will be charged to the person making the reservation, or to the respective unit owner's account if that be the case, if in the judgment of the board of managers clean-up was not timely and properly done.

5.5 In an appropriate circumstance, the board of managers may, in lieu of or in addition to any action taken under Rule 1.6, suspend a person's reservation privileges for a definite or indefinite period for violations of this rule.

## **House Rule 6. Fitness Center**

6.1 (a) The fitness center is for the private use of owners and residents. Overnight house guests of owners and residents may use the fitness center during the period of the guest's stay, but broader use by non-residents is not allowed.

(b) A user may bring with him or her a personal trainer, physical therapist, or similar aide provided that doing so does not hinder other users' access to the center and equipment.

(c) A person younger than 13 years of age is not allowed in the fitness center. Persons 13-18 years of age must be actively supervised by a responsible adult.

6.2 A person's use of the fitness center acknowledges that he or she is aware of and assumes any risk of its use. Any damage to the fitness center, its equipment or its furnishings that is caused by a person's careless or improper use will be repaired by the association, but the cost of the repair will be charged back to the respective unit owner.

6.3 A user must not add or remove equipment from the fitness center without prior consent of the board of managers.

6.4 (a) Wipe down the equipment when done using it.

(b) When finished using the fitness center and about to leave (and allowing for any remaining users):

(i) return to its proper storage area any free weights or other loose fitness equipment;

(ii) turn off any powered exercise equipment and return treadmills to a level position;

(iii) turn off any audio/visual system (such as a TV, cable box or stereo component);

(iv) remove or appropriately dispose of any trash;

(v) take all personal belongings with you; and

(vi) turn off the lights and make sure the fitness center is secure.

### **House Rule 7. Hallways, Stairwells, and Corridors**

7.1 (a) A unit owner or resident may place in the corridor alcove, niche, or bay nearest his or her unit one bench or one doormat, or both, provided that doing so does not:

i) obstruct ingress and egress to units and common elements;

ii) interfere with building services (including housekeeping services) or systems;

iii) hinder building maintenance; or

iv) damage walls, woodwork, carpeting, or finishes.

(b) The bench may be of wood or metal, with or without upholstery. The bench must:

i) harmonize with the then-current palette and style of the corridor's walls, carpeting, decor, and design;

ii) not protrude beyond the boundary of the alcove, niche, or bay nor otherwise reduce the clear width of the corridor;

iii) be at least 18" from a fire door or a marked exit door; and

iv) not fetter access to a mechanical room, storage room, equipment room, or similar space.

A person may not place pillows, throws, or other decorative items on a bench in a corridor. If any part of a bench is broken, torn, soiled, frayed, or otherwise dirty or in disrepair, the bench must be removed until cleaned or repaired.

(c) The doormat must:

- i) harmonize with the then-current palette and style of the corridor's walls, carpeting, decor, and design;
- ii) be of a size proportional to the alcove, niche, or bay, and
- iii) convey a message (if it expresses a message) that is cordial and that reflects favorably on Canalside as a whole.

7.2 Shoes and other footwear may not be kept in the corridor unless stored in or under a bench.

7.3 A unit owner or resident may not change the paint color on the corridor side of the door to the unit.

### **Rule 8. Common Storage Rooms**

8.1 Except as provided in this rule, a person may not store personal items in a common storage room, but the board of managers may allow a person to keep in a common storage room items for recreation, entertainment, or leisure activities the use of which the person intends to be shared within the condominium community. The use of a common storage area is a privilege shared with others. Thus, the use of space in a common storage area confers no right or power on a unit owner or resident to exclude another unit owner or resident from any portion of the space.

8.2 Each resident of a unit may use the storage room adjacent to the Parker Street entrance to the garage to store one bicycle and one kayak or similarly sized paddled or rowed watercraft, together with accessory equipment for the same (e.g., racks, pumps, paddles, and dollies or carts), if there is space available. If circumstances allow, and if the board of managers specifically designates a space or spaces within the room for such a purpose, residents may also store in the room sporting goods unrelated to bicycles and watercraft.

8.3 Each resident of a unit may store one bag of golf clubs and one manual golf cart in the storage room in the corner of the garage near the elevator lobby, if there is space available on the racks provided. Clubs and carts may not be stored in the room except on the racks.

8.4 Bicycles, kayaks, golf clubs and carts, and any other property stored in a common storage area must be appropriately tagged, labeled, or otherwise identified to show its association with a resident or a unit. Property of, or primarily for the use of, non-residents may not be kept in common storage areas.

### **House Rule 9. Assigned Storage Rooms**

[RESERVED]



## Rule 10. Parking Generally

10.1 (a) A unit owner may keep no more than two motor vehicles on the property. For the purpose of this section, a motor vehicle means a passenger car (e.g. a sedan, coupe, station wagon, SUV, minivan, or similar vehicle), a light-duty pickup truck, or a motorcycle or similar two-wheeled vehicle.

(b) Any original purchaser of a unit who had the consent of the original board of managers to park three motor vehicles on the property may continue to do so as long as the board of managers ascertains (i) that parking space is available and (ii) it does not deprive another unit owner of space in which to park a second motor vehicle.

(c) For good cause shown, the board of managers may, in the exercise of its discretion and subject to such conditions as it deems appropriate, allow a unit owner to keep a third motor vehicle on the property for a limited period or periods provided parking space is available. The board of managers may, at any time and without cause, revoke, alter, or amend such authorization.

10.2. (a) Any motor vehicle parked anywhere on the property must be properly licensed, currently registered, and safely operable. A person responsible for an unlicensed, unregistered, or inoperable motor vehicle must without delay remove it from the property.

(b) A person must not park an oversized, derelict, or junk motor vehicle, motor home, trailer, recreational vehicle, bus, boat, camper, ATV, or the like on the property. A person must not park a truck, van, or other vehicle used for commercial purposes on the property, except that a person who is delivering goods or furnishing services at the condominium may, when doing so, park a commercial vehicle on the property.

(c) Visitors to the condominium may park their motor vehicles on the property while visiting. Unit owners should be mindful that parking space is limited. If a unit owner expects several visitors at about the same time, the unit owner should encourage them to share rides or to park their vehicles in a nearby municipal lot.

10.3 A person must not park a motor vehicle:

- in a fire lane;
- in any place designated as a “no parking” zone;
- in any place or in any manner that impedes or obstructs access for emergency vehicles or that impedes access by emergency personnel to building safety systems;
- in a space designated for handicapped parking unless the vehicle displays proper authorization;
- in a location or position that disrupts the flow of ordinary vehicular traffic, that presents a hazard, or that creates a nuisance;
- on or over the lines that define a parking space or in any other way that obstructs the use of another parking space;
- on the apron near the handicapped accessible parking space in the surface lot;

- on a sodded, grassy, or landscaped area; or
- in a way that blocks a door or crosswalk.

10.4 (a) Except as expressly provided in the house rules or the by-laws, a person must not use a parking space on the property other than for parking a motor vehicle.

(b) A person must not use, nor allow another to use, an indoor or an outdoor parking space as an area in which to make repairs, whether to a vehicle or to anything else. Simple repairs to and light maintenance of a motor vehicle that can be done easily and cleanly, such as replacing a dead battery, changing a flat tire, or topping off fluids, are allowed. Any trash, grease, spills, or leaks must be cleaned up promptly.

(c) A person must not use a parking space as an area for general storage. Containers for moving and storage, such as PODS, are not allowed. Leaving an object or objects in a parking space for fewer than 12 hours is deemed not to be general storage.

10.5 The designated handicapped accessible parking spaces on the property are required by state code. The number and location of those parking spaces was fixed as part of site plan approval. The use of the spaces so designated is limited to motor vehicles displaying proper authorization. The two spaces in the garage are general common elements, and the use of the two spaces is limited to unit owners and residents. All qualifying unit owners and residents have an equal and non-exclusive right to their use. To the extent practicable, unit owners should avail themselves of the spaces in the garage so that guests may have access to the space in the surface lot. The Board of Managers may allow other uses of the two spaces in the garage so long as doing so does not inhibit their intended use by qualifying owners and residents.

10.6 (a) Routine service and maintenance is necessary for both indoor and outdoor parking areas as well as for general common elements near parking spaces. Unit owners must remain alert to such recurring events and make appropriate arrangements to allow the work to be done. Given reasonable notice thereof, a unit owner must move, or cause another to move, a parked motor vehicle to avoid interfering with the upkeep of the building and the property.

(b) Circumstances may sometimes require non-routine maintenance or service of parking spaces and nearby common elements. Such instances may necessitate moving a motor vehicle on short notice to allow matters to be put right. Owners and residents who will be absent for any significant period should anticipate such contingencies, make necessary arrangements, and advise the board of managers as appropriate.

### **House Rule 11. Parking Garage**

11.1 (a) A person may not use an indoor parking space other than for the parking of a motor vehicle, except as allowed in this section.

(b) A unit owner or resident may store in the nose of an indoor parking space two (2) of any of the following, themselves or in combination: a container, a cart, a stroller, or a car seat. Any combination of motor vehicle and stored item or items must fit in the parking space comfortably, must not present a safety risk to persons or

property, and must not encumber the use of another parking space, a nearby common element, or the traffic lane. The nose of a parking space is the smaller of the two rectangular areas created within the parking space when divided by the parking block. Infrequently leaving objects other than a motor vehicle, a container, a cart, a stroller, or a car seat in an indoor parking space, if left for fewer than 12 hours, is permissible.

(i) Any container kept in the nose of an indoor parking space must be made of opaque plastic, have a lid that fastens securely, and be stored closed. A container must be 48" or less in length, 28" or less in width, and 36" or less in height. A container, together with its contents, must be easy for the owner or resident to move or remove when required to allow regular cleaning and maintenance of the garage or to allow ready access to heaters, fans, pipes, fixtures, and equipment near or above the parking space.

(ii) Any cart kept in the nose of an indoor parking space must be of a kind suitable for transporting items between a parked motor vehicle and a unit. Other carts, including but not limited to wheelbarrows, lawn and garden carts, hand trucks, and carts typically used primarily for industrial, commercial, or sporting purposes, are not allowed. A cart may be collapsible or rigid. A cart, if rigid, must be 48" or less in length, 28" or less in width, and 36" or less in height. A cart must not be used as a storage container.

11.2 In lieu of the combination of containers or carts allowed under section 11.1, a unit owner may keep a motorcycle or motor scooter in the nose of an indoor parking space provided that the unit owner had received the consent of the board of managers to do so before August 19, 2020. The combination of motor vehicles must fit in the parking space comfortably, must not present a safety risk to persons or property, and must not encumber the use of another parking space, a nearby common element, or the traffic lane.

BY-LAWS RELATED TO RULE 11

**Art. IX, §1(8)**

Use of a parking space in the garage is limited to the owners or occupants of a Unit. A Unit Owner may not sell or lease an assigned parking space to anyone who is not an Owner or an occupant of a Unit.

**Rule 12. Surface Parking**

12.1 A person may not use an outdoor parking space other than for the parking of a motor vehicle, but the board of managers may from time to time designate an outdoor parking space or spaces for a special purpose such as trash pick-up, snow storage, or other use.

### **Rule 13. Units**

13.1. A unit owner or resident must maintain and keep his or her unit in good order and repair.

13.2 All radio, television or other electrical equipment of any kind or nature in a unit must fully comply with all rules, regulations, requirements, or recommendations of the New York Board of Fire Underwriters and the public authorities having jurisdiction. The unit owner alone will be liable for any damage or injury caused by any such equipment.

13.3 The declaration provides, "The Board of Managers shall have a right of access to each Unit to inspect the same, to remove violations therefrom, and to maintain, repair, or replace the Common Elements contained therein or elsewhere in the Building." (Art. XI, §B) Each unit owner, therefore, must deliver to the board of managers a duplicate key or necessary codes to open any lock not keyed to the building master key. Before entering any unit, the board of managers will make reasonable efforts to contact the unit owner and secure permission to enter. If, to prevent or control harm to persons or property in an emergency, it is necessary to force entry because the unit owner has installed a lock not keyed to building master key and has not provided a duplicate key or necessary codes, all associated costs, including costs of repair, are chargeable to the unit owner.

#### **RELATED PROVISIONS OF THE DECLARATION**

##### **VI. DIMENSION OF UNITS**

Each Unit consists of the area contained within the horizontal boundaries of the exterior surface of the gypsum drywall separating such Unit from other Units or Common Elements, and within the vertical boundaries of the upper surface of the sub flooring plywood sheeting to the upper surface of the ceiling. The exterior doors, windows, and casings are also a part of the Unit although not within the horizontal boundaries of the same as defined above.

#### **BY-LAWS RELATED TO HOUSE RULE 13**

##### **Art. IX, §1(5)**

Neutral window treatments will be provided with the purchase of a unit and may not be added to or changed without the approval of the Board of Managers.

##### **Art. IX, §1(9)**

An owner or occupant absent from his or her Unit during the heating season must keep the thermostat set at 60 degrees or higher to avoid the freezing of pipes and resulting damage.

## **Rule 14. Balconies, Patios, and Rooftop Decks**

14.1 Winds may cause furniture, grills, potted plants, or other belongings that a resident places on a unit's balcony, patio, or deck to blow about. The unit owner or resident is responsible for any resulting injury to persons or damage to property.

14.2 One gas grill with a maximum output less than or equal to 100,000 BTUs is allowed on each rooftop deck, but no gas grill, charcoal grill, wood burning grill, or other open flame device is otherwise allowed in the limited common elements. An electric grill is allowed on a balcony or patio.

14.3 (a) A resident may place potted plants and planters on the unit's balcony, patio, or deck. A resident must not place a potted plant or planter on the roof membrane itself.

(b) A resident who hangs a planter or planters on a unit's railing does so at his or her own risk. The weight of any planter or planters places a load on the railing, which load correspondingly reduces the margin of safety the railing is designed to provide. Further, placing a planter on a railing presents a risk of injury to persons or damage to property nearby or below, particularly in windy conditions. The unit's owner is responsible for any injury or damage to which such a planter may have contributed. If a resident hangs a planter or planters on a railing, the resident must:

(i) take appropriate steps to prevent the planter and fasteners from damaging the railing or its finishes, and

(ii) excepting units 103 to 108, hang the planter on the INSIDE of the railing.

(c) When watering plants or cleaning balconies, residents should take care lest water or debris interfere with the use of other balconies and patios, particularly those below.

### **BY-LAWS RELATED TO HOUSE RULE 14**

#### **Art. IX, §1(11)**

Children younger than 12 years old are not allowed on a balcony, patio, or roof without adult supervision.

## **Rule 15. Department**

15.1 Some noise necessarily accompanies, and occasionally inconveniences, life in a community setting. At all times, persons should avoid letting the normal activities of everyday living unnecessarily disrupt others. Persons must not at any hour of the day make, nor allow another to make, any prolonged or excessive noise. Special care should be taken between the hours of 9:00 PM and 9:00 AM. Between those hours, noise is excessive if:

(a) a sound coming from within a unit registers 60 dbA when measured from any point within the interior of another unit, or

(b) a sound coming from a common element registers 60 dbA when measured from the interior of any unit near the source.

15.2 A person on the property must refrain from any abusive or harassing behavior, either verbal or physical. Any form of intimidation or aggression directed at another person rightfully on the property is prohibited.

## BY-LAWS RELATED TO HOUSE RULE 15

### Art. IX, §1(2)

A Unit Owner is responsible for his or her conduct and that of his or her family members, guests, invitees, agents, and tenants, including their compliance with the applicable provisions of the Declaration, By-Laws, Rules and Regulations, and policies governing the Property.

### NOTE

By way of example, 60 dbA is approximately the noise level of a restaurant, an office, or of normal conversation.

## Rule 16. Non-residents

[RESERVED]

## Rule 17. Sanitation and Hygiene

17.1 The agents of the board of managers or the managing agent, and any contractor or workman authorized by the board of managers or managing agent, may enter any room or unit in the building at any reasonable hour of the day, on 24 hours' notice, for the purposes of:

(a) inspecting such unit for the presence of any vermin, insects or other pests and taking such measures as may be necessary to control or exterminate any such vermin, insects or other pests; or

(b) investigating any suspicious odors or emissions and taking such measures as may be necessary to ameliorate or abate such odors or emissions.

**BY-LAWS RELATED TO HOUSE RULE 17**

**Art. IX, §1(6)**

A Unit Owner must appropriately dispose of trash, garbage, rubbish, and other refuse by: i. Using the trash chutes on each floor; ii. Placing such in an appropriate receptacle on the property provided by the Board of Managers for the purpose; or iii. Discarding it in such other manner as the Board of Managers may from time to time direct.

**Art. IX, §1(12)**

Smoking, vaping, and similar activities are allowed only within a Unit.

**Rule 18. Hazards**

18.1 A person may not bring into or keep in a unit or in the common elements any flammable, combustible or explosive fluid, material, chemical or substance, except that a resident may store no more than five gallons of household paint used in the painting of the unit in the unit or in the unit's assigned storage room.

**BY-LAWS RELATED TO HOUSE RULE 18**

**Art. IX, §1(9)**

An owner or occupant absent from his or her Unit during the heating season must keep the thermostat set at 60 degrees or higher to avoid the freezing of pipes and resulting damage.

**Art. IX, §1(10)**

Furniture containing liquid, such as a water bed, is not allowed on the Property.

**Rule 19. Animals**

19.1 A person, while on the property, must not feed any wild or feral animal.

19.2 The presence on the property of assistance animals is governed by one or more of the following: the Americans with Disabilities Act, the Fair Housing Act, the New York State Human Rights Law, other state and federal laws, and the Assistance Animal Policy (Resolution 2020-2) adopted by the board of managers.

## BY-LAWS RELATED TO HOUSE RULE 19

### Art. IX, §1(7)

A Unit Owner may keep as a pet or pets only:

- i. One or two dogs each weighing less than 35 pounds;
- ii. One or two cats each weighing less than 30 pounds; or
- iii. One dog weighing less than 35 pounds and one cat weighing less than 30 pounds.

Any dog or cat on the Property must be properly licensed, if required. A dog weighing 35 pounds or more or a cat weighing 30 pounds or more is not allowed on the Property under any circumstances. Breeding is not permitted. A dog or cat outside a Unit (including on a balcony or patio) must not be left unattended, and, if outside and not on a balcony or patio, must be leashed. A Unit Owner is responsible for disposal of a pet's droppings and for repair of any damages done by his or her pet or that of his or her guest or tenant. A pet is allowed in the Plaza area only when in direct transit to or from a unit.

### Rule 20. Signs and Decorations

20.1 (a) A person may not post, erect, exhibit, or display anywhere on the property a sign of any character that is visible from the exterior of any unit without first having obtained the written consent of the board of managers or its designee. "Sign," for the purpose of this section, means all or part of any object, device, structure, fixture, or the like intended principally to convey information or attract attention using words, letters, figures, graphics, symbols, or numbers. A decoration within section 20.2 is not a sign and is governed by that section.

(b) The board of managers or its designee may not consent to:

- (i) a commercial sign, including a "For Sale," "For Rent," or "For Lease" sign;
- (ii) an animated, flashing, illuminated, reflective, mechanized, or like sign;
- (iii) a sign that will be attached to the exterior of the building;
- (iv) a sign that does not coordinate with either or both the architecture of the building or the design of the grounds;
- (v) a sign that is not appropriate to the matters represented;
- (vi) a sign that for any reason would present a safety hazard, would constitute a nuisance, or would cause an unnecessary disturbance;
- (vii) a sign that obscures a sign described in paragraph (c)(i) or (c)(ii) of this section; or
- (viii) a sign that would require a permit from the village of Fairport.



The board of managers or its designee may impose such conditions on the time, place, and manner of the display of a sign as it deems appropriate.

(c) This section does not require the removal of:

(i) any sign that is required by a federal, state, or local law, rule, regulation, or code, or any sign that is posted at the direction of a government agency;

(ii) any sign deemed by the board of managers to be appropriate or necessary 1) for the health, safety, or welfare of persons on the property; 2) for the management or operations of the building, the property, and their related systems; or 3) for the business, governance, or activities of the condominium association;

(iii) any personal announcement, notice, message, or the like posted on a bulletin board or displayed in another place designated by the board of managers for such purpose; or

(iv) any door sign identifying a medical, legal, security, or safety concern within a unit or informing persons about the same.

(d) The board of managers may remove any sign that does not conform to this rule and may charge the associated costs appropriately.

20.2 (a) A person may not place decorations where they are visible from the exterior of the building except as expressly provided in this section. For the purpose of this rule, "decoration" means any ornamentation or embellishment principally intended to make an area more pleasant, attractive, or aesthetically pleasing. Fixtures, finishes, and furnishings within a unit or on a unit's patio, balcony, or rooftop deck, although visible from the exterior of the building, are not decorations for the purpose of this section. A sign within section 20.1 is not a decoration and is subject to that section.

(b) A resident of a unit may affix a wreath or decorative door hanging on the corridor side of the door to the unit, if affixed in a manner that does not cause damage. If the wreath or door hanging appertains to a particular season, time of year, or event, the resident must remove or exchange the decoration when it no longer befits the occasion.

(c) A resident may display decorations in a place that is visible from the exterior of the building only in accordance with this subsection.

(i) A resident of a unit may display decorations appropriate to the winter holidays in an exterior window or on a unit's patio, balcony, or rooftop deck between the Friday after Thanksgiving and the second Sunday of the succeeding new year, if done safely and without damage to the building. Decorative lighting is allowed as part of such a display provided it does not cause excessive glare. If properly secured, decorative lighting may be affixed to the railing of a unit's patio, balcony, or rooftop deck provided that doing so does not cause damage. Sound is not allowed as an element of a winter holiday display.

(ii) A resident of a unit may display decorations appropriate to Halloween in an exterior window or on a unit's patio, balcony, or rooftop deck between October 15th and November 6th, if done safely and without damage to the building. Decorative lighting

is allowed as part of such a display provided it does not cause excessive glare. If properly secured, decorative lighting may be affixed to the railing of a unit's patio, balcony, or roof top deck provided that doing so does not cause damage. Sound is not allowed as an element of a Halloween display.

(iii) A resident of a unit may display decorations appropriate to customary holidays other than the winter holidays and Halloween in an exterior window or on a unit's patio, balcony, or rooftop deck from one week before the holiday to one week after the holiday, if done safely and without damage to the building. Within the period, bunting, if properly secured, may be affixed to the railing of a unit's patio, balcony, or rooftop deck provided that doing so does not cause damage. Decorative lighting and sound are not allowed as part of any such display.

(d) Unit owners and residents may not affix decorations to nor display decorations on the general common elements, including on the floors or walls of corridors or on the facade of the building. However, the Board of Managers may, in conjunction with a condominium-related event, allow persons acting on its behalf or on behalf of a committee of the condominium association to decorate a part or parts of the general common elements.

(e) A person who has reserved the Jimmy Boyle club room for an event may decorate it for the event provided that doing so does not mar walls, floors, or other surfaces. The decorations must be removed promptly when done with the event.

(f) A unit owner or a resident entertaining on the plaza may decorate a portion of the plaza in conjunction therewith provided that doing so does not interfere with the use of the plaza by others or cause damage to the plaza and its components. The decorations must be removed promptly when finished.

(g) The board of managers may remove any non-conforming decorations at the expense of the unit owner.

## **Rule 21. Miscellaneous**

21.1 If a unit owner or resident, or a unit owner's or resident's agent, servant, employee, licensee, or visitor, entrusts to the managing agent or the board of managers, any key or keys, whether for a unit, a motor vehicle, or some other item of property, the acceptance of the key is at the sole risk of the unit owner or resident. The managing agent or the board of managers is not be liable for any resulting injury, loss, or damage of any nature whatsoever, whether direct or indirect.

I attest that the preceding document accurately reflects the House Rules of The Residences at Canalside Condominium as amended by the Board of Managers through May21, 2024.

/s/ Jean Van Etten

Jean Van Etten, Secretary