



AMENDMENT TO PINE HARBOR CONDOMINIUM ASSOCIATION RULES

Pursuant to Section 3(h)(v) of the Declaration of Pine Harbor Condominium and Article V, Section 9 of the Bylaws of Pine Harbor Condominium Association, the Board hereby Amends the Rules of Pine Harbor Condominium Association, as follows:

1. Article XI, Section C shall be deleted and replaced with the following provision:

C. **Fine Assessments:** Pursuant to Article XIII, Section 1 (g) of the Bylaws of Pine Harbor Condominium, the violation of any provision of the Declaration, Bylaws and Rules by any Unit Owner and/or tenant, occupant, and/or guest of any Unit Owner shall be grounds for the assessment by the Association, acting through the Board of Directors, of monetary fines against the Unit of the involved Unit Owner. The Owner of a Unit shall be deemed responsible for such violations whether the violation occurs as a result of the Unit Owner's own conduct, or the conduct of the Unit Owner's family, guests, tenants, invitees, and/or any other person admitted into Pine Harbor Condominium premises through such Unit Owner or the family, guests, tenants, or invitees of said Owner.

1. **Fine Assessment Procedure:** Upon receipt of credible notice of a violation of the Declaration, Bylaws, and/or Rules, the following procedure shall be applied by the Board of Directors with respect to the assessment of fines:
 - a. **Notice of Violation:** Notice of the violation shall be given to the Unit Owner, together with a description of the facts supporting the violation. The Notice shall be sent to the Unit Owner by sending it to any mailing or electronic mail address a Unit Owner designates. If the unit owner has not designated an address, the Board of Directors shall deliver the Notice by hand delivery, United States mail postage paid, or commercially reasonable delivery service to the mailing address of the Unit.
 - b. **Response:** The Unit Owner shall have fourteen (14) days (i.e. two weeks) from the date of the Notice of Violation to respond to the Notice of Violation, by submitting a written response to the Board of Directors. Responses will only be accepted in writing, and must be received within the fourteen (14) day time limitation set forth herein. An email response shall be considered a written response.
 - c. **Default:** In the event that a Unit Owner fails to respond to the Notice of Violation, in writing, on, or by, fourteen (14) days from the date of the Notice of Violation, the Board of Directors shall find the fine assessment valid and proceed with the assessment of a fine pursuant to the schedule of fines below.
 - d. **Decision:** After receipt of a Response to a Notice of Violation, the Board of Directors shall consider the matter at the next regularly scheduled meeting of the Board of Directors. The Unit Owner subject to the Notice of Violation, who has timely filed a Response, as provided herein may request to be heard at the meeting where the violation is

considered, and the Board shall not unreasonably deny any such request to be heard. After considering the Violation and the Unit Owner Response, the Board of Directors shall render a decision as to the assessment of a fine and the amount thereof, which decision shall be final.

2. **Schedule of Fines:** Upon a finding of a violation of any provision of the Declaration, Bylaws, and/or the Rules, or after default as described above, by the offending Unit Owner, the Board of Directors shall assess fines pursuant to the following schedule:

- a. **First Violation:** Written Warning; no fine
- b. **Second Violation:** \$50.00 Fine Assessment
- c. **Third Violation:** \$100.00 Fine Assessment
- d. **Fourth Violation:** \$300.00 Fine Assessment
- e. **Subsequent Violation:** \$300.00 Fine Assessment

In the case of continuing violations, a new violation will be deemed to occur each successive fourteen (14) day period after which the preceding violation occurred.

3. **Fine Remedy not Exclusive:** The assessment of fines hereunder shall be in addition to all other remedies available under the Condominium Instruments, the New Hampshire Condominium Act, RSA 356-B, and all other applicable State and Federal Law. Nothing herein shall be construed to prevent the Association from pursuing any other remedy for such violations, or from combining a fine assessment with any other remedy, or requirement to redress, any violation.

4. **Collection of Fines:** The fines assessed pursuant to the above stated Rule shall be assessed against the Unit of the offending Unit Owner, and shall be due and payable on the first (1st) day of the month following the assessment of the fine. Pursuant to Article XIII, Section 1 (g) of the Bylaws, fines shall constitute an assessment collectible in the same manner as all other condominium assessments under applicable law. Failure to pay the fine assessment when due will subject the offending Unit Owner to all enforcement mechanisms available under the New Hampshire Condominium Act, RSA 356-B, and the Condominium Instruments of Pine Harbor Condominium for the collection of assessments. All unpaid amounts, including all costs of collection and attorney fees incurred in collecting the fine assessment, whether or not suit is ultimately brought, shall be the responsibility of the offending Unit Owner and shall constitute a lien against the offending Unit Owner's Unit pursuant to Article XIII, Section 1 (g), and RSA 356-B:46.

2. Amend the Pine Harbor Condominium Association Pet Policy by deleting it in its entirety and substituting therefore the attached Pet Waiver/Registration Form and Pet Policy.

Certification of Vote

I, John DeForno, the Secretary of the Pine Harbor Condominium Association, hereby certify that all Unit Owners of record of the Pine Harbor Condominium Association were provided notice pursuant to Article III, Section 6 of the Bylaws of Pine Harbor Condominium under date of August 12, 2019, of the above Amendment and the September 14, 2019, meeting of the Board of Directors, at which the above Amendment was considered and voted upon by the Board of Directors, and at said meeting, the necessary quorum was present pursuant to Article III, Section 9 of the Bylaws, and that the results of the voting were 7 members of the Board in favor of adopting and consenting to the Amendment to the Pine Harbor Condominium Association Rules, thus constituting the necessary vote of the Board of Directors to adopt the Amendment to the Rules as required by Article III, Section 9 of the Bylaws and that said Amendment to the Rules has been duly adopted.

Executed this 18 day of May, 2020.

John DeForno
John DeForno, Secretary
Pine Harbor Condominium Association

STATE OF NEW HAMPSHIRE
COUNTY OF Carroll, SS:

On this the 18 day of May 2020, before me, the undersigned officer, personally appeared, John DeForno, Secretary of Pine Harbor Condominium Association, known to be (or satisfactorily proven to be) the person whose name is subscribed to the foregoing instrument, and made oath that the statements subscribed by him/her are true to the best of his/her knowledge and belief.

Celeste Pollini
Justice of the Peace/Notary Public
My Commission Expires: 6.21.22



PET POLICY
PINE HARBOR CONDOMINIUM ASSOCIATION

PURPOSE:

The purpose of these rules is to establish reasonable requirements for the keeping of pets to provide a Safe, Peaceful, Enjoyable, and Sanitary environment for All Pine Harbor unit owners and their guests.

Pet owners and unit owners are responsible for compliance with all applicable state and local ordinances, and administrative regulations as well as this Pet Policy by themselves, their family members, and all occupants of their unit.

CONDITIONS FOR PET WAIVERS:

The conditions of the waiver and for its continued existence shall include, but not be limited to the following:

- Current owners with pets must apply for a pet waiver/registration form for each pet annually on or before April 1 (forms available on the PHCA website).
- Waivers shall be obtained in writing and filed with the BOD before each pet is taken on the property
- Pets of guests must apply for a pet waiver before pets are brought onto the property
- Tenants/renters are not allowed to keep pets on the property
- At no time, will the maximum number of pets per unit exceed *TWO*, including pets of guests
- Unit owners are responsible for all pets associated with the unit (owner's pets and guest pets)
- Pets shall not be allowed to become an annoyance, a nuisance, or a physical threat
- Pets shall be leashed at all times
- Pets are not allowed on the beach, tennis courts, community deck or limited common areas
- Pet attendants must remove (pick up) excrement immediately and dispose of properly
- Unit owners are responsible for any injuries or property damage caused by pets (guests or owned) kept in their unit

ENFORCEMENT:

All waivers approved by the Board of Directors to allow a Unit Owner to have a pet confers a privilege requiring strict adherence to the above conditions. Pursuant to Article V, Section 7 (c) of the Bylaws and Article V, Section C of the Pine Harbor Condominium Association Rules, any waiver granted by the Board under this policy may subsequently be rescinded by the Board of Directors for any violation of the conditions of the waiver.

In addition, enforcement of the above Pet Policy Condition for Pet Waivers shall be subject to all enforcement mechanisms available under the Condominium Instruments of Pine Harbor Condominium Association, the New Hampshire Condominium Act, RSA 356-B, and all other available remedies under applicable law. This includes, and is not limited to, the assessment of Fine Assessments pursuant to Article XIII, Section 1 (g) of the Bylaws of Pine Harbor Condominium Association and Article XI, Section C of the Rules of Pine Harbor Condominium Association.

PINE HARBOR CONDOMINIUM ASSOCIATION
2 HARBOR WAY
WOLFEBORO, NH 03894

NO PETS ARE ALLOWED TO BE KEPT IN PINE HARBOR CONDOMINIUM UNITS OR ON THE CONDOMINIUM GROUNDS. (PHCA RULE /IV. UNITS, C.) PRIOR WRITTEN APPROVAL FROM THE BOARD OF DIRECTORS IS REQUIRED FOR ANY UNIT OWNER WISHING TO KEEP A PET AT PHCA. THE FOLLOWING FORM IS TO BE COMPLETED AND SUBMITTED TO THE BOARD OF DIRECTORS FOR REVIEW. THIS WAIVER MAY BE RESCINDED BY THE B.O.D. FOR ANY VIOLATIONS OF THE CONDITIONS OF THE WAIVER.

PET WAIVER/REGISTRATION FORM

DATE OF APPLICATION: _____

UNIT OWNER(S) NAME: _____ UNIT # _____

TYPE OF PET: _____ NAME OF PET: _____

PET OWNER'S NAME: _____ TELEPHONE # _____

PET OWNER'S MAILING ADDRESS: _____

LICENSE # _____ VACCINATED DATE _____ EXP. DATE _____

VETERINARIAN: _____ VET PHONE# _____

I REQUEST A WAIVER TO THE PHCA RULE (#V, UNITS, C) THAT PROHIBITS PETS AT PHCA. I HAVE READ THE PHCA RULES REGARDING PETS AND AGREE TO THE STATED CONDITIONS.

DATE: _____
Signature _____

THE BOARD OF DIRECTORS AGREES/DENIES TO ALLOW _____
OF UNIT # _____ TO KEEP THE ABOVE REGISTERED PET UNDER THE AGREED UPON RESTRICTIONS.
THIS WAIVER EXPIRES ON MARCH 31 OF EACH YEAR.

Director Date

Please mail to: Pine Harbor Condominium Association
Attn: Fred Pflueger
2 Harbor Way
Wolfeboro, NH 03894