Welcome to Morningside at Martin's Run

On behalf of the Association, we welcome you to the Morningside at Martin's Run Homeowners' Association, Inc. We hope that you find Morningside to be a very nice place to live. To help accomplish this, we have established this Handbook of Rules and Regulations that pertain to living at Morningside. These common sense Rules and Regulations take into consideration the health, safety and comfort of all of our occupants. One of our guiding principles is to always attempt to be reasonable and fair. Likewise, we hope and expect that all of our Occupants will also be reasonable and fair, as well as courteous and respectful to our neighbors in our lives together here at Morningside.

This handbook is intended to supplement, not replace, the Morningside Declaration and Bylaws; therefore, if there should be an inadvertent discrepancy between what is expressed in this handbook and the recorded documents, the Declaration and/or Bylaws shall govern.

We ask that you keep this handbook handy and refer to it when necessary. If something arises that may not be covered in the handbook, please contact our management company, KareCondo, at P.O. box 1714, Stow, Ohio 44224, by telephone at (330) 688-4900, or via email at info@karecondo.com.

Sincerely,
The Board of Directors
Morningside at Martin's Run Homeowners Association



Channels of Communication

The Board of Directors consists of five individual owners and are elected by their fellow owners. Board members serve without compensation and are responsible for making the decisions affecting the operations and maintenance of our property. Decisions are made during our Board's official meetings scheduled for the first Monday of each quarter beginning in January. These are open meetings, and owners are encouraged to attend. Owners will be notified of any changes in the Board meeting schedule through email and/or posting on the Association website, www.mslorain.com.

In between the quarterly Board meetings, the Association relies on the management company (KareCondo) to carry out the Board's decisions and handle all communications by and between the owners, contractors/vendors and the Board. The Board requests and appreciates your cooperation in respecting that Board members are not employees and should not be contacted directly on Association matters outside of Board meetings. Board members are not individually responsible for resolving Association matters and can only decide on issues brought to their attention by the management company, by majority vote. The only exception is that you should communicate, in writing, directly to the Board concerning problems that you may have had with the management company. Again, all other communications should be directed through the management company to assure that your concerns and questions are properly addressed and answered.

Owners and occupants who do not serve on the Board are prohibited from communicating with, giving work instructions to, harassing, or otherwise interfering with any contractor hired by the Association whether the contractor is on Property or not. This requirement is not intended to reduce service. This requirement ensures the contractor is performing the work according to the agreement executed by the Board, and helps the Association maintain a good reputation with the trades community. Any owner or occupant violating this policy will be assessed all damages incurred by the Association, including, but not limited to correcting work performed not in compliance with the agreement, retaining a new contractor, and the cost to have the contractor return to the property.

RULES and REGULATIONS

The Board of Directors is responsible for the identification of homeowner responsibilities identified herein as rules. These rules and regulations are thereby subject to change by the Morningside Board of Directors. In general, compliance with these rules involves exercising common sense and using facilities in a manner that reflects courtesy towards others.

As a Morningside occupant in good standing, you have the right to use the clubhouse and recreational facilities. Please review and comply with all of the following rules and regulations. NOTE: Occupant is defined as a person who resides in a Morningside dwelling more than 90 days in a year. The owner loses the right to use the recreational facilities if the owner rents out their dwelling unit. Owners who lease their dwelling unit transfer all recreational facility privileges to their tenants.

Occupants should consider the clubhouse as an extension to their homes and take care and pride when using the facilities. Please report any maintenance items or other concerns to the Campus & Lifestyle Director or to members of the Board. We also ask, as you participate in activities within the clubhouse and community amenities, that you help monitor the activities of other occupants and their guests within our Morningside campus, for compliance to all rules and regulations.

If you witness infractions to the rules and regulations, we encourage you to explain the violation to the offending parties and, where necessary, to file a Rules Violation Report which is available at the activity desk or online at the Morningside website (https://www.mslorain.com/home/). The completed form must be submitted (confidentiality will be maintained) to our management company, currently KareCondo, for processing. Anonymous complaints do not provide enough evidence to proceed with enforcement unless physical evidence exists.

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1. **Homeowner Unique**

a. Lot Mulch: Lot owners are responsible for maintaining appropriate appearances of their lot and dwelling unit. Black mulch must match the black mulch used across all Morningside common element areas, and is required in all shrubbery and plant beds on every lot.

b. Color Palette for Siding/Shutters: When your home was built, the developers only offered a specific color palette for siding/shutters, and we choose to maintain the consistency of our community by continuing to follow that color palette. Owners may use any of these specific colors, but, if the original color is not available, the owner must choose something as close as possible and receive the Board's written approval as to the color before using the requested color.

c. White Garage Doors: Similar to the logic of the color palette for siding/shutters, all garage doors in Morningside must remain white, clean and free from rust or other discoloration.

d. Solar Panels: SOLAR ENERGY POLICY 12-12-2022
Solar Energy Collection Devices, as defined by Ohio Revised Code 5312.16 ("SECD") including, but not limited to solar panels, must be installed in a rear-facing, roof-mounted array, unless the SECD request qualifies with the exception below. Except as otherwise provided, installations that are visible from the street associated with the Lot's address are prohibited. For purposes of corner Lots, the "rear" roof is in relation to the front door, but the Board will consider approving SECD requests for Corner Lots where the rear roof has more than 15% less surface area than the side of the roof that does not face a street, where the owner is requesting to install the SECD on the side roof that does not face a street. Installing SECD on a Lot or Dwelling Unit is prohibited without written Board approval. Accommodations will be made if the rear of the dwelling unit faces North, and the owner can provide proof from a certified installer that the SECD would be at least 20% less efficient if installed on the rear of the dwelling unit than a different specified location. In such circumstances, Owners may pursue a solution as the least visible from the street, but this approach requires notification of all surrounding neighboring homes which may be impacted by this adjusted SECD positioning.

Recognize that all SECD installations are prohibited until the Board approves the ARC request in writing.

All components of the SECD must be compatible with the design of the dwelling. For purposes of this guideline, examples of compatibility include, but are not limited to, the following: the color of the SECD system components must be the same color of the dwelling roof shingles to the greatest extent practical. Photovoltaic / solar "shingles" that mimic the look of a composite shingle are acceptable but must match the color of the current dwelling roof shingles as much as is practical. Piping, electrical connections, or other lines or wires should be located directly under the system and/or alongside the perimeter of the system, when possible, and placed as inconspicuously as possible so that there is no exposed piping, electrical connections, or other lines or wires when viewed from all angles of the Lot.
Applications for photovoltaic / solar energy systems submitted to the Board must include the following:

1. Submit 2 complete applications including diagrams that are "drawn to scale" that are professionally prepared by the licensed (if necessary) contractor installing the system showing where on the dwelling roof the system will be installed. The drawings must include the dimensions of the system and roof;
2. Photos of the roof area where the photovoltaic / solar energy system will be installed;
3. Provide a clear written statement explaining the drawings and photographs;
4. Provide manufacturer's description of the system, series, style and color of products.Include brochures and cut-sheets of specified products;
5. Documentation (i.e. drawings and photos) depicting any proposed changes to landscaping or other exterior modifications to the Lot or dwelling to accommodate the photovoltaic /solar energy installation.

e. **Street Parking Restrictions:** Street Parking Restrictions: Violations of any Lorain City Ordinances including illegal parking should be reported to the Lorain Police Department at the non-emergency police phone number: 440-204-2103. The Lorain city ordinance: 303.09 LEAVING VEHICLES ON PRIVATE OR PUBLIC PROPERTY states that resident parking on all Morningside streets is permitted for up to 72 hours at any time, unless the winter 2" snow parking ban is in effect or unless extended special permission has been secured from the Lorain City Police Chief (such as new driveway cement is curing). Otherwise, extended street parking is permitted as long as the vehicle is moved from the street before any 72-hour window expires. Occupants are reminded that street parking is not allowed on the hydrant side of the street. Occupants should ensure that visitors abide by this parking restriction.

f. **Resident Directory:** A confidential directory (names, addresses, phone numbers, and email addresses) of current occupants is maintained for private use within our community. Resident participation in the directory is entirely voluntary. The directory is exclusively intended for the benefit of residents to individually communicate and exchange between small groups of friends and like-minded associates within Morningside. Directory details may not be shared with any individuals outside of Morningside, and may NOT be used for any direct mass mailing or emailing to our community for any purpose, in order to protect the majority interests of our residents, who demand privacy, restricted notifications and no directory "spamming." Use of the directory deemed by the Board of Directors to be in violation of these guidelines may be subject to suspension of privileges and/or an enforced assessment against the homeowner, as defined under Item-6 below. Any occupant voluntarily providing their information for inclusion in the directory waives their right to pursue the Association for damages related thereto and thereby release all claims of such damages.

g. **Trash Cans:** Occupants are prohibited to leave trash or recycle containers outside their dwelling unit, except from 6:00 pm on the evening before scheduled trash pickup days until 8:00 pm the day of pickup. If a trash pickup day is forecast for "high winds", you might consider refraining from putting out your recyclables for a week if feasible. In addition, if your can spills or you see trash in your yard, please help beautify the community by picking it up. The Association is not responsible (nor equipped) for picking up blowing trash.

h. Seasonal Decorations: The use of seasonal decorations is encouraged. However, occupants must make every effort to take decorations down as soon as practical after the affected holiday. Displays are prohibited to extend beyond 45 days in any 365 day period.

i. Pets: Pet owners are reminded of the provisions of our Declarations that, when in common elements, pets must be accompanied at all times by someone who can control the pet, and be either carried or on a hand-held leash at all times. Additionally, pet owners are responsible for the immediate, complete cleanup after their pet and the proper, sanitary disposal of pet waste. Pets are not allowed in the clubhouse unless pets are service dogs for the physically or emotionally impaired. Please be considerate of others' bushes/flowers, and try to avoid having your dog urinate on them. Animals are prohibited to create a nuisance. Examples of nuisance behavior or behavior that creates an unreasonable disturbance for the purposes of this paragraph are:

1. Pets whose unruly behavior causes personal injury or property damage.
2. Pets who make noise continuously and/or incessantly for a period of ten minutes or intermittently for two hours or more to the disturbance of any occupant at any time of day or night.
3. Pets in common elements who are not under the complete physical control of a responsible human companion and on a hand-held leash of no more than six feet in length or in an animal carrier.
4. Pets who relieve themselves on walls or floors of common elements.
5. Pets who exhibit aggressive or other dangerous or potentially dangerous behavior.
6. Pets who have lunged at, or charged another animal or person.
7. Non-domestic pets that are prohibited include, but, are not limited to rabbits, livestock, fowl, poultry, monkeys, pigs, frogs, snakes, lizards, or other reptiles, horses, and wild hybrids, along with any rare or unusual pet kept within a human household, which is generally thought of as a wild species, not domesticated, and not typically kept as a pet.

2. Clubhouse & Recreational Facilities

a. **Orientation & Welcome Packet:** Occupants must complete a clubhouse orientation prior to using the clubhouse and recreational facilities. An owner's welcome packet will be distributed when occupants receive their Morningside overview and complete a facilities orientation. Contact the Campus & Lifestyle Director at 440-282-2905 to schedule your orientation.

b. **Clubhouse & Recreational Facilities:** The Clubhouse and recreational facilities are for the exclusive use of Morningside occupants and their guests. Recreational facilities include tennis courts, bocce courts, indoor pool, spa, outdoor pool, community gardens, gazebo, putting green, driving range, game room and common areas in the clubhouse. Some facilities may require reservations and can be reserved by occupants at the clubhouse front desk. Clubhouse activity rooms and recreational facilities are open to individual use when not being used by scheduled activity groups. Officially sanctioned activity groups will always have priority over individual use when scheduled through the Campus & Lifestyle Director. However, if any courts (pickle ball/bocce ball) are unused during scheduled Morningside times, occupants may use the open court(s) as long as it does not interfere with the scheduled activity. Guests must be accompanied by an occupant at all times while using the clubhouse or recreational facilities.

c. **Fitness Center:** The fitness center is for occupant use only. Guests may not use the fitness center except as noted below. It is highly recommended that occupants check with their physician before using any fitness equipment or participating in any group fitness classes. All occupants must complete a mandatory orientation on the proper use of any fitness center equipment. The orientation is scheduled with the clubhouse and the Campus & Lifestyle Director, and must be completed before any fitness center activity is permitted. Clean sneakers and proper footwear are required on all treadmills and fitness equipment. Occupants may not wear dirty shoes or wet shoes, as doing so will ruin the equipment. If there is any doubt, please use the cleaning supplies in the fitness room to clean and dry your shoes before using any equipment or bring extra shoes from home. Occupants are also required to use the provided sanitary wipes in the fitness center to clean equipment after each use. When other Occupants are waiting, please limit individual use to a maximum of twenty minutes. No children are permitted in the fitness center.

NOTE: Generally speaking, the fitness center is for occupants only, but individuals assisting an occupant in the fitness center, such as a personal trainer, must also first participate in an equipment orientation with the Campus & Lifestyle Director, and must sign a Morningside Liability Waiver before assisting the occupant. In addition, a single person household may have one guest sign a liability waiver and must participate in the equipment orientation so that the single resident doesn't have to exercise alone for safety reasons.

d. Food & Drink: Food and drink may only be served and consumed in the kitchen, ballroom, billiards room, patios, verandas, atrium, and the tables in the pool areas. Only the use of sports water bottles or plastic containers (no glass allowed) may be used in the fitness center or pool areas.

e. Alcohol Beverage Use: Alcohol may be consumed in the clubhouse, on the patio or in recreational areas as long as it is in a respectful, safe manner. Behavior that can be construed as obnoxious, a nuisance or drunkenness will not be tolerated.

f. Recreational Gambling: Gambling in a way that is legal, friendly, positive and healthy is allowable.

g. Music: Music is allowed on the grounds of the clubhouse and/or recreational facilities as long as it does not create a nuisance. We must all be mindful of being courteous and respectful to one another. Keep the volume to a reasonable level to avoid disturbing others.

h. Smoke-Free Environment: The clubhouse and all recreational facilities of Morningside are smoke-free and vaping-free environments. All forms of smoking and vaping are prohibited within the clubhouse and across all common element areas and amenities of the property, except in the designated areas (the gazebo and the northernmost side of the clubhouse parking lot). Littering is prohibited.

i. **Proper Attire:** Proper apparel must be worn at all times in the clubhouse and on all recreational facilities. Shirts and shoes must be worn at all times in the clubhouse and when using recreational facilities. Wet bathing suits and bare feet are not allowed in the clubhouse or fitness areas. Only articles of clothing designed and sold for aquatic use are permitted to be worn in the pools and spa.

j. **Clubhouse Access & Security:** Key FOBs must be used to access the clubhouse. The clubhouse will be open to occupants from 6:00 am to 11:00 pm. The Clubhouse must be vacated no later than 11:00 pm, unless prior arrangements are made with the Campus & Lifestyle Director. Without prior arrangements, the clubhouse security alarm system is activated at 11:15 pm, and remains armed until 5:45 am the following morning.

k. **Guest Bands & Guest Access:** Occupants must accompany their guests at all times when guests are using the clubhouse or any recreational facilities. Owners are responsible for their occupants and guests while using these facilities. All guests must wear a guest band while using Morningside amenities, with the exception of children under the age of 16 years. Key fobs for entrance to the clubhouse are prohibited to be given to a guest. Guest bands must be purchased by occupants annually at a cost of $5.00 per band. Up to six (6) guest bands will be available for each household. Checks for guest bands are made payable to Morningside HOA and submitted to the office of the Campus & Lifestyle Director. Lost guest bands will not be replaced.

l. **Valuables:** If you bring valuables to any Morningside recreational area, you do so at your own risk.

m. **Ballroom Use:** The ballroom is not available to rent out for private parties. The facility is meant to hold events where ALL in the community are invited and welcome.

n. **Parking Lot Restrictions:** Handicapped parking spaces are only to be used by the individuals with handicap decals. Vehicles must display a valid state issued license plate, tag or placard. Parking is prohibited between 1:00 am and 5:00 am in all association common element area parking lots. Extended overnight parking privileges may be granted to occupants, under special conditions, with prior written authorization from the HOA Board of Directors or the Campus & Lifestyle Director. Parking or excessive waiting under the portico in front of the clubhouse and in fire zones is prohibited.

o. **Furniture Usage:** Occupants must return all furniture to its original location and arrangement after each use. Furniture may not be moved from one room to another without prior approval from the Board of Directors and/or the Campus & Lifestyle Director.

p. **Kitchen Use:** The kitchen is primarily for activity group and Association party use. Kitchen supplies are for activity group and Association party use. Kitchen area must be kept clean and orderly at all times and leaving stains, spills, messes or waste anywhere is prohibited.

q. **Recreational Facilities Equipment Care:** Owners will be responsible for the cost of cleaning, repairing or replacing any item damaged or destroyed due to their carelessness, neglect or deliberate act. Owners will also be responsible for damages caused by their occupants and guests.

r. **Activity Rooms Use:** Activity rooms such as the Game Room for Billiards & Cards, the Activity/Aerobics Studio and the Ballroom with its three great rooms are open to occupant use when not reserved for sanctioned activity groups. A sanctioned activity group is a residents' group who have reserved the use of a room through the Campus & Lifestyle Director which must include the activity start and end times to facilitate additional scheduling during any open, available time slots. Weekly activity group schedules are available on the Morningside website calendar. Scheduled activity groups will have priority use over individual use. No activity room may be reserved for an individual occupants's private use.

s. **Billiards & Cards Game Room:** The game room serves two sets of players, billiards and cards, and therefore requires a certain amount of cooperative scheduling between both groups. Scheduled and reserved game room activity groups always have priority use over individual impromptu use, which is only available if no other competing game is in play or scheduled during that period. For example, this means that if a scheduled card game is in play, an impromptu billiards game cannot be added during the same period, and the reversed games example is likewise true. Billiards equipment is to be used by occupants and accompanied guests 18 years of age and older. Sitting on the tables is prohibited. Return all equipment to proper storage locations following use, and brush the table clean after play. Billiards balls should be stored on the storage table in the corner, not in pockets. Individuals may not monopolize the tables when others are waiting to play. Notify the Campus & Lifestyle Director if there are scheduling issues, equipment needs or any damage.

t. **Emergency Phone:** An emergency phone is located within the indoor pool area.

u. **Facilities Safety**: The Board of Directors and/or Campus & Lifestyle Director may close the pools, spa and related facilities at any time as deemed necessary to protect the general welfare and safety of occupants and guests when weather or maintenance concerns dictate closure. All occupants and guests using any amenity do so at their own risk. Users are urged to exercise good judgment and caution. The Association is not responsible for any accidents or personal injuries that may occur.

v. **Clubhouse Security Cameras:** Operational clubhouse cameras have been installed to address security concerns and property damage. Great care has been taken to balance the need for security with the necessity for privacy. The cameras are focused on all entrances/exits, hallways and indoor/outdoor pool areas. All recordings are password-protected, and are under sole viewing control of the Board of Directors. The video footage is not monitored in real-time for your safety and protection, and only used to review events after-the-fact. There will always be a Board of Directors member present when reviewing the recordings. In the event there is reason to believe that an illegal action may have occurred, a review will be conducted, and if necessary, a downloaded recording will be made for the police department to investigate.

3. Pool Rules:

The Board of Directors, employees and all users of the swimming pools and related facilities are legally obligated to comply with pertinent Ohio Board of Health and State Sanitary Code Rules. For the most part, compliance with OBH and SSC Rules involves common sense efforts when using facilities (e.g. bathrooms) in a manner that reflects courtesy towards other individuals.

The Board of Directors has established the following rules designed for the safety and comfort of Morningside occupants and their guests. The rules are intended to ensure proper care of our swimming pools and related facilities, to contain maintenance expenses within operation budgets and to minimize loss, damage or the premature wear and tear of the equipment. All persons using the swimming pools, whirlpool spa and related facilities do so at their own risk. Individuals are urged to exercise good judgment and caution at all times. The Association is not responsible for any accidents or personal injuries which may occur.

It is the responsibility of occupants who use the swimming pools and related facilities to know the rules, inform their guests accordingly and ensure that their guests follow all Morningside rules when using any of the facilities.

The indoor pool is open daily from 9:00 am to 9:00 pm.
The outdoor pool is open daily from 9:00 am to 9:00 pm. The outdoor pool will typically open Memorial weekend and close on Labor Day.

a. Children under the age of 16, when accompanied by a Morningside occupant, may only use the pool from 10:00 am to 1:00 pm except when scheduled activities are taking place. All younger children must be potty trained. Children wearing diapers or swim diapers are prohibited in the pools or on the steps of the pools. All children must have adult supervision while utilizing the pool.

b. Glass containers of any kind are prohibited in any of the pool areas.

c. Diving and rough housing are prohibited.

d. All swimmers must be continent (potty trained).

e. Running, jumping, diving, "cannonballing", pushing, wrestling and/or rough play are always prohibited. In addition, roller-blading, skateboarding, bicycling, yelling and/or the use of foul language or curse words are also prohibited.

f. Water guns, water spraying toys, water balloons, boogie boards, large rafts/floats are prohibited.

g. Swim attire designed and sold as swimwear is required for entering the pool. All occupants and guests must wear non-slip rubber-soled footwear in the pool area, atrium and locker rooms.

h. Chairs, lounges and tables are on a first come, first serve basis and cannot be reserved. Pool furniture that is moved must be returned to its original location upon exit from the pool area. Whenever using umbrellas in the raised position, please ensure the umbrellas are lowered and secured when you prepare to leave the area. Indoor and outdoor pool furniture must remain in their respective pool areas. Chairs and lounges are to be covered by a towel for hygienic purposes and to prevent damage caused by suntan lotion, oils, etc.

i. Lockers are available on a first come first serve basis. Locks are to be removed when the user leaves the pool for the day. Locks that are not removed at the end of the day may be cut off.

j. Any person with an obvious infectious wound shall not be permitted in the pool(s) or spa. Any person with bladder or bowel control problems is prohibited from using the pool. People observed passing feces, urine, or blood into a pool or spa are prohibited to use the pool or spa. Any person who has been refused entry to or removed from a pool or spa under this paragraph because of an infectious wound may be granted entry upon presentation of a written statement from a physician that the condition is not infectious. Occupants observing violations of these health and safety guidelines and/or a potentially unsanitary condition are required to immediately report the situation to the Campus & Lifestyle Director and/or the Board of Directors for remediation (i.e.,disinfection, cleaning, pool treatment, etc.).

k. As always, please be considerate of others.

Rules Enforcement: The Morningside Board of Directors or the Campus & Lifestyle Director has complete authority to enforce all pool, pool deck and spa rules. They also have discretionary power to take necessary steps to address potentially hazardous circumstances not specifically referenced in these rules, for example: impending thunderstorms. Occupants are also encouraged to monitor participant compliance to all Morningside rules and regulations, to address any infractions with the offenders, and to file a Rules Violation Report where appropriate.

4. Spa Rules: ***per Ohio Department of Health Administrative Code***

a. Pregnant women, elderly persons, and persons suffering from heart disease, diabetes or high or low blood pressure should not enter the spa without prior medical consultation and permission from their doctor.

b. Do not use the spa while under the influence of alcohol, tranquilizers, or other drugs that cause drowsiness or that raise or lower blood pressure.

c. Do not enter water temperatures greater than 104° Fahrenheit (40° C).

d. Do not use the spa alone.

e. No one under the age of 16 may use the spa.

f. Observe reasonable time limits (that is, ten to fifteen minute sessions), then leave the water and cool down before returning for another brief stay. Long spa exposure may result in nausea, dizziness or fainting.

5. Community Notices:

Any notice or announcement which occupants feel might be important to the community must be forwarded to the Campus & Lifestyle Director or to the Communications Committee for publication consideration. Direct advertising or self-promoting personal agendas may never be distributed to the community. However, certain agendas, events and announcements/information may be sent to the Campus & Lifestyle Director for consideration to post in a flyers display at the clubhouse activity desk or to be emailed to all occupants.

6. Rules Compliance:

a. Notwithstanding anything contained in these Rules, the Board has the right to proceed, immediately or otherwise, with legal action for any violation of the Declaration, Bylaws, or Rules ("Governing Documents") as the Board, in its sole discretion may determine. The entire cost of effectuating a legal remedy to impose compliance, including court costs and attorneys' fees, will be assessed to the account of the responsible Owner.

b. The Owner is responsible for any violation of the Governing Documents by the Owner, or the guests, or the occupants, including tenants, of the Owner's home.

c. All costs stemming from any violation, including enforcement assessments, cleaning, repairs, or removal, will be charged to the responsible Owner's account.

d. In addition to any other action and if applicable, in accordance with the procedure outlined below, the Board may: a) levy an enforcement assessment for damages and/or cleaning of the common elements or other property, or b) levy an enforcement assessment per occurrence or if the violation is continuous and ongoing in nature, levy an enforcement assessment per day, or c) levy an enforcement assessment for the approximate cost to physically remove the violation. For any violation of the Governing Documents that is continuous and uninterrupted for a period of more than 24 hours, each calendar day that the violation continues without interruption constitutes a new and separate violation.

e. Prior to the imposition of an enforcement assessment for a violation, the following procedure will be followed:

1. Written notice(s) will be served upon the alleged responsible Owner specifying:
    a. A description of the property damage or violation; and

    b. The amount of the proposed charge (or, if unknown, a reasonable estimate of the proposed charge) or enforcement assessment; and

    c. A statement that the Owner has a right to, and the procedures to request a hearing before the Board to contest the proposed charge or enforcement assessment; and

    d. If applicable, a reasonable date by which the Owner must cure the violation to avoid the proposed charge or assessment.

2. To request a hearing, the Owner must mail or deliver a written "Request For Hearing" notice, which must be received by the Board not later than the tenth day after receiving the notice required by Item 1 above.

    a. If an Owner timely requests a hearing, at least seven days prior to the hearing the Board will provide the Owner with a written notice that includes the date, time, and location of the hearing. If the Owner fails to make a timely request for a hearing, the right to that hearing is waived, and the enforcement assessment will be immediately imposed; and

    b. At the hearing, the Board and alleged responsible Owner have the right to present any evidence. This hearing will be held in Executive Session and proof of hearing, evidence of written notice to the Owner to abate action, and intent to impose an enforcement assessment will become a part of the hearing minutes. Within 30 calendar days of the hearing, the Owner will be sent written notice of the Board's decision.

c. In the event of an enforcement assessment hearing, or court hearing, copies of complaints and the complaining party identity will be made available to the alleged violator.

3. The Association may file a lien for any enforcement assessment that remains unpaid for more than 10 days.

7. Community Gardens:

Community Gardens: Occupants may lease one (1) plot in the community gardens each year. The community gardens are maintained by the leasing occupant who is responsible for all aspects of their garden plot such as soil preparation, bulbs, seeds, planting, fertilizing, weeding, watering, pruning, the Fall cleanup, etc. There will be 22 garden spaces 4’ x 8’ available on a first come, first serve basis. Requests for leasing additional plots will be determined on a case by case basis.

8. RV & Boat Parking:

RV & Boat Parking: An RV and boat parking storage lot is available for lease. There are ten longer spaces approximately 42’ in length, and two shorter 21’ long spaces. Storage space is available on a first come, first serve basis. All information, arrangements and monthly payment must be made with the Condominium Owners Association (COA) Board of Directors. Checks should be made payable to Morningside COA.

9. Groups & Clubs:

Activity groups and clubs at Morningside may be formed under approval of the Campus & Lifestyle Director and/or Board of Directors. Activity groups are open to all occupants in good standing. All activity groups and clubs will be self-supporting. The Campus & Lifestyle Director will be responsible for assisting and working with all activity groups and club coordinators. Activity groups and clubs must clearly identify fundraising activities which must be ancillary to the primary cost of an event. The Campus & Lifestyle Director, including certain reviews with the Morningside Board of Directors, must approve the communication of group and club information: website postings, flyers, announcements and email publications.

10. Event Reservation Policies:

Reservations for an event with an associated fee are made by submitting payment to the Campus & Lifestyle Director by cash or check or by paying via Venmo @Morningside-HOA. The following information must be included in the Venmo memo or clearly written on the outside of a sealed envelope and submitted with exact payment:

a. Occupants/guests name(s)
b. Event title and date
c. Total payment amount
d. Include any optional event selections (dinner choices, details, etc.)

Reservation deadlines are posted in the sign-up book in the Morningside clubhouse. Reservations must be received on or before the posted deadline.

The Campus & Lifestyle Director will accept requests for cancellations made in writing prior to the reservation deadline. Refunds will not be issued for cancellations made after the deadline or not submitted in writing.

Occupants will have priority for all events. However, single residents may bring a guest to any event. Additional guests are welcome to most events, based on availability of space, seating or tickets, and at the discretion of the Campus & Lifestyle Director. Please notify the Campus & Lifestyle Director of intent to bring guests to any event.

Reservations for an event without an associated fee are made by signing your name (one name per line) on the sign-up sheet in the event book located at the front desk of the Morningside clubhouse.

11. Anti-Harassment Policy:

The Association will not tolerate harassment of any owner, occupant, employee, agent, manager, contractor, or other party for any reason, to the extent protected by Federal, State, or local laws, including but not limited to abusive comments or conduct predicated upon race, color, creed, religion, ancestry, sexual orientation, national origin, citizenship, age, sex, disability, pregnancy, genetic information, military status, or veteran status. All harassment that adversely affects any other occupant's living conditions, including Board members' living conditions, is prohibited. All harassment that adversely affects an employee's working conditions is prohibited. Harassment can take many forms, including words, signs, jokes, pranks, intimidation, physical contact, violence or inundating a person's telephone or email with excessive and unnecessary communications. The Association also prohibits threatening to cause physical harm or property damage to any owner, occupant, employee, agent, contractor or other party for any reason. The Association also prohibits causing harm to another individual or property. Aggressive or threatening actions and words are prohibited to be directed at any owner, occupant, employee, agent, manager, contractor or other party for any reason.

If an owner, occupant, employee, or other person feels that they have been subjected to conduct that violates this policy, the person should immediately report the matter to the Board. This complaint will go straight to the Board. If a Board member is the person performing the prohibited harassment or being harassed, then contact a different Board member in writing that you feel comfortable reporting the harassment to. Once the matter has been reported it will be promptly investigated and any necessary corrective action will be taken where appropriate, including use of all enforcement mechanisms provided to the Association under the governing documents. All complaints of unlawful harassment will be handled in as discreet and confidential a manner as is possible under the circumstances.

12. Records Request Policy:

a. Records Available for Inspection.

1. Unless otherwise prohibited by law or this policy, any owner may examine and copy (including receiving copies or other information by email) the Association's books, records and financial reports from the last five years ("Records"), when requested in accordance with this policy for any reasonable and proper purpose.

2. An owner may not examine or copy any records that contains any information about:

    a. Personnel matters, including but not limited to salary/benefits information, performance reviews, applications, disciplinary action, and health matters;
    b. Communications with legal counsel or attorney work product pertaining to potential, threatened, or pending litigation or property-related matters;
    c. Contracts or transactions currently under negotiation or information that is contained in a contract or other agreement containing confidentiality requirements;
    d. Enforcement of the Declaration, Bylaws or rules against other owners or occupants; and,
    e. Matters or issues the disclosure of which is prohibited by state or federal law.

b. All Requests for Records Must Be In Writing. An Owner who wants to inspect, copy or receive any Association record must submit a written request to the Board or the management company. The request must specifically identify the particular record(s) desired, including pertinent time periods from the five years immediately preceding the request, and state whether the request is for inspection or copying. The request must be sufficiently detailed to allow the Association to retrieve the record(s) requested, and must include the purpose of the request. The Board will only approve requests containing a reasonable and proper purpose for inspection.

c. Only Owners or Authorized Representatives May Inspect. Every owner has the right to inspect, copy or receive Association records when in compliance with this policy. An owner may authorize, in writing, an attorney or other designated representative to conduct this inspection or request copies on the owner's behalf.

d. Rules of Conduct and Procedure Governing Request to Inspect/Copy.

1. To the extent an Owner is not able to obtain Records on the Association's website or management portal, an Owner may inspect Records rather than receive copies by email or regular mail upon request. All inspections will take place at the Association's office or at such other location as the Board designates. Removing original Records from the location where the inspection is taking place is prohibited.

2. The Association will make records available for inspection within a reasonable time, but no more than 10 business days after the Association actually receives the written inspection request. This time frame may be extended if the records requested are so voluminous or otherwise in such condition as to render this time frame unreasonable. The Association will notify the owner (by telephone, in person, by email, or in writing) that the records are available and specify the time, date and place for the inspection.

3. If the owner requests to receive documents by regular mail or email, the Association will provide the requested records within a reasonable time, but no more than 15 business days after the Association actually receives the written inspection request. This time frame may be extended if the records requested are so voluminous or otherwise in such condition as to render this time frame unreasonable.

4. Owners are prohibited from altering any Association records.

5. All people inspecting or requesting copies of records must conduct themselves in a businesslike manner and not interfere with the operations of the Association's office or any other location where the inspection or copying is taking place. The Association, through the Board or management company, will assign one staff person or other Association representative to assist in the inspection. All requests for further assistance and copying during an inspection must be directed only to that one Association-designated person.

6. During an inspection, the owner may designate for copying records by use of a tab, clip or sticky note upon the page(s) desired.

7. Owners may not exercise their inspection or copying rights to harass any other owner or occupant, Board member, manager (or anyone at the management company) or employee.

e. Charges for Copies/Inspection.

1. Upon written request, the Association will provide draft or approved minutes of Association annual meetings at no charge.

2. Other than the Association annual meeting minutes from the previous five annual meetings, the Owner must pay:

    a. $0.10 per page for black and white copies and $0.25 per page for colored copies up to 50 pages. Beyond 50 pages the rates are $0.07 per page for black and white and $0.18 per page for color.
    b. $1.00 per page to scan in and email any paper or printed documents.
    c. In addition, the Owner may be charged up to $50.00 per hour for administrative and clerical fees in quarter hour increments, depending on the size of the document.
    d. Depending on the size and difficulty of the request, the management company (KareCondo) is authorized to waive any of these fees at their sole discretion.

3. To preserve the sanctity of the Records, a physical records inspection requires the presence of a staff member. For inspections that last greater than one hour, the Association may, on its own or through the manager, charge the requesting Owner an hourly rate, not to exceed $50.00 per hour, to be billed in quarter hour increments for staff or other representative attendance at the records inspection beginning at the time the inspection was scheduled to begin.

4. The Owner must pay the costs of copying, providing or inspection at the time of billing for copies or actual inspection. However, the Board may, in its sole discretion, require advance payment.