



**BANCROFT MILLS CONDOMINIUM  
PROCEDURES, POLICIES,  
AND REGULATIONS**

**INTRODUCTION**

Dear Resident:

Welcome to Bancroft Mills!

The attached document has been carefully prepared to provide all unit owners and tenants with a set of Procedures, Policies and Regulations designed to assure all of us a comfortable and cordial living environment. If followed by all, they will enable our community to function smoothly and cooperatively.

This document is effective as of September 15, 2017 and all prior rules, procedures, policies and regulations are hereby amended by this document.

These Procedures, Policies, and Regulations are issued in addition to and in conjunction with the Enabling Declaration Establishing Plan for Condominium Ownership for Bancroft Mills, as recorded in the Office of the Recorder of Deeds in and for New Castle County, Delaware, in Deed Book 1320, Page 133, as amended (hereinafter referred to as the "Declaration") and the Code of Regulations, as recorded in the Office, aforesaid, in Deed Record 1320, Page 146, as amended (hereinafter referred to as the "Code"). The Declaration and the Code must also be adhered to.

Thank you,

Bancroft Mills Homeowners Association

[www.bancroftmills.com](http://www.bancroftmills.com)

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## **SELLING A UNIT**

Council possesses a right of first refusal to purchase a unit for sale, as is more fully described in the Declaration and Code. A unit owner who wishes to sell their unit is required to first offer the unit for sale to the Council for purchase. It is unlikely Council will purchase the unit and a waiver of the right of first refusal will be confirmed in the resale certification issued by Council for the unit.

The seller of a unit must notify Council or its Managing Agent, in writing, upon the listing of the unit with a realtor, or when selling the unit as for sale by owner. The unit owner must provide the name and phone number of the listing agent. Council will: (1) verify all disclosures as to the common elements of the building are accurate; (2) provide information for any ongoing assessment or immediate contemplation of assessment; and (3) provide the necessary condominium financials to a prospective buyer purchasing the unit and to a prospective buyer's mortgagee providing financing. The seller must furnish their realtor and prospective buyer with a copy of the Declaration, Code and these Procedures, Policies and Regulations.

The seller must disclose to a prospective buyer that there is a mandatory, one-time fee which is equal to two (2) months condominium fees for the unit being sold, due and payable to Bancroft Mills Homeowners Association at time of settlement of the property, or upon transfer of title to a unit by Deed. This upfront fee will be deposited into the reserve account for the condominium association.

## **LEASING OF A UNIT/TENANTS**

All owners must adhere to all State of Delaware, New Castle County and/or City of Wilmington ordinances regarding rental of residential real estate. Unit owners who lease their unit are required, but not limited to: (a) having a business license from the City of Wilmington; (b) registering the unit with the City of Wilmington Department of Licenses and Inspections Department; and (c) scheduling a pre-rental inspection each time there is a new tenant, as required by the City of Wilmington code. All City of Wilmington regulations can be found on the City of Wilmington's website [www.wilmingtonde.gov](http://www.wilmingtonde.gov). Council reserves the right to request copies of the above-referenced documents and a copy of the lease, prior to any tenant moving into the building. No unit may be rented to more than two unrelated tenants nor may any unit be rented for hotel or transient purposes, i.e. Airbnb, VRBO, etc. The minimum initial term for any lease is one year.

All unit owners are required to deliver a copy of these Procedures, Policies, and Regulations to their tenants, who must abide by same. Tenants must fill out an information and vehicle registration form and sign an acknowledgement of receipt of these Procedures, Policies, and Regulations within five (5) business days of occupancy. Owners are ultimately responsible for the actions of their tenants.

## **MOVING**

Council and its Managing Agent must be informed one week prior to all moves into and out of the building. Council may require a \$350.00 damage deposit from anyone moving into or out of the building. The damage deposit may be collected to insure damage does not occur to the common elements of the building during the move.

If necessary, space may be reserved for a moving truck. Only space for one moving truck will be provided and Council makes no guaranty that the spaces will not be occupied upon arrival of the moving truck. No vehicle or furniture/household items can block the entrance to the ramp, any stairways, stairwells, or common area doorways during the move. All moving boxes must be broken down and placed in the recycle room. "Pods" or other storage units cannot be placed in any common area of the building or parking area without express consent of Council. Upon such consent, Pods are to be placed in an area designated by Council and said Pods or storage units are not to remain on the premises for more than five (5) days. Moving times are to occur between 8am – 8pm.

## **BUILDING ENTRY AND SECURITY**

All residents should be provided with a common area entrance key for the building, mailbox key, unit key, two entry fobs, and a personal four-digit entry code to the building. Residents can use the four-digit entry code to open the security door into the lobby or use the key or fobs. The front door access system can be tied to any phone number. Please notify council of the number you wish to use and Council will set up the entry code from the vestibule. A visitor may dial your unit's assigned code which will ring your phone to allow them access. To allow a visitor entrance dial 9 on your phone.

All common area doors must be closed after entering or leaving the building. Do not leave doors propped open or unattended. If you see that a common element door is open and unattended, please close and secure the door. Please notify all contractors and visitors of this rule. Notify Council or Managing Agent if any common area door locks do not function properly. Do not admit anyone into the building except visitors or contractors who are expected and can be identified on the intercom. Do not let any stranger follow you through the lobby door. Do not admit unexpected deliveries by buzzer. It is highly recommended that you greet visitors or accept deliveries at the lobby entrance, especially food deliveries.

Keys to units must be given to council upon any door lock change as required by the Declaration and Code. Council must have access to all units for emergency situations such as a fire or water leaks to prevent damage to the unit, other units or common elements. Owners are responsible for retrieving any common-area keys given out to non-residents or to contractors on a temporary basis. In the case of lost or stolen keys, unit owner is to immediately notify Council. Neither council nor the property management company is responsible to unlock your door in the event you are locked out of your unit. In the event door hardware needs to be replaced, it needs to be consistent with the original door handles.

There are five marked and lighted exits from the building; there is one on each floor of the building at the east side of the building which opens directly outside to an external fire escape. This external fire escape should only be used for egress from the building in case of an emergency. There are two stairwells from the third floor that go to the ground level and open into the terrace level. One is located at the west end of the building two units in, and other is located centrally within the building just below and to the left of the main entrance to the building from the ramp. You can also access this stairway from the second-floor lobby level.

Notify Council when leaving the building for an extended period of time. It is suggested that owners leave a telephone number where they can be reached. Please turn off your water main for the unit as to prevent leaks during your absence.

## **FIRE SAFETY AND SPRINKLER SYSTEM**

Dial 9-1-1 for fire, police or ambulance emergency. **DO NOT USE THE ELEVATORS IN THE EVENT OF A FIRE.** There is no outside exit from the basement.

The building is equipped with a central fire system. This means that all common area and all unit smoke detectors, alarms and sprinkler system elements are wired into a central fire panel in a cabinet located in the lobby. The system is monitored by a fire monitoring company which receives alarms and dispatches emergency fire services. The system is inspected and certified by the City of Wilmington Fire Department (hereinafter referred to as "CWFD") as required by law and is maintained by Sobieski Fire Protection, Inc. (hereinafter referred to as Sobieski). The central fire system is a common element and expense of the building.

**UNDER NO CIRCUMSTANCES** should the central fire system panel in the lobby be tampered with or reset by a resident. The CWFD will either reset the panel themselves or authorize Sobieski, and/or the fire monitoring company to reset the panel. Resetting the fire panel without the consent or authorization of the CWFD will result in a fine. This fine will be charged to a resident, contractor, or guest found tampering with the central fire panel.

If damage to any element of the central fire system, whether within the common area or within a unit, is found to be caused by a resident, the resident will be responsible for the repair or replacement of that part of the system.

**No smoking is permitted within in the common areas of the building. These areas include all hallways, elevators, stairwells, lobbies, courtyard, exterior entry/ramp, or basement.**

In the event that a smoke detector is activated in the building for any reason, the CWFD will automatically be dispatched and come to the building or to an individual unit. There is no way to stop them from being dispatched. Leave the unit with your pets. Go to the lobby and meet the fire department and take them to the unit. The fire department will let you know when you can re-enter the unit.

If an alarm is activated in the common area, a horn will sound and alarms will ring in the hallways, typically, the individual unit smoke detectors will also go off. **DO NOT IGNORE THEM.** Gather your pets, your car keys and your wallet and evacuate the building immediately. Look around to see if you see anyone missing. Tell the CWFD if you think someone is still in the building. No one may re-enter the building until the CWFD gives permission to do so.

Fire extinguishers, pull stations, and smoke detectors are located on: all floors, hallways, stairwells, lobby and common areas. Acquaint yourselves with their location and use.

Electrical equipment must be properly wired according to current electrical code and plugged into sockets. Do not leave appliances such as clothes washers and dryers, dishwashers, toasters or ovens, unattended during operation. Please be sure to keep your dryer and dryer vents clear of lint.

#### Important things to know:

1. Never disconnect or tamper with any smoke detectors or sprinkler system, this could result in the Fire Department being dispatched and a fine being issued.
2. There are no parts of the system which a unit owner can test or reset. The buttons on the unit smoke detectors are actually a call signal and will dispatch the CWFD. Do not detach any smoke detector from the wall or any other component of the fire alarm system, since this will cause the system to go into a "trouble" mode which will dispatch the CWFD and will require a service call to Sobieski to repair the damaged element.
3. Light sanding of drywall and some paints can trigger an alarm which will cause the CWFD to be dispatched. This is an avoidable situation and may result in fine levied by the CWFD that the unit owner, resident or contractor will have to pay. It is the responsibility of the unit owner and his/her contractor to get instructions how to avoid this situation. If work is being done in your unit that makes it is necessary to take your smoke alarms out of service for the day, please contact a member of Council.
4. Cooking can also set off the smoke detector, please utilize your stove's exhaust hood and open windows if smoke accumulates in your unit as a result of cooking.
5. If a smoke detector alarm sounds or a sprinkler head is activated, do not try to disconnect the smoke detector or shut down any fire sprinklers. Do not press any buttons on the alarm, as the CWFD has already been dispatched. If there is tampering with any of the central fire system equipment there will be a fine imposed by the fire department and said fine will be passed on to the resident.
6. The sprinkler system is heat sensitive and will trigger at high heat temperatures. The sprinkler system cannot be turned off by any resident and shut off of the sprinkler system must be approved by the CWFD. Do not hang anything from the sprinkler heads or the sprinkler system pipes. Please be mindful of the sprinkler heads when moving items around within your unit or the common areas.
7. Repetitive false alarm violation fines will be assessed to the unit owner.
8. No fire pits or open fire containers may be used anywhere on the property, including the parking area.

## WATER

Water is a common expense. Please make sure that toilets and faucets are water tight and are not constantly running.

Each unit should have water shut off valve. Please locate your unit's water shut off valve. Please make sure tenants know where their water shut off valve is. If you cannot locate your water shut off valve, please contact a member of Council to help you.

In the event of a water leak, turn off the water supply at the main shut off valve in your own unit. Open all faucets to drain the water down. If the leak does not slow or stop, the leak may be originating from another unit or a common element pipe. Check with the units above and below you and common areas to locate where the leak is coming from. Turn off water mains in each unit. Once the source of the water leak has been determined, the source of the leak must be repaired. If the water leak originated from a source within a unit as defined by the Declaration or Code, the unit owner is responsible to make the repair. Council is responsible to repair a broken or leaking pipe within the common elements.

If there is substantial water damage to your unit, regardless of where the leak originated from (i.e. common element, such as a roof), you will want to call a water clean-up and restoration services company as soon as possible and your condominium contents insurance carrier. If there is damage to another unit, that unit owner is responsible to call water clean-up and restoration services company and their condominium contents insurance carrier. No council member will call any water clean-up and/or restoration service on behalf of a unit owner or tenant, regardless of where the leak originated from. Unit owners must contact their individual condominium contents insurance carrier for any damage to their unit. If there is damage to the common element from a water leak regardless of where it originated, please contact a member of Council or the current management company, immediately.

We urge everyone to shut off their unit's water valve if they are going to be away for an extended period of time. Do not run appliances such as dishwashers and washing machines unless you are home. Unit water heaters have an average life expectancy of 10 years. It is recommended that owners replace their tanks in the tenth year. Please be sure to monitor hoses which may be attached to faucets, ice-makers, sinks, toilets, dishwashers, and washing machines for leaks.

## INSURANCE

Owners/Residents shall be individually responsible for insuring their personal property for their respective units (as defined in the Declaration and Code). Owners and Tenants shall be individually responsible for obtaining condominium contents insurance, including any additional coverage for flood insurance, if required by the unit owners lending institution, over and above our common area insurance and/or master policy of flood insurance that the Association carries by law.

The Association carries a master policy of property insurance on the common elements of the building. Only a Council member may make a claim for any damage to any element of the building or unit or unit(s) as more fully defined in the Code and Declaration.

Each unit owner is responsible for the maintenance and repair of interior walls of units, appliances, heating and air-conditioning units, fixtures, carpeting, etc., as defined by the Declaration and Code. Tenants should purchase renter's insurance which would cover their belongings. **All residents should maintain contents insurance for their personal property.** The Association is not responsible for personal property.

Council will not make any determination of the necessary insurance available or applicable to an individual unit owner or tenant. Council is not responsible nor will they determine or make any opinion, legal or otherwise, as to the liability or responsibility of any damage which may occur between unit owners.

Nothing shall be done or kept in any unit or in the common areas which would increase the rate of insurance on the building or the contents thereof.

## **STORAGE**

Storage areas are not available in the common areas for residents. No storage of any items is permitted in any common area, this includes all common hallways, lobby area, all stairwells, basement, trash/recycling rooms, terrace level area and decks and all other common areas as described in the recorded documents.

## **PARKING AREA**

Parking is available for residents, contractors, and guests in the lot to the right of the building between the Rockford Road entrance and the building entry ramp.

1. Parking of vehicles in the half circle adjacent to the building is limited to 15 minutes. The circle must be kept clear for emergency vehicles and turn-around.
2. The roadway between our building and 29-30 Hill Road leading towards Carriage House Row should never be used for parking or blocked by any vehicles at any time. This is a fire lane and the CWFD or City Police can ticket and/or tow vehicles parked in this lane.
3. No vehicles are to be parked along the rock wall, where the planters are currently placed, which are adjacent to the circle.
4. No vehicles are to be parked in front of the entrance to the ramp to the building.
5. No vehicles are to be parked in front of either of building 44's entrance ramps (Bancroft Construction and Mary and Coley DuPont's Unit) at any time or for any reason.
6. Please park straight within designated parking spots.

Please advise guests and contractors.

## **MAIL**

Resident's mailboxes are located in the area behind the elevator on the main floor. Generally, mail that does not fit in the boxes is left on the ledge in front of the mailboxes. Federal Express and UPS may deliver to your door or leave packages in the lobby. On the wall opposite the residents' mail boxes are two boxes for outgoing mail. This is picked up daily. Council does not keep or maintain keys to the mailboxes. Residents will need to contact the post office if a new key or replacement key is necessary.

## **COMMON AREAS**

1. The lobby and its furnishings are for the use of all owners and should be treated responsibly. The lobby is not to be used as a place to entertain.
2. Rollerblading, skateboarding, running and/or bicycle riding are not permitted within any interior common element of the building or on the ramp, stairwells or exterior stairways.
3. No notices of any kind may be attached to any windows, lobby, hallways, elevator or elevator walls. Notices may be posted on the bulletin boards located by the mail boxes.
4. Owners are responsible for the cost of repairs or replacement of any damage to common elements caused either by themselves, their tenants, guests, their pets or service people working in their units or delivering items to their units. Anyone found defacing or damaging common elements will be charged for the repair or replacement of any damaged areas, and may be subject to fines at Council's discretion.
5. No unit owner is authorized to perform or authorize any workman to perform any improvements to any common element or common areas of the building, without prior written consent of Council. If such consent is given, the unit owner must conform to the regulations and restrictions placed on unit owner for the work.
6. No workman, other than those hired by Council or Managing Agent, shall perform work within any common element of the building, nor shall they use any common area or common electricity for any work contracted by a Unit owner or resident.

7. No unit owner or resident or contractor hired by a unit owner shall use any area of the basement for any work, unless related to HVAC replacement and or repair. If you have replaced your HVAC system, the old unit may not be left in the basement, it must be removed from the building at the time of replacement.
8. Children must not be permitted to run or play in the lobby, elevators, hallway, stairwells, or parking area.
9. Personal items must not be placed in the hallways. This includes mats, strollers, shoes/boots, trash cans, recycling cans, umbrellas, etc.
10. No car washing is permitted anywhere on the premises. Vehicle repairs are not permitted anywhere on the premises, with the exception of emergency repairs, towing or services performed by a towing company or a service such as AAA.
11. Please refer to the Declaration and Code as to the type of permitted vehicles which can be parked in the parking lot. However, no boats, trailers, unregistered vehicles may be parked or left in the parking lot. Council reserves the right upon notice to have unregistered vehicles, disabled or abandoned vehicles towed from the parking area at vehicle owner's expense.
12. Please be courteous and park vehicles, if the vehicle is not used on a regular basis or if the vehicle is not a primary vehicle, in the back lot, closest to Brandywine Falls.
13. No unit owner, resident or invitees may access the roof, without consent of Council.
14. Do not tamper with any common electrical breaker boxes, lights, lighting fixtures, exhaust fans, HVAC controls or any common area/element systems. If you find an issue with any of these please contact Council or the Building Management company.
15. The terrace level is available for everyone's use. Please respect the privacy of the terrace level residents if you are in the area. Please be mindful of other people's property, which may include furniture.
16. Shopping carts are for the use of all residents. Please return carts to the designated cart area as soon as you are finished and place them neatly in the area.
17. The oven exhaust fans in each unit all pull air into a common element/area oven vent stack shared in common with others and are therefore considered a common element/area as more fully described in the recorded Declaration. Therefore, an oven exhaust fan may not be used to remove any smoke of a burning tobacco product including, but not limited to, cigarettes, pipes and cigars.

## **NOISE**

Noise negatively impacts residents and creates tension in the community. What sounds reasonable within your unit may not be reasonable to the unit beside or below you, and every resident should bear in mind that if you can hear your neighbor, the likelihood is they are able to hear you as well. Therefore, the intent is to place parameters around unit-to-unit noise.

Examples of noise related issues between units are as follows: (1) loud stereos, televisions, audio equipment, excessive bass levels; (2) prolonged singing, talking, yelling, screaming, fighting; (3) hard soled shoes/high heels on hardwood floors; (4) barking dogs; (5) running and/or hard walking within units and through common areas; (6) banging/pounding on hardwood floors; (7) operation of washing machines and other large household appliances at unreasonable hours; (8) non-approved times for construction/renovation of units; (9) entry door, interior doors and cabinet doors slamming; (10) loud parties and/or guests; (11) exercise and exercise equipment.

1. Page 16, Paragraph (2) of our recorded Declaration which states: "A unit owner shall not use, permit or allow the unit or any part thereof to be used for an offensive or unlawful purpose, nor permit or allow any nuisance within the unit, nor permit or allow the unit to be used in a manner which unreasonably annoys any unit owners or other residents of the property or which in any way interferes with the peaceful possession, enjoyment and proper use of the property by the unit owners or residents thereof", and

City of Wilmington, Code of Ordinances, Part II, Chapter 11, Article II-Noise Control and Abatement (adopted June 27, 2014 - which ordinance can be found at: [www.wilmingtonde.gov](http://www.wilmingtonde.gov)) which states in part:

*Noise disturbances within dwellings. Making or generating any noise disturbance by yelling, shouting, hooting or whistling, or otherwise or making or generating any loud and raucous sound within a dwelling or structure at any time during any 24-hour day as to be plainly audible across real property boundaries or through partitions common to two parties within a building, or plainly audible....and said noise disturbance unreasonably annoys and/or disturbs persons of normal sensitivities living or located on adjacent parcels or in adjacent dwelling units.*

All residents are required to cover at least 75% of all flooring with appropriate rugs and carpet cushioned with sound-reducing pads (of at least ½ - ¾ inch in thickness and/or at least 40-ounce density).

- Areas of heavy traffic (such as hallways)
  - Living room area
  - Dining area
  - Kitchen area
  - Areas used for “play” or light exercise
  - Stair treads (and risers)
  - Bedrooms
  - Entryways
2. In addition to floor coverings, all moveable furniture, such as chairs or barstools, placed directly on hard surface flooring shall have felt pads placed on all legs of furniture.
  3. For any new hard surface flooring installation or replacement, a cork, fiber, rubber or foam underlayment must be installed. The underlayment must be approved by Council and inspected prior to installation of the flooring material to insure the proper sound barrier. A floating floor is preferred over an attached floor so that the gap can be filled with acoustic sealant. If a fixed floor is installed, it should include a damping compound set between the existing flooring and a new layer of subfloor made of medium-density fiberboard (MDF) or oriented strand board (OSB).
  4. For installation/replacement of wall-to-wall carpeting, the highest-grade pad for sound proofing purposes must be installed under any new wall-to-wall carpet (at least ½ - ¾ inch in thickness and/or at least 40-ounce density). The underlayment must be approved by Council and inspected prior to installation of the wall-to-wall carpeting to insure the proper sound barrier is utilized.
  5. All existing floor creaks, regardless of the type of existing flooring, should be addressed for possible elimination, but must be addressed prior to any new floor installation.
  6. Every effort should be made to ensure that audiovisual equipment is used at levels which will minimize disturbances to neighboring units. Under no circumstance should any speaker or subwoofer be placed directly on any floor. Speakers and subwoofers shall be cushioned appropriately to prevent vibrations. Speakers shall not be mounted directly to walls, ceilings, beams or columns.
  7. Hard-soled footwear worn within units create impact noise that is extremely difficult to insulate against (including stairway treads). Residents should be courteous to not stomp or “walk hard” within units. There shall be no running within any unit.
  8. Please do not slam entry doors, interior doors, kitchen or bathroom cabinet doors. If your entry door is rubbing or requires it to be shut hard, please make the necessary repairs.
  9. All conversations within units, common areas, and outdoor spaces close to the building shall be kept to reasonable levels regardless of the time of day.
  10. Dishwashers, garbage disposals, laundry equipment, vacuum cleaners, musical instruments or exercise equipment should not be used any earlier than 7:00 a.m. or later than 10:00 p.m.
  11. Exercise that involves running, jumping or other similar movements which creates impact noise on floors is discouraged within a unit that adjoins other units. Exercise equipment shall not be used if it is causing a disturbance.
  12. Dogs should be kept from barking excessively.
  13. All parties shall be kept at reasonable levels and shall not spill out to the common hallways or lobby.
  14. Advance notice should be given to all surrounding units for any construction within a unit. No construction shall take place before 8:00am or after 6:00pm. No construction shall take place on Sundays or holidays.
  15. Missing or damaged insulation within shared and internal Unit walls should be replaced in the event walls are opened during any renovations or repairs – regardless of the initial scope of renovation/repair.

16. Running, yelling, jumping or generally disruptive behavior in the lobby or the halls is not acceptable. All residents are welcome to use the garden level area, but are reminded to be respectful of those residents on and directly above the area by keeping noise at reasonable levels – particularly when in a group setting.
17. Resolution to Noise Issues and Escalation Process
  - a. Noise issues shall continue to be addressed between residents in an amicable manner with a shared goal of seeking resolution quickly. Unfortunately, finding an agreeable solution between residents is not something that is always easily attained. For this reason, Council has adopted the following escalation process for residents encountering ongoing noise issues.
  - b. Noise issues should initially be handled between the affected residents and every attempt should be made to resolve the issue. Council recommends using multiple means, including direct contact and written or verbal communications. Council will maintain a contact list of all residents in the building, whether owner or renter, and provide relevant contact information to affected residents to assist with this effort.
  - c. In the event these matters cannot be resolved, and at least 3 attempts have been made, residents should contact Council for a recommended course of action. Residents do have the right to notify the proper authorities if noise issues go unresolved but should do so only as a last resort. It is strongly urged that every other means possible be exhausted prior to doing so to protect the reputation of our building.
  - d. In the event Council becomes involved in a noise dispute between residents, the final determination made by Council will be the course of action that is expected. Council will use whatever means at their disposal to ensure the recommended course of action is followed, to include verbal and/or written warning, implementation of the schedule of fines, and legal means should it become necessary.

## PETS

Dogs or indoor cats (hereinafter collectively referred to as “pets”) are permitted Please adhere to City of Wilmington, Code of Ordinances, Part II, Chapter 3, Article I-Animals which ordinance can be found on their website: [www.wilmingtonde.gov](http://www.wilmingtonde.gov).

1. Pets must not be allowed to relieve themselves on any of the:
  - a. mulched beds or landscaped areas around entrances to the building which includes the parking circle, courtyard, and flag pole area landscaping.
  - b. interior common areas, including the elevator, lobby, stairwells and all carpeted and tiled areas.
  - c. exterior wooden decks, staircases, entrance ramp, fencing along the entrance ramp, concrete immediately in front of or along the wooden deck.
  - d. blacktop in the parking circle area at the entrance.
  - e. areas of garden/terrace level, including all walkways, all landscaped areas, mulched areas, bushes, plants or trees.
  - f. neighbors’ sidewalks, decks ramps, entrance areas or mulched beds.
2. Care of Pets.
  - a. All dogs must be licensed with the City of Wilmington pursuant to the above-referenced ordinances.
  - b. It is the responsibility of pet owner or persons in the care of pets to immediately remove, in a sanitary manner, in an airtight bag or other closed container to be deposited in a trash receptacle or other closed or sealed container, any fecal matter deposited by any pet upon any common element, common area and all lands surrounding the building, including the areas described in Section 1.
  - c. If a pet accident cannot be cleaned to its original condition please report it to Council so that a professional may be hired to clean the area. Any damage caused by a pet to any common area/element is the responsibility of the pet owner.
  - d. Fecal matter bags, to be discarded at a later time or date, may not be stored in any common area, common element, garden/terrace level, or parking area (other than the trash receptacle room).
  - e. Cans or receptacles for storage of pet feces cannot be placed anywhere outside of the building, in any common area, common element, parking area or garden/terrace level.
  - f. Pet toys, including wooden sticks, are not to be stored, kept or left outside of pet owners unit at any time.

3. Pets must be leashed at all times in common element, specifically:
  - a. Pets must be leashed at all times and must be accompanied by their owner at all times.
  - b. Pets must not be attached by leash, rope, or any other means, to any common element of the building.

## **WASTE DISPOSAL AND RECYCLING**

1. All unrecyclable trash must be put into plastic garbage bags and securely fastened before disposal into the trash containers in the designated trash room. Cat litter must be enclosed in containers that will not tear or emit odor. Unrecyclable trash is picked up every Friday.
2. If you should have large items for removal such as furniture, appliances, carpeting, etc., please call the City of Wilmington trash department for a special pick up by calling the City of Wilmington at (302)576-3878 or employ another service, for removal. Large items will not be taken as part of normal garbage pickup.
3. Recycling of newspapers, cans, glass and plastic is strongly encouraged. Cans, plastic and glass should be rinsed before placing them in the containers to avoid odors and insects. Do not put any plastic bags or any form of styrofoam in the recycling containers. All boxes must be broken down; this includes small boxes as well. Large broken down boxes may be placed next to the recycling containers for removal. Recycling is picked up every Tuesday.
4. Large items for discard must not be placed outside the garbage or recycle room doors or in any common area, including the stairwells, unless a special pick up has been scheduled and items are placed in the designated pick-up area.
5. Trash room doors should be kept closed. The lights shall be turned off when exiting the trash and recycling rooms. Please be mindful of neighbors next to the trash and recyclable rooms by closing doors quietly.

## **ALTERATIONS TO UNITS**

Any resident who desires to make any changes to the structure of his/her unit, such as modifying bathrooms, removing or adding walls, having work performed on the electrical, plumbing, HVAC or other systems, must do so in compliance with the recorded documents and local laws. Please notify Council in advance of commencing any such work.

1. All necessary permits must be obtained from the City of Wilmington and must be provided to Council upon request.
2. All contractors must be licensed and insured in accordance with the Code of the City of Wilmington and/or the State of Delaware.
3. Unit owners must provide, contractor's contact information, licenses' and proof of insurance to Council upon request.
4. No sprinkler system or fire alarms shall be moved or relocated without the prior written consent of Council. If such consent is given, the unit owner is responsible for all costs and liability resulting from same and must use Sobieski to perform the work.
5. No work shall be performed on any common element, or any structural element of the building, even if such structural element is contained within a unit without the express consent of Council. If such consent is given, the unit owner is responsible for all costs and liability resulting from same.
6. The work must be performed in a manner to assure that there is no damage to the structural integrity of the building or systems, and all work shall be in compliance with local codes and ordinances.
7. Light sanding of drywall and some paints can trigger an alarm which will cause the CWFD to be dispatched. This is an avoidable situation and may result in fine levied by the CWFD that the unit owner, resident or contractor will have to pay. It is the responsibility of the unit owner and his/her contractor to get instructions how to avoid this situation. If work is being done in your unit that makes it necessary to take your smoke alarms out of service for the day, please contact a member of Council.
8. No windows or skylights can be removed, replaced, or installed without the prior written consent of Council. All repairs of existing windows must maintain the aesthetic of the current windows. If such consent is given, the unit owner is responsible for all costs and liability resulting from same, and must disclose this responsibility to any new owner of the unit. All new or refurbished windows must conform to the current windows in the building and with all rules and regulations regarding same by the National Historic Registry.
9. All construction related debris must be hauled away and removed by the contractor or unit owner. The trash rooms are not intended for this use. If you find a dumpster is a necessity, please contact council to make arrangements. Dumpsters shall not be placed in any common element without the express consent of Council. Dumpsters shall not remain for more than five (5) days.

10. All replaced HVAC units must be removed upon replacement.
11. All costs and expenses related to improvements to units shall be borne by the unit owner. Any damage to common elements resulting from improvements to a unit shall be borne by the unit owner.

### **PAYMENT POLICIES**

Monthly condo, and if applicable, assessment fee payments are due by the first of each month. A late charge of ten percent (10%) of the payment(s) will be imposed after the tenth of the month.

### **FINES AND GRIEVANCE PROCESS**

Council reserves the right to fine owners and/or tenants for violation of these Procedures, Policies and Regulations and further reserves the right to fine unit owners who lease their units to tenants for the tenant's actions. If someone is believed to be in violation of any of the provisions of the Declaration and Code or these Procedures, Policies and Regulations, a signed, written and dated complaint must be submitted to Managing Agent and Council at [bancroftmha49@yahoo.com](mailto:bancroftmha49@yahoo.com). The Council, upon receipt of complaints, will investigate within thirty (30) days. If the violator chooses not to cease the action, the Council will then issue a written notice informing him/her of a time and place where Council, or its duly authorized committee, will conduct a hearing to review the complaint. At that time, the party will have an opportunity for defense. Should violator choose not to be present for the hearing, they will be assumed guilty by default and all rights for appeal automatically waived.

All hearings will proceed with or without the presence of the named owner or resident, so long as notice has been sent in advance. If the complaint is found to be valid, the Council will notify the party in writing and a fine may be charged to the assessment account of the owner of the unit in which the person resides and will be collected with the monthly assessment.

There may be a fine imposed for each violation provided that the party has not been fined for the same violation within the last year. If the party involved continues to violate the rule or regulation in question, the fine will be increased, unless otherwise stated.

In the event of any violation of the Procedures, Policies and Regulations, Declaration or Code of the Association, Council reserves the right to pursue any and all legal remedies to compel enforcement. Any and all costs and attorney's fees shall be assessed to the account of the offending owner at the time they are incurred.

Unless otherwise stated in these Procedures, Policies and Regulations fines shall be levied in the amount of:

- a. First offense - \$100.00
- b. Second offense - \$200.00
- c. Third offense - \$300.00
- d. Fourth and subsequent offenses – Amount or action to be determined by Council.

Council or Managing Agent, without notice or hearing, shall have the right to bring an action at law or in equity against the owner and/or others as permitted by law. Council reserves the right to amend these Procedures, Policies and Regulations in the future.