Living the Dream

Enchantment at Hamilton Homeowners' Association Inc.

Rules and Regulations

Effective as of April, 2019

These revised Rules and Regulations were approved by the Board of Trustees in A p r i l , 2019. These Rules and Regulations supersede any Rules and Regulations previously approved by the Board.

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I. Introduction

It is the intent and hope that the creation of this document will better help us maintain the integrity of our assets, as well as the enhancement of our lifestyles all the while enabling us to share this beautiful community and the excellent facilities we have. An understanding of, and adherence to, the Rules should keep complaints and issues to a minimum. In this way, we can spend more time "Living the Dream".

These Rules and Regulations apply to the conduct/actions of the Enchantment at Hamilton Board of Trustees, Committees authorized by this Board and Enchantment at Hamilton's governing documents, and all homeowners, residents and visitors.

Various Clubs and other activities may be of interest to the members of our Community, but our Association does not sponsor, nor govern, and is not responsible for any such activities. However, to the extent that these Clubs and activities are conducted on Enchantment at Hamilton's community property, the individuals who use the facilities and/or Clubhouse shall comply with the Association's Rules and Regulations.

II. Consistency with Original Document

These Rules and Regulations are a Restatement of Authority of the Board of Trustees of the rules set forth in the Resident Policies Handbook and of the Rules and Regulations set forth as Exhibit A of the Declaration of Restrictive and Protective Covenants, Easements, Conditions, Charges and Liens (the Declaration) within the Public Offering Statement (POS).

III. Definitions

Association	Shall mean The Enchantment at Hamilton Homeowners' Association Inc.
Board	Shall refer to the Association Board of Trustees as provided for in Article IV of the By-Laws
Common Grounds or Common Area	Shall mean all areas of Enchantment at Hamilton *other than* the individual Homeowners' lots/homes and *other than* the Recreational Common Grounds (defined below). Common Grounds/Areas is understood to include streets, sidewalks, walking paths, natural areas, the gate/entrance area, retention and/or detention basins, streams and ponds. These may also be referred to as Non-Recreational Common Grounds.
Community	Shall mean Enchantment at Hamilton including its Residents, Homeowners, Property and all buildings and facilities thereon.
Homeowner	Shall mean the legal owner of a home/lot within the Community and registered with the Mercer County Clerks' Office.
Guest	Shall mean anyone visiting a Homeowner or Resident.
Household	Shall mean an individual home and the Residents therein.
Property	Shall mean all of the property, buildings, homes and facilities within Enchantment at Hamilton, including the Common Grounds and the Recreational Common Grounds.

Recreational Common Grounds or Areas	Shall mean the Clubhouse and all of the recreational areas and facilities such as the pool, tennis area, gazebo area, bocce area, horseshoe area and other areas bordered by the easterly side of Sedona from the Clubhouse to Portofino, by the Homeowner properties along the southerly side of Portofino from Sedona to Monte Carlo, by the properties along the westerly side of Monte Carlo from Portofino to the southerly end of the parking lot and the southerly side of the Recreational area is understood to include and terminate the areas of the Clubhouse, Clubhouse drive and parking lot. The walkways around the pond are not considered Recreational Common Areas
Resident	Anyone other than the homeowner who permanently lives at an address within the community.
Township	Shall mean Hamilton Township, unless otherwise stated.
Property Management Company	Outside Company hired to manage the day to day operations of the Community.

IV. Other Provisions

A. Any consent or approval given under these Rules and Regulations by the Association shall be revocable at any time in the event the Association deems such revocation necessary to maintain the spirit and intent of these Rules and Regulations, Declaration and By-Laws.

B. Complaints regarding the management of the Property or regarding the action(s) of other Homeowners or Residents affecting the Common Area or Recreational Common Area, must be made in writing to the Board of Trustees and the Management Company. A more thorough outline of the complaint and enforcement procedure can be found attached hereto as Appendix A - Complaint Process.

C. The Board of Trustees shall have the authority (pursuant to the Declaration and By-Laws) to impose fines or penalties on Homeowners for violations of any Covenants, Board Resolutions, By-Laws, Rules and Regulations.

D. It is the responsibility of all residents to abide by all applicable laws and ordinances of the Township of Hamilton.

E. The Hamilton Township Police Department does have jurisdiction and enforcement authority within the community.

F. <u>Conduct</u>

- All persons must conduct themselves in a courteous manner.
- Verbal or Physical misconduct, which includes, but is not limited to, boisterous, loud and offensive behavior is not permitted and will not be tolerated. Any misconduct may result in suspension of privileges.

- Homeowners shall be held responsible for their actions and the actions of their guests, and any damage to any portion of the Common Area or Recreational Common Area caused by themselves or their guests shall be repaired at the expense of such Homeowners. Guests of residents are **not** permitted in the Clubhouse nor are they permitted to use any Recreational Area, unless accompanied by a Resident.

- All activities are prohibited in the retention and detention basins, including but not limited to fishing, ice skating and swimming.

- Solicitors/peddlers (of any kind) are not permitted within the Community. Please report any solicitors/solicitation to the Association Management Office immediately.

- Hunting, trapping or killing of wildlife within the Property is not permitted.

V. Entrance Gates – Sedona Blvd & Monte Carlo Drive

Instructions will be provided separately.

VI. Key Fobs

The Enchantment at Hamilton utilizes a key fob access system to gain entry to the Clubhouse, and in the near future, to gain entry to the community through the main entrance on Sedona Blvd and the Monte Carlo Drive gate. The initial issue of key fobs (2 key fobs per home) was completed at the time of homeowner closing. These key fobs are registered to the recorded Property Owner(s) within the Enchantment Community. They allow access to the Clubhouse and both entry gates. If there are more than two full-time residents in the home, additional homeowner key fobs may be purchased at a cost of $50 each from the individuals listed below. Key fobs that are ordered but not picked up within 30 days will be deactivated and returned to inventory.

Homeowners may purchase additional key fobs for family or guests who frequently visit. These key fobs will allow gate access only – they will not allow access to the Clubhouse. The present cost is $50 per key fob. The homeowner of record is the only person who may request, sign for, and be issued a key fob.

- **When selling a home in the community, ALL key fobs must be transferred to the new homeowner(s). If no key fobs are transferred they will be deactivated and the new homeowner(s) will be responsible for the purchase of new key fobs. The persons listed below must be contacted at the time of re-sale so the new homeowner(s) names can be recorded into the database.**

The key fobs are warranted to be free from defects upon distribution; however, this does not apply if accident, abuse, misuse, misapplication, modification, negligence or opening of the key fob has damaged the product. Key fobs that are non-functional may be turned in to the individuals listed below for free replacement. Any key fob needing replacement due to neglect will result in a $50 charge to the homeowner, due at the time of delivery.

- **It is recommended that you do not attempt to open the key fob, as this may cause damage and result in your having to purchase a new one.**

Dead batteries can be replaced at a cost to the homeowner of $2.00 per battery.

If a key fob is lost or stolen, you need to report it. The key fob will be immediately deactivated from the system. A new key fob can be issued at a cost of $50.

VII. Snow Removal

In order for the snow plow trucks to effectively and efficiently clear the roads, all vehicles must be parked off the street to facilitate street plowing until after the roads are fully plowed. Additionally, to fully clear the driveway, the vehicle must be removed from the driveway. If need be, park your vehicle in the clubhouse parking lot until the snow contractor has cleared your driveway. After the snow stops and the roads are cleared, the snow contractor will then plow the clubhouse parking lot so you can retrieve your vehicle. Your vehicle needs to be removed from the clubhouse parking lot, as soon as possible, so that the snow contractor can plow all the spaces.

The snow contractor will clear the sidewalk near your home to ensure that you can safely enter/exit the home. The common area sidewalks will be cleared once all homeowner properties are cleared of snow. Please be cautious when walking on the common area sidewalks until such time as they are fully shoveled.

SNOW MUST NOT BE SHOVELED OR BLOWN BACK INTO THE STREET in accordance with the ordinances of Hamilton Township!

VIII. Individual Home/Property

A. No structure of a temporary character, trailer, recreation vehicle, tent, boat, boat trailer, camper, shack, barn, dog house or other outbuilding shall be used on any property at any time.

B. No wall, fence, tree, hedge or shrub planting which obstructs or impairs sight triangle easements shall be placed or permitted to remain on any corner lot. No property boundary lines may be marked by cinder blocks, bricks, hedges, shrubs, fences or fence-like structures of any kind, excluding such materials as have been installed by Robertson Douglas Group.

C. No Homeowner or Resident shall build, plant or maintain any matter or thing (including without limitation, any plants, lawn ornaments, additions, alterations, improvements to any home) upon, in, over or under the Property (which includes the Common Area) without the prior written consent of the Board of Trustees of the Association or its designee (i.e. Architectural Control Committee "ACC"). Maintenance of such planting, including replacement, re-mulching, shall be the responsibility of the Homeowner or Resident.

D. Grading on individual property or any Common Property may not be altered so as to affect drainage pattern characteristics (i.e., patio, home extension, etc.) without the prior written consent of the Board and the Township. Vegetation within any Common Area may not be altered so as to affect property characteristics without prior written consent of the Board. In the event that a drainage

pattern or vegetation characteristic is altered without Board Approval, the Homeowner/Resident will bear the entire expense of restoring the damaged area to its original state.

E. There shall be no digging or earth removal, or similar operations of any nature whatsoever on any Property without first obtaining permission from the Board of Trustees of the Association or its designee (i.e. Architectural Control Committee).

F. Nothing shall be done to any home which will impair its structural integrity. No Homeowner/Resident may make any structural additions, alterations or improvements to his home without relevant permits and inspections, the prior written approval of the Board of Trustees of the Association or its designee (i.e. ACC), nor shall they impair any easement without the prior written consent of the Board of Trustees of the Association or its designee (i.e. ACC), subject to the right of appeal to the Board and as provided in the By-Laws.

G. Nothing contained herein shall be construed or interpreted to prohibit the reasonable adaptation of any home for access or use by a handicapped person.

A. Trash

1. Trash receptacles/recycling bins (i.e. metal or plastic cans) are not permitted to stand or be stored along the outside wall of the home. All trash receptacles are to be kept from public view and stored in the garage when not curbside for trash pickup.

2. No trash or recycle materials may be placed curbside earlier than 6:00 p.m. the evening before trash or recycle collection. No portion of the Property shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall be kept in sanitary containers. Kitchen waste shall not be placed curbside in bags or boxes but must be kept in trash containers with lids.

3. Empty containers must be removed from the street the day of collection.

4. Brush left curbside will be picked up during regular garbage collection.

5. Homeowners/Residents must appropriately arrange for the collection of other materials and should contact Hamilton Township or access Hamilton Township's website at www.hamiltonnj.com for further information.

6. Any contractor, repairman or other person retained by a Homeowner/Resident to perform work on any home or Common Property shall clean up all rubbish at the conclusion of each workday. Any damage caused to common property must be remedied with the common property returned to its original condition.

B. Home/Property Appearance

1. No clothes, sheets, blankets, laundry of any kind or any other articles shall be hung out or exposed on any part of the Property.

2. Nothing shall be permanently hung, affixed, painted or displayed on the outside of the

windows or placed on the outside walls or outside surfaces of doors of any Homes without the prior written consent of the Board or its designee (I.e. ACC).

3. No signs, awnings, canopies or shutters (except for those heretofore or hereinafter installed by the Developer) shall be affixed or placed upon the exterior walls or roofs of any part thereof, nor relocated nor extended, without the prior written consent of the Board of Trustees of the Association or its designee (i.e. ACC)

4. The display or use of items visible in the interior of any home from the exterior thereof shall be subject to the Rules and Regulations.

5. Homeowners/Residents shall not cause or permit any signs to be displayed on the Property advertising the sale or lease of their Homes except that one such sign may be displayed in an inside window.

6. The Board may allow the placement of temporary signage, of a reasonable and unobtrusive size, on the Common Property by those Vendors who are providing services to the Common Property. The Board, in its sole discretion, may permit one Vendor's sign and deny another's request for signage, as well as, without reason, require removal of signage previously approved. This does not apply to individual homeowners/residents or any Vendors privately contracted by the homeowner/resident.

7. Signs for any other purpose are prohibited except as may otherwise be provided by the Rules and Regulations. The Board shall have the right to immediately cause the removal of any sign violating this provision and obtain, in addition to any penalties which might otherwise be imposed by the Association, all costs incurred by such removal.

8. Draperies, blinds, curtains or other window coverings must be installed and maintained by each Homeowner/Resident on all windows of his home with the exception of the Sunroom.

9. The homeowner is responsible for maintaining their landscape beds such as weeding and trimming of bushes as well as watering of landscape and lawns.

IX. Non-Recreational Common Grounds

A. Motor Vehicles, Traffic, Parking

1. Parking
   a. On-street parking is permitted, but there is no parking permitted in front of fire hydrants and mailboxes.
   b. No vehicle may be parked at any time within 25 feet of street corners or street entry islands. Parking within the cul-de-sacs MUST not impede Emergency or Municipal vehicles.
   c. Parking must never prohibit the passage of any Emergency, Law Enforcement or Service vehicle.
   d. The Clubhouse parking lot may be used for overnight parking of Guests or Homeowners / Residents.

2. No recreational vehicles (i.e. trailers, boats, mobile homes, etc.) are permitted to park within

the Property (i.e., parking lots, streets or driveways). Requests for temporary exceptions which would allow for short-term use of the Clubhouse parking lot for Recreational Vehicles should be submitted in writing to the Property Manager and the Board.

3. The speed limit on all streets within Enchantment at Hamilton is Twenty-Five (25) miles per hour. All signs at intersections **MUST** be observed.

4. Bicycles are considered vehicles and must travel on the roads within the Community (not sidewalks or walking paths). The same as an automobile, they must observe all STOP signs and must travel on the right hand side of the roadway. Bicycles must be equipped with a head light for night riding. Bike riding is prohibited within the Tennis Court Area and on the walkways within the Recreational Common Areas (patios, pool area, tennis courts, bocce courts, gazebos, etc.).

5. Skateboards, rollerblades and scooters are not permitted on sidewalks or walking paths, or within the Tennis Court Area or on the walkways within the Recreational Common Areas (patios, pool area, tennis courts, bocce courts, gazebo, etc.).

6. Motorized scooters, go-carts and any similar motorized vehicles are prohibited; **EXCEPT for those designated as electric wheelchairs, mobility scooters, etc. for the purpose of assisting with a personal handicap. These devices should not be used by anyone other than the handicapped individual.**

7. Commercial vehicles are not permitted to park overnight in a home driveway or on a Community street except for those vehicles temporarily on the Property for purposes of servicing the Property itself or the Homes.

8. All vehicles parked on the Property must have license plates, current registrations and must be in working order. Automobile repairs should be limited to the garage and automotive waste must be disposed of properly.

B. Pets

1. Only domestic pets are permitted in the Homes and on the Lots. No exotic pets, poultry, reptiles or livestock of any kind shall be kept or bred on any Lot, other than standard household pets.

2. Walking of pets on the walking paths *within the Recreational Common Area is prohibited.* Walking of pets on streets, sidewalks and on walking paths within any of the non-Recreational Common Areas is permitted. Pet walkers must give the right-of-way to other pedestrians and **MUST IMMEDIATELY CLEAN UP PET WASTE.**

3. Dogs and cats may not roam unleashed anywhere within the Community. This includes a Homeowners' Lot and is subject to the following:

   - ♈ Pets may not be allowed to remain outdoors overnight

   - ♈ Pets may only be allowed to remain outdoors if on a leash and supervised by a Homeowner or Resident.

4. The maximum length of a leash shall be six (6) feet.

5. Outdoor runs or pens are not permitted.

6. No more than 2 dogs and cats in the aggregate are permitted in each home.

7. Homeowners/Residents are responsible for curbing their dogs and removing all pet waste **IMMEDIATELY** from private or Common Areas or the homeowner may be subject to fine per Hamilton Township ordinance. Pet waste should be disposed of in the household trash of the pet owner.

8. Pet owners must make every effort to prevent their pets from urinating on any other Homeowner's Lot.

9. All rules pertaining to pets (as stated in this paragraph) are also applicable to those pets belonging to visitors of the Homeowner/Resident.

X. Recreational Areas

A. Identification:

Homeowners/Residents must have the proper form of identification, as specified by the Association, allowing use of the Recreational Common Areas. Failure to produce such identification may require the person or persons to be asked to leave the premises until they can produce the required identification (Gate Access Card, etc.) as determined by the Association.

B. Guests (General)

Guests are allowed to use the Recreational Common Areas only if in the presence of their sponsoring Homeowner/Resident. Each Household will be provided four (4) guest passes to use the facilities at any one time. Guests must have their proper I.D. available at all times while in the Recreational Common Areas. Limitations on Guests per Household are as follows:

- Outside recreation (tennis, etc.) 4 guests
- Fitness Centers 1 guest
- Other Clubhouse Activities 4 guests
- Pool 4 guests - *homeowner may also borrow passes from another homeowner, with no need for the lender to be present*

C. Rules & Regulations Common to All Activities

1. **Use**
   Use of the recreational facilities is restricted to Homeowners/Residents in Good Standing and their Guests. All Homeowners/Residents must have their appropriate Resident ID and Guests must have their Guest passes available when using the facilities.

2. **Conduct**
   All persons using the Recreational Common Areas must conduct themselves in a courteous manner. Disorderly Verbal or Physical conduct will not be tolerated and may result in suspension of privileges.

3. **Alcoholic Beverages**
   Alcoholic beverages, limited to beer and wine, may be consumed in the Clubhouse and Recreational Areas, subject to the following:
   - No hard liquor is permitted.
   - Anyone consuming beer/wine in these, and any Common Areas of the Community, must be at least 21 years old;
   - Beer/wine are NOT permitted in the Library and are NOT permitted in the Fitness Center;
   - No beverages of any kind should ever be placed on the Billiards tables;
   - Those consuming beer/wine are reminded of their obligations regarding conduct and behavior. Those who cause damage to common property will be required to provide restitution.
   - No alcoholic beverages are allowed within the fenced-in Pool Area without Board permission.

4. **Recreational Rule Enforcement**
   Where prohibited conduct occurs on Common Properties and Facilities, the Board and/or its designee may suspend the responsible Homeowner's/Resident's privileges to use such Common Facilities for a period not to exceed 30 days.

5. **Equipment**
   All recreation equipment must be returned to the designated storage areas **immediately** following each use.
   However, if other players are waiting their turn to play, the equipment must be given to them for their use. The last person using the equipment must return it in good order to the designated storage area.

6. **Radios/Televisions**
   Portable radios and televisions are allowed in the Recreational Common Areas, providing that radios and televisions for individual use are equipped with earphones and cannot be heard by others.

7. **Smoking**
   Smoking shall only be permitted in designated areas of the Recreational Common Grounds and Facilities and is not permitted anywhere in the Clubhouse building or within the enclosed Pool Area.

8. **Food/Beverage**
   Food and beverage, with the exception of bottled water, are only allowed in designated portions of the Recreational Common Area. Where allowed, beverages must be in unbreakable containers. Please refer to specific rules on food/beverage for the Clubhouse, Pool and Tennis Courts in the sections below.

9. **Outside Vendors**
   Only committee sponsored vendors are permitted and must be approved and authorized by the Board.

10. **Animals/Pets**
    Service animals for the disabled are permitted in all clubhouse and recreational areas. Pets, whether leashed or being held, are not permitted in the Clubhouse or Recreational Areas.

11. **Scheduling Use of Clubhouse Rooms & Recreational Facilities** (e.g. Tennis, Bocce, Horseshoes, Clubhouse Rooms)

    A scheduling system and procedure will be available through the Clubhouse Committee. To schedule the future use of a Clubhouse or Recreational Facility, such system and procedure must be used. Additionally, the following basic rules apply.

    - Homeowners/Residents may schedule the use of a facility as set forth in the Clubhouse Guidelines.
    - Scheduled use has priority over non-scheduled use.
    - Non-scheduled use shall be on a first-come, first-serve basis.

    Homeowners/Residents may bring guests according to guidelines above entitled "Guests".

D. Clubhouse

1. **Hours**
   The Clubhouse is open from 5:00 am to 12:00 am. The security system is set so that Entry/Exit outside of these hours will set off the alarm.

2. **Maximum Occupancy**
   The maximum occupancy for the Clubhouse is 204 people.

3. **Scheduling of Meetings and Functions**
   Prior scheduling approval (which will not be unreasonably withheld) must be obtained from the Clubhouse Committee for any events in the Clubhouse or in the Common Recreational Area.

   - **Room Rental**
     The Clubhouse and Common Recreational Areas will NOT be available to be rented or used for non-Enchantment@Hamilton events.

   - **Scheduling System**
     A Master Calendar will be maintained on the Enchantment website for the scheduling of meetings and events. Scheduling of rooms for functions/events is accomplished

through the Clubhouse Committee. First-time events/functions must have HOA Board approval before the Clubhouse and/or Common Recreational Areas can be utilized.

Association Business has priority over Homeowner/Resident business as follows. All regularly scheduled Board meetings will have priority for room use, followed in priority by Board- authorized Committees, followed in priority by Clubs and other Homeowner/Resident business or events. Otherwise, use is on a first-come, first-serve basis. The Board and Board-authorized Committees will make every effort to schedule room use for their meetings as far in advance as possible, at least one (1) week in advance.

4. **Bulletin Board**

The Enchantment@Hamilton bulletin board (designated as such) in the Clubhouse hallway shall only be used for materials, information and notices concerning meetings, functions and events sponsored by the Enchantment@Hamilton (Board, Committees and Clubs).

The second bulletin board shall only be used for public notices, volunteer opportunities and items for sale by homeowners/residents. Business advertisements are not permitted. Dated material will be removed and discarded within five days after the event. Non-dated material will be removed and discarded after two months.

5. **Property Manager**

Contact information for the Property Manager is posted on the Bulletin Board.

6. **Attire**

Proper attire must be worn while in the Clubhouse and/or while using any Clubhouse facilities. Wet bathing suits are NOT permitted in any Clubhouse areas except for the Locker Rooms and Restrooms. Bare feet are not permitted anywhere in the building including the locker rooms. Men and Women must wear shirts or other tops when dry bathing suits and footwear are worn in the Clubhouse. Other specific rules regarding attire in specific areas (pool, fitness, etc.) are further noted in those sections.

7. **Bicycles**

Bicycles are not to be left in front of the Clubhouse, nor brought into the Clubhouse, Pool or Recreational Areas.

8. **Food/Drink in Clubhouse Building**

Food and drink are permitted in the Clubhouse Building subject to the following:

- Food or beverages are not permitted in the Library;
- Food or beverages should not be placed on the Billiards Table;
- Food, beer and/or wine are not permitted in the Fitness and Rejuvenation Rooms. Approved beverages must be in unbreakable containers.
- Homeowners/Residents must clean up after food/beverage consumption.

E. Fitness Room/Rejuvenation Room

Use of the Fitness Room and Rejuvenation Room will be on a first-come, first-use basis. Use must be limited to 30 minutes when others are waiting for the equipment.

- Equipment may not be operated by anyone younger than 19 years old.
- Users should consult their physicians for exercise recommendations.
- Users should wipe down the equipment before and after use.
- Those using exercise equipment do so at their own risk. It is strongly suggested that those exercising should always use the *"Buddy System"* and have another person present while they use the equipment.
- Proper attire must be worn, at all times, including tennis shoes or sneakers and shirts.
- Where required and posted, sign-in sheets must be used.

F. Billiards Room

Use of the Billiards Room will be on a first-come, first-use basis. Use of billiard table should be limited to 60 minutes when someone is waiting.

- No one under 19 years old may use the billiards tables and equipment.
- Food or beverages should never be placed on the billiards tables.
- The Billiards Room should be left clean and equipment put away after use.

G. Library/Computers

- Borrowing books is on the honor system. Books should be returned to the designated area.
- Use of Library computer is limited to thirty (30) minutes when others are waiting.
- Computers can only be used by those 19 years or older.
- Card playing is not permitted in the Library.
- Food or beverages are not permitted in the Library.

H. Locker Rooms

Lockers are available for use by all Homeowners/Residents and Guests on a first-come, first-serve basis while Homeowners/Residents and Guests are using the Common Recreational Area. Lockers should be emptied immediately after use out of consideration for others who may need to use a locker. Those using lockers do so at their own risk. No overnight use of a locker is permitted.

I. Kitchen

1. Individual RESIDENTS may use the kitchen (such as the microwave, refrigerator, etc.) provided that they comply with Rules 3-12, below.

2. HOA events have priority over individual kitchen use. HOA events and/or individual use should be scheduled through the Clubhouse Committee. These must also be in compliance with Rules 3-12, below.

3. The sign-in sheet must be used before and after each individual or HOA kitchen session.

4. Please remove all food from the refrigerator after each kitchen use. We cannot be responsible for items left behind and the refrigerator will be emptied periodically.

5. Please CLEAN the kitchen (including counters, sinks, etc.) and all appliances (warmers, microwave, utensils, dishes, glasses, pots, pans) after each kitchen session.

6. Please PROPERLY CONTAIN and REMOVE all garbage from the kitchen area after each kitchen session. Garbage should be brought out to the Clubhouse garbage bin.

7. Please EMPTY the dishwasher after each use. Insure utensils, pots, dishes, etc., are clean and return these items to their proper location.

8. Removal of any appliances, utensils, glasses, dishes, pots, pans, etc., from the kitchen service area is PROHIBITED.

9. Any damage or appliance malfunction should be reported to the Property Manager and Clubhouse Chairperson.

10. Anyone using the kitchen understands the potential dangers associated with using kitchen appliances and utensils and does so at their own risk.

11. Personal food or items may not be stored in the kitchen cabinets by individual Residents. Only authorized Committees may store food in designated areas.

12. Cleaning Supplies should be stored in the designated area.

J. Grill

- The commercial grill is available for use for groups of 5 people or more. Use of the grill will be at your own risk and must be in accordance with safety instructions provided. There is a gas gauge on the tank. If gas is needed, purchase it and submit the invoice, through the relevant committee, to the Treasurer for reimbursement
- Instructions for lighting and cooking on the grill must be followed
- Grill should be at least 10 feet from the Clubhouse building when being used.
- Grill should NOT be under the Clubhouse overhang when in use.
- Residents using the grill are responsible to warn others nearby, particularly children, of the grill being in use.

- Care should be taken to keep the patio clean when using the grill and after use.
- Cleaning instructions MUST be followed. It is vital that the grill be properly cleaned after each use. If a first person is using the grill and no other resident will use the grill that day, then the first resident must clean the grill. If a second resident wants to use the grill after the first resident, the first resident can forgo cleaning the grill ONLY if the second resident agrees to assume responsibility for cleaning of the grill.
- The fire extinguisher must be near the grill when in use.
- The grill should be shared with other residents if necessary. The size of the grill will provide more than one resident at a time can use the grill, rather than "taking turns".

K. Bocce

1. Court play hours: 7:00 a.m. to ½ hour before dusk. Daily
2. Tournament play has priority over individual homeowners use. Guests may play only if accompanied by a Homeowner/Resident.
3. Equipment must be returned to the proper storage area.
4. Bocce can be played only when courts are dry.
5. If other residents are waiting, play must be limited to one hour or completion of one game.
6. No bare feet. Appropriate footwear must be worn.
7. Portable seats, drink containers and trash of any kind must be removed from the court and area after play.
8. Food is **not** permitted in the court area. Beverages must be in unbreakable containers.
9. Courts must be left in playable condition after play.

L. Tennis and Pickle Ball

Tennis Rules:

1. Court play hours are 7 am to dusk daily.
2. Court #2 is to be used for tennis. Tennis courts are to be used for **tennis only**. For example: roller skating, bike riding, skateboarding, etc. will not be allowed.
3. Guests may play only if accompanied by a Homeowner/Resident.
4. Reservations will be made using the daily time slot reservation sheet at the front desk in the Clubhouse. Reservations can be made no earlier than one week in advance. A group or

Homeowner/Resident can reserve only one time slot for the day. Open play is permitted at all times other than reserved time slots. Association play has priority over individual Homeowner/Resident games.

5. Reservation times are 1 ½ hours for singles and doubles. If residents are waiting, play cannot be extended. You will lose your reservation if you are not on the court within 10 minutes of your scheduled start time.

6. Tennis courts may be used by pickle ball players as long as there are no reservations for that time slot. If a pickle ball player is on the tennis court when a tennis player arrives that has a reserved time, the pickle ball player must vacate the tennis court

7. Tennis sneakers (i.e., court-soled sneakers specifically designed for tennis) are the only footwear permitted.

8. Drink containers, used balls and trash of any kind must be removed from the court and area after play.

9. Breakable containers are not allowed in the court fenced area. Food is not allowed within the court enclosure.

10. Only active participants are to be on the courts during play. Spectators must stay outside the fenced area.

11. Portable seating is allowed outside of court fencing only.

Pickle Ball Rules:

1. Court play hours are 7am to dusk daily.

2. Court #1A and #1B are to be used for pickle ball.

3. Guests may play only if accompanied by a Homeowner/Resident

4. Pickle Ball Club will post their reserved times on our Website. Currently the time reserved for pickle ball is Monday, Wednesday and Friday 8:30 to 11:30am and Thursday 5:30 to dusk.

5. Court shoes are the only footwear permitted.

6. Pickle Ball courts may be used by tennis players as long as there are no reservations for that time slot. If a tennis player is on the pickle ball court when a pickle ball player arrives that has a reserved time, the tennis player must vacate the pickle ball court

7. Drink containers, used balls and trash of any kind must be removed from the court and area after play, Breakable containers are not allowed in the court fenced area. Food is not allowed within the court enclosure. We ask that all players show courtesy to other players by staying to the sides of the courts if not playing. Have fun and enjoy the use of these courts.

M. Swimming Pool

Swimming will be permitted during the designated swimming season. Please refer to the Pool Rules at the end of this document (Appendix B).

XI. Architectural Control Committee (ACC) Rules and Regulations

(A) Exterior Property Modification Process

- Homeowner obtains a hard copy of the Enchantment of Hamilton Homeowners' Association Inc. "Rules and Regulations" from the Desk in the lobby of the Clubhouse or from the Enchantment website. Adherence to the rules and regulations will expedite the Property Modification Form (PMF) process provided all information is attached to the Property Modification Form. For any ACC questions, contact any member of the Architectural Control Committee (ACC).

- Homeowner returns the completed Property Modification Form to the ACC (place in the ACC folder at the desk in Clubhouse lobby), including accompanying sketches with dimensions, proof of contractor's insurance, etc. The Homeowner is responsible for determining if an exterior property modification requires a township permit. If an exterior property modification requires a Hamilton Township permit, such as a driveway, or a modification related to the exterior of the house, etc., upon approval of the Property Modification Form request, the Homeowner must apply to the Township for a permit and a copy of the permit must be sent to the ACC prior to work being started and also made available to the ACC members during the final inspection.

- The ACC reviews the completed Property Modification Form and supporting documents to ensure all required paperwork has been submitted. If information is missing, the Property Modification Form will be returned to the Homeowner requesting the missing information.

- If the completed Property Modification Form does meet Enchantment at Hamilton Homeowners' Association Inc. "Rules and Regulations", the ACC (and the Board of Trustees, if necessary) provides a copy of the approved Property Modification Form to the Homeowner.

- If the completed Property Modification Form does not meet Enchantment at Hamilton Homeowners' Association Inc. "Rules and Regulations"; the ACC will deny approval of the Property Modification Form and will forward the Property Modification Form to the Board of Trustees for their review. Upon review:

  - If the Board of Trustees denies the request, the Board notifies the ACC who in turn contacts the Property Management Company to request that the Homeowner receives a letter of denial.

  -If the Board approves the request, they will notify the ACC and the ACC will send a copy of the approved Property Modification Form to the homeowner.

- Only upon receipt of the "Notice of Approval" can the Homeowner start the requested exterior property modification. ALL APPROVED MODIFICATION REQUESTS ARE GOOD FOR SIX (6) MONTHS. Beyond that, the request must be resubmitted.

- Upon **completion** of the property modification, the Homeowner contacts any member of the ACC to advise that the exterior property modification is complete, and a site visit can take place for verification that the exterior property modification was completed in compliance with the approved Property Modification Form.

- After the site visit, the ACC contacts the Homeowner to advise that the exterior property modification either meets approved criteria or to advise that the modification does not meet approved criteria.

  - If the exterior property modification meets approved criteria, the ACC notifies the Homeowner of approval by sending them a signed-off Property Modification Form which will finalize their request.

  - If the exterior property modification does not meet approved criteria, the ACC notifies the Homeowner by letter that the modification does not meet the approved criteria. A copy of the "denial" notice to the Homeowner is also forwarded to the Property Management Company, requesting that a violation letter be sent to the Homeowner with a mutually agreed deadline to conform to the approved criteria.

- If the Homeowner is cited for an ACC violation/condition of any type and is submitting a new Property Modification Form for a different type of exterior property modification, this "new" Property Modification Form will be held denied/pending until the violation/condition issue is resolved in accordance with the ACC Rules and Regulations.

(B) Landscaping, Lawns and Planting Borders

- No digging or earth removal is permitted without prior WRITTEN APPROVAL FROM THE ACC, via the Property Modification Form. Once approved, the Homeowner is also required to call the NJ UNDER-GROUND UTILITY MARK-OUT SERVICE at 1-800-272-1000.

- Where lawns are present, substitutions (i.e. gravel stones or other ground covers that would not be suitable to the community landscape standards) are **not** allowed. Lawns are to be kept free of OBSTACLES so as to allow Landscape Contractor to maintain the turf.

- Seasonal planting of flowers is limited to foundation beds. One for one (i.e., like for like) REPLACEMENT OF AN EXISTING SHRUB DOES NOT REQUIRE ACC APPROVAL.

- Additional shrub plantings are limited to foundation beds. No plantings are permitted around the mailbox posts.

- Plants/Flowers/Shrubs planted within the foundation beds must be pruned and maintained by the Homeowner.

- Replacing mulch with decorative stones in foundation beds must have mandatory protection borders (may consist of metallic, rubber, vinyl; or masonry materials) that prevent stones from entering the grass area and must approved by the ACC. No wood or wood-based products are allowed as protective borders.

- No fruit bearing trees are allowed. Any trees or shrubs planted by Homeowner shall be maintained by them and limited to a 5 ft. setback (space permitting) of property boundaries of the Homeowner. Prior to planting, the Homeowner REQUIRES PROPER WRITTEN APPROVAL FROM THE ACC, via the Property Modification Form.

- Evergreens are permitted around the patio with the following restrictions; they cannot be taller than 7 ft. and must have an exit path of at least 4 ft. wide preferably at the rear of the patio. Plan must be approved by the ACC via the Property Modification Form.

- No weeds, vegetation, rubbish, debris, trash or other waste material shall be placed or be permitted to accumulate on any property which would be unsanitary, unsightly or offensive. This includes natural tree areas and all common property.

- Only four (4) decorative items are allowed in the front of foundation beds (mulched areas only). Examples are:

  - 1 small park bench
  - 1 decorative statue (no higher than 30" and base no longer than 24")
  -1 small lawn ornament
  -1 small decorative flag (14" x 24")

- Garden wall, outlining front foundation bed only, is permitted, must be limited to 18 inches in height and may not exceed 3 feet beyond the sideline of the house. No wood or wood-based products are allowed. Plan must approved by the ACC via the Property Modification Form.

- For **new** landscaping, homeowner must provide a plot plan showing existing bed area, and/or new bed area (scale drawing). Contractors name, address, phone number, license number and certificate of insurance naming Enchantment and homeowner as insured. Description of plantings; walkway materials (if walkway is part of the project). Plan must be approved by the ACC via a Property Modification Form.

(C) Driveways

- A Property Modification Form must be submitted. Provide plot plan showing existing driveway and/or proposed driveway. Contractors name, address, phone number, license number and certificate of insurance naming Enchantment and homeowner as insured, and specification of materials to be used must be included. Driveway expansions are not to extend beyond the outside width of garage walls, and cannot include a barrier such as upright pavers.

- **If pavers are installed as a driveway, their color and design must be approved by the ACC before the installation occurs. If driveway modification is for pavers or anything other than asphalt, the homeowner must also sign a waiver about damage incurred during snow removal and lawn maintenance. Specifically, homeowner must complete and sign the "Acknowledgement of ACC Policies" form located on the Enchantment website under "The Rules". A hard copy is available in the ACC folder on the desk in the lobby of the clubhouse.**

- Driveways must adhere to Enchantment at Hamilton Homeowners' Association Inc. Resolution for Patios and Driveways located on the Enchantment website under "The Rules".

(D) Privacy Fencing

- A Property Modification Form must be submitted. Provide contractors name, address, phone number, license number and certificate of insurance naming Enchantment and homeowner as insured and specification of materials to be used. Fences cannot exceed six feet in height. Such fences shall be Chesterfield White Vinyl with Victorian Accent Top and New England post caps.

- No other fences or barriers including shrub or living fences shall be permitted.

- **There must be a clear line of site to other back yards.** Privacy fence panels MUST NOT extend beyond the deepest or farthest part (wall) of the back of the house. The only exception to this is if the home is located at the end of the block / street.

(E) Patio Regulations

- The Architectural Control Committee (ACC) and Enchantment at Hamilton (EAH) Board of Trustees will enforce the Patio Regulations as specified in this policy.

- All patio installations must be requested by submitting a Property Modification Form.

- Patio regulations for all homeowners are also subject to all Hamilton Township rules, regulations, codes and guidelines.

- A patio may be constructed of permeable pavers only; (treks is not acceptable) and not to exceed an area of more than 250 sq. ft. inclusive of the existing patio, (sitting walls are calculated as patio surface to be inclusive of the 250 sq. ft.)

- Patios constructed of concrete (stamped concrete included) or any other impervious surface material, cannot exceed the impervious standard of 50%., and not to exceed 250 square feet inclusive of your existing patio (sitting walls are calculated as patio surface to be inclusive of the 250 sq. ft.). In no event shall the maximum impervious coverage on a lot exceed 50%.

- Patio may contain a sitting wall not to exceed a height of 24" above the patio surface. Additionally, there must exist a 4' unobstructed opening in the wall toward the rear of the patio.

- In no event, shall a patio extend beyond the sideline of any home, nor encroach beyond setback restrictions of the 15' setback of rear yards as established by applicable regulations and ordinance Section 160-255 (i)(8)(3)a.7.

- The Homeowner is responsible for ensuring that the proposed patio will not cause adverse impact to his or neighboring properties (e.g. excessive storm water run-off and drainage problems) and that any such impact will be his/her responsibility to correct.

- Patios must adhere to Enchantment at Hamilton Homeowners' Association Inc. Resolution for Patios and Driveways located on the Enchantment website under "The Rules". A hard copy is available in the ACC folder on the desk in the lobby of the clubhouse.

- Homeowner is responsible for sprinkler system relocation and the cost of relocation.

- All applications for patio extensions must be via a Property Modification Form and be accompanied by an engineer-signed plot plan showing impervious land use calculated by the township engineer. Homeowner must provide picture, and manufacturers' brochure. Contractors name, address, phone number, license number and certificate of insurance must name Enchantment and homeowner as insured, and the contract must be written to include patio specifications required by the ACC.

- As stated above, actual maximum size of the patio will be determined by:

  - Homeowners lot size,

  - Impervious land use of lot,

  - Hamilton Township land use codes (e.g. Building Setback Codes).

- Homeowner is responsible for sprinkler system relocation and the cost of relocation.

- Patio materials permitted are: concrete, stamped concrete, pavers, slate, river gravel or stone.

- Patio design features may include benches, steps, lights and lighted pavers. Multi-level patios and permanent small fountains will be reviewed on a case-by-case basis by the ACC. Patio design may not include built-in fire pits or chimineas.

- Pillars, overhead trellises, pergolas, arbors, etc. will be considered on a case-by-case basis.

- No decks of any type are allowed.

(F) Solar

Homeowners may apply to the Architectural Control Committee (ACC) for approval of a Solar Collector system to be installed on the roof of their home. The Solar Collector System must meet the following criteria:

1. The system must be designed and installed by a professional licensed contractor.

2. The modification request must be accompanied by a report from a plan that is "to scale" from a licensed contractor who will be installing the system. It must include a manufacturer's description of the system, photos/pictures of the system, and the color of the system.

3. The collectors and rails must be as parallel as possible to the roof section (s) where they are installed.

4. The supportive structures for the solar collectors, including rails and flashed stanchions, must be mounted back from the perimeter of the roof in order to maintain the appearance and function of the roof edging and gutters respectively.

5. Any external wiring, piping, or tubing relating to the installation of solar collectors must be positioned to minimize its public prominence, and must be attached firmly to the home to avoid future sagging. Wherever possible, wiring is to be enclosed in conduit and installed near a drain pipe to hide the conduit. Wiring must not rest on the ground or in the grass at any time.

6. The solar collectors and any external wiring, piping, tugging and conduit related to the installation of solar collectors must be in color harmony with the colors of the home, and its roof and siding.

7. Installed solar collectors must be maintained to assure that their appearance does not detract from the well- kept look of the community.

8. The panels cannot be mounted on the ground.

9. Please present township permit prior to starting work

(G) Generators

The following generators are approved for use for **EMERGENCY USE ONLY**:

- Portable generators (gas or liquid)
- Hard wired, natural gas (Permanent) generator structures.

- Property Modification Form must be submitted.
- The installation and its use must comply with the Enchantment at Hamilton Homeowners' Association Inc. Policy Resolution regarding the "Installation and Use of Electric Generators" which can be found on the Enchantment website under "The Rules".
- The installation of a Generator is subject to all Hamilton Township Ordinances. It is the Homeowners responsibility to check for and comply with Hamilton Township Ordinances.
- Permanent Generators must be installed in the rear of the house.

(H) Exterior

1. No portion of the exterior of the home may be altered without engaging in the Property Modification Form process. For example, items **not** permitted include, but not limited to, are the following:

- Attaching/installing devices, equipment, electrical units that could cause constant and excessive noise (e.g. speakers, bug zappers, antennas);

- Installations (air conditioning unit, exhaust fans, etc.) for climate control for the interior of the house/garage;

- Permanent attachments visible from the street for decorative and/or other functional purposes;

- Additional window installations.

2. **Porches and patios** may not be used for storage; this excludes grills and patio furniture. Patio storage containers no higher than 30 inches and no wider than 48 inches are permitted.

3. **Storm doors** are allowed but must be approved by the ACC via the Property Modification Form. Contractors name, address, phone number, license number and certificate of insurance must name Enchantment and homeowner as insured. Provide picture, manufacturers' brochure. Storm door can be white or colored, full view solid clear glass only, coordinated (i.e. color) with shutters and the house door, and must conform to the community's appearance.

4. **Garage Door(s):** New garage door(s) must be approved by the ACC via the Property Modification Form. Door must be white and similar to original garage door(s). Provide picture, and manufacturers' brochure. Contractors name, address, phone number, license number and certificate of insurance must name Enchantment and homeowner as insured.

5. **Gutter Guards** are allowed but must first be approved by the ACC via Property Modification Form. Must be compatible (i.e. in color) with the house trim and roof shingle. Provide picture, and manufacturers' brochure. Contractors name, address, phone number, license number and certificate of insurance must name Enchantment and homeowner as insured.

6. **Roof and Siding**: Must be approved by the ACC via the Property Modification Form. New materials must be similar to the original material and must conform to the community's appearance. Provide picture, and manufacturers' brochure. Contractors name, address, phone number, license number and certificate of insurance must name Enchantment and homeowner as insured.

7. **Lighting**: Accent lighting must be low voltage and not more than 12 inches in height and requires approval of the ACC via the Property Modification Form. Unless provided by the builder, Motion Sensor lights may only be placed on the rear of the home (not on the side yards) and must be facing in a downward direction as to not disturb neighbors. Landscape lighting is limited to eight lights in the front foundation beds.

8. Clothes lines are **not permitted**.

9. Only **Retractable Awnings** are allowed.

- Rear only-Patio retractable awning is permissible upon approval by the ACC via the Property Modification Form.
- Size of awning with specifications must be submitted with the Property Modification Form Awnings may be solid or striped colors. Color(s) must coordinate with and be approved by the ACC. Color swatch or picture of color must be included with Modification Request in order to be approved.
- Must be professionally installed.
- Must be maintained to "like-new condition". Replace if awning becomes torn or faded beyond original color.
- Side curtains are allowed. They must be removed at season's end and rolled up when not in use.

10. **Decorative Flag Poles** are permitted in landscape beds only, with a maximum height of 8 feet.

11. **Seasonal Decorations:**

- Holiday decorations of a temporary nature are permitted on the front of the home and in the foundation planting beds.
- Decorations are permitted to be displayed **FOUR WEEKS PRIOR TO A HOLIDAY AND MUST BE REMOVED NO LATER THAN FOUR WEEKS AFTER THE HOLIDAY HAS PASSED**.
- Decorations shall not be permanently affixed to the home or on rooftops.
- Additional outdoor lighting may be used only as a temporary decoration during the holiday period.
- No inflatable decorations are permitted as they present a potential safety hazard.

12. **Satellite Dishes**:

- Installation of a Satellite Dish is permitted and is subject to all Hamilton Township Ordinances.
- The dish must be installed in the least visible area of the house and is not permitted to be on the ground.
- It is the Homeowners responsibility to check for and comply with Hamilton Township Ordinances.
- A Property Modification Form must be submitted.

15. **Sports Equipment**: Sports equipment (permanent or portable) is **not** permitted.

16. **Spa/Gym Equipment** (e.g. Hot tubs, Exercise Bike, etc.) are not permitted on the outside property of the house.

17. **Bird feeders** are **not** permitted.

Appendix A - Complaint Process

The Complaint and Enforcement Process described on the pages which follow, has been assembled from the Rules, By-Laws and Declaration of the Enchantment at Hamilton Homeowners Association. It is hoped that our Rules will better help us share this beautiful community and the excellent facilities we have. An understanding of, and adherence to, the Rules should keep complaints and issues to a minimum. In this way, we can spend more time "Living the Dream".

If you do notice a Rules infraction, you might want to consider alternatives before filing a complaint. In some circumstances, it might be appropriate to simply speak to your neighbor in a nice way about the Rules infraction. Many of us in Enchantment would prefer to simply hear from our neighbor about an issue rather than first learn of it in a formal complaint process, and the alleged Rule violator might respond more positively to this approach. If that does not work, or if you feel uncomfortable approaching your neighbor, you may want to bring it up with a Board member or Committee member who could possibly intervene. Our Board and Committees do not serve as police, but it is possibly that your particular concern can be brought up generally at a General HOA meeting and addressed in that manner. Further, although not obliged to do so, some of our Board members and Committee Chairs know many in our Community, and they may volunteer to have word with your offending neighbor.

These are all unofficial, 'common sense' ways which you may want to explore before filing a complaint. But for the avoidance of doubt, neither you, nor our Board/Committee members are bound by these unofficial avenues. You have an absolute right to file a complaint and nothing here is intended to dilute that right.

Guidelines on Complaints and Enforcement follow:

A. Complaint Process

All Enchantment at Hamilton residents have the right to effect the enforcement of the provisions of the Declaration, the By-Laws and the Rules and Regulations by filing a written complaint. The written complaint must be sent via U.S. Mail or hand-delivered to the:

President of the Board of Trustees
Enchantment at Hamilton Homeowners Association
2 Sedona Blvd. Hamilton, NJ 08691

All complaints must be signed. Complaints received after 60 days from the date that the alleged violation occurred will not be acted upon. Complaints will be treated confidentially, and the name or names of those individuals signing the complaint (the Complainant) will not be revealed unless required for the Judiciary process.

Upon receipt of a complaint, the Board shall authorize the conduct of an investigation to be performed by the Board or its designee, such investigation to take place in a reasonable and timely fashion, but no later than 14 days from the date the complaint was received. Exigent circumstances such as those where there exists immediate and/or ongoing harm or threat of harm to person or property need to be handled as matters of urgency. This investigation is intended to

establish that an infraction has occurred, or that there is at least a reasonable basis upon which a complaint can be based. If the results of the investigation reveal that the complaint is justified, the Board shall notify the person complained against (Respondent) by issuing that person a written notice of charges and specifications. Such notice shall contain, as charges, an exact reference to the provision or provisions of the Declaration, the By- Laws or the Rules which the investigation revealed was violated, and as specifications, a description of the act or action, with dates, times, etc., that was found to be in violation. This notice shall also include a preliminary statement of the consequences or sanctions to be imposed, and shall provide the Respondent with the opportunity to appeal the proposed sanctions within 10 days to the Judiciary Committee for an ADR hearing. (See Judiciary Committee and ADR Process below)

If the investigation reveals that no violation occurred, the Complainant will be so notified in writing by the Board, no later than 30 days from the date the written complaint was originally received.

Notwithstanding the above procedures, in instances requiring timely or immediate action, or when filing a written complaint is not practical, any resident may verbally and informally notify another Resident or Guest of a Declaration, Rule or By-Laws violation by approaching the offending party or parties, informing them of the alleged infraction and politely asking that the behavior cease or the action be corrected.

Also, the Board of Trustees (any member or designee) has not only the authority and power, but the duty to enforce the Declaration, the By-Laws and the Rules of the Association at any time.

Please see: Article IV, Section 4 and Article XII, Section 1 of the Declaration; and Article VII, Section 1 (a) and (b) (Powers) and Section 2 (h) and (j) (Duties) of the By-Laws.

In this regard, the Board has the authority, power and obligation to take immediate enforcement action to sanction or order a cease and desist in appropriate instances where, in the opinion of the Board, violations pose an emergency or threatening situation.

B. Judiciary Committee and Alternate Dispute Resolution (ADR) Process

The Judiciary Committee shall function to provide for the alternative resolution of disputes between members, tenants, the Board or any combination thereof. A dispute constitutes a conflict or disagreement regarding a complaint, investigation and/or an appeal of charges and specifications.

Upon receipt of an appeal, notice of a dispute or complaint, the Judiciary Committee shall exercise its powers and duties per Article XVI of the By-Laws and Appendix B – Procedures Regarding Covenants Enforcement and (ADR) Alternative Dispute Resolution which is located on the website in "The Rules" section.

APPENDIX B: POOL RULES AND REGULATIONS

Hours: Swimming will be permitted 7 days a week from10:00a.m.until 8:00p.m. Children under the age of 19 shall only be allowed in the water between the hours of 11:00a.m.and4:00p.m.each day. After 4:00p.m., children under 19 are permitted within the gated pool area, but not within the pool.

On Fridays and Saturdays in July and August, and on Labor Day weekend including Sunday and Monday (Labor Day), pool hours maybe extended until 9:30 p.m. under the following conditions:

- Only residents may use the pool during these extended evening hours.
- Lifeguard will not be present so Residents must use the "buddy system", that is another Resident must be present during these extended evening hours,
- These extended hours, and also regular pool hours, are subject to the discretion and judgment of the head of the Pool Committee who may decide to curtail such hours for reasons of shortage of volunteers to close the pool facility, for weather reasons or for other reasons they deem appropriate.

ID: All Residents who enter the Pool Area must have the proper form of ID and comply with the Posted ID and Sign-in procedure, which shall be enforced by the lifeguard. Failure to produce such identification may require the person/persons to be asked to leave the premises until they can produce the required identification. Guests are allowed to use the Pool only in the presence of a Resident. Each household is provided with four (4) Guest Passes for use at the pool at any one time and Guests must have these passes available at all times while at the pool. Residents may borrow additional Guest Passes from other residents and that resident does not need to be present.

Attire: Proper swimming attire is required for use in the pool. Street clothes are not to be used as swim attire. No wet bathing suits are permitted in the Clubhouse area except for the locker rooms and restrooms. Bare feet are not permitted anywhere in the Clubhouse, including the looker rooms. Men and women must wear shirts or other tops as well as footwear in the Clubhouse, except as indicated above.

Conduct: Running, horseplay, diving and jumping into the pool are not allowed for reasons of safety and out of consideration for others. All persons using the Pool must conduct themselves in a courteous manner. Disorderly verbal or physical conduct will not be tolerated. **All residents and guests must keep the steps on both sides of the pool clear.**

Pool Rule Enforcement: The lifeguard on duty has direct supervisory and enforcement authority of the pool and pool area at all times during hours of operation for safety.

Smoking: Smoking is not permitted within the enclosed Pool Area. Smoking shall only be permitted in the designated area on the side of the clubhouse. A seating area and receptacle for the cigarette butts has been provided.

Music/Radios: Music will be provided around the pool area, daily from 11:00 a.m. until 6:00 p.m. through the Clubhouse out-door speaker system. The lifeguard on duty is the only one permitted to adjust the music. Anyone wishing to listen to their own portable device /cellphone must use earphones so their music cannot be heard by others.

Food/Drink: For all residents and their guest, food and non-alcoholic beverages in unbreakable containers are permitted within the fenced-in pool area but not within the brown concrete area bordering the pool. At no time, may glass containers or bottles be brought into the pool area. Homeowners/Residents are responsible to make sure that the pool areas are kept clean and that food and drink are disposed of properly and do not get into the pool. No alcoholic beverages are allowed within the fenced-in Pool Area without Board permission. When using the Grill, please adhere to rules regarding Clean-Up of the grill and propane refill.

Flotation Devices/Activities: Large flotation devices such as kick-boards, and tubes are **not** permitted in the pool, additionally super-soakers or water guns of any kind are **not** permitted. The only acceptable flotation devices are "noodles" or similar devices which some persons may require for stability, and training devices for children, such as arm swimmies and back bubbles. Ball throwing and catching may take place at the discretion of the lifeguard. One person rafts may be used at the lifeguard's discretion.

During the weekday and weekend hours of 10:00 a.m. to 11:00 a.m., adults may use exercise aids such as fins and kick-boards, at the discretion of the lifeguard. Use of fins and kick-boards are NOT permitted:

- During an Aerobics class, or when any other Community organized Board-approved water group meets and is making use of the pool.

- When there are 10 or more people in the pool.

Health Regulations: In addition to these and further pool rules and regulations which may be posted at the pool, the use of the swimming pool shall be governed by the State of New Jersey, Dept. of Health and Senior Services regulations.

"8:26-5.4 Bather Rules for Swimming Pools, Wading Pools, Hot Tubs and Spas",

These rules can be referenced in the Enchantment Rules and regulations document provided to each homeowner or can be accessed on the Enchantment website. An exception to the NJ regulations is that only children who are toilet-trained shall be allowed in the pool and no children in diapers, of any kind, shall be allowed in the pool.

Pool Furniture: These are some general rules for the use of pool furniture. Additional rules may be posted at the pool.

- Pool furniture is available on a first-come, first serve basis and may only be reserved when users are actually present in the pool or pool area.

- Homeowners/Residents are requested to lower umbrellas when leaving the pool area or if foul weather threatens. This is for safety reasons since in high winds umbrellas may cause property damage or personal injury.
- Homeowners/Residents are requested to return pool furniture to its original setting upon leaving the pool area.

ENCHANTMENT AT HAMILTON HOMEOWNERS ASSOCIATION, INC.

Resolution Type: Policy No._____

Relating to the Rules and Regulations Adopted by the Association:

Duly adopted at a meeting of Enchantment at Hamilton Association, Inc. held this 25th day of April, 2019.

Officer	Vote: YES	NO	ABSTAIN	ABSENT
Robert J. Nesser, Trustee	X			
Stephen Stitz, Trustee	X			
[illegible], Trustee	X			
_____, Trustee				
_____, Trustee				

Attest:

Frances Kimbrel Esker
Board Secretary

4/25/19
Date