

**ROCHESTER NORTH
RULES REGARDING USE OF COMMON ELEMENTS FOR CONSTRUCTION
ACTIVITY**

The Board of Directors of Rochester North Association (the Association") adopts these rules on the 19th day of May, 2020, effective immediately.

BACKGROUND

A. The Association is responsible for governance, maintenance and administration of Rochester North (the "Condominium").

B. The Association exists pursuant to the Michigan Condominium Act and the Michigan Nonprofit Corporation Act, as well as the Articles of Incorporation for the Association, the Amended and Restated Master Deed and the Condominium Bylaws (collectively, the "Condominium Documents").

C. The Michigan Condominium Act and the Condominium Documents (see Article VI, Section 11 of the Condominium Bylaws) authorize the Association's Board of Directors to adopt and enforce reasonable rules and regulations in the interest of the Condominium.

D. The Association's Board of Directors desires and intends to adopt reasonable rules governing use of the Common Elements for construction activity.

The Association's Board of Directors adopts the following rules and regulations for the Condominium (the "Rules"), which shall be binding upon all Co-owners and their tenants, occupants, successors and assigns who currently or in the future may possess an interest in the Condominium, and which shall supersede any previously adopted rules on the same subject matter:

1. "Construction Activity" Defined. Construction Activity refers to the presence of contractors, agents, employees or anyone on the Condominium Premises on behalf of a Co-owner, tenant or non-co-owner occupant for the purpose of performing any construction, modification, maintenance, repair or replacement within any individual Unit or to any Common Elements.

2. Hours. The permitted hours for Construction Activity are as follows:

- a. Monday through Friday: 8:00 a.m. to 6:00 p.m.
- b. Saturday: 8:00 a.m. to 5:00 p.m.
- c. Sunday: No construction activity permitted without prior, written Board approval.

3. Noise. Any equipment utilized for the Construction Activity shall not result in unreasonable or excessive levels of noise or otherwise disrupt the community. The individuals on the Condominium Premises performing the Construction Activity shall make all reasonable efforts to minimize the noise which emanates from the Construction Activity.

4. Use of Common Elements and Cleanup. All debris, trash, and dust shall be promptly cleaned up and removed from the Common Elements upon completion of the Construction Activity. For Construction Activity which lasts longer than one day, all debris, trash and dust shall be cleaned up daily and shall not remain on the Common Elements overnight. Should Co-owner, tenant or non-co-owner occupant fail to cleanup as required, the Association shall perform the cleanup at the Co-owner's expense. Construction materials shall not be stored on the Common Elements outside of the hours referenced in Paragraph 2, above.

5. Vehicles. Any vehicles utilized by a contractor or other agent for Construction Activity shall not be parked on the Common Elements outside of the hours referenced in Paragraph 2, above, and shall not be parked in a manner which unreasonably interferes with the use of the General Common Element parking areas.

6. Security. The building entry doors shall not be left open during the course of the Construction Activity and shall remain closed and locked when not in use. Access through the building entry doors shall be for temporary ingress and egress, only.

7. Damages. At least five (5) business days prior to any Construction Activity commencing, the Co-owner, tenant or non-co-owner occupant who has directed a contractor or other agent to perform Construction Activity, shall notify the Association's managing agent that the Construction Activity will be taking place. Each Co-owner shall be responsible for damages or costs to the Association resulting from damage to or misuse of any of the Common Elements resulting from the Construction Activity (including any costs incurred by the Association in cleaning up debris, trash, and dust from the Common Elements as referenced in Paragraph 4 above), and the responsible Co-owner shall reimburse the Association the costs of its damages within fourteen (14) days after written notice. Failure to remit reimbursement to the Association will subject the Co-owner to all liabilities set forth in the Condominium Documents including, without limitations, those described in Article II of the Condominium Bylaws.

8. Applicability. This Rule shall be construed in conjunction with, and not in contravention of, the various provisions of the Condominium Documents.

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Respectfully submitted,
Board of Directors
Rochester North Association