

MACKAY LAKE ESTATES

BY-LAWS & DECLARATIONS

Listed below are pertinent rules and regulations applicable to MacKay Lake Estates as contained in the Declaration and By-Laws.

1. No owner shall make any structural change in or to his unit, or any change to an installation in or upon the Common Elements, or maintain, decorate or repair any part of the Common Elements which he has the duty to maintain without the prior written consent of the Board.
2. No change shall be made in the exterior colour scheme, trim or design of the buildings or in the landscaping of those parts of the Common Elements of which no owner has the exclusive use unless authorized by a by-law.
3. Each owner shall maintain his Units, the inner surfaces of doors and windows between his Unit and the Common Elements, also the garden patio of which he has exclusive use.
4. Pipes, wires, cables, conduits, ducts, flues and shafts, or any other installation located in any Unit which serve to transmit water, heat, light, power, or any other service to any other Unit or the Common Elements, shall for the purposes of the obligation to repair and maintain them be maintained and repaired by the Corporation.
5. The Corporation shall make any repairs that any owner is obligated to make and that he does not make within a reasonable time. In such event, an owner shall be deemed to have consented to having repairs done to his Unit by the Corporation and shall reimburse the Corporation in full for the cost of such repairs.
6. The Corporation may remove in whole or in part, as the Board decides, any tree on any part of the property, including a part of the Common Elements of which an owner has the exclusive use, if the Board determines that such action is necessary to prevent injury to any part of the property, or that the tree is diseased.
7. Insurance on any additions or improvements made by the Owner to his Unit and for furnishings, fixtures, equipment, decorating and personal property and chattels of the owner contained within his Unit and for loss of use and occupancy in event of damage is the responsibility of the owner.
8. In the case of emergencies, an agent of the Corporation may enter a Unit at any time and without notice for the purpose of correcting any condition which might result in damage to the property. The Board, or any one authorized by it, may determine whether an emergency exists.

9. If an owner shall not be personally present to grant entry to his unit, the Corporation, or its agents, may enter upon such unit without rendering it, or them liable to any claim or cause of action for damages by reason; provided that they exercise reasonable care. The Corporation will have the right to retain a key to each unit.

10. All expenses, charges and costs of maintenance or replacement of the Common Elements and any other expenses which the Board may incur shall be assessed by the Board and levied against the owners in the proportions in which they are required to contribute to the common expenses as set forth in the declaration.

11. The Board shall provide in the annual budget a reserve fund for contingencies, working capital, deficits or replacements, which reserve fund shall be an asset of the corporation. The Board shall advise all owners promptly in writing of the amount of common expenses payable by each of them respectively.

12. Arrears of payments required to be made under the provisions of this Article shall bear interest at the rate of twelve percent per annum and shall be compounded monthly until paid. The Board when so requested in writing by any owner or mortgagee entered on the register shall promptly report any then unpaid common expenses due from any owner which are thirty days past due.

13. The Water closets and other water apparatus shall not be used for purposes other than those for which they are constructed and no sweepings, garbage, rags, ashes or other substances shall be thrown therein.

14. No sign, advertisement or notice other than the usual signs offering a unit for sale or rent with dimensions not exceeding two feet by three feet shall be inscribed, painted, affixed or placed on any part of the inside or outside of the buildings or common elements whatsoever without the prior written consent of the Board.

15. No awnings or shades shall be erected over and outside of the windows or balconies without the prior written consent of the board. Nothing shall be placed on the outside of window sills or projections.

16. The owner shall not place, leave or permit to be placed in or upon the common elements including those of which he has the exclusive use, any debris, refuse or garbage except on days designated by the Board or manager as garbage pick up days. Such garbage shall be contained in properly tied polyethylene or plastic garbage bags.

17. Where debris, refuse or garbage consists of packing cartons or crates, the owner shall arrange with the manager for a pick-up thereof and such packing cartons shall not in any event be left outside the unit.

18. Owners, their families, guests, visitors and servants shall not create or permit the creation of or continuation of any noise or nuisance which, in the opinion of the Board or manager, may or does disturb the comfort or quiet enjoyment of the property by other owners.

19. No animal, livestock or fowl other than a pet shall be kept on the property.

20. No noise, caused by any instrument or other device, or otherwise, which in the opinion of the Board may be calculated to disturb the comfort to the other owners shall be permitted.

21. The sidewalks, entry, passageways, walkways and driveways used in common by the owners shall not be obstructed by any of the owners or used by them for any purpose other than for ingress and egress to and from their respective units.

22. No motor vehicle other than a private passenger automobile, station wagon shall be parked on any part of the common elements nor shall any repairs be made to such motor vehicle on the common elements and no motor vehicle shall be driven on any part of the common elements other than on a driveway or parking space.

23. No television antenna, aerial, tower or similar structure and appurtenances thereto shall be erected on or fastened to any unit, except for in connections with a common television cable system.

24. No one shall harm mutilate, destroy, alter any of the landscaping work on the property, including grass, trees, shrubs, hedges, flowers or flower beds.

25. Private Property No Trespassing signs have been placed in appropriate locations which to date are largely ignored. The problem will become worse with the onset of warm weather suitable for swimming. Residents should inform trespassers that the property is private.

26. Property owners are requested not to issue open invitations to friends to come and swim as and when they chose. Friends and relations not residing at MacKay Lake Estates when invited to swim should be accompanied wherever possible by a resident. Otherwise the control of trespassers becomes difficult if not impossible.

The Directors believe that the implementation of the above rules are in the interests of all owners and that they will improve the appearance of MacKay Lake Estates and thus maintain or even increase property values. However, it should not only be left to the director to police the grounds and buildings. Each occupant is therefore requested to do his or her part in maintaining the desired standard.

The Directors.