

The MARCO POLO Apartments HOUSE RULES

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INTRODUCTION

The House Rules for the Association of Apartment Owners (AOAO) of the Marco Polo Apartments have been developed by successive Boards of Directors (BOD) to help ensure the safety, comfort, use and enjoyment of their units by owners and residents and the protection of the common elements. Apartments are referred to as units to conform to usage in Hawaii Revised Statutes. They apply to all owners and residents of the Marco Polo, as well as to their families, guests, tenants, employees, and any other persons using the project on their behalf. The authority and responsibility to enforce the House Rules are vested in the BOD. The Board has delegated this authority to the Resident Manager and other employees of the Association as specified by the BOD.

These House Rules are based on the following governing documents:

- Department of Horizontal Property Regime (HPR)
- By-Laws of the AOAO of the Marco Polo
- Chapter 514B of the Hawaii Revised Statutes
- City Regulations on Health, Fire Safety, Zoning

In the event of any conflict, the Hawaii Revised Statutes take precedence, followed by the Declaration and the By-Laws of the Association, and finally the House Rules.

In addition to the governing documents, a reference file is available for review in the Management office (Unit #207). The Document/Reference File contains detailed description and instructions on some Rules as mentioned in this document. Any of these items can be copied by Management (for a fee) or borrowed for 24 hours.

The BOD originally approved these House Rules for implementation on 30 January 1980. The BOD revised the House Rules in 18 January 1983, 15 December 1988, 18 October 1989, 1 January 1996, 1 September 1996, 30 September 2004, and 1 August 2006.

Management will notify any unit owner or resident who violates a house rule. If, after notice and reasonable time, the violation is not remedied, the BOD may impose a fine or seek legal action. All costs of any necessary legal action, including attorney's fees, are the responsibility of the unit owner.

At its sole discretion fees listed at the end of these House Rules may be changed by the BOD at any time.

GENERAL

G-1 Owners' Responsibility to Observe the House Rules

Each unit owner and resident shall observe and adhere to the House Rules and ensure that their families, guests, tenants, employees, and any other persons using the project on their behalf also observe and adhere to the House Rules. If the Association incurs

any expenses due to a violation of the House Rules or if any owner, resident, guest, tenant, employee, or any other persons using Marco Polo on behalf of an owner causes any damage to Association property, the owner shall be responsible for all expenses.

G-2 Enforcement of House Rules

The Resident Manager and specified employees of the Association are authorized by the BOD to enforce the House Rules. Procedures for appeal from fines for violation are described in the By-Laws (Article VII, Section 3D).

G-3 Registration

Owners and residents occupying a unit for any period of time must register with the Management Office (Suite 207) when they move in. Registration involves filling out a registration form and paying a non-refundable registration fee listed at the end of this document. The registration fee shall be paid each time a person moves into a unit with the intention of staying more than 30 days. Owners and their agents are responsible for making sure that their tenants are registered.

Units shall not be used for hotel purposes or rented for any period of less than 90 days. Owners, their property managers, agents, or tenants are required to provide a copy of their rental agreement or a written statement outlining the terms of occupancy and names of all occupants to the Management Office at the time of registration.

Apart from the owners and residents, a unit may have occupants in the following categories:

1. "Guests staying fewer than five days should be registered for their protection and convenience. There is no registration fee.
2. "Visitors" staying more than five days but less than 30 days must be registered. There is no registration fee.
3. "Additional residents" staying more than 30 days must be registered and must pay the registration fee. Owner or agent acknowledgment is required.

Violators will be subject to enforcement and fines described in the House Rules in F1.

G-4 Building Fobs/Keys

Each unit has been issued a specified number of building fobs that open all security doors and gates at the Macro Polo. The Management Office maintains a permanent record of all building fobs & keys issued.

See Document/Reference File in Management Office for procedures on replacement of lost, defective, or to obtain additional fobs. Upon sale of unit all fobs will be deactivated.

G-5 Assessment of Common Expenses (Maintenance Fees)

Maintenance fees are due in monthly installments on the first day of each month. (By-Laws Article VIII, Section I) Any owner whose maintenance fee is received after the 10th of the month will be charged a late fee. There is a charge for returned checks.

An owner who has not paid his/her maintenance fee will be sent a first demand letter by the 15th of the month and a second demand letter 15 days later. If payment is not received in full within 10 days of sending the second demand letter, the Association's attorney will proceed with legal action. Owners who are late in paying their maintenance fees are responsible for all associated legal costs incurred by the Association.

If an owner who leases or rents out a unit is 30 days or more late in paying maintenance fees, the BOD may demand from the tenant or rental agent the amount due to the Association out of the rent due on the unit (By-Laws Article VIII, Section 7). Any owner who is habitually late in paying maintenance fees may be required to pay all monthly fees for the fiscal year in which default occurs.

G-6 Noise and Disturbance

Noisy or disturbing behavior will not be permitted by any resident or guest within a unit, on a lanai, elsewhere in the building, or anywhere on the property. Noise may not interfere with the rights, comfort, or convenience of other residents. By-Laws (Article VIII, Section 7H). "All occupants shall exercise extreme care not to make excessive noise." Upon receiving a complaint regarding noise or other disturbance, the operations staff will take appropriate action. Such action may include, among other things, calling the police.

G-7 Pets

Pets are not permitted anywhere in the buildings or on the grounds of the Marco Polo (HRS 514B Section 156, By-Law Article VIII Section 2M). Owners who had a pet before this By Law was adopted may replace a pet as long as he/she continues to reside in the Marco Polo.

G-8 Service Animals

As defined in Chapter 515, Hawaii Revised Statutes, and notwithstanding any other provision in these House Rules, a visually impaired person may keep a guide dog, a hearing impaired person may keep a signal dog, and a physically impaired person may keep a service dog/animal in their respective apartments and may utilize such

dogs/animals in the common areas as necessary to full enjoyment of the property. The resident must present documentation before bringing the dog/animal onto the property. Documentation will consist of a certificate or authorized request from a Hawaii-licensed physician specializing in the relevant type of disability, a complete description of the dog/animal including a photo, and a full description of the training the dog/animal has completed that qualifies it to assist the resident with the particular disability as certified by the physician. (By-Laws Article VIII, Section 2M)

Permitted service animal shall not be kept, bred, or used for any commercial purposes. They shall not be allowed to defecate or urinate on the common elements. Any service animal causing a nuisance or unreasonable disturbance to any occupant of the Marco Polo shall be promptly and permanently removed from the property upon notice given by the BOD or Resident Manager.

G-9 Procedures for Collecting Mail

To receive mail at the Marco Polo, residents must register with the Management Office. Registration forms for mail delivery are available from the building postal carrier, the Management Office, or the property managers of rental units.

Mail will be delivered to locked mailboxes only, not to opened or unsecured mailboxes. Lost keys and broken locks are the responsibility of the resident.

Mail may be deposited in the slots provided in the U.S.P.S. mailboxes in the mail lobbies, and will be collected by the postal carrier during his regular delivery cycle.

The postal carrier will place small and medium-sized packages in a postal locker and will leave the locker key in the recipient's mailbox. These packages must be claimed within two calendar days and the key left in the postal locker. The postal carrier may place larger packages with security and leave a form in the recipient's mailbox. The form is then taken to the front desk and signed, and the Marco Polo staff member will release the package.

Any package that is not picked up after two calendar days will be returned to the post office. Any package not claimed at the post office within 10 days of the original delivery will be returned to the sender.

Residents must notify the U.S. Postal Service if they want their mail held for a time. Notification options include:

- Authorization to Hold Mail form: This is available from the postal carrier or the Management Office. The form must be filled out and placed in the mailbox.

- Handwritten note from the resident to the postal carrier: The note must specify the dates for which mail should be held and how mail will be collected at the end of the period. It must be placed in the mailbox.
- Phone call to 1-800-ASK USPS: Follow the Hold the Mail instructions.
- U.S. Postal Service Website: Go to the website (www.usps.com) and follow the Hold the Mail instructions.

G-10 Procedures for Delivery of Packages from Commercial Carriers

Residents may sign a form at the Management Office authorizing Marco Polo staff at the front desk to receive packages for them from commercial carriers such as FedEx or UPS. Nothing perishable is accepted. The commercial carrier normally leaves a phone message, and the resident can sign at the front desk and receive the package. Neither the Association nor its employees shall be liable for loss of or damage to packages left at the front desk by commercial carriers. Staff members do not accept any items for residents from individuals or entities other than commercial carriers.

G-11 Procedure for Revising House Rules

The BOD may amend the House Rules governing the use of the common areas or any use of an apartment that has an adverse effect on other residents or the common areas. (By-Laws Article VII, Section 1D) The BOD, upon giving notice to all owners and an opportunity to be heard thereon, may adopt, amend or repeal supplementary house rules and regulations not inconsistent with any provisions of the law, the Declaration or the By-Laws. Amendments to the House Rules will become effective one month after notice has been provided to owners.

G-12 Unit Owners' Access to Association Documents

Unit owners may view BOD minutes, the most current financial statement and governing documents (HRS 514B, Declaration of Horizontal Property Regime, Marco Polo Bylaws and House Rules) online at the Marco Polo website, in the Management Office, or may be borrowed for 24 hours. (HRS 514B-154) If requested, photocopies will be provided at a cost determined by the BOD.

COMMON AREAS

C-1 Proper Use

All common areas of the Marco Polo shall be used only for the purposes for which they were designed (By-Laws Article VII, Section 2B).

C-2 Association Storage Rooms and Parking Stalls

The common areas at the Marco Polo include a limited number of storage rooms, parking stalls for cars, and spaces between parking stalls that may be available for motorcycles or mopeds. Residents only may rent, on a monthly basis, such storage rooms, parking stalls, or spaces not needed for use by the Association on a first-come-first-served basis, subject to charges, rules, and limitations set by the BOD. Residents in one unit may rent no more than one storage room or two parking stalls. Detailed information is available in the Management Office.

C-3 Aloha Room (Suite 607)

Use of the Aloha Room is limited to resident owners, registered residents, and non-resident owners whose units are not rented or occupied by others. The room shall not be used for commercial purposes. Parties and function may only be held in the Aloha Room or in any other common area with prior approval of the Resident Manager. Residents must make reservations in advance to use the Aloha Room and must pay a refundable cleaning and/or damage deposit at the time the reservation is made. Residents may also be required to provide evidence of event insurance. For reservations and further information, see the Management Office.

C-4 Fire Escape Doors

Three fire escape doors are located on every floor. They are on the Kapiolani Boulevard side of the building in the middle and at either end of the hallways. They must be kept closed at all times except when an actual use for entering or leaving the hallways.

C-5 Bicycles, Surfboards, Mopeds, Motorcycles, and Water Craft

Bicycles, surfboards, mopeds, motorcycles, and water craft may not be taken into the residential building. Bicycles and surfboards and canoes/kayaks under 14' in length may be stored in the area provided in the garage near the entrance to the "A" ramp or in other areas designated by the BOD. However, the Association will not assume responsibility for any loss of property stored in those areas. Items stored in the storage room must be registered in the Management Office and a fee paid annually. Bicycles, mopeds, motorcycles and water craft owned by Marco Polo residents may occupy parking stalls but may not be stored in other common areas. Shopping carts that are not the property of Marco Polo residents may not be stored anywhere on the Association property.

Kayaks and canoes may be stored in the Association storage room. Kayak owners may obtain keys to the back gates of the garage and the property to be checked out from the

front desk by leaving a valid picture ID. Owners, at their own expense, may install an approved system to hold kayaks in the rafter area with a safe head clearance.

C-6 Behavior

Noisy or boisterous behavior that impairs the ability of other owners or residents to use or enjoy the property is not permitted in any common area including the pool and sauna areas. Running and ball playing are allowed in appropriate areas of the recreation deck, but not behavior that is noisy or unsafe. Apartment owners are responsible for the conduct of any resident or guest.

C-7 Audio Equipment and Musical Instruments

Radios, CD players, and other audio equipment may be used in the common areas only with earphones and only if the sound is inaudible to anyone but the user. Musical instruments may not be played in the common areas except for special events approved by the BOD or the Resident Manager such as the Association's annual Christmas party.

C-8 Riding Bicycles, Tricycles, Scooters, Skates or Skateboards and Sports Activities

Riding bicycles, tricycles, scooters, skates, skateboards or similar recreational equipment is prohibited anywhere in the common areas, except in areas specifically designated by the BOD. Sport activities will be confined to designated areas.

C-9 Removal of Residents and Guests

Residents or guests may be removed from any common area if they are causing dangerous situations or trespassing on the rights of others.

C-10 Tailgating through Security Doors

Each person must use a fob to enter the building. Unauthorized persons are not permitted to tailgate (follow someone else) through the building security doors. The Board of Directors may make exceptions to this House Rule for special situations, for example: children returning home from school (check the Management Office for details).

C-11 Smoking, Eating, and Drinking

Smoking and carrying burning material is not permitted in the elevators or any other common area except in the open areas of the Recreation Deck and other unroofed outdoor areas of the property. Smoking is not permitted in or adjacent to the swimming

pool, but only in the designated area between the pool and the restrooms. (See P-12.) These smoking limitations are mandated by City and County of Honolulu Ordinance (Section 41-21.2). Smoking materials must be extinguished and disposed of in ashtrays or other appropriate receptacles. They must not be thrown in parking lots, hallways, elevators, stairways, grounds, over a lanai, out a window, or in any part of the common area.

No food or drinks are permitted in or around the swimming pool, lobby, hallways, or elevators. Drinking water in an unbreakable container is permitted. (See P-7.)

C-12 Signs, Posters, and Advertisements on Common Area Bulletin Boards

Management must approve the content of notices residents and owners may wish to post on the electronic board across from the mailboxes to advertise items for sale, approved unit services offered, and parking stalls for rent. Any owner or resident who wishes to post a notice on this bulletin board must provide a legibly printed 3" x 5" card to the Management Office.

Bulletin boards in the elevator lobbies of the first, second, fourth, and sixth floors, and electronic board in mail lobby are for the primary use of the BOD and Management. The four commercial units may provide management with small business notices to be posted on these bulletin boards. Bulletin boards near the front revolving door on the Ewa end of the building are reserved for notices advertising apartments for rent or sale at the Marco Polo. All other common-area bulletin boards are for the exclusive use of the Association.

C-13 Open Houses

Owners planning to hold open houses of their units should first read the required procedures in the Document/Reference File in the Management office.

C-14 Solicitation

No commercial solicitation or canvassing is permitted anywhere in the residential or common areas of the Marco Polo. Owners may solicit proxies or distribute materials related to Association matters in the common areas provided that such solicitation occurs at a reasonable time, place, and manner.

C-15 Deliveries in Freight Elevator

Supplies, goods, furniture, packages, and bulk items including trunks and heavy baggage are to be delivered to units through the service entrance (at the Ewa end of the building) using the freight elevator. Any damage to the building caused by moving furniture, appliances, or other personal effects shall be repaired at the expense of the person responsible for the damage or the subject unit owner.

The freight elevator will be open during business hours Monday through Saturday 7 a.m. to 9 p.m. and closed on Sundays and holidays. Bulky item pickup week (third Monday of the month) will be the exception.

Residents must arrange in advance to use the freight elevator. Rules for use of the freight elevator include: returning the elevator to the second floor after use; not taking the key off property; returning the elevator key promptly to the front desk; and making sure that the elevator and elevator tracks are clean and clear of all debris. The freight elevator key may not be passed on to another individual unless the operations staff gives approval. Check at the front desk or Management Office for hours available and reservation procedures. A valid ID card or a \$50 deposit is required to pick up the freight elevator key. The ID/deposit will be refunded upon the return of the elevator key in good working order. The deposit will be forfeited if the key is damaged, lost, stolen or taken off property.

C-16 Appropriate Dress

Residents, guests, and visitors may not enter the lobby, elevators, or hallways unless covered with at least a tank top and shorts. Footwear must be worn in these areas, and swimming suits must be worn only with covering garments. Residents and their guests who use the pool or sauna must be dry and dressed before leaving the pool area.

C-17 No Storing or Littering

Items belonging to residents may not be placed or stored in the hallways, stairwells, lobbies, grounds, or any other common area, except in areas specifically designated by the BOD, such as the bicycle storage room. All trash must be disposed of in the containers provided and not on the floors and anywhere else in any of the common areas. By-Laws (Article VIII, Section 2C, 2K, and 2L),

C-18 Property of the Association

All furniture and other property of the Association must be used appropriately and treated with care and respect. Abusing, jumping on, or playing roughly with Association property is not permitted.

UNITS (APARTMENTS)

A-1 Use of Residential Units

Residential units shall be used as private dwellings, and no unit may be used for any illegal, improper, or offensive purpose (Declaration, Section F). Owners and residents may use their residential units as home offices so long as that use conforms to applicable zoning ordinances and does not involve members of the public coming onto the property.

Owners and residents may not use any residential unit as a commercial business location involving visits from vendors, clients, or other commercial contacts or creating a nuisance. Residential units may not be used to store commercial inventory.

No residential unit may be rented or leased for a period of less than 90 days, and no unit may be occupied under any type of time-sharing plan. (By-Laws Article VII, Section 2A)

A-2 Occupancy Standards

1. No more than five (5) unrelated persons or a family, meaning persons legally related comprising a single nuclear family unit and two unrelated persons, may occupy any unit. No occupancy in excess of nine persons is permitted.
2. Each room used for sleeping purposes must have a floor area not less than 70 square feet of floor area with the required floor area increased by 50 square feet for each occupant in excess of two. Each unit must have living room of not less than 120 square feet and other habitable room except for kitchens must have floor areas not less than 70 square feet;

A-3 Maintenance of Units

It is the responsibility of owners and residents to maintain unit interiors, including all electrical and plumbing systems, in good working order and in a clean and sanitary condition, free of insects and other pests (By-Laws Article VIII, Section 8). As a courtesy, the Resident Manager will maintain, and will provide to resident on request, a list of companies that have performed services and repair work at the Marco Polo and have been recommended by other residents. The Association does not accept any responsibility for the quality of work or prices of any company on the list.

A-4 Management Access to Units

For safety, security, and convenience, owners may leave a current set of unit keys in the Management Office. Owners who provide unit keys to management will be required

to sign a Release and Indemnification of Claims Agreement with regard to any keys left with the Association.

Except in an emergency, access to a unit will not be provided to anyone other than the owner without the owner's written authorization. Access will only be provided to a non-owner resident if: (1) the BOD has received a Release and Indemnification of Claims Agreement signed by the owner of the unit; (2) the BOD has received written authorization from the owner to provide the resident with access to the unit; and (3) the resident has also signed a Release and indemnification of Claims Agreement.

If a set of keys has been provided to management, an owner or authorized resident who is locked out of his/her unit may gain access by providing proper identification at the front desk or in the Management Office. An operations staff member will obtain the key, unlock the door for the resident, and return the key to the office. This service is provided free of charge from Monday through Friday during regular office hours (8:00 am to 5:00 pm). There is a charge for lock-out service after building office hours.

An authorized resident, owner, or agent of record may also authorize management to provide access for an individual or company (such as a vendor or repair person) to enter a unit. This service is only available on weekdays during regular office hours (8:00 am to 5:00 pm) except in case of an emergency. The resident, owner, or agent must fill out and sign an Authorized Entry Form, available at the front desk or in the Management Office. Upon providing proper identification and leaving an appropriate item for deposit, the individual or company named on the form will receive the unit key from the Management Office. The key must be returned as soon as use of the unit is completed.

The loan of a unit key to a company or individual shall be at the sole risk of the authorizing unit owner, resident, or agent. Neither the Association, nor the BOD, nor management shall be liable for any associated injury, loss, or damage.

A-5 Inspection of Unit

The Resident Manager or designated employee may enter any unit for the purpose of examining high risk components such as water valves, plumbing fixtures, window frames and any other items that may cause future water or other damage to other units or common areas. (By-Laws (Article VII, Section I) Except in cases of an emergency, inspections will be scheduled in advance at a time convenient to the owner or resident affected. Owners who do not wish their units to be inspected must sign a form stating that they refused inspection. The results of an inspection will be made known in writing to the unit owner, who must immediately make any necessary repairs.

A-6 Repair and Replacement of High Risk Components

Repair and replacement of windows, pipes and plumbing fixtures, and lanai electrical fixtures must adhere to exact instructions and specifications as required by BOD Resolutions before work on any of these components. The BOD may require replacement, at owner's expense, of any nonconforming work. See these instructions and specifications in Document/Reference File in the Management office.

A-7 Emergency Maintenance and Repairs

Staff of the Association shall not assist with maintenance of unit interiors except in emergency situations. Such assistance will be limited to identifying and correcting the immediate source of an emergency problem. Association staff members are not permitted to perform repair work or clean units unless, in the opinion of the Resident Manager or the senior staff member on duty, immediate emergency action is required to eliminate or reduce further damage to other units or common areas.

In emergency situations, where further assistance by the Marco Polo staff is not warranted, the staff may help a unit resident, if requested; secure the services of a qualified firm to complete necessary repairs. The cost of the repairs will be the sole responsibility of the resident, and the Association does not accept any responsibility for the quality of work or prices of any firm suggested.

A-8 Unit Entrance Areas

Items including doormats, shoes, or shopping carts may not be left in the hallway outside a unit (By-Laws Article VIII, Section 2C). Custom solid wood doors and brass colored hardware may be substituted for standard unit front doors, with prior written approval of the BOD, provided that they comply with City and Country building codes and conform to the standard exterior door color and finish. Detailed specifications are available in Document/Reference File in the Management Office.

A louvered door may be installed outside a unit's solid door provided that it conforms to standard established by the BOD. Both single and bi-fold-type louvered doors are permitted provided that they meet City and Country code safe-exit requirements and are equipped with a closer to ensure that they clear the hallway.

The frames around unit doors must be painted in the approved color and kept in good repair. Residents wishing to repaint or touch up their doorframes may obtain paint specifications of the approved color from the Management Office.

A-9 Alterations and Additions Affecting the Common Elements

Alterations affecting the common elements-such as structural changes, louvered doors, awnings, windbreakers, shades, blinds, or tinted windows-are not permitted unless approved by the BOD and in compliance with all applicable laws and regulations. Detailed specifications are available in Document/Reference File the Management Office.

Reflective-type windows or windows films are permitted provided the exterior color is gray or silver. Glass may be tinted only in a gray or silver color.

None of the provisions of the project documents are intended to contravene the State or Federal Fair Housing Act. The BOD will at all times comply with the provisions of the Fair Housing Acts when acting upon requests by physically challenged persons to make reasonable modification, at their cost, to units and/or to the common elements of Marco Polo if the proposed modifications are necessary for their full enjoyment of the building. It is understood that any House Rules may be waived on a special bases for good cause, safety, maintenance or to accommodate disability on a case by case determination at the discretion of the Resident Manager or the BOD. Requests for waivers shall be initiated by petitioning the BOD or Resident Manager in writing with the exception of immediate safety concerns.

A-10 Renovations, Alterations, and Repairs within Individual Units

Renovations, alterations, and repairs of individual units:

- (1) Must not adversely affect the common elements, including structural, mechanical, and electrical common elements;
- (2) Must not adversely affect other units such as by increased noise, vibration, or other intrusive effects; and
- (3) Must not alter the exterior appearance of the building.

Owners contemplating an alteration or renovation of their unit should begin by contacting the Resident Manager and familiarizing themselves with the relevant provisions in the governing documents stated in the Introduction. Copies of these documents are available in Management Office.

A-11 Window Coverings

Draperies or window coverings of any type facing exterior of the building must be a natural white color and must be maintained in good repair at all times. Exterior shuttered or louvered window coverings are not approved. Detailed specifications for window coverings are available in the Management Office. Draperies or other window coverings must not protrude outside the windows.

A-12 Air Conditioners

The upkeep and appearance of air conditioners are the responsibility of the unit owner. Air conditioners must not create any nuisance, including, but not limited to, leaking condensation or excessive noise or heat. Replacement air conditioners may not protrude beyond the existing exterior housing for air conditioners.

A-13 Antennae and Similar Structures

Owners and residents must obtain written approval from the BOD before installing any wiring for electrical or telephone installations, televisions antennae, machine, or air conditioners or anything else that is visible from outside the building or that changes the external appearance of the Marco Polo. Any owner or resident considering the installation of an antenna or satellite dish must consult with the Resident Manager and provide detailed information.

A-14 Beds Containing Water

Waterbed, floatation bed, or any type of bed containing water is not permitted in the building (By-Laws, Article VIII, Section 20).

A-15 Lanai Furnishings & Awnings

Lanais may be furnished with appropriate furniture, but refrigerators and other articles not usually considered as normal lanai furniture are not permitted. Lanais may not be used as storage areas for sports or play equipment (bicycles, surfboards, rafts, exercise equipment, etc.) or for surplus cartons, boxes, or any other type of excess belongings. No clothes or other articles may be dried or aired from lanai or windows. Plants of reasonable size may be placed on lanais and owners must prevent water runoff.

Awnings must be installed in accordance with BOD approved specifications and an indemnification agreement must be signed and recorded. See details in Document/Reference File in Management office.

A-16 Water or Objects Thrown from Apartments

Dust, litter, rubbish, smoking material, or any other object may not be swept, thrown, or allowed to fall from any window, lanai, doorway, or stairwell of the building. (By-Laws (Article VIII, Section 2K and 2L) Water may not run off lanais or out of doors or windows to any other units or common areas.

A-17 Barbecuing and Outdoor Cooking

Barbecuing or other type of cooking is not permitted on lanais. Barbecuing is limited to the area provided on the Recreation Deck and any other areas designated by the BOD.

A-18 Dangerous, Combustible, or Explosive Materials

Dangerous, combustible, or explosive materials are not permitted anywhere on the grounds or in the building, including individual units and storage lockers (By-Laws Article VIII, Section 2, T). No fireworks of any type are permitted on the premises.

A-19 Disposal Garbage and Trash

Rubbish must be disposed of in a safe and sanitary manner. All wet garbage must be wrapped, sealed, and placed in the trash chute. The trash chute is open from 7:00 a.m. to 10:00 p.m.

No items may be placed on the landings by the freight elevator or in any stairwell. Items that do not fit in the trash chute and fluorescent bulbs and hazardous or inflammable materials that may injure workers must be disposed of in the trash enclosure near the front entrance. If locked, check with security at front desk.

A-20 Recycling Newspaper, Glass, Plastic and Cardboard.

Receptacles for recycling newspaper, glass, plastic and cardboard items are near the garage elevators on crossover to the parking garage on floors 2, 4, and 6. All cardboard boxes must be flattened.

A-21 Access to Unit Storage Areas

Resident wishing access to their unit's storage locker may sign out for the key to the appropriate storage area at the front desk.

A-22 Smoking in Units

Smoking cigarettes, cigars, pipes and/or other similar items shall be prohibited:

- a) on any lanai adjacent to the unit, and
- b) in any portion of the unit unless the lanai doors and other exterior windows are closed, or reasonable steps are taken so as to prevent smoke from exiting a unit.

Violations of this provision shall be deemed a nuisance and shall entitle the Association to obtain injunctive relief as well as other legal and equitable remedies. Provided,

however, in no event shall the Association be liable to any person for failure to enforce this provision.

A-23 Cooking Odors

Strong cooking odors should be contained within units as a consideration to others.

SWIMMING POOL AND SAUNAS

P-1 Risk

Residents and guests use the swimming pool at their own risk. There is no lifeguard on duty.

P-2 Supervision of Children

For safety reasons, children under 12 years of age must be accompanied and properly supervised at all times by a parent or responsible adult while using the swimming pool.

P-3 Hours

Except for times designated by the Resident Manager for cleaning and maintenance, the pool and surrounding area is open for exclusive use of resident and their guests between 6:00 am and 10:00 pm.

P-4 Board of Health Regulations

The following specifications, derived from the Board of Health Regulations, (Chapter 11-10-2), apply to use of the Marco Polo swimming pool:

- (1) All persons using the swimming pool shall take a cleansing shower bath before entering the pool. A bather leaving the swimming pool to use the toilet shall take a second cleansing shower bath before returning to the pool.
- (2) Any person having an infectious or communicable disease shall not use the swimming pool. Persons having any open blisters, cuts, etc. should not use the pool to avoid risk of infection.
- (3) Spitting, spouting of water, and blowing the nose in the public swimming pool shall be strictly prohibited.
- (4) Infants and toddlers shall wear swim diapers to prevent contamination of the pool.
- (5) The swimming pool shall be immediately closed for cleaning in the event of an accidental fecal or vomitus discharge. All bathers must leave the pool until such substances are removed and the pool is disinfected.

P-5 Guests

No more than two guests per unit may use the pool or sauna facilities at any one time unless the Resident Manager gives permission for additional guests

P-6 Behavior

Running, playing ball, shouting, diving, jumping into the water, and other dangerous, boisterous, noisy, or improper behavior are not permitted in the pool or sauna areas. Anyone in violation will be required to leave.

P-7 Food and Drinks

No food or drinks are permitted in the pool, outdoor area around the pool, sauna, or rest rooms. The only exception is drinking water in an unbreakable container.

P-8 Skin-Care Products

Any skin-care products or other items taken into the pool or sauna area must be in unbreakable containers. Anyone using such products must take a shower before entering or reentering the pool. Furniture on the pool deck and/or other common areas must be protected from sunscreens, lotions, and other skin-care products by covering with towels.

P-9 Equipment in Pool

Scuba equipment, inner tubes, air mattresses, standard swim fins, large toys, balls, and any type of equipment that may interfere with other swimmers are not permitted in the pool, saunas, restrooms, or surrounding areas. Goggles, facemasks, and approved type of attached life preservers may be used (see approved type of attached life preserver in the Management Office). Inner tubes and "water-wings" that go on the arms are not allowed because they are not considered safe.

Authorized exercise equipment may be used in the pool on weekdays during non-peak hours from 6:00 to 7:00 am and from 9:00 to 10:00 pm. A list of authorized exercise equipment is available in the Management Office. Exercise fins may not be worn outside the pool. All swimmers must be considerate of others in the pool.

P-10 Life-Saving Ring and Retrieving Hook

The life-saving ring and retrieving hook are not to be used or handled except in an emergency.

P-11 Personal Belongings

Except for very short absences, personal belongings such as towels, sunglasses, and books must be removed upon leaving the pool area.

P-12 Smoking

No smoking is allowed in saunas, restrooms, or the main pool area. Smoking is allowed in the designated smoking area only, which is the outdoor area between the restrooms and the pool where there are receptacles for smoking materials.

P-13 Showers and Washbasins

Showers and washbasins are available as supplements to use of the pool and saunas, not as a substitute for residents own unit facilities. Laundry and bathing are not permitted except in connection with use of the sauna and pool.

RECREATION DECK

R-1 Risk

All persons use the recreation deck on the roof of the garage at their own risk.

R-2 Supervision of Children

For safety reasons, children must be accompanied and properly supervised at all times by a parent or responsible adult while using the recreation deck.

R-3 Hours

Except for times designated by the Resident Manager for cleaning and maintenance, the recreation deck is open for exclusive use of residents and their guests between 6:00 am and 10:00 pm.

R-4 Behavior

Loud, boisterous, dangerous, or improper behavior is not permitted on the recreation deck. Any resident or guest who disturbs others or engages in unreasonable or unsafe behavior will be asked to leave.

R-5 Proper Footwear

Only non-marking footwear may be worn on the tennis, basketball/volleyball, and paddleball courts.

R-6 Tennis and other Sports Courts

Detailed policies on the reservation and use of sports courts are posted near the Reservation Deck and available in Document/Reference file in the Management Office

R-7 Barbecue Areas

Barbecuing is permitted in the designated barbecue areas between 10:00 am and 10:00 pm. See rules posted near the Reservation Deck and available in Document/Reference File in the Management Office

VEHICLE PARKING**V-1 Vehicles in Parking Stalls**

Each unit is assigned one or more parking stalls, which are limited common areas as specifically set aside for the exclusive use of the unit. All automobiles, trucks, or other vehicles must be properly parked centered within the painted lines that mark the perimeter of their stalls so as prevent crowding or blocking of adjacent passages and stalls.

V-2 Vehicle Registration

All vehicles parked in any parking stall must be registered with Management Office. Because stalls are intended for use by standard-size vehicles, the Resident Manager shall limit the number, type, and size of vehicles allowed use of a parking stall. Occupants with any questions on this matter should first check with the Resident Manager before using a stall.

V-3 Stored Vehicles

All motorized vehicles not currently licensed must be in operating conditions and must be stored using a cover that fits property and is clean and in good repair.

V-4 Additional items in Parking Stalls

Bicycles, motorcycles, mopeds, boats, trailers, shopping carts, and any other transportation device may be parked with the perimeter of a parking stall as long as they do not cause safety hazards or damage to other vehicles. Storage containers of approved design, size, and finish may be placed in parking stalls, but they must be kept clean and in good repair. Detailed specifications for storage containers are available in Document/Reference File in the Management Office. Parking stalls are not to be used for storage except as specified here.

V-5 Owner Responsibility for Parking Stall

Owners are responsible for the cleanliness of their parking stall(s) and for any damage that might be caused by their vehicle(s).

V-6 Guest Parking

A few parking stalls are available for guests of Marco Polo residents. Guest must use the designated visitor parking stalls. After parking in a guest stall, they must check in at the front desk. When they leave, they will be charged \$1.00 per hour up to five hours. The maximum charge for all or part of any 24-hour period is \$5.00. Residents may purchase stamps in advance to pay for short-term parking at half price, ie., \$0.50 per hour. Parking stamps are available in the Management Office. The visitor parking facility in the parking garage will closed from 12:00 midnight until 5:00 am. The visitor parking facility in the parking garage will be limited to no more than three vehicles per unit.

V-7 Removal of Illegally Parking Vehicles

The Resident Manager shall remove any illegally parked or abandoned vehicle at the expense of the owner or driver. Requests to tow an illegally parked vehicle from a resident's stall must originate with the stall owner or registered tenant. Individuals signing authorizations to tow will accept full responsibility for any such action.

V-8 Unauthorized Parking

Parking is not permitted in any driveway or loading zone of the Marco Polo. Drivers wishing to park in the commercial parking area at the front of the building must obtain permission from the staff member at the front desk. Unauthorized vehicle will be towed at the owner's expense.

V-9 Parking Stall Rentals

For security reasons, parking stalls may only be rented to unit owners or registered residents of the Marco Polo.

V-10 Vehicle Repair and Washing

Other than emergency repairs, repairs to vehicles are not permitted in the parking structure, driveway, or loading zones. Vehicles may only be washed in the washing bays provided. No hazardous waste, as defined by federal, state, and county laws, may be disposed of anywhere on the property. The car wash facilities will be closed from 10:00 pm to 7:00 am.

V-11 Speed Limit

The maximum speed limit in the driveway and parking garage is five miles per hour.

V-12 Headlights

Full headlights must be used at all times when moving a vehicle within the parking garage.

V-13 Electrical Vehicles

Installation of charging stations for electric vehicles is allowed, with the cost of such installation to be the responsibility of the owner of the electric car. Any installation must be approved in advance by the BOD and construction effected in accordance with specifications available in the Management Office.

FINING SYSTEM

F-1 Amount of Fines

- A. First offense: A written citation delivered to both the unit owner and occupant.
- B. Second offense: A written citation delivered to both the unit owner and occupant and a \$25.00 fine assessed against the owner.
- C. Third offense: A written citation delivered to both the unit owner and occupant and a \$50.00 fine assessed against the owner.
- D. Fourth and Subsequent Offenses: A written citation delivered to both the unit owner and occupant, and a \$100.00 fine assessed against the owner for each offense.

Second, third, fourth, and subsequent offenses need not be for a violation of the same provision before a fine is imposed. For example, if an occupant violates a "Pool" rule for his/her first violation, and then violates a "Noise" rule for his /her second violation, the fine would be imposed on the owner upon the occurrence of the second violation. It is not necessary for an occupant to violate a specific rule, such as "Noise" rule, twice before a \$25.00 fine is levied. Similarly, a 50.00 fine will be assessed for violation of the House Rules and a \$100.00 fine will be assessed for the fourth and subsequent violations of the House Rules.

The BOD shall delegate its authority to issue citations and impose fines to the Managing Agent or Resident Manager.

F-2 Payment of Fines and Liability

Unit owners shall be liable for their own fines and for fines assessed against their tenants, guests, family members, agents, or employees. Unless appealed as permitted below, a fine must be paid by the unit owner to the Association within thirty (30) days of the citation and assessment of the fine. If the owner fails to pay or appeal a fine within thirty (30) days after the fine is assessed, the fine shall be deemed a common expense chargeable against the owner’s unit and a late fee assessed. In the event of unpaid monetary fines, the BOD has the following rights. (By-Laws Article VIII, Section 3A & 3B)

A. To enjoin, abate, or remedy by appropriate legal proceedings, the continuance of any such breach, and all costs thereof, including attorneys’ fees, shall be paid by the responsible unit owner or tenant on demand;

B. To recover in the same manner as unpaid common expenses, any damages, expenses, costs, attorneys’ fees, and fines (except fines for which an appeal to the BOD is pending or for which the appeal period under By-Laws Article VIII, Section 3O has not expired) assessed against an unit owner by the Association as a result of any violations of the Declaration, By-Laws, administrative rules and regulations or any statute, ordinance, or applicable requirement of any governmental entity.

APPEAL OF FINES

Any citation or fine may be appealed. (Marco Polo By-Laws Article VIII Section D)

FEE SCHEDULE

Use of Freight Elevator (Refundable Deposit)	\$50.00	(C-14)
Registration.....	\$40.00	(G-3)
Fob Replacement/Addition.....	\$50.00	(G-4)
Late Maintenance	\$50.00	(G-5)
Returned Check.....	\$30.00	(G-5)
Aloha Room Deposit.....	\$200.00	(C-3)
Unit Lock Out	\$20.00	(A-4)

Storage Rooms (in garage).....	\$50.00 per month
Parking Stalls (rented to owners).....	\$70.00 per month
Storage Room (for bicycles, watercraft, etc.).....	\$10.00 annually

