

MARKETS GATE PROPERTY OWNERS' ASSOCIATION

RULES AND REGULATIONS (July 2018)

85 CUMBERLAND ST.
CHARLESTON, SC 29401

Professionally Managed by:

PENCO MANAGEMENT CO.
654 COLEMAN BLVD. SUITE 101 MT. PLEASANT, SC 29464
(843) 352-2365
MANAGEMENT@THEPENINSULACO.COM

In order to create a safe and pleasant environment that is respectful of the concerns of our owners, these rules and regulations have been adopted by the Market's Gate Association Board of Directors. They apply to owners and their families, tenants, guests, agents, contractors and employees.

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EXTERIOR

General Appearance

The principal objective of establishing architectural control is to ensure the structural integrity and the attractive and consistent appearance of the buildings and grounds. In addition to the specific requirement of this article, care must be taken to insure that window treatments and furnishings visible from the building exterior do not violate these objectives.

A. Windows

1. No "For Sale", "For Rent", "Open House" signs or other advertising material will be permitted in any unit or on any part of the condominium property.
2. No sports banners, flags of any kind, political signs, or any other printed materials are permitted.
3. No modification to windows or exterior doors such as tinting, obstructing, installation of screens, etc.

B. Balconies

Unit owners and tenants will keep balconies clean and neat and must comply with the following:

1. Furnishings are limited to weather resistant outdoor furniture, accessories and potted plants.
2. Furniture, potted plants and other items should be well secured so they will not blow or fall during our frequent windy conditions. **Balconies must be COMPLETELY CLEARED when hurricane warnings are posted.**
3. Hanging items of any kind on walls, overhead, columns, posts and rails are prohibited. These items include, but are not limited, to: flags, banners, signs, clothing, rugs, mats, towels, ornamental items, lights, etc.
4. No awnings, projections, umbrellas or privacy screens are permitted.
5. No gas or charcoal grills or any grill that requires a flame shall be used on the balcony. No hot surface may be in direct contact or close proximity to any flammable material.
6. Debris / trash should not be thrown from the balconies.
7. Absolutely **NO SMOKING OR VAPING** permitted on balconies

COMMON AREAS

A. General Provisions

Common areas include the driveway, elevator, elevator lobby, hallways, ramp, side-yard, and stairwells.

The roof, crawlspace, water closet and storage room are **NOT** common areas and shall not be accessed by anyone without prior permission from the management company or its subcontractors.

1. Absolutely **NO SMOKING OR VAPING** permitted anywhere in the building, including inside individual units, balconies, common areas or on any of the building property which is property line to property line including the Cumberland sidewalk (Bank fence to Trott House). Owners are responsible for the actions of their guests and tenants. Should there be a violation of this provision, a \$250 fine will be issued to the owner. A second offense by the same owner, guest or tenant will incur a fine of \$500, and may be cause for eviction by vote of the board of directors.
2. Areas should be used for no purpose other than normal transit.
3. No personal items, posters or notices should be placed or stored on any part of the common areas.
4. Common areas shall not be used as play areas or for loitering.

B. Obstructions and Storage

There will be no obstruction of the common elements, nor will anything be stored outside the units without the prior consent of the Board of Directors.

C. Additions, Alterations and Appearance of Common Area

No appurtenant alterations, additions or improvements may be made to the common elements without prior consent of the Board of Directors or such committee established by the Board. This includes, but is not limited to decorations, doormats, holiday or religious items, and wall hangings in common area corridors.

CONTRACTORS

Prior to beginning any work (emergency and single repair projects that require no more than a couple of hours are exempt) at Market's Gate, owners and contractor personnel should read and understand fully the rules and regulations specified below.

1. BOD approval must be obtained, permits issued and owners must schedule work with the building manager a minimum of 48 hours prior to the start of any work.
2. All contractors must be licensed, have a general liability insurance policy with a minimum of \$1M liability insurance. A Certificate of Insurance must be provided to

management with Market's Gate HPR and Penco Management shown as an additional insured prior to work.

3. Work hours are 9:00 AM to 5:00 PM Monday through Friday. Saturday work (9:00 AM-4:00 PM only) requires special permission from management.
4. Contractors must schedule use of elevator with management in advance to ensure protective covers are installed to prevent damage. Use of the elevator by contractors requires a \$50.00 payment for Penco representative to install elevator moving pads.
5. Materials or equipment are not to be stored in common areas, storage room(s), stairwells, halls, balconies, or elevator.
7. Any loud construction work must be specifically scheduled with the manager 48 hours in advance so that management can notify other owners.
8. The fire alarms are very sensitive. CARE MUST BE TAKEN TO AVOID SETTING OFF A FALSE ALARM. Spray painting, sanding or similar work can cause the alarm to go off. PROTECTIVE MEASURES MUST BE TAKEN AND THE MANAGER MUST BE NOTIFIED PRIOR TO THE START OF ANY WORK THAT HAS THE POTENTIAL FOR CREATING AN ALARM.
9. Smoking or Vaping is not allowed anywhere in the building.
10. Workers are not permitted to bring pets on the property.
11. Owners are responsible for any damage and fines that may be caused by the contractors they employ.
12. All on-site work for a unit owner must be accomplished within the unit or a designated workspace.
13. Contractors must use the side door or rear stairs for access to the building. The doors may not be propped open for any period of time.

ELEVATOR

A. Everyday Use:

Owners, lessees and guests are all are required to follow the posted instructions for operation. Owners are responsible for the actions of their guests and tenants. A second offense by the same owner will incur a fine of \$500.

B. Moving:

Owners, occupants and their agents must notify management 48 hours in advance of the need for appropriate pads to protect elevators when moving furniture or equipment. See MOVING IN/OUT & DELIVERIES section below.

GUESTS

1. All guests must abide by building rules.
2. Residents and tenants are responsible for their guests' behavior.
3. Residents who plan to have live-in guests during an absence must notify the Manager in writing of guests' names and duration of stay. Specific names and times must be given along with contact information.

LEASING OF UNITS

A. Lease Term

All leases must be for a term of no less than one (1) month. Lessee must abide by all conditions and restrictions specified in regime documents.

B. Business Use

Tenants' use of the premises shall be for single family residential purposes only. No business shall be carried on, unless the business is incidental to primary residential use. It may not violate any applicable law or involve any signage or advertising of the unit as a place of business, or involve any visits from clients.

C. Timesharing

Units may not be used for or subject to any type of vacation time sharing plan or be leased or rented for periods of less than one (1) month.

D. Notification of Association Management

1. The owner shall notify the Management Agent in writing (email acceptable) of a new tenant's:
 - a. move in date
 - b. name(s) of all occupants
 - c. phone contact number(s)/email addresses
 - d. beginning and end dates of the lease
2. A copy of the lease, including any renewal leases or addenda must be provided to Management.

E. Compliance with Rules and Regulations

The owner is responsible for tenants' compliance with all Association Rules and Regulations and should supply a copy to every renter. Additional copies may be requested by contacting Penco Management at (843) 352-2365 or by email: management@thepeninsulaco.com.

NOTE: Owners can obtain information regarding the SC Landlord/Tenant Act online at www.sc.gov/landlord

MOVING IN/OUT & DELIVERIES

1. An owner/tenant must schedule move-ins and move-outs with Penco Management at least one (1) week in advance. Contact the management company with your move date at (843) 352-2365 or by email: management@thepeninsulaco.com.
2. A deposit of \$300.00 is to be made with Penco Management one (1) week prior to move. \$250.00 will be returned within five (5) days upon inspection of common area walls, trim, handrails, doors etc. for damage. Any costs to repair damage as a result of the move will be deducted from the deposit.
3. The \$50.00, non-refundable portion of the deposit will pay for a Penco representative to install elevator moving pads, inspect the common areas before and after the move and provide general assistance with parking and access to the building.
4. Owners/tenants should rent a parking meter bag(s) from the city of Charleston to reserve the metered space(s) in front of the building for moving trucks, and notify the moving company. The website link to rent a meter bag is below. They can be picked up at 180 Lockwood Blvd. on the 2nd floor. (843) 724-7375

www.mygovhelp.org/charlestonsc/_cs/RequestOpen.aspx?sSessionID=&rqst=96
5. Use of the front stairway is prohibited for moving furniture except for units 9, 10, 18, 19 when necessary. Due to its narrow width and tight turns, the front stairway will not accommodate large objects. Please use the rear stairway. It is wider, safer, and accommodates large items.
6. The elevator capacity is limited to small/medium size furniture and must comply with weight limits posted in the elevator. Market's Gate will provide moving pads for the elevator.
7. Please deposit your move-in boxes in the recycling bins. All boxes should be broken down. Recycling instructions are posted above the bins. Large trash items that will not fit in the dumpster must be removed from the property or placed on the street in the area designated for city pick-up.
8. Moving hours are 9:00 a.m. to 5:00 p.m. Use of the Market's Gate designated parking place must be arranged in advance with Penco Management, and use for more than 1 hour during a move is prohibited. Violators may be subject to towing at owner's expense.

NOISE

1. Loud noises can easily disturb others in a multi-family residence. It is important, therefore, that the noise level of televisions, stereos, musical instruments, talking, etc. be kept at a reasonable level at all times, including on balconies and in hallways.
2. Any noise disturbance should be reported to the Manager for corrective action. If, after a first warning, the disturbance persists, a fine of \$250 will be issued to the owner for each occurrence.
3. Any excessive noise after 11pm should be reported to the local police.

FIRE SAFETY

1. The fire alarms are very sensitive. CARE MUST BE TAKEN TO AVOID SETTING OFF A FALSE ALARM. Please do not open your door to “air out” your unit while cooking. This will set off the alarm for the entire building. Should an alarm be triggered due to negligence, and the fire department notified, the owner may be charged a fine of up to \$250.
2. If the fire alarm triggers, please quickly evacuate the building, and do not re-enter the building until the fire department deems it safe.
3. Please do not remove the automatic door closers on your unit door. These are for fire safety in the case of an emergency.
4. All smoke detectors in the common areas and individual units MUST REMAIN IN PLACE AND ACTIVE, tested regularly, batteries replaced regularly, and must not be tampered with in any way.
5. Clean your dryer vent and auxiliary dryer fan (in the wall) upon EVERY dryer use.
6. Should you see or hear anything with the fire safety system that seems out of the ordinary (beeping, broken sensor, leaking sprinkler, etc) please contact the manager immediately.
7. In case of emergency dial 911.

PARKING

The parking space, located on the West side of the building in front of the trash locker, is to be used for loading and unloading only. Vehicles left in this space for more than 20 minutes will be towed at the owner/tenant's expense. There is city designated Loading Zone immediately in front of the building which, if available, may be used for a limited period of time, and is regulated by the City of Charleston.

PETS

A. Permitted Pets and Their Registration

1. Up to two (2) normal household pets owned and under the control of owners and their guests are permitted. Reptiles, large dogs, and other animals deemed dangerous by the BOD's discretion are not permitted. Pets of contractors/workmen are not allowed anywhere on the premises.
2. All pets must be in compliance with local ordinances regarding registration and inoculations, proof of which may be required.
3. Tenants are NOT PERMITTED to have pets of any kind in the building. This privilege is restricted to owners only.

B. Pets and the Common Areas

1. Dogs or other pets are not allowed in any common areas unless carried or on a leash. (Common Areas include but are not limited to hallways, stairwells, elevators, and lobbies) No animal may be left unattended, even if tethered.
2. Pet owners whose animals soil or damage any of the common areas, neighboring properties, or public areas are responsible for immediate clean up and/or repair. Violators of this clause are subject to a \$250 fine.

C. Pet Noise/Nuisance

1. If a pet is making excessive noise, exhibiting aggressive behavior or in any other way bothering residents, the matter should be reported to the Manager. The owner must immediately correct the problem or be subject to fines and/or removal of the pet from the premises.

SALE OF UNITS

A. Lockboxes

A lockbox may be attached in an inconspicuous location near the exterior side door. No lockboxes are permitted on the individual doors in the common area hallways.

B. Real Estate Showings

Owners must arrange for their agent to access the building for showings. Please note, that the building does not have adequate parking and real estate agents will have to park off site. Parking in the on-site parking space is prohibited.

C. Open Houses

Public open houses are prohibited. Agent open houses are permitted by invitation only. Management must be notified in writing (email accepted) at least 48 hours in advance.

D. Sold Units

Prior to, or upon sale of a unit, current owners should provide a copy of the rules and regulations to the new owner. Upon sale of a unit, Management must be immediately notified in writing (email accepted) of the purchaser's name, contact address, contact phone number, email address and closing date/move in date. New owners should be reminded to review the moving instructions in the Master Deed/Rules packet they receive prior to closing. Move in fees described above apply.

SECURITY

Security is the shared responsibility of everyone who lives at Market's Gate. All residents are urged to follow security guidelines. Notify Management of any suspicious persons or unusual activity within the property. There is no soliciting.

A. Access Codes

1. Personal access codes should never be given out.
2. Do not admit any strangers. All visitors must be admitted by their hosts.

3. PLEASE DO NOT use your access code or remote to open a door for any non-resident/guest. Residents' cooperation is necessary to ensure the security of all.

B. Access to Units/Keys

1. The Manager's office holds a master key to each unit for emergencies. Additionally, a copy of the master key to the building is located in the secure Knox Box outside of the building which gives the fire department access in the event of a fire or medical emergency.

2. Should you wish to have your unit re-keyed, you must contact the Manager and provide three (3) copies of your key. If an owner re-keys their unit and does not provide a key, the owner may be charged to gain access in the case of an emergency.

3. Please carry both the building and unit keys with you at all times. In the event of a power failure, the exterior door keypad will not work and you will need the front/side door keys to access the building. Should you need an extra copy of the front/side door keys, please contact management. A fee of \$25 will be charged for lost keys.

4. Should you find yourself locked out of your unit during normal business hours and a manager is available to come out and let you in, there will be a service charge of \$150. If after normal business hours, you must contact a locksmith in order to gain access to your unit. Lock outs are not considered a maintenance emergency. It is a good idea to leave a copy of your key with a trusted neighbor for emergencies.

5. Manager or Staff will not enter your unit without prior consent, due notice, or unless an emergency is suspected.

C. Burglar Alarms

Owner/residents with individual security systems should have a backup telephone number for the alarm company to call in case the alarm activates. The backup person should have the password, alarm code and house key in case the resident cannot be reached. Should Management have to tend to a burglar alarm event, a charge of \$150, plus \$30/hr will be assessed to the owner.

D. Deliveries

1. Deliveries can be received at the front door of the lobby/Mail Room. Any package left in the common area for more than 2 days will be returned to sender.

2. UPS and FedEx have special building access codes and can leave packages at your unit door if you wish. USPS uses the parcel lockbox in the mail lobby.

3. The building manager is not responsible for lost or returned packages.

F. Vacant Units

1. Notify Management if your unit will be vacant for an extended period of time.

2. Position the main electrical breaker and the water heater breaker in the OFF position.

3. Adjust HVAC temperature controls before departing: In the summer, set system to COOL at 78 degrees F or lower. In the winter, set HEAT to 62 degrees F or higher.

TRASH

1. No trash, garbage or other waste shall be left on or in balconies, corridors, storage rooms, stairwells or garage areas.

2. Boxes should be broken down before disposal. All items must be placed inside the trash container. Do not leave any items next to the dumpster. Please close and lock the gate when done.