



**BRISTOL HARBOUR VILLAGE ASSOCIATION (BHVA)  
RULES AND REGULATIONS  
Revised August 2024**

### **Purpose of the Document**

Welcome to the Bristol Harbour Village (BHV), a community overlooking picturesque Canandaigua Lake. The primary purpose of this document is to clarify the vision, mission, and values of BHVA's governing board (as stated below) and outline the rules and regulations that define the expectations of its residents for safe and healthy living.

### **Role of the BHVA's Governing Board of Directors**

#### **Our Vision**

To foster a highly desirable community that is attentive to the needs of its residents and provides a relaxing, healthy, and enjoyable lifestyle for work, recreation, and play while conserving the stunning surroundings of this chosen spot which is a crown jewel among the nation's great scenic places.

#### **Our Mission**

To manage the affairs of BHVA by establishing policies and guidelines, assuring maintenance of property and facilities, preparing annual budgets with recognition of its fiduciary responsibility and serving as a liaison to developments and other entities for the purpose of ensuring conformance and cooperation with village guidelines with the intention of benefiting all village residents.

#### **Our Five Basic Values**

- 1) Responsibility and accountability - assume the responsibility for all board actions and decisions, and remain accountable to the community
- 2) Integrity - uphold honesty and forethought in all matters before us
- 3) Service - consider it is a privilege to serve and represent our community
- 4) Respect - know that trust demands respect for those we serve
- 5) Communication - realize that open communication builds trust and confidence within the community

This document publishes, in abbreviated form, the principal agreements, and rules and regulations of the Bristol Harbour Village Association (BHVA). By virtue of residence at Bristol Harbour, all homeowners, including short and long-term renters, agree in advance to observe the agreements, rules and regulations, by the act of purchasing or leasing property subject to the BHVA Offering Plan. These rules and regulations created appropriate agreements, conditions, and restrictions to maintain a pleasing environment in which to live, and to assure consistency and uniformity amongst the residents.

Adherence to these rules and regulations is the responsibility of all BHV homeowners, tenants, and guests as they provide a standard for maintaining BHV as an outstanding community where residents may enjoy living and where property values are protected. The rules and regulations are intended not to restrict BHV residents, but to clarify our collaborative role in the community in which we live, and are for our mutual benefit, by insuring pleasant, orderly, and sanitary surroundings.

In addition to the BHVA's rules and regulation, individual condominiums and homeowners' associations may have separate documents and guidelines pertaining specifically to their buildings or homes. Contact your homeowners' association for further information.

#### **Residential Agreements**

No professional services or home industry work may be conducted in any residential area without prior



approval of the BHVA Board. In addition, within the Town of South Bristol's zoning restrictions, the use of a single-family house for more than one family, or use of a structure other than the principal dwelling (house) for residential purpose(s) is/are not allowed without prior written approval from the Town of South Bristol.

### **Amendment Process**

The BHVA board and its Environmental Committee (EC) have full powers to construe and interpret the provisions of the BHVA offering plan; hence they can amend (or decline to amend) any of the foregoing rules and regulations, provided the result is not in clear conflict with the Offering Plan, the By-Laws, or state and local laws.

The By-laws may be altered or repealed at any annual or special BHVA Members' meeting by a two-thirds majority vote of the total members belonging to the BHVA, provided the result does not violate the Offering Plan.

### **Enforcement Provisions**

All owners, renters, and tenants accept BHVA's rules and regulations by the very act of buying or renting at Bristol Harbour. The BHVA board and its committees have the right to enforce BHVA's rules and regulations and assess penalties for violations. For additional information, see APPENDIX D - Schedule of Penalties. The BHVA Board and its Committees may exercise judgement on a case-by-case basis before assessing penalties, however, in accordance with the Offering Plan, BHVA's decision to not enact a penalty "shall in no event be considered a waiver of the right to do so thereafter..."

The Management Company, BHVA Board and its Committees have the following remedies available for violations of regulations. Below is a list of remedies that may be employed to encourage compliance with BHVA regulations:

- The Management Company shall send a Violation Letter to the Owner who has violated regulations. Depending on the infraction, the Violation Letter may stipulate a fine and/or penalty as indicated in APPENDIX D – Schedule of Penalties. Any fine levied shall be paid within 14 calendar days of receipt of the Violation Letter or it shall be added to the BHVA account for the affected unit(s). The letter will offer violators an opportunity to request a hearing before the Board; the request must be made to the management company within 7 days of receipt of the letter.
- The Management Company may prohibit the violating Owner from filing an Environmental Committee Application as well as their guests, family members and/or Renters from using BHV facilities, amenities, common areas and/or roads.
- The Management Company may enter the property where the affected unit is located to remedy a violation; all costs incurred by the BHVA and/or Management Company to correct the issue(s) shall be billed back to the applicable Owner that is in violation. Should these costs not be paid within 14 calendar days after they are billed, they shall be added to the BHVA account for the affected unit(s).
- Owners who are 30 or more days in arrears may be subject to suspension of their BHVA Access Cards, exclusion from BHVA facilities, loss of eligibility to vote, a lien, lawsuit, or even a forced sale of the Property or Unit. For more information contact the management company.

Other factors and/or circumstances may be taken into consideration by the BHVA Board and its committees based upon the severity of the non-compliance infraction(s), how often the owner/violator is in non-compliance with the Rules and Regulations, and to what means, procedures and punctuality the Owner has demonstrated to rectify past infractions. Refer to APPENDIX D for penalties that may be imposed.

### **Environmental Committee (EC)**

The EC is a committee that reports to the BHVA Board of Directors. Its responsibilities pertain to the exterior appearance and use of lots, structures, and modifications to them. The EC fulfills its responsibilities by



following the dictates of the Declaration and the Board, promulgating its own rules, and considering requests for variances submitted by lot owners. Before starting any new construction or remodeling project, consult the EC documents and your Homeowners' Association documents (if applicable) for further information.

### Definitions

**BHVA** - Bristol Harbour Village Association is the governing body for the BHV. The BHVA Board of Directors is composed of nine members who address issues facing the Bristol Harbour community and its residents and guests. The Board holds one annual and additional community meetings as needed. Additionally, the Board meets regularly at the Community Center and/or virtually to conduct Board business; Owner/Resident attendance at these meetings is by invitation only.

BHVA maintains a website: <https://www.bristolharbourvillage.org> and publishes a community newsletter called "The Villager", which is sent electronically to residents, along with other communications and announcements through the Constant Contact email service. Please contact the management company to be added to this distribution list. Additionally, the website contains the most up-to-date rules, regulations and documents that both current residents and potential homebuyers will need.

**BHVA Office** – The Office is located in the Community Center at 30 Golfside Circle adjacent to the Sport Courts and Playground and is staffed by the management company Monday – Friday 8:30am-4:00 pm. Please call (585) 424-1540 for any questions or to schedule an appointment. Use the same number for emergencies; your call will be answered by a 24/7 answering service.

**BHV** – The term Bristol Harbour Village, or BHV, refers to our community, including the lakeside condominiums, townhouses, single-family houses, the lakefront beach and elevator, the community center, the playground, sport courts, the recycling center, and all the common areas. BHV owns and maintains all of the roads, bridges and some of the parking lots within the community as well; these are Private Property of the BHVA.

**Community Center** - The Bristol Harbour Community Center (BHCC) is located at 30 Golfside Circle across from the tennis/pickleball courts. The Community Center's goal is to promote recreational, social, and educational activities for BHV residents. See APPENDIX A for information on access to the center and what the center provides along with facility rental forms.

**Environmental Committee (EC)** - The EC is a committee of residents who oversee and suggest approval for new construction and projects that change the exterior of their BHV property. An EC rules and regulations document is available on the BHVA website that outlines the approval procedures for new construction, and exterior changes to a residence. Owners must become familiar with the EC rules and submit an EC application for such projects. Work may not begin before receipt of EC. EC decisions are subject to, but do not require, approval by the BHVA board.

**Guests** - refer to invited visitors staying or calling on a resident or homeowner. Be aware, the number of guests allowed at a resident may be restricted by the homeowner association (HOA) rules. Residents are responsible for the appropriate conduct and safety of their guest(s) while visiting BHV.

**Homeowner/Owner**- refers to the owner or owners of condominiums, townhouses, and single-family houses and includes the children living at those residences.

**HOA** - refers to Home Owners' Associations. The various homeowner associations are shown on the BHVA website. BHVA is the umbrella HOA that regulates the entire community; its rules and regulations pertain to all properties in the community. There are Street and Building HOAs that regulate various properties in addition to BHVA that may have additional rules and regulations pertaining to that specific condominium, townhome, or freestanding homes on that street.

**Management Company** – Our current property management company is Kenrick Corporation, on contract to manage the day-to-day operations of BHVA. Their responsibilities include, but are not limited to,



overseeing BHVA finances, snow removal, maintenance and mowing of common areas, beach, elevator, etc. Kenrick's main office is located at 3495 Winton Place, D-4 Rochester, NY 14623. Kenrick Corporation's office hours are Monday – Friday 8:30 am to 4:00 pm. Their office in BHV is at 30 Golfside Circle, Canandaigua, NY 14424 in the Community Center with office hours by appointment only. Please call (585) 424-1540 for any questions. Use the same number for emergencies; your call will be answered by a 24/7 answering service.

**Kenrick Corporation Team** - Your team can be reached by calling (585) 424-1540 for any questions. Use the same number for emergencies; your call will be answered by a 24/7 answering service.

**Kayak Racks and Docks** - The kayak racks South of the BHV Beach (South of the fence) and dock slips North of the BHV Beach (North of the elevator) are operated independently by Jeremy and Cathy Fields. For seasonal boat slip rental, contact Bristol Harbour Marina at (585) 789-0015.

**BHVA Kayak Racks and Loaner Program** - The kayak racks on the BHV Beach provide loaner kayaks, free of charge, for all BHV Residents that have signed Loaner Program Rules and Waiver Forms. These forms must be filed annually for every person (not just for a household) intending to use one of BHVA's kayaks. Forms and Rules can be found in APPENDIX E and on the BHVA Website:

<https://www.bristolharbourvillage.org/forms-documents>

or with the Beach Attendants when they are on duty. Forms on file and lifejackets are required for each individual kayak user. The kayak loaner program is not open to Short Term Renters.

Based on experience with this Program since inception, and the risk level of these activities, unfortunately, the Board has found it necessary to institute **finer for noncompliance: 1st Violation \$250, 2nd Violation \$500, 3rd Violation Loss of Beach Access for the season.** Refer to APPENDIX D for the complete Schedule of Penalties that may be incurred for violations of BHVA Rules, including this Program.



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**Rules for the topics below can be found in the Environmental Committee Rules and Regulations (ECRR) document:**

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APPENDIX A: Bristol Harbour Community Center (BHCC) Overview, Rules and Regulations

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APPENDIX E: BHVA Kayak Loaner Program Rules and Forms

APPENDIX F: BHVA Short Term Rental (STR) Program Rules and Forms (contained in separate document)



**ANIMALS** (Also see PETS and WILDLIFE). ***For any in-process animal emergency please call 911 and notify the management office as soon as possible.*** No animals may be kept or housed at Bristol Harbour for commercial purposes. The BHVA board may limit the type and number of personally housed animals. Domesticated animals and pets may not run free; they must be leashed in accordance with the New York State leash laws and under control of their owner at all times. Residents of BHV may not keep on the premises an animal which constitutes a nuisance to other residents or behaves in any way injurious or threatening to the common property, residents, tenants and/or guests of the BHV. Property Owners having animals that cause repeated incidents will be subject to penalties; refer to APPENDIX D for penalties that may be incurred.

Because the BHV is situated in a rural area, occasionally wildlife animals may become a problem. Since the BHV staff and Board do not have the authority, training, or expertise to assist animals in need or remove nuisance or deceased wildlife, and since such actions are highly regulated, residents should refer to the resources available on the Ontario County Humane Society website:

<https://www.ontariocountyhumanesociety.org/animal-control>.

**ANTENNAS** – Exterior television or radio antennas, and/or outside wiring of any type shall not be attached to buildings or placed anywhere in the common area(s) without prior written EC and BHVA approval. The size and location of antennas can be restricted by the Environmental Committee. See the EC Rules and Regulations for allowable locations.

**BBQ GRILLS** – Propane-fueled BBQ grills are located on the Beach and at the Community Center for Residents’ use during the summer months. Please be sure to turn off the propane tank valve after use and clean the grill surface of any food residue. Please notify the management company if you find the propane tank low or out of fuel. ***Renters may not use the propane grills at the Beach or Community Center at any time.***

**BEACH RULES** –Your cooperation in making the beach and waterfront at Bristol Harbour a pleasant and safe place for all residents and guests is essential by knowing and observing the following:



Refer to APPENDIX D for penalties that may be incurred.



**BICYCLES** – Bicycles are not permitted on tennis courts, sidewalks, pedestrian paths, the elevator walkway, or any other applicable walkways.

**BOATS and BOAT TRAILERS** – Boats and boat trailers may not be stored outside, in the marina garage, or parked anywhere in the BHV without approval from the property manager. Permission forms are available at: <https://www.bristolharbourvillage.org/forms-documents>.

**BULLETIN BOARDS** – Residents and BHV organizations may post information pertaining to community events and “for sale” items. BHVA reserves the right to screen and/or remove any information posted at or on the bulletin boards that is deemed inappropriate.

**CHARGES, FEES, MONTHLY ASSESSMENTS and FINES -**

1. Monthly payments are due and payable on the first day of each month to management agent. Assessments not received by the 15<sup>th</sup> of the month will be subject to a \$25.00 late charge for developed Lots and a \$9.75 late charge for undeveloped lots. Likewise, unpaid Fines shall be added to the BHVA account of the Violation Address.
2. Owners who are 30 or more days in arrears may be subject to a lien, lawsuit, loss of vote, exclusion from BHVA facilities, or even a forced sale of the Property or Unit. For more information contact the management company.
3. Homeowners will be held liable for all costs associated with collection of delinquent monthly assessments.

**COMPLAINTS** – Complaints must be submitted in writing to the property manager.

**CONDOMINIUMS** – See individual condominium association documents for more information.

**CONSTRUCTION** – See EC document for STRUCTURES.

**DIGGING** – Any and all exterior excavation is prohibited, unless previously approved, in writing, by the EC and the BHVA board.

**DISTURBANCES** – See NOISE.

**ELEVATOR** – Flammable substances, like gasoline and propane, are not allowed in the elevator. Smoking is also not allowed in the elevator at any time.

**FIREARMS and FIREWORKS** – The discharge of firearms or other weapons, or use of fireworks of all types and kinds in and/or upon BHV property is strictly prohibited. Violators are subject to BHVA penalties as well as New York State and Ontario County laws.

**FIRE PITS** – BHV provides Fire Pits both at the Community Center and on the Beach. Fires directly on the beach surface are not allowed. However, residents may use the Fire Pit located near the beach storage shed at the sluiceway. Residents must request use of Fire Pits by filling out the form on the BHVA Website:

<https://www.bristolharbourvillage.org/forms-documents>

at least three days in advance and observe the following:

1. Only residents are allowed to use the Fire Pits. *Renters may not use or reserve the Fire Pits, and their Renting Unit Owner may not reserve Fire Pits for them.*
2. The resident is responsible for the Fire Pit from start to finish and for cleaning up the area when finished. BHVA provides a supply of wood for the Fire Pits at the Community Center and Beach.
3. Fire Pits can be used from 6 pm to 10 pm only.
4. Noise and talking around Fire Pits should be kept at a low level.
5. Glassware and/or glass bottles, are not allowed on the Beach, or while using the Beach Fire Pit.
6. The resident must use water (not sand) to extinguish the fire before leaving.





7. The following morning, the resident must return the Beach Fire Pit to the beach storage shed.
8. If there are repeated problems and/or complaints from other residents, future requests from the offending resident to use the Fire Pits use will be denied.

**FIRES** – BHV homeowners, residents, and guests are not permitted, for any cause or reason, to burn trash, brush, or leaves on BHV property. Use of the Fire Pits is permitted by residents only with prior notification to the BHV office. (Also see FIRE PIT and BEACH RULES). Single family home residents may have a fire pit on their property. For the well-being of other residents, safety procedures when using a personal fire pit are expected to be followed.

**ACCESS CARDS** - BHV has invested in an Access Card system that allows residents access to our amenities and facilities. Each homeowner will receive 2 Access Cards that permit access to the Recycling / Refuse Facility, Community Center, Fitness Center, Titus Room entrance, and Pedestrian Bridge to the Elevator. If the property is used for Short Term Rentals, one additional limited capability Access Card is issued for their Renters to use that permits access to the Recycling / Refuse Facility, and Bridge to the Elevator. Note that the Owners of Short Term Rental properties are not permitted to loan their full capability access card(s) to Renters. If a homeowner loses an Access Card, a replacement Access Card may be obtained from the management office for a charge of \$40. Access Cards must be returned to the management company when a resident sells their property. If the selling resident does not return the Access Cards, they will be deactivated, and the new property owner will be charged \$40 per Access Card. Unauthorized use of Access Cards may be subject to penalties; Refer to APPENDIX D for penalties that may be incurred.

**GARAGE SALES** - To avoid numerous garage sales throughout the year, BHVA sponsors an annual community-wide sale. This one-day spring sale is an opportunity for residents to sell unwanted household items in conjunction with the well-advertised BHV event. During this one-day event, owners of single-family homes can sell items either at their residences or at tables set up at the Community Center. Residents in the condos and townhouses should bring their sale items to the Community Center. Follow the "Villager" newsletter for the annual sale date. Although individual/private sales are not allowed, a homeowner can request an exception via the BHVA office, subject to BHVA Board approval.

**GARBAGE, RECYCLING, TRASH and YARD WASTE** – BHVA strongly encourages maximum use of your sink disposal unit or EC approved composter. Any garbage, trash, and/or refuse that cannot be disposed of in this manner should be placed in tied plastic bags and stored out-of-view on the resident's property in a location protected from wildlife until it is taken to a Refuse and Recycling collection point. Renting Unit Owners must inform tenants of their collection point(s) and the rules for use. Note that in the Spring and Fall, BHVA provides yard waste disposal dumpster(s) at the Community Center. Residents need to make their own arrangements for off-cycle disposal of yard waste.

Your monthly BHVA Assessment Fee includes Trash and Recycling removal. Residents are to deposit trash in the BHVA Refuse and Recycling Facility adjacent to the Community Center, or at their building's collection point(s). These facilities are emptied bi-weekly by BHVA's refuse contractor. Curbside pickup at your home or unit is not provided. Large amounts of trash or trash and debris from construction projects need to be taken to the Town of South Bristol Transfer Facility. (585) 374-6341. Recycling is available only at the Refuse and Recycling Facility adjacent to the Community Center. In addition to these Rules, please follow the guidance on the posted signs in these facilities.

1. When in doubt, throw it out. If you have a mix of trash and recyclables that cannot be separated easily, please discard it as trash in the Trash Compactor chute or at your building trash collection points. It doesn't hurt to have some recyclables disposed as trash, however, disposing of trash as recyclables is a Violation of rules.





2. Sink Disposers: To avoid food odors which can attract vermin to trash collection areas, as much soft garbage as possible should be put down the kitchen sink disposal unit. (Also see SINK DISPOSER). EC Approved Composters may be used to complement sink disposal units.
3. Garbage, Trash, and Other Refuse shall be placed in the Trash Compactor chute in the BHV Refuse Facility, or disposed of in accordance with the various Condominium Trash Disposal procedures. Common household trash must be placed in tied plastic bags. Larger items that fit through the Trash Compactor chute or in your building's trash collection point(s) may be disposed of without bagging, providing they do not clog the chute or entry to the collection point(s). Do not leave or donate large items in the Refuse and Recycling Facility ... this is a Violation.
4. Recyclables shall be placed in the appropriate containers located in the Refuse and Recycling facility adjacent to the Community Center<sup>1</sup>. Acceptable recyclables shall include, but not be limited to:
  - Plastic, glass, non-refundable (emptied) bottles and cans, metal containers, newspapers, magazines, junk mail, catalogs, office paper, and telephone books may be placed loosely in the designated bins.
  - Cardboard boxes must be emptied (with all packing materials and contents removed), broken down, flattened and placed in the designated cardboard bins.
  - Deposit (refundable) cans and bottles must be emptied and not contain any foreign objects (e.g. cigarette butts, paper, other trash), then may be donated by placing them in the designated receptacles. The 5¢ collected from each deposit bottle and can is used to fund recreation activities in the community.
5. Heavy items such as appliances, old carpeting, bed frames, construction waste, or brush shall not be disposed of in BHVA's refuse collection points. Contractors working on BHV property are not permitted to use the homeowner's entry card for the Refuse and Recycling Center. Furthermore, these facilities are monitored with video cameras. Homeowners found abusing the Refuse and Recycling facilities will be identified, charged for the cost of removal and cleanup, and may be subject to penalties imposed by BHVA leadership and the management company. Hazardous materials (ex: gasoline, solvents, batteries, tires, aerosol cans, etc.) shall not be placed in any BHVA trash facility. Refer to APPENDIX D for penalties that may be incurred for abuse of these facilities.
6. Homeowners shall be responsible for arranging for disposal of any items too large to fit in or not accepted by the BHV Refuse and Recycling facilities. Most such items may be taken to the Town of South Bristol Transfer Station on Middlebrook Rd. in South Bristol. This facility is available to Town of South Bristol residents with a Town Resident Sticker (available from the Town Hall) affixed to your vehicle. Transfer Station information can be found at:

<https://www.southbristolny.org/transfer-station/>.

**GOLF CARTS** - Only legally licensed drivers shall be permitted to operate golf carts in the parking areas and drive on the roadways of/in the BHV. Any resident, homeowner, guest, and/or person found operating a golf cart without a valid license will be given a warning for the first offense. Repeated offenses will be subject to penalties. Refer to APPENDIX D for penalties that may be incurred. Golf carts shall not be driven on common lands where new lawn is being grown.

**HUNTING and TRAPPING** - Hunting and/or trapping is not permitted on any property within BHV.

**INSURANCE** - The BHVA board is responsible for providing insurance for the Village as specified in the Declaration section of the Offering Plan. Accordingly, the board secures a master policy, premiums for

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<sup>1</sup> Note: the only collection point for recyclables is in the Recycling Center next to the Community Center.



which are paid from the homeowner's monthly assessments.

1. The homeowner's personal property should be insured by the unit owner.
2. A homeowner's liability must be covered by their own insurance to provide protection for accidents, property damage and/or injury that may occur within their home or unit. Any resulting legal action on the homeowner's property is not covered under the BHV master policy.
3. Requirements for contractors to conduct work within the BHV are as follows: Commercial General Liability insurance with BHVA and street HOA (if applicable) named as an additional insured, Auto Liability insurance on all vehicles, proof of Worker's Compensation insurance if the contractor has employees, and an executed Hold Harmless Agreement. See the Environmental Committee Variance Application form for the required coverage limits, insurance certificate example, and Hold Harmless Agreement template.
4. If a homeowner knowingly solicits/employs an independent company/contractor without insurance coverage, the homeowner shall assume responsibility for and against all damage and/or injury claim(s) that may arise from such companies/contractors employment.

**MOTORCYCLES and MINIBIKES** - Unlicensed motorcycles and minibikes are not permitted for use on BHV premises. See also VEHICLES. Refer to APPENDIX D for penalties that may be incurred.

**NOISE** - If the disturbance(s) is being caused directly by a resident, guest, or renter, an attempt should be made to settle the problem(s) in a neighborly fashion. Disturbances of the peace which cannot be settled on a friendly basis between neighbors/renters and/or guests should be reported directly to the Ontario County Sheriff's Department at (585) 394-4560 or by calling 911. Whenever possible, when reporting problems, obtain whatever information you can reasonably acquire, such as name of the offender, unit or house number of offender, description of the animal or person(s), license number of vehicle(s) or motorcycle(s), date and time of disturbance/violation, and witnesses. If available, photos and/or videos of the violation in process can be very helpful in assessing responsibility.

**PARKING and ROADS** – Please understand that all roads and parking lots within the BHV are Private Property of the BHVA, giving the BHVA the right to control and regulate all aspects of their use, as well as the responsibility to maintain them. Passenger cars may operate on BHV roads and park in BHV parking lots and condominium parking decks, subject to the speed limit of 15 MPH. Drivers must obey stop signs and other traffic signs erected in/on BHV roadways in accordance with the New York State traffic laws. Private trucks, recreation vehicles, and boat trailers may operate in the BHV only on essential business and may not park for extended periods more than 5 days (Also see VEHICLES).

1. Parking on BHV roadways is not allowed from November 1<sup>st</sup> through April 15<sup>th</sup>. Residents must not exceed the maximum off-street parking capacity of their home or unit on a regular basis. Infrequent street parking for parties, guests, domestic workers and contractors is permissible on an exception basis, however, consistent use of street parking is not permitted.
2. No long-term (more than 5 days) outdoor parking or storage of vehicles is permitted in the BHV without specific written permission/approval by the BHV resident manager. No repairs to motor vehicles shall be made in any roadways, driveways, or parking areas, except for emergency repairs.
3. Speeding and careless driving on BHV property will not be tolerated. All homeowners should remind the drivers in their family and their guests to obey all traffic signs and the 15 MPH speed limit of the BHV parking areas and roadways.
4. Tampering with, removal, defacement or damage of traffic and speed signs or speed bumps is a criminal act of vandalism and will not be tolerated. Furthermore, driving on the lawn to avoid speed bumps is strictly forbidden.



5. For all Prohibited Vehicles (see VEHICLES), approval of the BHV property manager must be obtained, after which a signed and dated parking tag will be issued for the vehicle, valid for no more than 5 days. The tag must be displayed on the vehicle for the approved timeframe. At the end of the timeframe, the parking tag must be returned to the management office and the vehicle removed.

Violators of the Parking, Roads and Vehicle rules will be subject to penalties. Refer to APPENDIX D for penalties that may be incurred.

**PESTICIDES** - The application of commercial grade pesticides are not permitted on BHV premises without prior written approval from the BHVA Environmental Committee (excluding pesticides that do not require DEC and NYS permits such as Round-Up and Turf Builder). It is highly recommended that only Lake Safe chemicals are used.

**PETS** - Pet owners must complete and submit a Pet Registration form for each pet housed within the BHV. The form can be found online at:

<https://www.bristolharbourvillage.org/forms-documents>

Having a pet is privilege granted providing the Property owner abides by these BHVA regulations. When an owner does not meet these responsibilities, the privilege to keep a pet may be revoked. All pets housed within BHV must be tagged commensurate with Town of South Bristol code.

Furthermore:

1. All pets must be leashed when on common areas. The resident is responsible for policing after his/her pet.
2. Pets may not be tied, leashed, or chained to any part of the common area(s).
3. Any damages to common areas and other residents' property caused by a pet will be the responsibility of the owner. The owner will be held financially responsible for all damages.
4. No doghouses, dog runs, or other pet structures are allowed on common areas. Electronic invisible fences are restricted to the homeowner's property and not allowed on BHV common area.
5. Animals/pets are to be kept only as domestic pets. Pets and animals cannot be used for any commercial purposes, including, but not limited to, breeding for sale, research, or experimentation.
6. It is the obligation of pet owners, day or night, to immediately scoop up the pet's defecations and dispose of it properly. Pet Stations are provided for convenience of the residents and are located:
  - Behind the marina parking deck between condo buildings 1 and 2
  - Opposite condo building 3
  - Opposite condo building 4
  - Opposite condo building 5
  - Behind the lower parking deck of building 4
  - Spyglass Hill and Vardon Drive intersection
  - Golfside Circle and Hillside Drive intersection
  - On Golfside Circle near the tennis courts
  - Lakewood Trail and Bristol Harbour Boulevard intersection
  - Spyglass Hill and Harbour Drive intersection
  - At corner of Bristol Harbour Blvd. and Medalist Lane
7. Unleashed pets are not permitted in/on the playground area(s). No pets are permitted on any of the Sport Courts.



8. Owners may use the elevator to bring their leashed pets down to the lower level for access to the marina only. No pets are permitted on the beach for any reason.
9. If any animal/pet causes or creates a nuisance, or unreasonable disturbance or noise, the pet owner must correct the problem immediately.
10. Any homeowner observing a violation of these pet rules should discuss the infraction in a neighborly manner with the pet owner. If the violation not corrected voluntarily, report the incident to the BHVA property manager.

If the property manager and/or the BHVA board determine the complaint is justified, penalties will be assessed. Refer to APPENDIX D for penalties that may be incurred.

#### **PICKLEBALL and TENNIS**

- Courts are available to Residents and their Guests 9 AM to dusk, and to Short Term Renters 3 PM to dusk. Guests must be accompanied by their hosting Resident while using the courts. Proper etiquette for Pickleball and Tennis shall be followed at all times.
- All players must wear appropriate court shoes or sneakers in order to preserve the quality of the court surface. Shirts must be worn at all times when occupying a court.
- The Recreational Committee may reserve the courts for special tournaments or round robins which will be advertised in the Villager and/or posted in advance in notices on the courts and BHV bulletin boards.
- The Pickleball and Tennis courts are for the purpose of playing Pickleball and Tennis only. No other activities are permitted on these courts.
- Glass containers and pets are prohibited on the Pickleball and Tennis courts.

**PIPES** - With the exception of hoses and moveable irrigation pipes, no above ground pipes are permitted.

**PLAYGROUND RULES** - The following rules are to be observed and practiced by all whom use the playground area:

1. Adult supervision for children less than 12 years of age is required.
2. Fighting, pushing, hitting, pulling, or obscene language is not allowed.
3. Throwing of rocks, mud, sticks or sharp objects is strictly prohibited.
4. All individuals using the playground area are to stay within the designated play area(s). Playing of any kind in the parking lot is strictly prohibited.
5. Rollerblades, bicycles, scooters, motorized scooters, and skateboards are not allowed on the Community Center walkway. (Also see BICYCLES).
6. Use of the playground after dusk without adult supervision is not permitted.
7. If any violation of these rules shall occur, the individual(s) involved may be asked to leave the playground area.

**PLANTS** - The Environmental Committee makes rules for the preservation of BHV plants, hedges, trees, and bushes. See the EC for additional information. (Also see EC document for HEDGES AND PLANTINGS and TREES).

**POLES** - No poles or wires are permitted to be installed without prior written Environmental Committee approval.

**RECYCLING** – (See GARBAGE and TRASH) All recyclables must be taken to the recycling center near the Community Center<sup>2</sup>. Acceptable recyclables shall include, but not be limited to:

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<sup>2</sup> Note: the only collection point for recyclables is in the Recycling Center next to the Community Center.



1. Plastic, glass, and metal containers may be placed together in the recycling bins.
2. Newspapers, magazines, junk mail, catalogs, office paper, and telephone books may be placed loosely in the designated bins.
3. Cardboard boxes must be emptied, broken down, flattened and placed in the cardboard dumpsters.
4. Inside the Recycling Center is a box for donating refundable cans and bottles. The 5¢ collected from each bottle and can goes to fund recreation activities in the community. Please donate your refundable bottles and cans.

Refer to APPENDIX D for penalties that may be incurred for abuse of these facilities.

**RENTALS** - Prior to renting, owners shall read and agree to comply with the Town of South Bristol Rental Laws and the BHVA Rental Policy as well as their individual street or building homeowner's association for specific rules regarding rentals, and then must register and receive approval to rent as a Renting Unit Owner with the management company. The responsibility for complying with Town of South Bristol Rental Laws, BHVA Rules and Regulations, the BHV Offering Plan(s) and street or building HOA documents reside with the Renting Unit Owner. See APPENDIX F: BHVA Short Term Rental (STR) Program Rules and Forms (provided in a separate document) for more information, also located on the BHVA website:

<https://www.bristolharbourvillage.org/forms-documents>

Renting Unit Owners are responsible for the actions of their renters and tenants including their compliance with all BHVA, HOA and Rental Rules and Regulations. Penalties or special assessments arising from the actions of renters/tenants will be levied against the Renting Unit Owner. Refer to APPENDIX F: BHVA Short Term Rental (STR) Program Rules and Forms (provided in a separate document), for the approval process and penalties for noncompliance.

**SINK DISPOSER** - (Also see GARBAGE) Maximum/normal use of the kitchen sink garbage disposers are encouraged to minimize food odors in trash dumpsters that may attract woodland animals. It is important that owners point out these procedures to tenants and house guests. Composters not visible from the street may be installed as a complement to Sink Disposers, with approval from the BHVA EC.

**STORM SEWERS** - BHVA owns and maintains the storm sewer system. All water entering the storm sewer system eventually makes its way to the lake. Please use Lake Friendly chemicals when washing your vehicle(s) or applying chemicals to your lawn. Do not leave or pile yard waste in the gutters or streets ... it will not be picked up and will plug the storm sewers leading to storm water backup and the potential for flooding.

**TENNIS** - See PICKLEBALL

**TRAILERS** - See VEHICLES

**TRASH** - (see GARBAGE and RECYCLING) Trash is collected at the condominium trash sheds and Refuse & Recycling Center adjacent to the Community Center. Note that the only BHV collection point for Recyclables is in the Refuse & Recycling Center. All trash, garbage and refuse which cannot be flushed through the sink disposal must be placed in tied plastic bags and taken to one of the collection points. Owners must inform tenants of the collection point for the unit they occupy. Larger items that fit in the Condominium trash receptacles or Trash Compactor chute may be disposed of without bagging.

For large volumes of Trash, Construction Waste or Construction Material Storage, written approval is required by the Environmental Committee and individual Homeowner Associations prior to placement of dumpsters or storage containers on your property. Heavy items such as appliances, old carpeting, bed frames, construction waste, or brush are not permitted to be disposed of in BHVA's refuse collection points.



The unit owner and/or contractor is responsible for such removal. (Also see GARBAGE). Access to the Refuse & Recycling Center requires an Access Card. Contractors working in the BHV are not permitted to use the homeowner's entry card to access or use the Refuse & Recycling Center for any reason. Refer to APPENDIX D for penalties that may be incurred for abuse of Refuse and Recycling facilities.

**TREES** - The BHVA board and the Environmental Committee may make rules for preservation of trees and other natural resources; especially trees over 6" in diameter and other selected trees. Trees may not be cut without written BHVA Environmental Committee's authorization. All stumps visible from the street must be cut and trimmed down to ground level. After a 15-day written notice, the BHVA may trim and prune plantings on any lot if they are unkempt, obscure traffic, or are otherwise detrimental to adjoining properties, billing the cost back to the Owner.<sup>3</sup>

The trees lining the BHVA cliff below Cliffside condominiums are on condominium, BHV property, or marina property. Their environmental role in holding together the shale-covered cliff is paramount. Next in importance for the Village, as a whole, is their landscape function of hiding the condominium bases from view of boaters, swimmers, and neighbors at Seneca Point, across the lake, and next door. The document constitutes a long-term environmental strategy. It is balanced and seeks to preserve and enhance the attractiveness of our natural surroundings, while still maintaining lake views for residents. This is accomplished by a program of periodic professional environmental attention, to be reviewed each year. The trees are culled if necessary, their side branches pruned and / or trimmed, and supplemented by low-height soil retaining plantings. This planned overall approach is based on professional advice of experts such as Ontario County Soil and Water Conservation District. Individual owners of condominium units may not trim any trees themselves. Comments or complaints should be addressed to the appropriate individual condominium associations.

**TV CABLES** - (Also see ANTENNAS) Like other utilities, television cables run through easements through BHV, condominium and private property. The cable television company's personnel have the right to enter these easements to erect or maintain the cables, junction boxes, and cable accessories. Cable and telephone lines for the condominiums are in the chase ways and are not accessible to service representatives after 4:30 pm on weekdays or all day on weekends. For access to private property, the cable company needs permission from the property owner.

**VEHICLES** - In accordance with the definition and /or description in the Vehicle and Traffic Law of the State of New York, only legally registered, non-commercial vehicles shall be permitted to use the parking areas and roadways of the BHV.

Legally registered, non-commercial vehicles include:

- Passenger cars
- Suburban and station wagons
- Vans
- Pick-up trucks
- Motorcycles

Prohibited vehicles include (but are not limited to):

- Boats
- House trailers, campers, and RVs
- Tractors and trailers

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<sup>3</sup> Anything growing over your property line, whether in the ground (roots) or in your air (branches) belongs to you and you have the right to trim it. You could, however, be responsible to your neighbor if your actions kill the tree. It is the responsibility of the homeowner to work with their neighbor on a resolution. The association does not have authority over this matter.





- Buses (excluding school buses operated by a third party with incidental usage of the roadways)
- Dump trucks, delivery trucks, and commercial vehicles exceeding 1 ton payload capacity
- Un-registered vehicles
- Vehicles with “For Sale” signs
- Vehicles with flat tires or on “blocks” or ramps.

At a homeowner’s request, the Property Manager may issue a permit to allow a BHV homeowner the right to park a prohibited vehicle on BHV premises in a location to be designated by the Property Manager and for a period not to exceed 5 days. A signed parking tag must be obtained from Kenrick Corporation and displayed on the vehicle for the timeframe (not to exceed 5 days). A BHVA Boat, Boat Trailer or Prohibited Vehicle Form can be obtained on the management company's website. All vehicles permitted on BHV property must be equipped with properly functioning mufflers in compliance with local and state laws. No unlicensed operator shall operate a motor vehicle or golf cart anywhere on the BHV property. Refer to APPENDIX D for penalties that may be incurred.

**WEAPONS** - See FIREARMS & FIREWORKS Provisions of New York State, Ontario County, and the Town of South Bristol laws also apply.

**WILDLIFE** - In keeping with BHVA’s goal of enhancing leisure time enjoyment through natural surroundings, some of our rules protect the local wildlife, which is an integral part of those surroundings. In accordance with DEC recommendations, residents are urged to revere the “original inhabitants” of our environment and not feed the local wildlife.

## APPENDIX A: Bristol Harbour Community Center (BHCC) Overview, Rules and Regulations

For use by Residents, their Family Members and Guests; Short Term Renters Excluded



### BHCC Mission Statement and History

***“The Bristol Harbour Community Center (BHCC) is to be used to promote recreational, social, and educational activities for residents of Bristol Harbour Village (BHV).”***

In October 2006, the community voted to construct the current 5,650 square foot BHCC to replace the 2,200 square foot Caprini Center which BHV had outgrown. The current BHCC officially opened September 2, 2007. Today, the center serves as a place for community meetings and events, recreational activities, family gatherings, and educational programs.

#### **THE FACILITY**

The BHCC is a smoke-free building that offers a free Wi-Fi Internet connection. For a username and password, see the information placard located on the table in the Founder’s Library. The BHCC provides the following facilities for the enjoyment of BHV residents:

*On the main level:*

The Bernice J. Caprini Great Hall, located on the first floor, is a 29 x 20 foot room with the capacity to hold 50 people for meetings and parties. It has a cathedral ceiling, oversized stone-gas fireplace and large windows with sweeping vistas of the hills and the lake. The hall is suitable as a gathering place for the community, or a reading and relaxing area with full access to bathrooms and a kitchen. Furniture is arranged to promote socialization and should be replaced to its original position after use.

The Titus Meeting Room, also located on the first floor, is a 24 x 20 foot room with the capacity to hold 72 people for large meetings, family gatherings, and educational forums with full access to bathrooms and an adjacent kitchen.

The Kitchen is 75 square feet and contains an oven, a microwave, a refrigerator, and a dishwasher. It is designed to be a staging area for serving food.

The BHVA Office of the resident property manager and/or administrative assistant. Residents may visit the office and these personnel by appointment only.



The Lavatory Facilities - Male and Female lavatories are easily accessible from the outside for convenience of residents and guests using the Pickleball and Tennis courts, Basketball court, and the Picnic Area.

*On the second floor:*

The Fred W. Sarkis - Founder's Library is a loft area contains a comfortable reading area and a library maintained by the residents with shelving for numerous fiction and non-fiction books donated by the residents. Checkout and return of books is on an honor system. Donations of newer and "best-selling" books are always accepted.

*On the lower level:*

The Fitness Center is a 700 square foot room with an entry card access system. Equipment provided for residents includes:

- Treadmills, Elliptical machines, recumbent bike, upright bike, TV
- Strength training station, stretching area and dumbbells
- Residents receive authorization to use the Fitness Center by completing and submitting a Fitness Center Application and Informed Consent Waiver (see APPENDIX B) to the management office.
- Authorized Residents are required to sign in and out in the Visitor's book and clean equipment after use.
- Please wear appropriate workout clothing and footwear. No bare feet are allowed. No gear or shoes should be left behind.

All of the equipment in the Fitness Center is provided by BHVA for the use of all Authorized Residents. It must remain in the Fitness Center; borrowing of this equipment is not permitted.

The Richard Booth Youth Center is located in the center of the lower level. This room functions as a social center for both the youth of our community as well as adults, in addition to serving as a craftwork area. It contains ping pong, pool and foosball tables, a video game center, and a TV. All of the items in the Youth Center are provided by BHVA for the use and enjoyment of all Authorized Residents. It must remain in the Youth Center; borrowing of this equipment is not permitted.

The Multipurpose Room is a 400 square foot room designed for group exercise lessons and other multipurpose uses. It can also serve as a meeting area, a workroom, or lounge.

The Lavatory Facility contains:

- 1 unisex bathroom
- 1 male shower/locker room
- 1 female shower/locker room

The Outside Grounds, just outside the community center, provide:

- a basketball court,
- a kids playground,
- a volleyball/badminton net,
- Adirondack chairs and Fire Pit,
- picnic tables / BBQ grill, Tennis and Pickleball courts and a Car Wash hose.

#### **RESPONSIBILITY FOR AND ENFORCEMENT of BHCC RULES**

The Owner is responsible for ensuring all family, members of their household and guests observe and comply with the BHCC rules and regulations and the directions of the staff. In the event there is a Violation of Rules, refer to APPENDIX D: Schedule of Penalties. Children under the age of 16 must be supervised by an adult while in the BHCC. BHVA is not responsible for lost or stolen items in the BHCC or elsewhere on BHVA property.

#### **MANAGEMENT OF THE COMMUNITY CENTER**

The BHVA Board of Directors and the management company are responsible to oversee the center's Rules and Regulations, Hours of Operation, Rental Fees, Room Reservation Calendar, Equipment Acquisition and



Replacement, Exterior Building and Grounds, and Maintenance and General Upkeep of the Facility.

### **ACCESS to the COMMUNITY CENTER, FITNESS CENTER, and the RECYCLING CENTER**

The Community Center is monitored by a security system. This security system includes the use of video cameras recording activities in and outside the Community Center, in the trash room, elevator, beach, and marina.

### **ADMITTANCE PROCEDURES**

Community Center Main Entry: Hold your entry card up to the reader, which is located next to the double door. The security lock will be released and you will be able to pull the door open.

Community Center Entry at Titus Room: Hold your entry card up to the reader, which is located next to the door. The security lock will be released and you will be able to pull the door open.

Fitness Center Entry: Enter through the main door or the Titus Room. Hold your entry card up to the reader, which is located next to the door. The security lock will be released and you will be able to pull the door open.

Refuse and Recycling Center Entry: Enter through the Refuse and Recycling Center's main door. Hold your entry card up to the reader, which is located next to the door. The security lock will be released and you will be able to open the door.

### **USE or RENTAL of COMMUNITY CENTER SPACES**

Requests for reservations can be taken up to one year prior to the date of use. Short Term Renters may not reserve or use this facility; additionally, the property Owner of the rented property may not reserve this facility for their renters. Residents must be in good standing and current with all dues, fees and assessments to rent the facility. Refer to APPENDIX C for the complete BHCC Rental Package.

#### Procedure for Use or Rental

- Use the Reservation Application found in APPENDIX C of these Rules or obtain one from the BHVA Community Center Rules & Forms on the BHVA website:  
<https://www.bristolharbourvillage.org/forms-documents>.
- Use/Rental requests will be confirmed by phone or e-mail within 7 business days excluding weekends and holidays.
- Reservations will be finalized only after required forms are submitted and all fees and deposits have been paid.

Payment and Deposit Information – Payable to BHVA and sent to: BHVA c/o Kenrick Corporation, 3495 Winton Place, D-4, Rochester, NY 14623. Certain Community and Board events use the facilities free of charge. Private events are charged the following fees:

- The Bernice J. Caprini Great Hall - \$50.00 for 4 hours, \$90.00 for 8 hours
- The Titus Meeting Room - \$50.00 for 4 hours, \$90.00 for 8 hours
- Combination Bernice J. Caprini Great Hall and Titus Meeting Room - \$75.00 for 4 hours, \$140.00 for 8 hours

#### Security Deposit Fee

The responsible Resident will be held financially responsible for all breakage, damage or clean-up expense resulting from their event. A Security Deposit Fee of is \$250.00 is required; refundable if the conditions of the Use/Rental are met. Damages exceeding \$250.00 will be billed to Renter. Conditions that lead to withholding part or all of the Security Deposit include, but are not limited to, the following:

- Clean up is not completed as outlined in the facility rules and regulations.
- Use of the room exceeds the scheduled time.
- The number of persons attending the event exceeds the maximum number listed in the application.
- Trash and/or Recyclables remain after your event.



If a Kenrick staff member has to be called in for any purpose relating to a rental, there will be a \$100/hour fee which will be deducted from the Security Deposit Fee.

There will be no fee or Security Deposit required for use of the center for qualified residents' events such as Neighbor's Night, community clubs, educational forums, and general interest activities for residents. Meeting dates, however, will be subject to availability. Although there is no charge for these events, a valid Resident must sponsor the event and be responsible for any damage/clean-up that may occur.

Cancellation/Refund Policy:

Once the reservation request has been accepted and date(s) confirmed, a reservation may be cancelled commensurate with the following refund policy:

- 100% Security Fee Refund
- 100% Rental Fees Refund Prior To 30 Days
- 50% Rental Fees Refund Within 30 Days of Start of Rental Period

All requests for cancellation must be submitted in writing to the management company. If fees are required, checks should be made payable to the BHVA. Two separate checks need to be submitted at the time of application for rental. One check will be for the rental fee and the other check will be for the \$250.00 Security Deposit Fee.

**RULES FOR COMMUNITY CENTER USERS**

Short Term Renters may not reserve or use this facility; additionally, the property Owner of the rented property may not reserve this facility for their renters.

Community Center spaces are allocated on a first come, first serve basis. Times and days reserved by the Board or for Community Events take first priority, after which, the first party receiving an approved reservation request, whether paid-for or complimentary, will be guaranteed use of the facility. Although Residents with valid access cards may enter the facility at any time, set-up may not begin until the reserved and paid-for day(s) and time(s). Set-up time as well as clean-up time should be factored into the occupation time requested. Should extensive set-up or cleanup time be needed, additional day(s) should be booked (and paid-for if a fee is charged).

Facility users are responsible for cleaning the reserved room/rooms. The facility should be clean upon arrival; if it is not, please contact the management company immediately. Adequate cleaning is defined as leaving the facility in the same or better condition than it was prior to use. Users will be given a clean-up Checklist from the BHVA office (see APPENDIX C); cleaning equipment is provided. All trash must be properly bagged, sealed and taken to the Refuse and Recycling Center, located at the entrance to the Community Center parking lot. A valid Resident entry card will allow access to this facility.

Furthermore:

- No lighted candles, open flames, or helium filled balloons are permitted in the building.
- Damage from any food or beverage spill will be assessed and charged to responsible user.
- No equipment/furnishings may be removed from the building at any time.
- Do not attach decorations to either the exterior or interior walls. Posters or signs should be free standing.
- All personal items and decorations must be removed at close of the event; this includes any decorations or signage placed on road signs or mailboxes.
- No smoking, no sale of alcohol (alcohol is permitted to be brought in, but not sold), and no pets are allowed inside the center.
- All lights should be off, the fire place must be turned off, and assure that the key card accessed doors lock behind you as you exit.

The following Holidays are not available for bookings: Memorial Day weekend, July 4th weekend, and Labor Day weekend.



## **FITNESS CENTER RULES AND REGULATIONS**

The hours of operation are 5:00 am to 10:00 pm., all days of the week.

### Access

Enter through the main door or the Titus Room. Hold your entry card up to the reader, which is located next to the door. The security lock will be released and you will be able to pull the door open.

### Fitness Center Application and Informed Consent Waiver

Prior to being allowed to use the BHCC Fitness Center a Fitness Center Application and Informed Consent Waiver (see APPENDIX B) must be signed and returned to the management office, after which the resident's entry card be activated to permit entry to the Fitness Center.

### Rules and Regulations

- Residents must have valid entry card to enter the Fitness Center and sign the sign-in sheet upon entry.
- Proper workout attire is required, e.g.:
  - No street clothes; they are not proper workout attire.
  - No denim shorts or pants.
  - No open-toed shoes or bare feet.
  - No loose-fitting jewelry.
  - Shirts and athletic shoes must always be worn.
- When others are waiting to use the equipment, you are limited to 30 minutes.
- Wipe down all equipment after use. Paper towels and liquid cleaner are provided.
- Report any broken equipment to the management office (585) 424-1540.
- Leave the machine in start-up position for the next person.
- No food or drink allowed in the Fitness Center other than water bottles with lids/waterproof closures.
- No pets are allowed in the Fitness Center.
- Children under 16 years of age must be supervised by a responsible adult while using the facility.
- There is a phone located in the Richard Booth Youth Center for emergencies only.
- When leaving the Fitness Center, and no one else is using the room, please turn off the lights.

### **RICHARD BOOTH YOUTH CENTER**

- Children under the age of 16 must be supervised by a responsible adult.
- Appropriate behavior is required at all times. Behavioral issues and/or abuse/damage to the facility and/or its equipment are subject to penalties that will be levied against the responsible Property Owner (refer to APPENDIX D: Schedule of Penalties).

### **COMMUNITY ACTIVITIES**

The Bristol Harbour community schedules events for its residents, many of which are held at the Community Center. A typical (but not guaranteed) list of BHVA events follows:

- |                     |                     |                        |                             |
|---------------------|---------------------|------------------------|-----------------------------|
| • Neighbors' Night  | • Ladies' Luncheon  | • Memorial Day Bonfire | • Meet the Candidates Night |
| • Easter Egg Hunt   | • Bridge Club       | • Annual Garage Sale   | • Pickleball Tournament     |
| • Fitness Classes   | • Oktoberfest       | • Bristol Daze         | • Wine and Beer Tasting     |
| • Food Truck Events | • Ice Cream Socials | • Moonlight Paddle     | • End of the Season Party   |





## APPENDIX B: BHCC Fitness Center Application and Informed Consent Waiver

### BHVA FITNESS CENTER APPLICATION

Owner's Name \_\_\_\_\_ DOB \_\_\_\_\_

Family Member \_\_\_\_\_ DOB \_\_\_\_\_

Family Member \_\_\_\_\_ DOB \_\_\_\_\_

Family Member \_\_\_\_\_ DOB \_\_\_\_\_

Family Member \_\_\_\_\_ DOB \_\_\_\_\_

Owner's Email \_\_\_\_\_

Address \_\_\_\_\_

Cell Phone \_\_\_\_\_

Other Phone \_\_\_\_\_

Emergency Contact \_\_\_\_\_

### BHVA FITNESS CENTER INFORMED CONSENT WAIVER

I, the undersigned, wish to use the Fitness Center at the Bristol Harbour Community Center. I certify that I am physically able to participate in exercise activities. I have a reasonable basis for this opinion due to examination and/or consultation with my physician. I also certify that I will use good judgement while exercising and will not overexert. I recognize that I am responsible for knowledge of my own state of health. I realize that any time one engages in physical activity there are inherent dangers. I, therefore accept any and all responsibility and assume risk of any and all injury or damage to my person which may arise, whether directly or indirectly, as a result of my participation in the fitness program, or as a result of the prescriptive advice I receive, I hereby release and hold harmless from any liability, whatsoever, the BHVA, as well as its affiliates, directors, officers, employees and representatives. I also agree to abide by the rules and regulations as established by the BHVA with the understanding that violation of such rules may result in withdrawal of my privilege to utilize the fitness facility or engage in the prescribed fitness program. I certify that I understand and agree to the contents of this waiver.

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**APPENDIX C: Bristol Harbour Community Center (BHCC) Rental Agreement**

30 Golfside Circle, Canandaigua, NY 14424

Management Company Contact: [achristoff@kenrickfirst.com](mailto:achristoff@kenrickfirst.com)

Renting Resident's Information:

Name: \_\_\_\_\_

BHV Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Today's Date: \_\_\_\_\_ Start Date Requested: \_\_\_\_\_

Organization: \_\_\_\_\_

Type of Function: \_\_\_\_\_

Max # of Attendees: \_\_\_\_\_ Duration of Use (hours): \_\_\_\_\_

**Important Rules:**

- Vehicles of any kind are **NOT** allowed to be driven on the Community Center walkway
- Helium Filled Balloons prohibited
- Food in the Caprini Great Hall prohibited
- Max # of Attendees must not exceed the Fire Limit of the BHCC

**SECURITY DEPOSIT: \$250.00 (MUST BE SEPARATE FROM the RENTAL CHECK)**

Refundable if conditions of rental are met:

- Clean up completed
- Time of use is met
- Number of attendees did not exceed as stated above
- This is a carry-in and carry-out facility. Do not leave trash or recyclables behind

**RENTAL FEES: (MUST BE SEPARATE FROM the SECURITY DEPOSIT CHECK):**

<u>Bernice J. Caprini Great Hall:</u>	4 hours: \$50.00	8 hours: \$90.00
<u>Titus Meeting Hall:</u>	4 hours: \$50.00	8 hours: \$90.00
<u>Combination Great Hall and Meeting Hall:</u>	4 hours: \$75.00	8 hours: \$140.00

**Cancellation:**

- 100% Security Fee Refund
- 100% Rental Fees Refund Prior To 30 Days
- 50% Rental Fees Refund Within 30 Days of Start of Rental Period

***CONFIRMATION of AVAILABILITY of DATE(s), RECEIPT of SECURITY DEPOSIT CHECK and RENTAL CHECK REQUIRED to HOLD YOUR RESERVATION***

Renting Resident's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Management Company Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Amount Received: \_\_\_\_\_ Date: \_\_\_\_\_



## Bristol Harbour Community Center (BHCC) Clean-up Checklist

### KITCHEN

- Empty refrigerator and freezer of liquids, foods, ice, etc. Do not leave bags of ice in the freezer.
- Wipe countertops and sink.
- Mop/sweep floor.
- If used, clean stove and microwave.
- Remove all belongings from premises including trash and recyclables. Do not leave recyclables in the building.

### GREAT ROOM AND MEETING ROOMS

- Return all tables and chairs to original positions.
- Wipe down all tables.
- Do not store chairs in the closets.
- Mop/sweep floors.
- Empty all trash and recyclables.
- Remove/clean up all decorations.

### BATHROOMS

- Wipe down sinks.
- Mop/sweep floors.
- Flush toilets.
- Empty trash.

### OUTSIDE OF FACILITY

- Clean up any refuse and decorations left outside including front porch and grounds.
- Pick up and dispose of cigarette butts and pet excrement.
- Place benches and rocking chairs in original positions.
- If the grill has been used, brush off the gratings, and if the gas tank is low or empty, please notify the management company.



## **Bristol Harbour Community Center – Notice to Residents**

The Bristol Harbour Community Center has been rented by one of your neighbors for a special occasion today.

Please be considerate of the attendees and if you were planning on enjoying one of our community rooms today, please stop by another time. Weather permitting, the fitness center can be accessed by the exterior basement door.

As you know, the events that we hold at the Community Center add to our ability to provide you with all of the amenities that this building provides:

- Library
- Meeting Rooms
- Sitting Rooms
- Youth Center & Fitness Center

Thank you for your consideration.



### APPENDIX D: Schedule of Penalties

To encourage compliance with the BHVA Rules and Regulations, Property Owners may be fined for violations. BHVA’s Board of Directors has adopted this Penalty Schedule, effective immediately until changed by action of the Board of Directors. Any violation by an Owner, Tenant, Invitee, Guest, or Unit Occupant shall, at the Board’s discretion, be subject to the following Penalties:

Violation	1st Violation	2nd Violation	3rd Violation	4th Violation
<b>Refuse and Recycling Facility Violations</b>	Violation Letter	\$100	\$250	Loss of Refuse and Recycling Facility Use for 12 Months
<b>Unauthorized Use of Access Card</b>	Violation Letter	\$100	\$250	Abused Access Card Suspended for 12 Months
<b>Community Center and/or Fire Pit Violations</b>	Violation Letter	\$100	\$250	Community Center Access Suspended for 12 Months
<b>Parking Abuse or Violations</b>	Violation Letter	\$100	\$250	\$500
<b>Pet Violations in the Community</b>	Violation Letter	\$100 to \$250	\$250 to \$500	Mandatory Disciplinary BoD Hearing
<b>Golf Cart or Unauthorized Vehicle Violations</b>	Violation Letter	\$250	\$500	Mandatory Disciplinary BoD Hearing
<b>Speeding</b>	Violation Letter	\$250	\$500	Mandatory Disciplinary BoD Hearing
<b>Pets on the Beach</b>	Violation Letter	\$250	\$500	Loss of Beach Access for Season
<b>Refusing to Sign in at Beach</b>	Violation Letter	\$250	\$500	Loss of Beach Access for Season
<b>Disrespecting or Abusing BHVA Employees</b>	Violation Letter	Loss of Beach Access for Season		
<b>Kayak Loaner Program Violations (refer to Appendix E)</b>	\$250	\$500	Loss of Beach Access for Season	
<b>Failing to Follow the Instructions of BHVA Employees</b>	\$250	\$500	Loss of Beach Access for Season	
<b>Circumventing Beach Access Gate (e.g. climbing over, using tools, etc.)</b>	\$250	\$500	Loss of Beach Access for Season	
<b>Unit Rental Violations</b>	Refer APPENDIX F: BHVA Rules for Owners Renting Their Residences (in a separate document)			
<b>Damaging BHVA property</b>	Responsible Property Owner shall be assessed the cost to repair damages, forfeit the use of all BHVA amenities for 12 months, and incident will be reported to Ontario County Sheriff for potential Legal action.			

When a noncompliance occurs, the following steps will be taken:

- A Violation Letter will be sent to the homeowner via email and USPS detailing the infraction and applicable rule, along with a specific timeframe after receipt of the letter for rectification of the violation. Multiple Violations occurring within the same event will be considered separate Violations.
- A homeowner in receipt of a Violation Letter may contact the management office within 7 days of receipt of Violation Letter to request a Hearing before the Board to discuss the violation and/or penalty levied.
- **Any fine levied shall be paid within 14 calendar days of receipt of the letter. Unpaid fines shall be added to the Owner’s BHVA account of the Violation address. Accounts delinquent more than 30 days shall result in suspension of the Owner’s BHVA Access Cards and potentially a lien being placed on the property.**
- **Important:** Accounts on Autopay generally remit the standard monthly dues payment to BHVA. Payment of a fine added to an account requires a separate manual payment to be made electronically or by check.



## APPENDIX E: BHVA Kayak Loaner Program Rules and Forms

**Who can participate? *This program is NOT available to Short Term Renters of BHV properties.***

BHVA Residents whose accounts are current and their family and guests may participate **AFTER** registering by reading and signing the “KAYAK LOANER PROGRAM RULES ACKNOWLEDGEMENT AND WAIVER AND LIABILITY RELEASE FORM” **AND** returning to the management company as stated on the form.

**How does the Kayak Loaner Program work?**

Watercraft vessels may be borrowed daily from 7 AM to dusk, on a first-come-first-serve basis, in increments of two-hour blocks – each block starting on the odd hour. Additional information on hours of use is shown below.

**Why must I follow these Rules and fill out Forms? *And why are there fines for noncompliance?***

- a) Watercraft use is regulated by US Coast Guard (USCG) Rules and enforced by local law enforcement, who may challenge you if not wearing a lifejacket, being on the water after sunset, or unsafe or impaired boating.
- b) The potential for injury or death is present subjecting the entire community to risk and liability.
- c) The Board has observed that without significant consequences, a subset of our Residents ignore Rules.
- d) Considering the gravity of risk and liability, and experience with this program, the Board has instituted ***fines for noncompliance: 1st Violation \$250, 2nd Violation \$500, 3rd Violation Loss of Beach Access for the season.***

**What is the Procedure to Borrow Watercraft?**

- 1) Rules and Waivers – PRIOR to borrowing a vessel, each resident owner and any guests are required to register for the loaner program, meaning they have read and signed both the “Kayak Loaner Program Rules” and “Waiver and Liability Release Form”. These forms are on file at the management office located at the BHV Community Center, or the Beach Attendants (when on duty) or from the BHVA Website, or below in this Rules document.
- 2) **The responsible Resident (and a parent or guardian if any watercraft user is under the age of 18) MUST be present on the water or at the beach while their guests are using loaner vessels. RESIDENT OWNERS ARE RESPONSIBLE and LIABLE FOR THEIR ACCOMPANIED GUESTS.**
- 3) Sign-out sheet – Prior to launching the watercraft, the user must provide their name and address, confirmation of the completion of fully executed “Kayak Loaner Program Rules” and “Waiver and Liability Release Form” documents, and time of departure. Each person, including all residents and their guests must execute both forms PRIOR to borrowing any watercraft vessel.
- 4) Each Resident may have up to three guests per session. Upon return, users must record the time of return and note any damage; if damage is incurred, notify the management office immediately.
- 5) Life Jackets - All persons, regardless of age, must be wearing an appropriately sized, US Coast Guard approved life jacket prior to entering the water and until they are back on dry land ... **No exceptions. Life jackets must be worn and supplied by the users.**
- 6) When transporting the Kayaks or Paddleboards from the racks to the water, please do not drag the vessels across the ground; either carry or use the provided dollies. The Paddleboards are very susceptible to damage due to their extended keels.
- 7) Hours of Use - Starting on the odd hours of the day, up to 2 hours of continuous use. Hours of Use Example:
  - The first start time of the day is 7:00 AM
  - The first ending time is at 9:00 AM
  - Vessels must be returned by 9:00 AM and resting in the rack slot for the next user
  - If no one is standing by to use at 9:00 AM, the user may continue until 11:00 AM
  - If you start at 8:00 AM, you must return and have the vessel in the rack for the next user by 9:00 AM

Start Times		Ending Times	
7AM	until	9AM	Vessels must be resting in the rack slot for the next user, or verified handoff.
9AM	until	11AM	Vessels must be resting in the rack slot for the next user, or verified handoff.
11AM	until	1PM	Vessels must be resting in the rack slot for the next user, or verified handoff.
1PM	until	3PM	Vessels must be resting in the rack slot for the next user, or verified handoff.
3PM	until	5PM	Vessels must be resting in the rack slot for the next user, or verified handoff.
5PM	until	7PM or dusk	Vessels must be resting in the rack slot for the next user, or verified handoff.
7PM	until	9PM or dusk	These vessels are not lighted with navigation lights and must be off the water prior to dusk.

- 8) When finished with the vessel(s), return vessel(s) to appropriate rack space unless handing off to next user, and return Paddles to the designated storage location.
- 9) Complete sign-out sheet, including recording time of return.
- 10) BHVA’s loaned watercrafts ***are not lighted; USCG Rule 25 requires them to be off the water at sunset.***





## KAYAK LOANER PROGRAM RULES ACKNOWLEDGEMENT AND WAIVER AND LIABILITY RELEASE FORM

***Considering the gravity of risk and liability, and experience with this program, the Board has instituted fines for noncompliance: 1st Violation \$250, 2nd Violation \$500, 3rd Violation Loss of Beach Access for the season.***

Participant's Name: \_\_\_\_\_ Age: \_\_\_\_\_ Date: \_\_\_\_\_

Participant's Signature: \_\_\_\_\_

Participant's Parent or Guardian Signature (if participant is a minor): \_\_\_\_\_

Participant's Email: \_\_\_\_\_

BHV Resident or  Guest of BHV Resident

**If Participant is a Guest of a BHV Resident, the Responsible BHV Resident please complete the following:**

BHV Resident's Name: \_\_\_\_\_

BHV Resident's BHV Address: \_\_\_\_\_

BHV Resident Signature: \_\_\_\_\_

BHV Resident's Email: \_\_\_\_\_

In consideration of BHVA (and its heirs, employees, agents, successors and assigns) furnishing services and/or equipment to enable me to participate in canoeing, kayaking, and paddle boarding and any or all other related and/or secondary activities, I agree as follows:

I fully understand and acknowledge that (a) outdoor recreational activities have inherent risks, dangers and hazards and such exist in my use of canoes, kayaks, paddle boards and any or all outdoor equipment and my participation in canoeing, kayaking, paddle boarding and any/all related and/or secondary activities; (b) my participation in such activities and/or use of such equipment may result in injury or illness, including, but not limited to, bodily injury, drowning, disease, strains, cuts, fractures, wounds, partial or total paralysis, death or other ailments that could cause serious permanent disability; (c) these risks and dangers may be caused by the negligence of the owners, shareholders, employees, officers or agents of BHVA, the negligence of the participants, the negligence of others, accidents, breaches of contract, the forces of nature or other causes. Risks and dangers may arise from foreseeable or unforeseeable causes, including, but not limited to, weather, lake route location and water level, risks of falling out of or drowning while in a canoe, paddle board, or kayak and such other risks, hazards and dangers that are integral to recreational activities and the use of such equipment.

I hereby acknowledge and agree that, as a condition of using any canoe, kayak, paddle board or any other related equipment, I will wear an appropriately-sized, US coast guard-approved life jacket prior to entering the water and until returning back to dry land. **I acknowledge and understand that I am responsible for supplying and wearing any such life jacket while using such equipment and that one is not being supplied by the BHVA.**

I hereby agree that I am voluntarily participating in such activity and that I have been advised of the risks and hereby assume all risks and dangers and all responsibility for any loss and/or damages, whether caused in whole or in part by the negligence or other conduct of the owners, shareholders, agents, officers, or employees of BHVA, other guests or by any other person.

I, on behalf of myself and my heirs, personal representatives, successors and assigns hereby voluntarily release, waive, hold harmless, defend and indemnify BHVA, it's owners, shareholders, agents, officers and employees from any and all claims, actions or losses for bodily injury, property damage, wrongful death, loss of services or otherwise that may arise out of my use of canoes, paddle boards, and/or kayaks, and any other equipment, or my participation in canoeing, paddle boarding, kayaking, or any other activities.

I specifically understand that I am releasing, discharging and waiving any and all claims or actions that I may have



presently or in the future for the negligent acts or other conduct by BHVA and its owners, shareholders, agents, officers and/or employees.

I also understand and acknowledge that I am aware of the risks and hazards involved in participating in an activity involving a canoe, kayak or paddle board, as well as any associated activity, including, but not limited to, swimming, fishing, or exercising. I voluntarily participate in all such activities although knowing of such dangers. This release shall be binding upon my administrators, executors, heirs and distributees. The venue of any dispute that may arise out of this agreement or otherwise between me and BHVA or its owners, shareholders, officers, agents or employees shall be in the New York Supreme Court, County of Ontario.

**I HAVE READ THE ABOVE WAIVER AND LIABILITY RELEASE IN FULL AND BY SIGNING IT AGREE THAT IT IS MY INTENTION TO EXEMPT AND RELIEVE BHVA, ITS OWNERS, SHAREHOLDERS, AGENTS, OFFICERS AND EMPLOYEES AND THEIR RESPECTIVE PERSONAL REPRESENTATIVES, SUCCESSORS AND ASSIGNS FROM LIABILITY FOR PERSONAL INJURY, PROPERTY DAMAGE OR WRONGFUL DEATH CAUSED BY NEGLIGENCE OR ANY OTHER CAUSE.**

***Considering the gravity of risk and liability, and experience with this program, the Board has instituted fines for noncompliance: 1st Violation \$250, 2nd Violation \$500, 3rd Violation Loss of Beach Access for the season.***

Participant’s Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Age: \_\_\_\_\_

Parent/Guardian Name (if Participant is a minor): \_\_\_\_\_

Parent/Guardian Signature (if Participant is a minor): \_\_\_\_\_ Date: \_\_\_\_\_

Participant or Parent/Guardian Email: \_\_\_\_\_

Emergency Contact Name: \_\_\_\_\_

Emergency Contact Phone Number: \_\_\_\_\_

***Return completed Form to the management company by:***

- Dropping off at the management office at the Community Center, or
- Handing to the Beach Attendants (when on duty), or
- Mailing to BHVA, 30 Golfside Circle, Canandaigua, NY 14424 or
- Scanning and emailing to [achristoff@kenrickfirst.com](mailto:achristoff@kenrickfirst.com)