

**COUNCIL OF UNIT OWNERS OF PALLADIAN CONDOMINIUM
AT ROCKVILLE TOWN SQUARE**

FITNESS AND CLUBROOM/DECK RULES

I. Introduction

A. Definitions:

1. "Palladian" or "Council" means the Council of Unit Owners of Palladian Condominium at Rockville Town Square.
2. "Facility or facilities" means the fitness room, clubroom, and club deck.
3. "Function" means any party, event, or other gathering in the clubroom or on the club deck organized or sponsored by the Council or any Resident in good standing. "Private function" means any function organized or sponsored by a Resident. "Council sponsored function" means any function conducted by the Council or one of its committees, agents, or designees.
4. "Resident in good standing" means a Resident of the Palladian Condominium who is current (or whose Unit Owner is current) with respect to any assessments or other financial obligations owed to the Council and who is not deemed to be in violation of the Declaration of Covenants, Bylaws, and rules and regulations of the Council.
5. "Resident" means a person who lawfully resides within a Unit in the Palladian, including the Unit Owner and anyone else who has the express permission of the Unit Owner to reside therein.

B. Purposes: the purposes of these rules are as follows:

1. To maximize the hours that the facilities are available for use by Residents and their guests while minimizing disturbance to the Residents in nearby units.
2. To ensure the availability of the facilities for Council sponsored functions, Council Committee meetings and other events.
3. To allow Residents in good standing to reserve certain facilities for limited periods of time for parties and other gatherings without unduly limiting the use of the Facilities by other Residents.
4. To ensure that the facilities are kept in a clean and orderly condition by all persons who use the facilities.

5. To ensure that Residents reserving the facilities are responsible for the cost of repairing and/or replacing any damage to the facilities or any Council property within the facilities during a private function.

6. To ensure that inappropriate behavior does not occur within the facilities.

II. Fitness and Clubroom/Deck for Residents and Guests

A. The club and fitness rooms are open 24 per day for use by Residents and their guests, except when reserved for a private or Council function (Note: the fitness room is not available for rent). The club deck is open between the hours of 7:30 a.m. and midnight daily, except when reserved for a private or Council function. Residents and their guests must securely lock the doors and turn off all lights upon leaving the clubroom, the club deck, and the fitness room.

B. Prohibited activities.

1. Smoking is not permitted in the clubroom and the fitness room. Smoking is prohibited on the club deck when ash trays are not available. All ashes and smoking materials must be properly disposed of.

2. No food or drink, other than water, is permitted in the fitness room. Food and drink are permitted in the clubroom and in the club deck area, provided that all food and drink are removed and all food particles and debris are cleaned up prior to leaving and taken to the Resident's own garbage receptor. No barbecuing or open flames are allowed in the clubroom or on the club deck.

3. Horseplay, roughhousing, running, vulgar language, intoxicated behavior, and loud music and other loud noises are prohibited in the fitness room, the clubroom, and on the club deck at all times. Users of the fitness room, clubroom, and club deck should recognize that residential units are in close proximity to those facilities and keep noise to a minimum at all times, so as not to disturb nearby Residents.

C. All in-town guests (guests who reside in the Washington Metropolitan area) using the fitness room, clubroom, or club deck must be accompanied at the facility by their adult host Resident at all times. Out of town guests 14 years old and older staying over night may use the facilities without the host Resident being present. However, they should identify themselves and their host if asked.

D. Children under the age of 14, including Resident children, are not permitted to use the fitness room, clubroom, or club deck without the presence of adult.

III. Reservation of Facilities.

- A. Facilities and hours available for reservation.
 - 1. Only the clubroom (including the limited kitchen facilities) and the club deck may be reserved for a private or Council sponsored function.
 - 2. The fitness room may not be reserved.
 - 3. Unless other hours are established by resolution of the Board of Directors, the clubroom and club deck may be reserved between the following hours: 9:00 a.m. through 11:00 p.m.; Monday through Thursday, 9:00 a.m. through 1:00 a.m. Friday and Saturday, and 9:00 a.m. through midnight Sunday.
 - 4. All activities in the clubroom and on the club deck, including clean up, shall be concluded no later than midnight Sunday through Thursdays, and by 1:00 a.m. for functions held on Friday and Saturday evenings.
 - 5. A private function may not last for more than five hours unless prior written approval is obtained from the Board of Directors authorizing a longer time frame.
- B. The Board of Directors and Council Committees, agents and designees are given first priority for use of the clubroom and club deck for meetings, programs, and events sponsored by the Council or its committees, agents or designees.
- C. Reservation by Residents; limitations
 - 1. Residents in good standing may reserve the clubroom and deck, on a first come, first serve basis, except as noted in Section III.D.6 below.
 - 2. Residents may not reserve the clubroom or deck on behalf of a non-Resident.
 - 3. Unless prior written approval is obtained from the Board of Directors, the clubroom and deck may not be reserved for private functions more than once per day.
- D. Reservation procedure
 - 1. Reservation forms and deposit
 - a. The Board of Directors and Council Committees, agents and designees may reserve the clubroom for meetings and other Council business by notifying the Management Office.
 - b. Residents may reserve the clubhouse and club deck for private functions by completing a reservation form obtained from the Management Office and providing a \$300.00 deposit. The deposit will be returned following

inspection by the Management Office or other Council representative at the close of the reserved period or the next business day and after a determination is made that the facility has been properly cleaned and has been left in a good and orderly condition. Failure to leave the facility in a clean and orderly condition after a function shall result in the forfeiture of the deposit in the amount necessary to cover all cleaning and/or repair costs.

- c. No deposit is required for Board of Directors and Council Committee meetings or for other Council sponsored functions.

2. Rental fees

- a. A rental fee shall be charged to Residents using the clubroom and/or the club deck for a private function. No rental fee shall be charged for a Council sponsored function.
- b. Unless otherwise modified by subsequent resolution of the Board of Directors, the rental fees are as follows:
 - i. \$200 for any private function held on Friday, Saturday, Sunday or any Holiday, defined as New Year's Day, Easter, the Fourth of July, Halloween, Super Bowl Sunday, Thanksgiving, Christmas, New Year's Eve and New Year's Day.
 - ii. \$75 for any private function held on Monday, Tuesday, Wednesday or Thursday.

3. Decorations

- a. Use of decorations, auxiliary lights, and sound equipment must be approved by the Management Office prior to the date of the function.
- b. No objects, such as nails, tacks, tape, or other substance which can cause permanent damage shall be placed on the walls, ceilings, or window surfaces.
- c. No candles or other open flames may be used in the Facilities.
- d. No structural or electrical alterations may be made to the Facilities.

- 4. Children's parties or any function primarily attended by persons less than 21 years of age shall have in attendance at all times adult chaperoning Residents at the rate of one chaperone per ten (youths), but in no event shall such functions have less than two chaperoning Residents. The names and unit

numbers of all Resident chaperones must be provided to the Management Office in advance of the function.

5. Residents wishing to reserve the club room and/or club deck on the below days (i-vii) will enter a random lottery to determine which resident has the right to rent the room on said date. The lottery will occur at the Board of Directors meeting immediately proceeding the date in question, but not less than 30 days prior to the date in question. Residents must submit their application for rental of the facilities for these days at least 60 days prior to the date requested in order to be included in the lottery.

- i. New Year's Day
- ii. Super Bowl Sunday
- iii. Easter
- iv. Halloween
- v. Thanksgiving
- vi. Christmas
- vii. New Year's Eve

- E. For notices of reservation, the Management Office shall:
 1. Post a sign at the entrance to the clubroom and/or deck door indicating that the space has been reserved for a private or Council sponsored function. The sign must be removed at the end of the reservation period and returned to the Management Office on the next business day; and
 2. Post a notice of the room reservation on the Palladian website.
- F. The number of people attending a private function at one time must not exceed 50 people, or the maximum capacity allowed by the fire marshal, whichever is less.
- G. No Resident may host a Private function in the facilities of 15 or more people without reserving and renting the facilities.
- H. No alcohol may be sold in any form at any private or Council function, whether directly or by admission charge. Alcohol may be served, at no charge, at a function provided that prior written approval is obtained from the Management Office in advance of the function and all requirements of applicable Maryland and Montgomery County laws are complied with, including but not limited to, obtaining all required permits.
- I. No fee may be charged for admission to any private function.
- K. Responsibility of reserving Resident.

1. The reserving Resident and Unit Owner of the Resident's Unit if different shall assume, jointly and severally, personal responsibility for the conduct of guests and liability for any damage to the facilities, its furnishings and fixtures.
2. The cost of any cleaning or damage repair or replacement not covered by the deposit shall be assessed directly to the reserving Resident and is payable to the Council within ten (10) calendar days of receipt from the Management Office of a statement of charges.
3. The reserving Resident and Unit Owner of the Resident's Unit if different shall have joint and several responsibility to defend and indemnify the Council, its officers, agents and employees, and hold them harmless from all expenses, injuries, or damages (including legal fees and costs) to persons or property arising from the use of the clubroom or deck for a private function or Council sponsored function.

IV. Additional facility rules

- A. The Management Office, subject to the approval of the Board of Directors:
 1. Shall prepare a reservation form/rental agreement(s) implementing the purpose and intent of these rules; and
 2. Shall establish procedures for handling deposits and inspecting the facilities.
 3. May establish additional rules and procedures for the fitness room, club house and club deck, pertaining to the operation of the equipment and fixtures and clean-up of the facilities, or otherwise implementing the intent and purposes of these rules.
- B. The Management Office shall provide a copy of the reservation forms/rental agreements and any additional rules and procedures to the Board of Directors and to the Policy and Rules Committee.

This policy was adopted in accordance with Section 11-113 of the Maryland Condominium Act.

**COUNCIL OF UNIT OWNERS OF
PALLADIAN CONDOMINIUM AT
ROCKVILLE TOWN SQUARE**

By: _____

CERTIFICATE OF PUBLICATION

I hereby certify that a copy of this Resolution was mailed or hand-delivered to the Unit Owners of The Council of Unit Owners of Palladian Condominium at Rockville Town Square on the _____ day of _____, 2008.

Managing Agent

