

ARTICLE VI
General Restrictions

Proposed Declaration Change to 6.6 (b) & (c) (Guest Visits)

6.6 (a) Unchanged

6.6 (b) Number of Occupants and Guests

1. The number of permanent residents may not exceed ~~No more than~~ four persons ~~shall occupy in~~ a two-bedroom Unit and ~~no more than~~ six persons ~~shall occupy in~~ a three-bedroom Unit. ~~Notwithstanding this limitation, more than four persons may occupy a two bedroom Unit for up to 14 days during a calendar year, and more than six persons may occupy a three bedroom Unit up to fourteen (14) days during a calendar year.~~ In no event shall this restriction be applied to deny housing to a family with children under 18 years of age in a manner which violates federal law.
2. If Guests visit while an Owner is not present only four Guests shall occupy a two-bedroom Unit ~~at any one time, and no more than~~ and only six Guests shall occupy a three-bedroom Unit.
3. If Guests visit while an Owner or Tenant is present, no more than four persons can occupy a two-bedroom Unit and no more than six- persons can occupy a three-bedroom Unit subject to occupancy limits set by governmental bodies.

6.6 (c) Time Frames of Guest Visits

The following restrictions shall apply to all Guests on the Condominium Property. (As used herein, the term “**Guest**” shall mean a person who has a residence elsewhere and is temporarily occupying a Unit without payment of any consideration to the Owner).

1. There shall be no limit on the length of time a Guest can occupy a Unit while the Owner or Tenant of the Unit is present, subject to the occupancy limitations set forth in Article 6.6 (b) hereof.
2. (i) Guests shall not occupy a Unit for more than fourteen (14) days during the calendar year when the Owner is not present with the following two exceptions. Parents, children and grandchildren of the Owner(s) may occupy the Unit for up to thirty (30) days during the calendar year when the Owner is not present subject to the supervision provisions at 6.6 (c) 4 hereof. A person or caregiver may occupy a Unit while assisting in the immediate care or needs of a medically incapacitated Owner while the Owner is temporarily housed in a local care or medical facility.
(ii) Tenants shall not permit anyone to occupy their Unit in their absence.

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3. ~~No more than 4 Guests shall occupy a two bedroom Unit at any one time, and no more than six Guests shall occupy a three bedroom Unit at any time when the Owner is not present.~~

6.6 (c) 4 and 5. Unchanged

6. Guest registration shall be pursuant to rules and regulations adopted by the Board. However, all guests must register their vehicles with the Association Office pursuant to 7.1 hereof. Guests without vehicles must also register their stay with the Association Office.

Support: At present, Declaration provisions permit Guest visits with no time limit when an Owner is present and for fourteen (14) days when the Owner is not present. The proposed revision to 6.6 (c) 2 creates two new exceptions to the fourteen (14) day limit when Owners are not present: parents, children and grandchildren can visit up to 30 days in a calendar year, and caregivers may visit when assisting an Owner temporarily absent in a local care/medical facility.

Given longer Guest visits during an Owner's absence, Guest registration of both their stay and their vehicles appears at 6.6 (c) 6. We clarified contradictory provisions on occupancy limits in existing 6.6. (b) and 6.6 (c) 3 and merged them into a new 6.6 (b). Permanent resident occupancy limits apply to visitor numbers when an Owner is not present to avoid excess numbers in a Unit. We deleted the provision allowing unlimited numbers of guests when Owners are not present as contrary to common sense. More guests can stay when Owners and Tenants are present since Owner and Tenants are responsible for guest behavior subject to governmental limits on occupancy. We did not change the provision that bars visitor stays when a Tenant is not present in the Tenant's unit.

DRC Position: Recommends that the Board adopt.