

**COUNCIL OF UNIT OWNERS**  
**Rock Creek Gardens Condominium**  
**Silver Spring, Maryland**  
**COMMUNITY RULES AND REGULATIONS**

<i>Rule No.</i> 9	<i>Title</i> Building Access, Safety, and Security	<i>Effective Date:</i> 07/11/2019	<i>Page</i> 1	<i>No of pages</i> 3
<i>Bylaw Reference(s)</i> Article X Section 5		<i>Maryland Condominium Act References:</i> Sections 11-111(d), 11-125(e)	<i>Montgomery County Code References:</i> Chap 22 Sec 22-7; 22-40(d)&(i)	

9-1. PURPOSE

This rule defines--

- a. Policies and procedures governing safety and building security, to include provisions for access to condominium [units](#) by condominium management, contractors, and vendors.
- b. Key control procedures and procedures for obtaining extra or replacement door and mailbox keys.
- c. Residents' obligations to enforce and enhance the security of buildings and grounds.

9-2. POLICY

- a. The [on-site office](#) maintains master keys for mechanical locks, and access codes or bypass keys for electronic locks. These enable access to units in the event of fire, water leaks, pipe ruptures, or any other condition that constitutes an immediate threat to human life or personal safety, or that damages or threatens to damage other units or the [general common elements](#).
- b. Unit owners have the right to change the mechanical locks to their units but must coordinate with the on-site office in advance to ensure that the replacement locks remain compatible with the master keys. Master keys are maintained in secure containers within the on-site office. Use of master keys is strictly limited to the conditions and circumstances described elsewhere in this rule.
- c. Existing mechanical locks may not be replaced with any form of electronic lock without prior approval of the Board of Directors, as explained in [Rule 3](#). As a condition of approval, owners of units equipped with an electronic lock system must agree to provide the on-site office with a code, bypass key, or other means of enabling immediate emergency access. Access codes will be maintained in separate password-protected files. Bypass keys will be kept with master keys in a locked, secure container.
- d. Outdoor lighting fixtures are installed along walkways and in other parts of the general common elements for the safety and security of residents and guests. Residents may not darken or block any emitted light, or disable or tamper with any part of any outdoor light fixture. Identifiable violators are subject to an initial \$50 fine and a \$100 fine for repeat violations. See [Rule 15](#).
- e. Outside entry doors may be propped open for the purpose of delivering or removing furniture, appliances, or other oversize or heavy supplies or equipment. The resident for whom the services that require an entry door to be kept open is personally responsible for closing the door immediately after the delivery or removal is completed. Leaving an outside entry door open and unattended is subject to a \$25 fine.

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9-3. EMERGENCY ACCESS

- a. The referenced sections of the Bylaws and the Maryland Condominium Act provide the [Council of Unit Owners](#), through its employees and agents, with an irrevocable right of access to a unit to investigate or respond to actual or potential emergencies without becoming liable for criminal trespass. Emergency access to condominium units may be made only for the following purposes:
  - (1) Investigate actual or potential emergencies or reports of emergencies.
  - (2) Make immediate emergency repairs or take other actions that are necessary in the manifest interest of the health and personal safety of other residents.
  - (3) Take any other action considered necessary to prevent, arrest or abate damage to units, or to any part of the general or [limited common elements](#).
- b. If management or emergency responders deem it necessary to force entry because the master key or bypass key would not fit the unit door lock, or an emergency access code was not provided or proves invalid due to non-compliance with [Paragraph 9-2b](#), the unit owner may be liable for up to \$5,000 of any damages associated with entry, as explained in [Rule 14](#).
- c. In addition to ensuring compatibility with the master keys, or providing a current electronic lock bypass key or access code, unit owners must also provide the on-site office with any keys or codes used with internal security systems. This will allow the system to be shut off in the event of a false alarm or emergency entry.
- d. If an emergency entry becomes necessary, the on-site office will exert its best efforts to notify the unit owner and/or tenant in advance, using contact information from the current [community census](#) form.

9-4. ROUTINE ACCESS

- a. Access to buildings by residents requires the use of separate keys that, respectively, open the exterior building entry door and, unless equipped with an approved electronic lock, the interior unit door.
- b. Additional or replacement exterior building keys are available only from the on-site office for a fee of \$20 per key. Applications are available from the [on-site office](#).
- c. Keys to unit mechanical locks are restricted and cannot be legally reproduced by any licensed locksmith without prior written authorization from the Rock Creek Gardens office. Unit owners who need to replace lost interior unit keys or require additional keys may obtain the necessary authorization form from the on-site office. Costs for replacement keys must be borne by the unit owner.
- d. Tenants desiring additional interior unit keys must consult with the unit owner or owner's agent.
- e. Entry by visitors, guests, contractors, and vendors is controlled by an electronic doorbell system that rings either a landline or a mobile telephone designated by the principal unit resident. Once the resident verifies the identity of the visitor, entry may be granted by pressing "9" on the telephone keypad. Residents must contact the on-site office to be connected to or disconnected from the system.
- f. Entry to units by contractors, tradesmen, service providers, and the like may be gained through the master key, bypass key, or emergency access code only if a written authorization has been completed and filed with the on-site office in advance. Residents should note that the on-site office manager cannot wait for or oversee services to be performed. The resident completing the authorization assumes all risks and liability relating to such entries.

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<p>9-5. MAIL AND DELIVERY ACCESS</p> <p>a. The United States Postal Service (USPS) delivers mail directly to the locked mailboxes located in the entryway to each building. Lost mailbox keys cannot be replaced; however, replacement locks with keys are available through the on-site office at a cost of \$25.</p> <p>b. Commercial package delivery services, such as Federal Express (FedEx) and United Parcel Service (UPS), have access to each building but not to mailboxes or units. Depending on the package delivery service, parcels may be left either in the building foyer or outside of unit doors. The on-site office cannot accept deliveries except those addressed to the office, Council of Unit Owners, or Board of Directors. Residents receiving package deliveries assume all risk of loss, theft, or damage.</p> <p>9-6. LOCKOUTS</p> <p>a. The on-site office manager may provide emergency unit entry using the master key, bypass key, or emergency access code during normal business hours to residents who have accidentally locked themselves out. The following conditions must be satisfied before entry to a unit can be granted under these circumstances:</p> <p>(1) The person requesting the entry must present a form of photo identification that is satisfactory to the on-site office manager.</p> <p>(2) The name of the person so identified must be on the current list of residents for that unit as recorded on the current community census form.</p> <p>b. Lockout service cannot be provided outside of normal business hours. For this reason, residents should consider providing spare keys to trusted neighbors, friends, or relatives. Residents who lock themselves out after normal business hours and have not made such contingency arrangements in advance have these options:</p> <p>(1) Make arrangements to stay with relatives, friends, or neighbors until the on-site office re-opens.</p> <p>(2) Engage the services of a locksmith at personal expense.</p> <p>(3) In the event of an emergency involving an <i>immediate threat to life safety</i>, call 911 to summon the Montgomery County Fire and Rescue Service.</p> <p>c. Unit owners are responsible for repairing damages to doors and locks caused by locksmiths or emergency services. If an after-hours lockout resulting in damages was caused by a tenant, the unit owner may recover the cost from the security deposit or as otherwise provided for by law.</p>			