

Section 10.1 - Use and Occupancy Restrictions. Subject to the Special Declarant Rights reserved under Article VIII, the following use restrictions apply to all Units and to the Common Elements:

- (a) Each Unit shall be occupied by at least one resident over the age of 55 ("Occupancy Restriction.") There shall be no permanent residents eighteen (18) years of age or under. The Declarant and The Village at Nichols Association, Inc. reserve the right to waive the Occupancy Restriction for up to a maximum of twenty (20%) percent of the then existing Units.
- (b) Each Unit is restricted to residential use as a single-family residence including home professional pursuits not requiring regular visits from the public or unreasonable levels of mail, shipping, trash or storage. No sign indicating commercial or professional uses may be displayed outside a Unit. A single-family residence is defined as a single housekeeping unit, operating on a non-profit, non-commercial basis between its occupants, cooking and eating with a common kitchen and dining area, with no more overnight occupants than two per bedroom as designated on the plans on file with the building official of the Town of Trumbull.
- (c) Garages and Carports are restricted to use by the Unit to which such Garage or Carport is a Limited Common Element, as storage and as a parking space for vehicles, specifically excluding, however, trucks, commercial vehicles and campers.
- (d) The use of Units and Common Elements and Limited Common Elements is subject to the Bylaws and the Rules of the Association. The Association may make rules and regulations affecting the use and occupancy of the Units only in accord with Section 25.4 of Article XXV.
- (e) For any period during which any Common Expense assessment remains unpaid or, after Notice and Hearing, for any period not to exceed thirty (30) days, for any infraction of its published Rules the Executive Board may suspend the right to use Common Elements not necessary to give access to a public street.

Section 10.2 – Verification of Occupancy. The Declarant and the Association shall verify that the owners of each Unit comply with the occupancy requirements as set forth in the approvals by the Trumbull Planning and Zoning Commission.

- (a) The Declarant and the Association shall institute a procedure for determining verification of compliance with Federal Statutes and Regulations regarding occupancy of the Units by persons 55 years of age or older. The Declarant and the Association must also establish and maintain appropriate policies to require that occupants comply with the age verification procedures required by State and Federal laws.