

majority of the total eligible voters of the condominium under the voting procedures contained in the declaration or bylaws of the condominium.

(3) If a condominium includes in its declaration, bylaws, or rules and restrictions, a provision prohibiting the use of a unit as a family day care home OR NO-IMPACT HOME-BASED BUSINESS, it shall also include a provision stating that the prohibition may be eliminated and family day care homes OR NO-IMPACT HOME-BASED BUSINESSES may be approved by a simple majority of the total eligible voters of the condominium under the voting procedures contained in the declaration or bylaws of the condominium.

(4) If a condominium includes in its declaration, bylaws, or rules and restrictions a provision expressly prohibiting the use of a unit as a family day care home OR NO-IMPACT HOME-BASED BUSINESS, the prohibition may be eliminated and family day care OR NO-IMPACT HOME-BASED BUSINESS ACTIVITIES may be permitted by the approval of a simple majority of the total eligible voters of the condominium under the voting procedures contained in the declaration or bylaws of the condominium.

(e) A condominium may include in its declaration, bylaws, or rules and restrictions a provision that:

(1) Regulates the number or percentage of family day care homes operating in the condominium, provided that the percentage of family day care homes permitted may not be less than 7.5 percent of the total units of the condominium;

(2) Requires day care providers to pay on a pro rata basis based on the total number of family day care homes operating in the condominium any increase in insurance costs of the condominium that are solely and directly attributable to the operation of family day care homes in the condominium; and

(3) Imposes a fee for use of common elements in a reasonable amount not to exceed \$50 per year on each family day care home OR NO-IMPACT HOME-BASED BUSINESS which is registered and operating in the condominium.

(f) (1) If the condominium regulates the number or percentage of family day care homes under subsection (e)(1) of this section, in order to assure compliance with the regulation, the condominium may require residents to notify the condominium before opening a family day care home.

(2) THE CONDOMINIUM MAY REQUIRE RESIDENTS TO NOTIFY THE CONDOMINIUM BEFORE OPENING A NO-IMPACT HOME-BASED BUSINESS.

(g) (1) A day care provider in a condominium:

(i) Shall obtain the liability insurance described under §§ 19-106 and 19-202 of the Insurance Article in at least the minimum amount described under that statute; and

(ii) May not operate without the liability insurance described under item (i) of this paragraph.