

PENNINGTON VILLAS HOA - RULES AND REGULATIONS

Community Beautification:

Yards must be kept well-maintained; neat, clean, free of clutter.

Shrubs are to be kept at a level no higher than the window sills, for neatness and safety.

(If homeowners wish to have their shrubs NOT trimmed, they should tell the Board, who will discuss with landscaper. It was also suggested that shrubs be trimmed only in fall.)

Seasonal decorations are allowed for the limited time period of the season.

Yard art should be tasteful, unobtrusive, and blend in with the facade of the unit(s). Planters must be well maintained.

Only one piece of lawn furniture may be kept on stoop or in front of garage door(s).

If a homeowner wishes to redo lawn or shrubbery design completely differing from the original plan, that new plan must be submitted to the Board for approval prior to taking any action. All changes will be at the homeowner's expense, and maintenance of such changes becomes the responsibility of the homeowner. Failure to maintain such changes in keeping with the other property in our community will result in a reminder from the Board for corrective action to be taken. Any change includes flower beds, trees, retaining walls; such requests will be carefully considered and the homeowner advised as rapidly as possible. The use of fencing of any kind for the front flower beds is not permitted.

Small trees or tall shrubs, even if approved for the front lawn, must be kept trimmed as shrubs, rather than trees, not to exceed approximately five (5) feet high, and any digging should be preceded by consultation with utilities to ensure no damage to any type pipelines. Any planting outside a flower bed must not disrupt normal mowing procedures (e.g., front corner plantings must incorporate the entire corner to avoid necessity for weed-eating around a particular planting or group). Failure to follow this rule will result in requiring the planting to be removed or modified.

[The yards are part of the common areas and are not individually owned.]

Signs:

No "For Sale" signs are to be displayed in yards or at the entrances to the complex. Any sign indicating a unit is for sale should be displayed in the front window of the unit and should not cover more than one-half of the window (upper or lower half). This includes signs by unit owners or real estate agents. In addition, the posting of "For Rent" signs any place is prohibited. NO OTHER SIGNS OF ANY KIND ARE TO BE DISPLAYED ANYWHERE IN THE COMPLEX.

Garden Hoses:

Garden hoses should be kept coiled, preferably out of sight, or in a container unless in use.

Trash Containers:

Trash containers are to be kept out of sight except on trash day. (Residents are encouraged to pick up any debris/trash that they see, especially on trash day when it is most prevalent.)

Lights:

Yard lights must be kept neat.

Dogs:

Dogs must be walked on leashes within the Villas. (*Unconfined dogs will be picked up by animal control. 8.94,119 Running at large prohibited – Seizure of animals. Metro Codes/Ordinance*)

Dog waste must be picked up by dog walker and disposed of at home. Dogs should not be allowed to routinely relieve themselves on front lawns or common area lawns, as dog urine damages shrubs and grass.

Storm Doors:

Full length glass storm doors (with changeable screens, if desired) are recommended. In accordance with the original plans for the community, doors must be white. (Residents who currently have black storm doors are grandfathered in.)

Parking:

Parking is allowed only in driveways or guest parking lots. No parking is allowed on sidewalks, curbs or grass.

Trailers, boats, RVs, campers, commercial vehicles, ATVs, and golf carts may not be stored in driveways or in guest parking areas without prior written permission from the HOA.

Residents may not store their vehicles long-term in guest parking areas. All vehicles parked in guest parking areas should be operable and have current registration Any illegally parked vehicle may be towed away at the owner’s expense and/or the owner shall be subject to a fine.

No dumpsters or storage containers may be stored in driveways without prior written permission from the HOA.

Watering During Summer Months:

It is imperative that all residents diligently water their yards, shrubs, and trees during the summer months when rain is scarce. During drought and hot periods, these plants require more attention and care.

Fences and Decks:

Only a clear sealant is to be used on fences and/or decks. Staining or painting is not permissible. [Clarification: Inside of the fences may be painted or stained, so long as it does not encroach on the neighbor’s side of the fence.]

Patio/Deck Shade Devices:

The only devices approved for providing shade in patios or on decks are retractable awnings; self-standing canvas-types which usually provide complete enclosure; standard-type patio umbrellas, either self-standing or attached to patio tables; or pergola-type structures, not attached to the Unit. No roofs of any kind are permitted on the pergola-type structures. As usual, requests should be directed to the Board for review, and approval is required before making visible outside changes to any Unit.

Common Elements:

Any area outside the confines of a homeowner’s patio, or outside an invisible fence line from the outside edge of one divider wall/fence to another, is part of the common elements. Without exception, no plantings or infringement on these areas will be permitted, as they belong to all homeowners in common and cannot be appropriated by any homeowner for individual use.

Section 4(b) of the Master Deed, under **Maintenance and Alteration of Units**, directs that **“The Unit Owner shall not make any changes, decorations, or alterations of his Unit that would affect the exterior appearance of any portion of the Building.”**

Section 19(a) of the Master Deed, under **Compliance Default and Remedies, Additional Liability**, states: **“A Unit Owner shall be liable for the expenses of any maintenance, repair, or replacement rendered necessary by his act, neglect, or carelessness, or by that of any member of his family, or his or their guests, employees, agents, or lessees, but only to the extent that such expense is not met by the proceeds of insurance carried by the Association. Such liability shall include any increase in fire insurance rates occasioned by use, misuse, occupancy, or abandonment of a Unit, or its appurtenances.”**

Any proposed modifications to the exterior (which include extension of decks, hanging storm doors, adding wall decorations, adding lights, or any change that is affixed to the structure) **must be approved** prior to taking any action. Proposals should be submitted to the Board of Directors. Please keep in mind that if any damage results from a modification, the homeowner **will be responsible for the cost** to repair. Residents with **stucco facade** should be particularly aware of the extreme fragility of the material. TV Satellite Dishes may be installed on a post in the patio area of the homeowner, but are not to be attached to the roof, to prevent roof damage.

Noncompliance Policy:

When a Homeowner is notified of an infraction of the Rules and Regulations which have been duly adopted and published to all residents, 48 hours shall be allowed to correct the situation without a fine. If it is not corrected within 48 hours, a fine of \$25.00 shall be imposed, with an additional \$10.00 per day for each day thereafter until the violation is corrected. In the case of parking on the sidewalk, there will be no 48-hour warning after the initial warning, with a fine imposed for each subsequent warning in the same fashion as described above.

Prior Deviations:

The Board recognizes that some deviations from our Rules and Regulations exist. However, they were in place prior to formation of the Homeowners Association or later adoption of rules and regulations and thus have been grandfathered in. Their existence does not convey permission for subsequent deviations.
