

**TOWNHOMES OF BIENEMAN FARM HOA**

**ARCHITECTURAL/LANDSCAPE CONTROL BASKETBALL HOOP POLICY**

**Approved by Board of Directors 10/17/2019 \* Effective Immediately**

The installation and use of a basketball hoop on an Owner’s lot requires prior Board approval. Owners must request approval by submitting an Architectural Request Form to the Board along with photos showing the planned location of the hoop. Photo(s) must indicate the exact location where the hoop will be placed in relation to the homeowner’s unit and to surrounding units and common spaces.

**Installation and use of a basketball hoop is subject to the following conditions:**

* The hoop must be stored in the garage when not in use.
* The hoop may only be used between the hours of 9am to 9pm (all days of the week).
* The hoop must be weighted down sufficiently so as to prevent tipping (per product instructions/guidelines).
* The hoop must be placed in the homeowner’s driveway but it may not:
  + interfere with any neighbor’s property or access to their property; or
  + be placed in a manner that requires those using it to play in the street (e.g., at the end of the driveway facing the street) due to safety concerns.
* The hoop may not at any time be placed or stored in landscaped or grassy areas (whether private or common) or in private or public streets.
* Any property damage or physical injury caused by the basketball hoop and/or basketball will be the responsibility of the homeowner.
* The hoop may not be placed outdoors at any time of day during winter months (November 1 to April 1).

When an application is received, the Board will perform a survey prior to approval to ensure that all the above conditions will be met in an effort to prevent potential disputes.

The Board’s decision will be based on the conditions above and the assumption that the hoop will be placed in the same location disclosed in the submitted photo(s) at all times when in use. *NOTE: Installation of a hoop in any other location than the location specifically approved will be considered unauthorized and may result in revocation of the approval and a fine to the homeowner at the Board’s discretion.*

The Board will render and communicate their decision to the Owner within 30 days of receipt of a complete application.