

DRUMLINS II RULES AND REGULATIONS

February 14, 2025 (Rev 2)

PURPOSE OF RULES AND REGULATIONS

The Rules and Regulations are provided to allow homeowners full use and enjoyment of their homes without violating the rights and privileges of other homeowners. This document is updated periodically by the Board of Directors as stipulated in Article III By-Laws. In the case of conflict between these Rules and Regulations and the HOA By-Laws or Declarations of Covenants, the governing documents shall take precedence. This document has been approved by the Board and supersedes all previous versions.

MEMBERS RESPONSIBILITIES

Each member is expected to adhere to the Rules and Regulations contained herein and to follow the "Variance Process" in the event a homeowner wishes to request approval for something that differs from the expectations defined in this document. It is important to note that any such change must be approved in writing by the Property Manager and Board of Directors before the change is made. A description of the process for submitting a Variance Request is contained herein.

It should also be noted that homeowners who rent their property to another party must inform the renters of these Rules and Regulations and are legally responsible for the actions and activities of their renting parties.

BOARD OF DIRECTOR RESPONSIBILITIES

The responsibilities of the Board are defined in Article III of the By-Laws. In addition to adopting and enforcing Rules and Regulations for use of the Common Areas, they are also responsible to receive, consider, and act upon any Variance Request application pertaining to alteration to any structure or landscape of property.

In the case of violations, the Board will notify the owner in writing who then has 30 days to resolve the infraction. If the infraction is not resolved by that time, the Board has the authority to:

1. Impose fines not to exceed 10% of the total annual common assessment.
2. Arrange for a remedy and/or removal at the owner's expense, and
3. Enforce by legal means including placing a lien on the property.

BUILDER RESPONSIBILITIES

Homeowners are reminded that there is no formal business or legal relationship between the Builder and the Association. This means that the HOA does not assume responsibility for any work contracted as part of the home purchase and warranty provided by the Builder. Homeowners should address all home warrant issues directly with the Builder.

1. Common Areas – Grounds

The use of the Common Areas is for the enjoyment of the owners and their guests.

- a. Trees, shrubs, bushes, and all landscaping shall not be cut, tampered with, or harmed in any way.
- b. The Common Area Pathways must not be obstructed or encumbered.
- c. The Common Areas may not be used for conducting private business.
- d. Access to Common Areas shall be by way of the Common Area and not through private lots.

2. Common Areas – Roadways and Parking

- a. The designated parking spaces are common property for the use of owners and their guests.
- b. Extended parking by either owners or guests for more than five (5) days is not allowed.
- c. Driving or parking anywhere other than on the paved surfaces is not allowed.
- d. Parking at the end of a dead-end street is not allowed. This interferes with car turn-around and homeowner driveway use.

3. Decks and Patios

The use of decks and patios is generally unrestricted; however, the rules regarding outdoor storage and lawn decorations apply and homeowners are required to store any items not regularly used in their garage or basement.

Outdoor patio items should not be left on the lawns as it interferes with the lawn mowing and maintenance crews.

Any changes and/or additions to decks and patios are considered an exterior modification and require an approved Variance Request.

Guidelines for Patio Enclosures and Awnings are provided in Section 19 of this document.

4. Emergency Generators

Emergency Backup Generator units are to be installed directly beside the existing Air Conditioning unit and as close to the structure as allowed by manufacturer specifications and building codes.

- a. An approved Variance Request that includes an installation drawing, with dimensions, provided by the contractor, and a picture showing the exterior of your home and the proposed location is required.
- b. Local building code covers generators and the installation code specifies location and distance from windows and other utilities to which our contractor must adhere.
- c. Both RG&E and Victor Town inspections are required.
- d. Having shrubbery around the generator to soften the view as well as the sound of the generator is recommended.

- e. The electrical and gas lines are to be installed underground. This provides a cleaner look to the installation as well as eliminating the chance of disturbance of the lines by lawn mowing equipment. In the event above ground installation is needed, make sure there is a mulch area provided under the lines so lawn trimming is not required behind the generator.
- f. Have a protection barrier, such as a 4 x 4 or 6 x 6 landscape timber, around the unit, or below the unit in order to buffer the unit from any inadvertent contact by the lawn mowing equipment.
- g. When landscaping around the unit, DO NOT use stones which the lawn mowing equipment can accidentally eject (fling) into the siding or window, causing damage.
- h. Prior to finalizing plans for the generator installation and signing the contract, the HOA wants to be assured the above points are being considered by you and the contractor. It is advised to show these guidelines to your contractor prior to obtaining a cost estimate and submitting the Variance Request.
- i. While the HOA does not recommend any one particular vendor, you can easily view generator installations around the community and talk with others about their installer.

5. Exterior Lighting

Replacement of exterior fixtures to the unit and light bulbs are the responsibility of the homeowner. Replacement of Exterior fixtures and adding any additional lighting requires an approved Variance Request. Downward aimed solar lighting installed in the mulched areas does not require a Variance. All additional lighting is the responsibility of the homeowner and any damage to the lighting by the landscapers is the homeowner's responsibility. Lighting to illuminate the structure or freestanding lamp posts is not allowed.

6. Fences

No above ground fences, decorative or otherwise, are allowed in the subdivision. The only exceptions are for basement egress windows as required by building codes.

7. Flags

The installation of one support bracket attached to the wood frame around the garage door is allowed for the display of a flag. The flag may not exceed six (6) feet on any side. A Variance Request if not required.

8. Grounds, Planting, and Landscape

The grounds, planting, and landscape responsibilities belong to the Property Management Company for those duties. Specific questions and concerns should be directed to the Property Manager who will contact the resident directly and attempt to address the situation. The following guidelines apply:

- a. Homeowners are encouraged to plant annual flowers in the designated gardens. It is not the responsibility of the Property Management Company to maintain these plantings and they cannot accept responsibility for damages done as they work to comply with the terms and conditions of the landscape contract.

- b. Flower boxes must be free standing and not attached to the structure.
- c. Use and Placement of Garden Ornaments:
 - i. Wind chimes and bells are not allowed.
 - ii. Ornaments of any type are **not** allowed on **lawn** areas.
 - iii. Ornaments are allowed in the **garden** areas as long as they are tastefully done.
 - 1. However, if a resident(s) makes their objection to an ornament known to the Board or a Board member, the Board will render their decision on the appropriateness of the ornament. Also, the Board may independently find an ornament inappropriate for the community.
 - 2. The board would then request the owner to remove/alter the ornament. The Board may impose additional actions if the situation is not corrected.
 - iv. Residents should be mindful of the size, height, and density of ornaments.
- d. Bird houses, feeders, and baths are allowed in the garden areas only, but it is the homeowner's responsibility to keep these areas clean and rodent free. If extermination services are required, it will be done at the homeowner's cost.
- e. Individual patios, sidewalks, and flower beds should not protrude further than eight (8) feet from the foundation of the structure or the installed concrete patio slab. Changes to these areas require a Variance Request. If a resident wishes to add a tree or shrub, an approved variance Request with attached sketch is required.

9. Garage Doors

Garage doors are generally not to be kept open for extended periods of time. Closed garage doors enhance the overall appearance of our neighborhood and reduce the opportunity for vandalism or theft. As an added security measure, homeowners are encouraged to leave their garage door lights on from dusk to dawn.

10. Grills

Grills are to be kept in a safe distance from each dwelling and all combustible surfaces when in use. Residents should follow the manufacturer's specifications regarding the placement of an outside grill. Any exterior damage related to the misplacement of a grill will be repaired by the HOA at the homeowner's expense.

In addition, homeowners are advised that state and local fire codes may apply and are encouraged to contact the local Fire Marshall with any specific questions.

11. Home Business

An individual business within a homeowner's unit is allowed provided it does not infringe on the character of the neighborhood with signs, increased traffic, use of parking spaces, noisy employees, and follows town zoning requirements.

12. Holiday Decorations

Temporary decorations for the holiday season may be displayed 45 days prior to and 45 days after the holiday season. Homeowners are encouraged to select decorations

which are in good taste and do not distract from the overall appearance of the subdivision. Large and/or inflatable outdoor decorations are not allowed.

13. Insect and Pest Control

The HOA is only responsible for insect removal (bees, etc.) affecting contractors and pest damage to HOA maintained landscape and lawns. Individual homeowners are responsible for the control and/or removal of other insects and pests.

14. Laundry – Outdoor Drying

Outdoor drying or air-drying is not permitted. Installation of exterior clothes lines is not permitted.

15. Motor Vehicles, Boats, Trailers

All private passenger motorized vehicles will be parked and/or stored in garages and not on any other portion of the lot. Boats, trailers, and large vehicles shall be stored inside garages. Temporary driveway parking of such vehicles is permitted. Extended storage of unlicensed vehicles in driveways or common area parking spaces is not allowed. Motor vehicle repair is to be carried out in the garage.

16. Noise

Homeowners are expected to be considerate of their neighbors. Sustained loud or disturbing noises that can be easily heard from the Common Areas or adjacent homes are prohibited.

17. Painting

Exterior painting is the responsibility of the HOA and is normally done as part of a rotating maintenance schedule based on the age of the home. In the event painting is required, please contact the Property Management Company, and complete a Maintenance Request Form.

18. Patio Enclosures and Awnings

- a. Permanent, not-retractable style awnings are not allowed on any windows or patios.
- b. Retractable type awnings on porch/patio openings are allowed with an approved Variance Request.
- c. Permanent screen and/or glass patio enclosures are allowed with an approved Variance Request.
- d. Detailed drawings or illustrations showing the design, style, material, and color are required and **must be provided** with the Variance Request.

To maintain harmony with the exterior architectural design as required in the governing documents, the following guidelines have been established:

- i. Color of the trim must match exterior siding – a narrow band of white trim on window or door frame is acceptable.

- ii. Screed color must be black or dark grey – white or aluminum color is not allowed.
- iii. The enclosed must be designed to fit into the existing patio opening – excessively large or wide trim areas are not allowed.
- iv. Building permit and/or adherence to code standards are the homeowner's responsibility. This could apply to upper patios where minimum railing heights apply.

19. Patio Additions

- a. An approved Variance Request is required for all Patio additions.
 - i. The Variance Request should include a detailed description of all proposed landscaping changes to the area surrounding the new patio.
- b. Patios may not be wider than the adjoining porch opening and are not to extend more than eight (8) feet out from the foundation. In some instances, small patios near exterior doors or egress windows are permissible.
- c. Steps or walkways leading to/from the patio additions are allowed but must be reviewed on a case-by-case basis.
- d. Patios are to be at grade level. If additional topsoil is needed, it must be graded to blend into the existing lawn.
- e. All landscape changes must be made such that regular mowing and trimming by the service contractors is not impacted.
- f. Any changes to lawn grading or landscaping must consider the impact to water runoff. Care must be taken not to interfere with swales which are designed for this purpose.
- g. Permanent structures or fixtures cannot be added to Patio Additions (e.g., built-in fireplaces, BBQ grills etc.).
- h. The homeowner is responsible for locating all underground utilities, and the Patio Addition cannot restrict access for future maintenance and service to utilities.
- i. Homeowners are required to check with the Town of Victor to see if a building permit is required and must follow all applicable codes and standards.
 - i. If a building permit is obtained, a copy must be provided to the Board.
- j. The homeowner must conduct a SITE REVIEW with a Board representative(s) to review the proposed addition. In some cases, it may be advisable to include the contractor in this review. The following should be included:
 - i. Drawing plan to approximate scale showing Patio Addition size and location.
 - ii. Detailed description and/or samples of building materials to be used.
 - iii. Detailed description of landscaping changes and plant/shrub type.
 - iv. Stake out showing approximate location of Patio and landscaping,

20. Pets

No more than two (2) common domestic pets are allowed per home. The Town of Victor has a leash law which stipulated that owners shall have their pets under leash at all times.

- a. Residents and guests are expected to promptly clean up after their pets.
- b. Nuisance animal behavior (barking, running, etc.) that disturbs neighbors will not be allowed.

- c. Exterior dog houses are not permitted.
- d. Placement of pet or any food outside the home that can attract nuisance pests is not allowed.
- e. Invisible fencing or other electrical pet containment systems require an approved Variance Request. If approved, the HOA will not be responsible for any damage to the system caused by HOA contractors.

21. Rental Property

The Board recognizes that a homeowner may elect to rent, loan, or lease their unit to other tenants. In this event, the homeowner must comply with the following:

- a. Notify the Board and the Property Management company of their intent at least 30 days prior to new tenants moving in.
- b. Register the tenants with the Board and Property Management Company within ten (10) days of occupancy.
- c. Ensure the tenants comply with all policies and directives of the HOA.
- d. Pay all fines for violations caused by the tenant.
- e. Provide proof of insurance that covers the property in the event of fire or other catastrophe.
- f. Notify the Property Management Company of their new address and contact information. They must also provide updates to their contact information for the duration of the property lease.
- g. The HOA requires that whenever a homeowner rents, leases, or loans property to a tenant, the owner places language in the lease, rental agreement or other document that requires the renting party to comply with all rules, regulations, and policies of the HOA.
- h. Any tenant that violates the rights of the permanent resident will be ejected from the community by the unit owner. The tenant will be given 30 days to remove themselves and their possessions from the community or the Property Management Company will do so, and the homeowner will be charged for this work.

22. Satellite Dishes

Dish Antenna Receivers are allowed, but the size and location are strictly controlled by the Board to preserve the overall appearance of the subdivision. A Satellite dish:

- a. Will **not** be located on the roof as it will void the builder's warranty.
- b. Will **not** be located in any Common Area.
- c. Is preferred to be near aground level in an unobtrusive and inconspicuous location.
- d. Dish is preferred to be located near foundation at rear of home if possible.
- e. Residents should contact the Town of Victor to see if a Building Permit is required.
- f. A Variance request is required and must include a picture with stake in ground showing home exterior and proposed dish location.

23. Signs

No signs are permitted on the properties, Common Areas, or lots which are visible from the exterior of the home. There are four (4) exceptions:

- a. Building Permits may be placed in the front window per Victor Town code.
- b. When a home is up sale, the listing broker may place an official For Sale sign in front of the residence under contract.
 - i. Open House signs are permitted only on the day of the open house.
- c. Small home security signs are allowed provided they are located in good taste and do not interfere with regular lawn care maintenance activities.
- d. Garage/Estate type sales signs are permitted only on the day of the sale. Refer to Section 30 – Neighborhood Sale Rules.

24. Soliciting

Soliciting in the subdivision is strongly discouraged. Homeowners should politely ask solicitors to leave the premises.

25. Storage

Storage of equipment, supplies, and firewood shall be in garages only. Under deck areas are not to be used for storage unless the items are out of sight from either the roadways or Common Areas.

26. Storm Doors

Front Entry screen/glass doors are allowed with an approved Variance Request.

- a. Doors must be full length and frame color should closely match color of the exterior trim.
- b. Rear screen/glass doors can be split style and do not require a Variance Request.
- c. Homeowner is responsible for any wood trim that requires painting following installation.
- d. Color specifications can be obtained from the Property Management Company and paint can be procured from local hardware stores.

27. Refuse and Recycling Collection

Refuse and recycling items will be collected on a weekly basis from each driveway closest to the street.

- a. Trash containers are to be kept in the garage until the **night before** collection.
- b. Recycle bins should be covered and container lids secured if necessary to prevent loose items from being blown away.
- c. Proper removal of any hazardous waste is the responsibility of the homeowner.

28. Window Air Conditioners

Exterior window-style air conditioners are not allowed.

29. Window Treatments

Inside window treatments should appear from the outside to be professional, neat, and in good taste. The color should be neutral and consistent with the exterior and that of

surrounding units. Examples are curtains, drapes, vertical and horizontal blinds, shades. Items such as posters, sheets, blankets, clothing, and rugs are not allowed.

30. Neighborhood Sale Rules – Garage, Estate, Moving

- a. A Variance Request is required to be submitted at least three (3) weeks prior to the Sale dates so residents may be made aware of the event.
- b. Sales are allowed on Fridays, Saturdays, and/or Sundays only.
 - i. If Lawn Care and/or Trash pickup are delayed during the Sale week because of holidays, schedule changes, or weather, then Sales are not allowed on the days that services will be held that week.
- c. Sales may be scheduled between the hours of 8am and 5pm only.
- d. Sales signs may be placed:
 - i. At the entrances of the Subdivision (Rawson, Wellington, Chapelhill) near the street signs.
 - ii. At the entrance of the street by the street sign where the sale will be held.
 - iii. In the driveways of the residence where the sale will be held.
 1. Signs are **not** allowed in the lawn areas of the residences.
- e. Signs at the subdivision entrances must be removed promptly at the end of the sale day and are not allowed to stay overnight.
- f. Tables and sale merchandised are to be placed in driveways and garages only, **not** on lawn areas. This is to protect against lawn damage. The HOA will not be responsible for repairing lawns damaged by sale traffic.
- g. Parking is not allowed to block driveways or mailboxes. Enforcement is the resident's responsibility.
- h. Only **one (1)** Garage Sale per residence is allowed annually.
- i. Residents desiring to hold a once-a-year or Garage Sale involving **multiple residences**, it will be allowed provided:
 - i. The participating residents coordinate it;
 - ii. A **single** Variance Request is submitted indicating all participants;
 - iii. All the above rules are followed.

31. Variance Request Procedure

Variance Requests are required for **any** alteration to the structure or landscape of property. They are most commonly used for screen/storm doors, porch enclosures, landscape changes, patio changes, satellite dishes, emergency generators, and garage sales.

- a. Variance Requests must be approved in writing by the Board **before** any work can begin.
- b. Variance Requests are to be submitted to the Property Management Company. Forms are attached herein or can be found on the Property Management Company website.
- c. Variance Requests should be submitted at least one (1) week prior to an upcoming monthly Board meeting. This allows Board members time to review with homeowners prior to the meeting if necessary.
- d. Homeowners should attach a sketch or diagram with dimensions of proposed changes, a list of materials to be used, indicate who will do the work, and provide proof of insurance of the contractor.

- e. Depending on the work to be performed, a Building Permit for the town may also be required. This is the homeowners responsibility, and an approved variance Request does not waive this requirement.
- f. Assuming a Variance Request has been properly submitted, the Board has 40 days to either approve or disapprove it. Should they fail to do so, it will be considered as approved.
- g. The **Variance Request Form** is available on the Property Manager's website <https://www.croftoninc.com/drumlins-ii>. There are two versions:
 - i. Variance Request – Paper
 - ii. Variance Request - Electronic