



## Homeowners Association

# Rules and Regulations

*All the rules and regulations of the Beacon Hills Association have been enacted for one primary purpose: to allow all homeowners the ability to enjoy the full use of their home and facilities with the fewest possible restrictions, and to not violate the rights of other association members to enjoy the same privileges.*

The following policies, rules and regulations have been adopted by the Board Members of our Community Association to provide reasonable use and enjoyment of the common area by members of the Beacon Hills Homeowners Association to assure enjoyment of these facilities, as an essential requirement of Townhouse living. This manual is therefore distributed to establish a guide for action to give this assured enjoyment to all, rather than a restriction of use to any. Restrictions are designed only to protect the large investment owners have made in this community. Protection of your investment, as well as potential increase in value of ownership, can only be assured by proper maintenance, management, and use of your homes and the common areas. (See Exhibit A, Article I, Definitions)

**BEACON HILLS HOMEOWNERS ASSOCIATION BOARD OF DIRECTORS**

**Revised MAY 2024**

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## **FINE SCHEDULE**

Any infraction(s) of the Rules & Regulations will result in a written warning which homeowners will have thirty (30) days to resolve. If after thirty (30) days the homeowner remains non-complaint, a fine for each infraction(s) could be imposed at the Board's discretion.

## **VEHICLES**

Power vehicles, except for authorized power equipment for maintenance, may not be operated on Association property. This includes, but is not limited to, mini-bikes, go-carts and snowmobiles.

Commercial vehicles, boating vessels, trailers, or unregistered vehicles may not be parked or left on Association property, except in enclosed garages.

### **Parking**

Homeowners with one-car garages have the exclusive use of two full-time parking spaces. One space is the garage and the other is the driveway, directly in front of the homeowner's garage. (Two car garages have four spaces.) A few additional parking areas are provided for guests. If a problem arises, a written complaint is to be sent to the Board of Directors in c/o the Managing Agent. The Board of Directors will settle the dispute by referring to the Parking Rules.

Guest parking should not be used as a primary parking spot for the homeowner unless written approval is obtained by the HOA. Guest parking vehicle will need to be moved as needed as requested by the Board.

Blocking the driveway, garage, or motor vehicle of another is absolutely prohibited.

When snow is on the ground, or a storm is predicted, all vehicles must be removed from the visitor parking areas used as a snow pad. Failure to follow this rule impedes the snow plowing operation and can cause inconvenience for other homeowners. If a vehicle is left past this time period, either a homeowner or the plowing contractor can notify the Managing Agent and they will inform the offending party in writing. If action is not taken within twenty-four (24) hours from the receipt of notice, the vehicle is subject to towing and a fine will be assessed, in addition to towing charges.

**Parking is not allowed on the lawn area and repair of damages resulting from the failure to comply with this rule will be assessed to individual homeowners.**

Parking on Blue Ridge, Rockhurst Drive, Talbot Drive or Braintree Crescent is not allowed at any time.

### **Safety on Private Drives**

Speeding and careless driving on the private drives is dangerous and inconsiderate. Homeowners are asked to remind family members and guests to drive slowly and carefully, and to observe the posted speed limit signs throughout the Beacon Hills property.

Unlicensed drivers shall not operate motor vehicles on the common area at any time.

### **AIR CONDITIONERS**

Window air conditioners may be installed no earlier than April 1<sup>st</sup> each year and removed not later than October 31<sup>st</sup>.

### **HOLIDAY DECORATIONS**

Temporary exterior decorations for the various holidays may be displayed provided that:

- 1) Decorations displayed are removed within two (2) weeks following the holiday.

### **RESPONSIBILITY FOR DAMAGES**

In the event that property maintained by the Association is damaged through negligence or culpable act of a homeowner, homeowner's guests, family members, agents, or tenants, the Association shall make necessary repairs to the damaged property. The homeowner shall reimburse the Association for said repairs.

### **TELEVISION AND RADIO ANTENNAE AND SATELLITE DISHES**

Satellite dishes are subject to prior written permission from the Board of Directors, via variance request, and subject to the Guidelines that have been established by Association. (See page 4 for Variance Procedure.)

### **SOLICITING**

Soliciting is not permitted without the written permission of the Board of Directors. Soliciting shall not be interpreted to include candidates for public office.

### **TOYS, SPORTING EQUIPMENT AND COMMON AREAS**

Bicycles or toys found on common areas are subject to confiscation by maintenance personnel. Solid balls or bats, and activities that can cause damage to the homeowners' or Association's property, are not permitted in the common area (including driveways and roadways).

## **ADVERTISING SIGNS**

Advertising signs, except for a “For Rent” or “For Sale” sign, are not permitted to remain on a lot or structure. “For Rent” or “For Sale” signs must be portable in construction and displayed only in the window of the unit being advertised. Exterior portable signs may be displayed on common area property for a total of eight (8) hours per week and/or during times when home is open for inspection.

## **EXTERIOR CHANGES OR MODIFICATIONS**

Exterior modifications of any kind shall not be made to the properties without prior written approval from The Board of Directors. Requests for changes must include plans and specifications by submitting a variance to the Managing Agent for approval.

**Homeowners’ requests for exterior changes or modifications must be made by filing a Variance Request with the Managing Agent.**

## **VARIANCE PROCEDURE**

The following procedure for a “request for variance” has been established to define the steps to be taken when a homeowner wishes to make an exterior change to the buildings or grounds, or to make exceptions to the Rules and Regulations.

Variance request forms are available from the Managing Agent (available now on website).

The Board of Directors will make a final decision within 30 days. If the Board needs further documentation and cannot act within thirty (30) days, the homeowner will be notified of a procedural denial with a request for further documentation.

If the homeowner does not wish to accept the decision of the Board, he or she may file a written appeal with the Board of Directors within thirty (30) days of the denial. A hearing will be held at the next scheduled meeting of the Board of Directors following receipt of the appeal, or at a mutually acceptable date. The Board of Directors will conduct the hearing. Both parties may request the presence of additional persons to present relevant information which may affect the decision.

The Board of Directors will issue a decision by the next Board meeting.

## **TRASH PICK-UP AND RECYCLING**

A private contractor provides trash pick-up and recycling. Space for trash containers must be provided in the homeowner's garage. Trash must not be stored in patio areas or outside a homeowner's unit.

Prior arrangements must be made for disposal of items other than household trash. Such items include carpet, furniture, appliances and remodeling debris. These items must be left at the curb. Please refer to the Managing Agent's website for current contractor information.

Trash containers and recycling bins should not be placed outside earlier than the evening before the scheduled pick-up. Trash put out the night before must be put in a receptacle.

## **NOISE POLLUTION AND RESTRICTIONS**

There shall be no noise from any sound-producing devices that will disturb the comfort of others, day or night. All Town, County and State ordinances and laws, plus common sense and consideration will be used as guidelines. Residents should notify the County Sheriff (911) of any noise complaints.

## **GARAGE DOORS**

Garage doors should be left closed when not in use. Repair and/or replacement of garage doors (other than painting) is the responsibility of the homeowner. A variance request is needed if the door is replaced other than in kind.

## **SALE AND RENTAL OF TOWNHOUSE UNITS**

Homeowners who have sold or rented their homes are required to give written notification to the Managing Agent. Rentals need to provide a lease to the Managing Agent within thirty (30) days of leasing. Renters have full use of facilities. Homeowners who rent their units are not permitted to use the facilities. All townhouses are part of a planned urban development known as Beacon Hills and their intended use is as single family residences. The Town of Penfield zoning ordinances prohibits all other uses. If a rented unit receives three (3) violations within a year, the landlord can lose their right to use the unit as a rental.

## **PLANTING REGULATIONS**

The following guidelines have been established for homeowners who may wish to plant annuals, spring bulbs, and chrysanthemums, as long as existing beds are not enlarged or extended.

It is recommended that plants, rather than seeds, be planted to avoid damage to seedlings. No extra planting is to be done until after the Association's landscaper has completed the first trip (weeding of beds), scheduled for completion each year by Memorial Day weekend (weather permitting).

The Association will continue to provide general maintenance in existing beds. This includes 1) weeding; 2) cultivating; and 3) trimming of shrubs and other Association plantings. The Association, the mowing & trimming contractor, the tree, shrub, and bed maintenance contractor, and/or groundskeepers, are not liable if homeowner plantings should inadvertently be damaged or removed.

Homeowners will be responsible for the care of plants they have added. This includes 1) trimming as needed; 2) removal of dead blossoms at least once every two (2) weeks from plantings requiring this care, e.g. zinnias, marigolds; 3) removal of dead leaves after bulbs have made new leaves; 4) removal of annuals from ground after killing frost; and 5) cutting back of chrysanthemums after first killing frost.

If the homeowner does not meet his or her responsibility regarding care for extra plantings, the Board will issue a letter of warning. If the homeowner remains non-compliant, the Board will take action to remove the extra plants at the homeowner's expense.

### **Requests**

Any special request (pruning a shrub or tree) by a homeowner must be submitted in writing to the Board of Directors.

### **CARE OF SHRUBS**

Homeowners are not to trim or prune Association shrubs or trees. The Contractor (Landscaper) is to perform this service and is responsible for the healthy condition and appearance of all of Beacon Hills.

## **CONTROL OF PETS**

The Penfield Dog Ordinance applies to the common area of Beacon Hills as if it were a private residence. Damage caused by a pet will be billed to its respective owner.

Pets outside of the living unit must be on a hand-held leash and handled by someone who can control the pet.

No pet shall be permitted to be tied or chained in the common area to a fixed object (vehicle, tree, stake, fire hydrant or door knob). Violations are subject to a warning followed by a monetary fine.

The owner of any pet causing damage to the common area shall be given a warning followed by a monetary fine.

No pet shall be permitted to remain on any deck or patio unattended; no pet shall be allowed to create an unsanitary condition. It is the owner's responsibility to clean up the pet's waste when taking their pet for a walk, romping in gardens, or playing on lawns. The owner of any pet that does not adhere to this rule will receive a warning followed by fines.

## **ANIMAL/PEST CONTROL**

The Board is not responsible for any animal or pest control issues other than bees on the exterior of the home. Any other issues should be handled by the homeowner.

## **HOUSEHOLD SALE EVENTS**

Any sale event which has the potential of attracting more vehicles than your driveway can accommodate is not permitted. This includes garage sales, basement sales, deck sales, lawn sales and estate sales. Selling an item or items that are placed or parked within Penfield Beacon Hills Homeowners Association is not permitted. A fine will be assessed per day to any Homeowner conducting any type of household sale.



