

Linden Vue Homeowner's Association
Rules and Regulations
As Amended on June 1, 2011

Section I: Statement of Purpose

The Rules and Regulations are necessary to ensure that all residents may enjoy the benefits of the highest standards of safety, comfort and privacy. It is important to understand that the life styles of the residents of any community will vary so widely that it requires adherence to the Rules and Regulations of the Association so that respect for the rights of all may be maintained. The Declaration and By-Laws, as amended, provide the legal framework within which the Rules and Regulations must be formulated.

The Rules and Regulations were adopted by the Board of Directors on the 1st day of June, 2011, and have been subsequently amended by duly authorized resolution(s) in accordance with Article 7, Section 1, paragraph (a) of the Association By-Laws.

The "Use Restrictions" from the Declaration are referred to throughout the Rules and Regulations. For more information, please reference Article VII (page 10) of the Declaration. Excerpts are in quotation marks.

Section II: General Regulations

1. Members will be held liable to the Association for all costs, including fines imposed in accordance with the Rules and Regulations [reference Section V], also including the repair and/or replacement of any common area or other property of the Association caused by vandalism, willful neglect or accident. Furthermore, members will be held liable for the actions of their family members, guests, employees and pets.
2. In the event of the sale of any unit, the member must:
 - a. Notify the Association or its Managing Agent thirty (30) days in advance of the settlement date.
 - b. Provide the Association or its Managing Agent with the name(s) of the new unit owner(s).
 - c. Deliver a Resale Disclosure Package, prepared by the Association or its Managing Agent in accordance with the Uniform Property Act of Pennsylvania, to the new owner(s) and acknowledge the deliverance of same.
3. In the event of the lease of any unit, the owner must:
 - a. Provide a copy of the lease showing the name of the renters and a phone number.
 - b. Provide a forwarding address and phone number for the owner.

Section III: Environmental Protection Board ("EPB")

The Board of Directors, in compliance with the Declaration, has established an Environmental Protection Board. The role of the EPB is to ensure Linden Vue remains harmonious with the guidelines established in the Declaration and By-Laws.

Before homeowners make alterations to their home or lot, they must be sure of whether or not approval is required from the Board of Directors. Reference the Declaration Article V, Environmental Protection Board. If such approval is required, a Request for Approval for Exterior Alterations and/or additions to Home or Land Areas "Request" must be submitted to the EPB. The Homeowner will be notified within 30 days after receipt of the "Request" whether the plans were approved. Please see Structural Regulations and Request Procedure.

1. Structural Regulations and Request Procedure

a. Structural Regulations.

- Homeowners may not make any exterior alterations and/or additions to their home without the prior written consent of the Board of Directors. Applications for approval of exterior alterations and/or additions must include a copy of the township permit application, where applicable. Initial review of the application will be made by the Environmental Protection Board, who will make recommendation(s) to the Board of Directors.
- Any exterior alterations and/or additions must coordinate with existing building materials, colors and trim work of home.
- Patio construction requires approval by the Board of Directors.

b. Request Procedure for "Approval for Exterior Alterations and/or Additions to Home or Land Areas."

- Homeowners shall request an Application for Approval for Exterior Alterations and/or Additions from the EPB or Management Agency. Upon completion, the application must be forwarded to the Management Agency along with all necessary documentation. Upon receipt, the application will be presented to the Linden Vue Environmental Protection Board during its next regularly scheduled meeting.
- In addition to the application, the member must submit, if applicable; (a) plans consisting of specifications that detail the nature, kind, shape, dimensions, materials, and location of the requested alteration. (b) demonstration that such an alteration, if granted, would not adversely affect any neighboring home or the community.
- Linden Vue Environmental Protection Board will review the application and may inspect the property to determine if the requested alteration is in the best interests of the community. The EPB will only make recommendation(s) to the Board of Directors.
- After the review process has been completed, the Board of Directors will render a decision. The Board of Directors or its Managing Agency will notify the applicant, in writing, of the outcome of this review. The EPB and the Board of Directors reserve the right to continue any review until all facts have been gathered.
- After the applicant(s) receive the outcome of the review in writing, the applicant(s) have the right to request a hearing before the Board of Directors during their next regularly scheduled meeting to discuss their decision.

- c. Ineligible Homeowners and Alteration Time Limit
 - Homeowners Ineligible for Alteration Request.
All homeowners 60 days or more in arrears on Association assessments are ineligible for alteration request consideration.
 - Time Limit for Completion of Alteration
All alterations must be completed within 3 months of date of approval.

Section IV: Use Restrictions

The Declaration specifically states the Use Restrictions for our community. However, there are some restrictions which require further rules and regulations.

1. Parking Regulations

- a. No maintenance, other than routine maintenance that can be completed in less than one (1) day, may be performed on any vehicle parked on any driveway.
- b. Vehicles not utilized on a regular basis shall not be stored on any driveway for a period longer than forty-eight (48) hours. Parking on lawns for periods exceeding twenty-four (24) hours is prohibited.
- c. Please reference North Strabane Township ordinance number 1-88, Chapter 15, Subsection 402, Parking Prohibited at All Times in Certain Locations. This forbids street parking.
- d. Recreational vehicles (including, but not limited to, trailers, boats, campers, RV's or snowmobiles) may not be parked on driveways or lots for anything other than loading/unloading purposes. Such purposes are limited to forty-eight (48) hours.
- e. The use of PODS are only permitted for a period no longer than two (2) weeks and must be in the driveway of the unit that is utilizing it.

2. Pet Regulations

- a. All pets are to be properly licensed, vaccinated, and kept in accordance with the Ordinance of North Strabane Township.
- b. Pet Owners/guardians (meaning those who are responsible for someone else's pet) and responsible for the actions of their pets and are required to maintain control and supervision at all times.
- c. Pets must be on a leash while walking with the owner/guardian.

[Ord. 148, 1/13/1987, § 102]

It shall be unlawful for the owner of any dog or dogs to allow or permit such dog or dogs to run at large in the Township of North Strabane.

- d. Pet owners are responsible for carrying pet waste clean-up equipment and using it immediately while walking their pets, and making proper disposal of the waste at their unit.

- e. Pet owners/guardians shall not permit their pets to abuse and or damage planted shrubbery, trees, lawns, flowers, etc. Pet owners will be held financially responsible for landscape repair.
- f. Any violation of the above rules and regulations should be brought to the attention of the Management Company, Board of the Linden Vue Homeowners Association, and/or the Township of North Strabane Police Department depending on the conditions and severity of the violation.
- g. Relief from disturbing pet behavior, e.g., excessive barking, will be sought through the local Authorities.

[Ord. 148, 1/13/1987, § 302]

It shall be illegal within the Township for any person or persons to own, possess, harbor, or control any animal or bird which makes any noise continuously and/or incessantly for a period of 10 minutes or makes such noise intermittently for 1/2 hour or more to the disturbance of any person any time of the day or night regardless of whether the animal or bird is physically situated in or upon private property, said noise being a nuisance; provided, that at the time the animal or bird is making such noise no person is trespassing or threatening to trespass upon private property in or upon which the animal or bird is situated nor is there any other legitimate cause which justifiably provoked the animal or bird.

- e. No cages, doghouses, kennels, or runs are to be constructed outside of any home.

3. Garbage Regulations

- a. Garbage containers and recycling bins may be stored on the side (exterior) of the units as long as they are kept in clean, sound containers at all times and have secure lids.
- b. If stored on side (exterior) of the unit garbage containers and recycling bins must remain out of view of the main street. The use of an approved privacy screen or similar fencing may be used to hide these items.
- c. Garbage may be placed at the curb no earlier than dusk the night before collection. All containers must be removed from the curb the same day as completion of the collection services.
- d. All homeowners must comply with all requirements for refuse removal and recyclable material pickup as imposed by the refuse hauler and/or North Strabane Township.

4. Firewood Regulations

- a. Firewood shall be kept in the rear of the home in above ground stacks.
- b. All Firewood is to be stacked neatly in a horizontal manner. The stack shall measure no more than a combined total of four (4) feet deep by four (4) feet high by eight (8) feet wide.

5. Landscaping/Home Improvement Regulations

- a. All members are responsible for maintaining their front, side and rear yards. This includes removal of dead trees. Members must maintain adequate landscaping at the front of the home consistent with neighborhood standards.

- b. Grass in all front, side and rear yards are to be maintained at a height of no more than four (4) inches.
 - c. No live trees having a diameter-of six (6) inches or more, measured from a point two (2) feet above ground level, shall be removed from any lot without the prior approval of the Board of Directors.
 - d. For emergency purposes, each home must have numerical identification on either the mailbox or on the home itself that is visible from their street.
 - e. Mailbox repairs and replacements are the responsibility of the owner. If you are replacing with a mailbox identical to what is already in place, approval by the Board is not needed. If you are changing the color or style, you must submit an alteration request form to the Board for review.
 - f. General maintenance repairs such as roof, brick or siding replacement must match original material. If changes are to be made, Association Board approval will be required.
 - g. Exterior painting: All paint color changes will require approval by the Board of Directors.
 - h. Walkways, Patios and/or Driveway replacement involving any expansion, dimension or material changes will require approval.
 - i. Storm doors must match existing door color or existing trim color on the home. Any change in color will require approval by the Board of Directors.
 - j. Any change in garage door color or style will require approval by the Board of Directors.
 - k. Lampposts and lamp changes require approval by the Board of Directors.
6. Kiddie Pools
- a. Only Kiddie Pools designed and constructed to be less than 2 feet deep are acceptable.
 - b. Kiddie Pools may be a maximum of 6 foot by 6 foot or 36 square feet of surface area.
 - c. Kiddie Pools must be portable.
 - d. Kiddie Pools are only permitted to be used from Memorial Day to Labor Day.
 - e. Kiddie Pools must be stored out of sight when not in use between Memorial Day and Labor Day.
 - f. Kiddie Pools are only permitted in rear yards and within 20 feet of the living unit.
 - g. Emptying or draining Kiddie Pools must not affect neighboring properties.

7. Holiday Decorations
 - a. Christmas lights and decorations may be displayed the week of Thanksgiving through January 31st, with discretion permitted if extreme weather conditions exist.
 - b. Only low wattage (under 3 watts) lights may be used.
 - c. Decorations, such as wreaths, may be placed on the front door, patio door, or the outside of the windows. Large suction cups are recommended for window wreaths. Swags may be placed on the outside window ledges.
 - d. Holiday decorations, with the exception of the extended period set forth in paragraph one, may be placed in the unit's shrub bed fifteen (15) days before the holiday through fifteen (15) days after it.

8. Outside Lights
 - a. The post lamps are the major source of outdoor light for the community. The lamps are controlled by a photo sensor which turns the lights on at dusk and off at dawn. Because this light provides added safety to the community, it must not be disabled by any obstruction.
 - b. Homeowners are responsible for replacing burned out light bulbs.
 1. If physically unable to replace the light bulb on your post lamp, we suggest that you might ask an able neighbor or friend to do it for you.
 2. If you are going to be away from home for an extended period of time on vacation, please ask a neighbor or friend to replace your light bulb should it burn out in your absence.
 - c. Lights along walkways, motion detectors and spotlights are permitted with prior approval by the Board of Directors.

9. Walks and Entrances

All walks, entrances, driveways and Common Elements must remain unobstructed to allow freedom of access by all residents. Snow must be removed from these areas within 48 hours after the snowfall.

10. Guests

All guests must observe all rules and regulations of the Association.

11. Storage of Items
 - a. The only items permitted on the patios of the units include hoses, lawn chairs, tables for exterior use, porch furniture, planter hangers, plants, grills and umbrellas.
 - b. Items that are not permitted to be stored on the front or side (exterior) of the units include brooms, shovels, automotive equipment, toys, bicycles, sleds, and other similar items deemed unsightly by the Board.

12. Portable Basketball Hoops
 - a. Basketball hoops will be permitted from March 1 – December 1. Hours of use are from 10:00 AM to Sunset.
 - b. Basketball hoops must be located on the grassy side of the driveway in the middle.
 - c. All basketball hoops must be properly maintained, including the net.
13. Fencing for rear yards ONLY
 - a. Bel-Air style by CertainTeed, available at Liberty Hardware, in white.
 - b. Country Garden style available at Seward Fence Company, in white.
 - c. Owners are responsible to maintain and cut the grass inside the fence area and weed whack the grass along the outside of the fence.

Section V: Fines and General Provisions

1. Per the Declaration, the Board of Directors has the authority to enforce all provisions of the Declaration and By-Laws, including the imposition of fines. Reference Article VI, Powers and Duties of the Board of Directors, in the By-Laws.
2. The Board of Directors has established the following fine structure for failure to comply with the Declaration and By-Laws, including these Rules and Regulations:
 - a. First Action: The first action will be a violation letter giving the homeowner fifteen (15) days from the date of the letter to correct the violation. This letter should mention the potential fine, which is \$27.50 per day.
 - b. Second Action: If there is no response to the first letter, a second letter will be sent advising that the fine will be posted to the homeowner's account if the violation is not taken care of within five (5) days of the letter.
 - c. Third Action: The fine is posted to the homeowner's account five (5) days after the letter is sent. The fine is then a lien against the homeowner and the property from the original date of the first letter.