

**Homeowner Association
Handbook**

**BROOKLAND HEIGHTS
HOMEOWNERS ASSOCIATION**

TOWNHOMES



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SECTION I

Introduction

All residents benefit from the planning and design that have been an important part of the development of our community.

The purpose of design guidelines is to assure residents that the standards of design quality will be maintained. This in turn protects property values and enhances the community's overall environment.

This booklet is designed to address exterior alterations made by homeowners to their property.

Declaration of Bylaws

The authority for maintaining the quality of design in the community is founded in the Bylaws, which are a part of the deed to every property. The bylaws establish both a Homeowners Association and the necessary committees.

These Bylaws are binding on all homeowners, current and future. These Bylaws need to be fully understood by each homeowner.

SECTION II

Objectives

The overall objective of this document is to serve as a guide to both the members of the Architectural Review Board and unit owners in maintaining and enhancing a carefully designed environment. These guidelines and standards address improvements for which unit owners will most often submit applications to the Architectural Review Board. They are not intended to be all-inclusive or exclusive, but rather serve as a guide to what improvements may be made in the community.

The specific objectives of this booklet are:

- Not intended to be all inclusive or exclusive but rather serve as a guide -

- To assist homeowners in preparing an acceptable application to the Architectural Review Board.
- To increase homeowner's awareness and understanding of the Bylaws.
- To describe the organization and procedures involved with the architectural standards established by the Bylaws.
- To illustrate basic design principles, which will aid unit owners in developing exterior improvements, that is in harmony with the immediate neighborhood and community as a whole.
- To provide uniform guidelines to be used by the

Architectural Review Board in reviewing applications in light of the goals set forth in the founding documents of your community and the actions of the Board of Directors.

SECTION III

All exterior alterations require the approval of the Architectural Review Board:

Architectural Modifications Requiring Architectural Review Board Approval

All improvements, alterations, repairs, change of paint colors, excavations, changes in grade or other work which in any way alters the exterior of any Unit, permanently or temporarily, or the exterior appearance of one's property must be approved by the Architectural Review Board. Once a plan is approved it must be followed or the Architectural Review Board must approve a modification unless otherwise specified in this document.

Each application is reviewed on an individual basis. There are not any "automatic" approvals, unless provided for specifically in these guidelines. For example, a homeowner who wishes to construct a deck or fence identical to one already approved by the Architectural Review Board is still required to submit an application.

SECTION IV

A sample of the form, which must be used in applying for approvals, is attached as Exhibit "A". Generally, the following items should be a part of every application.

Architectural Submissions Format

A Site Plan

A site plan is most easily prepared by submitting a copy of the house location plat. Proposed changes should be indicated including dimensions and distances from property lines.

Material and Color

Specify materials and provide samples of the colors to be used as well as an indication of the existing colors and materials. Where materials and/or colors are compatible but different from those of the existing structures, samples of color chips should be submitted for clarity.

Drawings and Photographs

A graphic description should be provided, and may be in the form of manufacturer's literature or photographs as well as freehand or mechanical drawings. The amount of detail should be consistent with the complexity of the proposal.

If appropriate, plans or provisions for landscaping or grading, etc., should be shown as they affect the applicant's

house and as they relate to adjacent houses. In any case, the sketch or photograph should be accompanied by a written description.

Review Procedures

All applications should be submitted to the Architectural Review Board by sending it to the management company. The application will be reviewed for completeness. If the application is complete the review process may begin. If not, the application will be returned to the homeowner for additional information. The Architectural Review Board has forty-five (45) days to review a completed application. The decision of the Architectural Review Board will be sent by letter to the applicant's address by the management company. Failure of the Architectural Review Board to act upon any request submitted to it within forty-five (45) days from date received by the managing agent shall be deemed to have been approved as submitted. The committee will meet as necessary to review applications within the forty-five day time frame.

Appeal of an Architectural Review Board Decision

An appeal procedure exists in the event that a homeowner disagrees with the Architectural Review Board's decision. To initiate the appeals procedure, the applicants or other affected residents must submit a written request for an appeal within twenty (20) days of the applicant receiving the Architectural Review Board decision. The appeal will be referred to the Board of Directors for review.

SECTION V

Architectural Review Board Review Criteria

The Architectural Review Board evaluates all submissions on the individual merits of each application. The characteristics of the house type and the individual site are taken into account when evaluating the particular design proposal.

The following criteria represent in more specific terms the general standards that will be used in reviewing and evaluating such application and design.

Validity of Concept

The basic idea must be sound and appropriate to its surroundings.

Design Compatibility

The proposed improvement must be compatible with the architectural characteristics of the applicant's house,

...When in doubt, contact the Architectural Review Board through the Management Company...

adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.

Location and Impact on
Neighbors

The proposed alteration should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns are access, view, sunlight, ventilation and drainage.

Scale

The size of the proposed alteration should relate well to adjacent structures and its surroundings.

Color

Color may be used to soften or intensify visual impact. The colors used should be the same as those used on the existing exterior.

Materials

Continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house.

Fences and decks must be constructed with pressure-treated, unpainted lumber.

Workmanship

Workmanship is another standard, which is applied to all exterior alterations. The quality of work should be equal to or better than that of the community. Poor practices, besides causing the owner problems, can be visually objectionable to others. Poor workmanship can also create safety hazards.

Timing

Projects and removal of all excess building materials are to be completed within three months from date of approval; otherwise it could become a nuisance and safety hazard for neighbors and the community.

Damage done to common area and/or neighboring lots shall be repaired as soon as possible and no later than the completion of the project.

SECTION VI

The following procedures will be taken by the Architectural Review Board to enforce the rules and regulations as set

...When in doubt, contact the Architectural Review Board through the Management Company...

Enforcement Procedures

forth in these guidelines:

1. All owners and residents of Brookland Heights shall comply with all the provisions of the Articles of Incorporation, Declaration of Covenants, Conditions and Restrictions, the Bylaws and all Rules and Regulations. Failure to comply with the aforementioned documents shall be grounds for an action to recover damages or for injunctive relief, for suspension of voting rights, for foreclosure of liens or any other legal or equitable relief deemed appropriate.

- An appeal must be submitted in writing within twenty days -

In the event any rule or regulation of the Brookland Heights Association is violated, the owner shall be notified of the violation by certified mail, return receipt requested. Notice shall be sent to the address shown on the books of the Management Agent.

2. If the owner is a non-resident, a copy of the violation notice shall also be sent to the tenant, at the unit address, by first class mail.
3. The owner shall have the right to appeal any violation citation. The request for appeal must be submitted in writing, and received in the offices of the Management Agent within twenty (20) days of receipt of the violation notice.
4. In any instance where the violation presents a health or safety hazard, the Management Agent may take immediate action, at the owner's expense, to correct the violation. Notification to the owner of the action taken and the costs incurred will be made by certified mail, return receipt requested.
5. In the event the owner does not bring the violation into compliance within twenty (20) days, or submit a request for appeal within twenty (20) days of the date of receipt of the violation, the Board of Directors may proceed with enforcement procedures as indicated in the Bylaws.

Please note that failure of the Architectural Review Board to enforce any provision, covenant, restriction, or rule and

...When in doubt, contact the Architectural Review Board through the Management Company...

regulation shall in no event be deemed a waiver of the right to do so thereafter.

SECTION VII

Guidelines

- Contact "Miss Utility"
before digging -

It is the unit owner's responsibility to secure proper building permits and to ensure that plans conform to county guidelines.

The guidelines, which follow, address a broad range of exterior alterations for which homeowners frequently submit an application to the Architectural Review Board. It would be impossible to address each specific design condition. As a result, these guidelines present the principle factors, which should be considered when developing a design. More specifically, these guidelines define the limits to size, quality of construction, location, materials and color based on the intended use and relationship to adjoining properties rather than focusing on a particular construction detail or a specific design alternative. As stated earlier, all projects are to be completed within three months from date of approval.

The Architectural Review Board will always consider the individual merits of each application. The use of these guidelines should assist the unit owner in gaining timely Architectural Review Board approval. The applicant who follows the guidelines should expect approval or rationale as to why the application was not approved.

Note that "Miss Utility" should be contacted for location of cables and/or pipe work prior to any digging when constructing decks, fences, etc.

These guidelines should in no way restrict the homeowner in the design of a well thought out alternative approach.

Amendments to the Architectural Review Board Guidelines

The Architectural Review Board will try to conduct an annual evaluation to determine if the guidelines need to be amended. It is anticipated that any changes would be primarily additive and would not involve substantive changes of the existing guidelines.

1. Fences

Fencing can be used to separate property, provide security, visual privacy, or to architecturally define space. In

...When in doubt, contact the Architectural Review Board through the Management Company...

achieving any one of these goals, a barrier is created which has both a visual and a physical impact on the boundaries of common land and properties of adjacent homeowners.

No front yard fences will be allowed, other than those previously installed by the builder as part of overall community landscaping. Fencing should be compatible with the applicant's house, but it should also be appropriate for its intended purpose.

Chain link fencing or wire fencing of any kind is not allowed.

Fences must follow the line of the property. Side yard fencing will not be permitted on end unit yards. No front yard fencing is permitted. Fences must be the same style as the builder / Association has initiated. Fencing must be six (6) feet high on all perimeters.

Residents must allow open access to the backyards of the units whenever necessary for repairs or any inspections.

2. Storage Sheds

Storage sheds can aesthetically affect both individual property and the neighborhood. As a result, all storage sheds should be compatible with both the architecture and landscape surrounding the house.

The shed should be designed to appear as part of the house/landscaping/fence theme and may be part of a deck. Building materials must correspond to design theme, including color.

The shed must be designed to respect the "visual rights" and aesthetic interests of neighborhood properties and must not be higher than six (6) feet within a properly fenced yard and sheds also should not protrude above the fence.

Applicants should review fence and shed design criteria with respect to visibility, privacy and materials prior to design.

3. Patios and Decks

Patio and Deck Location - Patios and decks should be located in rear yards. Side yard locations will be evaluated on their individual merits.

When patio or deck schemes include other exterior changes, such as fencing, lights, plantings, etc., other

...When in doubt, contact the Architectural Review Board through the Management Company...

appropriate sections of these guidelines should be consulted prior to application.

a. Decks

- All decks are to be of unstained, unpainted, pressure treated wood. No solid screening will be allowed. Applications must include a site plan showing size of deck, location as it relates to applicant's house, and a description of the details of railings, trellises, posts, stairs, steps, benches, etc. as required to clearly describe the proposal. Please include the height of deck off the ground.
- Clear preservatives will be allowed. Tinted preservatives must be approved prior to application.

b. Patios

Rear yard, ground level patios need not have Architectural Review Board approval if it is contained within a 6-foot privacy fence and gate. If it can be viewed at eye level by neighbors, it must have Architectural Review Board approval.

4. Arbors, Trellises, and Privacy Screens

Arbors in front yards are not allowed. Trellises are subject to approval by the Architectural Review Board.

The Architectural Review Board may approve lattice privacy screening on decks if it replaces previously installed deck dividers.

- a. Screening may not be installed as a free standing wall or as a fence
- b. Lattice work must be installed with framing
- c. Lattice work must be incorporated as a part of the overall deck design and connected to the unit
- d. Latticework may not be installed in place of deck railing.
- e. No solid screening will be allowed.

Any request for screening will be reviewed on a case-by-case basis and should be incorporated into the overall design of the deck or patio. In general, the Architectural Review Board must approve anything of this nature.

5. Storm and Screen Doors / Windows

All storm doors must be approved by the Architectural Review Board. No plastic covering will be permitted on

...When in doubt, contact the Architectural Review Board through the Management Company...

the exterior (outside) doors or windows.

a. Doors

Front storm doors must be full view or modified full view, straight forward, uncolored glass.

Storm or screen doors must be painted the same color as the entry door behind them or the same color as the surrounding wood trim.

b. Windows

Storm and screen window frames must match the trim of the house. White replacement windows will be allowed. Window screens are the responsibility of the residents or the owners. Screens must match the window trim.

6. Sun Control Devices

Awnings, trellises or other sun control devices must be approved by the Architectural Review Board.

7. Recreation and Play Equipment

All recreational and play equipment including basketball hoops are restricted to rear yards only and may not exceed 6' in height. Recreational and play equipment must be approved by the Architectural Review Board. The general rule is to require fencing to screen the equipment from the view of neighboring property owners. The Architectural Review Board may waive this policy for units, which have no adjoining property owners to the rear of their lot, or for those who have written consent that the equipment will not be objectionable to neighboring property owners.

All exterior play equipment must be well maintained. No peeling, rusting, falling apart, or extremely faded equipment will be permitted.

Any and all toys, bikes, etc. must be stored in the backyard areas only when not in use.

8. Major Exterior Changes

If a major alteration is approved by the Association, then all of the submission rules for applications must be followed.

9. Antennas

No exterior antennas or satellite dishes for transmission or reception of radio or television signals shall be erected or permitted on the property without prior approval from the Architectural Review Board.

10. Dog Houses and Runs

Dog houses must be compatible with the applicant's house in color and material or match a natural wood fence and must be located where they will be visually unobtrusive. In

...When in doubt, contact the Architectural Review Board through the Management Company...

addition, they must be in rear yards. Doghouses will be reviewed on an individual basis.

11. Outside Lighting

Electronic Insect Traps

Electronic lighting should be chosen so as not to light up any area beyond that of the applicant's property. Cases of darkened common areas should be brought before the grounds committee. Electronic insect traps shall not be installed or maintained in such a way as to cause discomfort to adjacent owners from noise and may only be operated during those times when the immediate area protected by the trap is occupied by the owner or his guests.

12. Exterior Painting

All exterior color changes must be approved by the Architectural Review Board. Repainting or staining any portion of a building exterior to match its original color need not be submitted.

Color changes apply not only to the house siding, but also to the doors, shutters, trim, roofing, and other appurtenant structures.

A list of approved door colors will be provided.

13. Flagpoles

Homeowners wishing temporary flagpole staffs, which do not exceed six feet (6') in length and are attached at an incline to the front wall or pillar of the house or dwelling unit need not have an application.

14. Barbecue Grills

Barbecue grills should be placed in the rear of the house and as far as practical from the adjacent property lines.

15. Compost Piles

Compost piles are prohibited.

16. Hot Tubs/ Pools

Plans for hot tubs must be submitted to the Architectural Review Board. Copy of County approval should be submitted with detailed plans. Privacy screening is required.

Above ground pools are prohibited. Kiddie pools are allowed in rear yards only.

17. Clotheslines

Umbrella style only are permitted must be closed when not in use.

18. Gutters and Downspouts

Gutters and downspouts must match those existing in color

...When in doubt, contact the Architectural Review Board through the Management Company...

and design and must not adversely affect drainage on adjacent properties. The owners must maintain gutters and downspouts.

19. Attic Ventilators

Attic ventilators or other mechanical devices requiring penetration of the roof will be allowed with prior approval.

19. A/C Units

Air conditioning units may be installed no earlier than April 15th and must be removed no later than November 15th.

20. Trash

Trash shall be collected and stored in covered trash receptacles and not solely in plastic bags. The storage of trash cans and/or recycling bins in the front of any unit is prohibited.

Containers shall not be placed on the curb for pickup earlier than the evening prior to the day of pickup. Trash receptacles shall not remain in public view except on days of trash collection.

No accumulation or storage of litter or trash of any kind shall be permitted on any lot.

Each resident is responsible for picking up litter on his property and preventing windblown debris from originating from his Unit.

No dumping or littering is permitted anywhere in Brookland Heights. Anyone witnessing dumping or littering is encouraged to report this action to the **managing agent** and the **Fredrick County Sheriff's Dept.**

21. Firewood

Firewood shall be kept neatly stacked on a rack, located at least 4 feet from the house in the rear yard of the residence. It must be kept within the lot and under no circumstances is firewood to be stacked in the common area.

Piles larger than two cords require approval. Piles longer than 6 feet should be 2 rows deep minimum. Piles must not exceed 4 feet in height for safety. Firewood piles must contain firewood only, no storage of debris.

Location should be in such a manner as to minimize visual or physical impact. In certain cases, screening may be required.

22. Real Estate Sales/Rent

Except for those signs related to real estate sales and

...When in doubt, contact the Architectural Review Board through the Management Company...

and Miscellaneous Signs

construction, no sign, advertisement, or message other than for identification purposes shall be displayed which offers or implies commercial or professional services.

Real estate signs must meet County regulations with respect to size and content. Signs may only be placed in the yard of the property advertised or the common area curb grass in front of the property.

Homeowners will be limited to one sign per property.

All signs must be removed within 72 hours of contract acceptance.

Real estate open house signs will be permitted on common property only between Saturday 9:00 AM and Sunday 5:00 PM. Any sign standing beyond approved hours will be removed.

All miscellaneous signs, including but not limited to yard sales, etc. must be put up no sooner than forty-eight (48) hours prior to and taken down no later than twenty-four (24) hours after the event.

23. Solar Panels

Solar panels are not permitted.

24. Landscaping and
Vegetable Gardens

No tree, hedge, or shrub shall be maintained in such a manner as to obstruct sight lines for vehicular traffic.

Vegetable gardens are limited to back yards.

All gardens must be neatly maintained throughout the growing season; this includes removal of all unused stakes, trellises, and dead growth.

Consideration should also be given to type of trees to be planted, specifically with regard to size of mature trees, and how the roots will affect water lines and underground cables, etc.

If such plantings result in complaints by neighbors, the Architectural Review Board will consider appropriate measures to resolve the problem.

Applications, when required, should include a description

...When in doubt, contact the Architectural Review Board through the Management Company...

If such plantings result in complaints by neighbors, the Architectural Review Board will consider appropriate measures.

of the types and sizes of shrubs to be planted and a site plan showing the relationship of plantings to the house and adjacent dwellings.

An application IS NOT REQUIRED for landscaping which meets all of the following conditions:

- a. Size does not exceed ten (10) feet by ten (10) feet-areas larger than this must be enclosed within a properly fenced yard
- b. It does not damage property through the flow of water onto adjacent property.
- c. Foundation landscaping (within four feet of the base of the unit) which meets all of the following conditions:
 1. Restricted to natural landscaping (i.e. plants, shrubs and trees),
 2. Railroad ties, garden timbers or other materials used to construct a border or retaining wall which does not exceed eighteen (18) inches in height and remain within four feet of the foundation.

An application IS REQUIRED for:

- a. Hedges more than 2' in height or 8' in length, or other features which in effect become structures, fences or screens and a part of other applications where required.
- b. Rock gardens or rocks or collections of rocks exceeding 24 inches in any direction. All rocks shall be left their natural color.
- c. Railroad ties or garden timbers which form a wall over **18"** high or **20'** long. Anything over **30"** requires a permit from the County.
Include a site plan with the location of ties or timber drawn in, and information on landscaping plans and any grading changes.
- d. Any landscaping or gardens that are not covered in

...When in doubt, contact the Architectural Review Board through the Management Company...

the paragraphs above.

25. Noise / Disturbances

Noises and disturbances will not be tolerated when they are outside of the Frederick County ordinances. When disturbances occur, they should be reported the Frederick County Police Department.

Considerations for your neighbors and common courtesy should be the rule all other times. This includes loud gatherings in the parking areas or any other common areas at any time, and playing of TVs, radios, stereos, video games or other activities when they become audible outside of the confines of the any unit.

Note

The Association does not in any way condone or authorize the use of the streets and the parking areas for a playground for the children. Any accidents resulting in injury or bodily harm or property damage will be the sole responsibility of the participants.

26. In-Home Business

Frederick County and the Declaration Bylaws, regulates in-home businesses. In addition to County control, the Association is concerned about the impact of in-home business on the residential character of the neighborhood and on adjacent neighbors. Therefore, for home businesses, the following special requirements must be met:

- a. Permit obtained from Frederick County.
- b. Copy of Permit on file with the Association's office.
- c. No sign or other advertising device of any nature shall be placed upon any lot.
- d. No exterior storage of business-related materials will be allowed.
- e. Commercial vehicles are prohibited. Please see Section X – Vehicle Control of this handbook.

Although the Association does not expressly prohibit in-home day care services, the above requirements must be met. Care should be taken so that this service does not cause an annoyance to neighbors or interfere with the rights of other homeowners relating to the "quiet enjoyment" of their property.

...When in doubt, contact the Architectural Review Board through the Management Company...

SECTION VIII**General Maintenance
Guidelines**

Property ownership includes the responsibility for maintenance of all structures and grounds, which are a part of the property. This includes, but is not limited to items such as mowing grass, removal of trash, and minor structural maintenance. Maintenance affects the visual character and economic values of the property and neighborhood, and in some cases, safety.

Exterior Appearance

The exterior of all structures, including walls, doors, window, and roofs, shall be kept in good maintenance and repair.

In the event of fire, windstorm or other damage, the exterior of a structure shall not be permitted to remain in a damaged condition for longer than three (3) months.

Mowing

Turf areas need to be mowed at regular intervals, maintaining a maximum height of 6 inches and a minimum height of 2 inches. Changes to this requirement may be made according to specified plans.

Planted beds must be kept in a neat and orderly manner.

**Lawn and Garden
Fertilization**

All soil should be tested before fertilizer is added especially in areas where drainage will flow into ponds. Special care should be taken not to over-fertilize or to fertilize lawns and gardens where there is the least chance of runoff.

Erosion Control

Each resident is responsible for seeing that their lot area is protected from erosion and that storm drain structures are not blocked so as to cause additional erosion problems.

Pesticides and Herbicides

Pesticides and herbicides may be applied according to label instructions for the specified problem. Emphasis should be placed on organic/biodegradable materials in order to ensure the least harm to the natural environment. Care in application is extremely important. Avoid use of pesticides and herbicides if at all possible, but when necessary use with caution and follow instructions.

SECTION IX**Pet Control**

As stated in the Bylaws, "No horse, pony, cow, chicken, pig, hog, sheep, goat or other domestic or wild animal shall be kept or maintained on any lot or in any unit; however, common household pets such as dogs and cats may be kept or maintained, provided that they are not kept, bred or maintained for commercial purposes and do not create a

nuisance or annoyance to surrounding Units or the neighborhood and are in compliance with applicable Frederick County ordinances."

The Board of Directors has adopted specific rules and regulations governing pets. They are as follows:

1. The Board of Directors has extended permission to the County Animal Warden to enforce all applicable portions of the County Ordinance in regard to all animals and pets within the common areas.
2. Owners and all other persons who are owners and/or custodians of pets shall not allow such pet to run at large in Brookland Heights. A dog or cat shall be deemed to run at large while roaming, running or self-hunting or when not restrained by a dependable leash and controlled by a responsible person as defined by County Ordinance.
3. All pets must have appropriate shots, licenses and tags, as required by County Ordinance.
4. Pet owners shall be responsible for immediate clean-up and proper disposal of pet wastes deposited. Kitty litter shall be disposed of in a tightly sealed plastic bag and placed at curbside on normal trash collection days.
5. Residents or guests who own pets shall ensure that their pets do not become a nuisance to other residents in the Community. Actions, which may constitute a nuisance, include, but are not limited to: barking, crying, scratching or being hygienically offensive.
6. Pets shall not be chained or leashed on any common area.
7. Pet owners shall incur any and all costs for repairing damage to common areas caused by their pet(s).
8. Pet owners must respect the private property of others. Pets are not allowed to trespass on private lawns and should be walked in common areas only.

9. Residents should report any violations of the above items to the County Animal Control.
10. Any other violations should be reported, in writing, to the managing agent with specific information as to name and address of violator, time and date, and description of pet.

SECTION X

The Board of Directors has adopted specific rules and regulations regarding vehicles. They are as follows:

Vehicle Control

General

- a. No unlicensed vehicles, including but not limited to motorized bicycles, mini-bikes, go-karts, etc. shall be operated on or parked upon any common area of Brookland Heights.
- b. Minor repairs begun on vehicles by an owner or his assigned agent, while on any area, must be completed within 48 hours from the starting time of the repair. Major repairs (including but not limited to engine, transmission, and rear end overhaul) are prohibited.
- c. Dumping, disposal of leaks of oil, grease, or any other chemical, residual substances, or any substance or particles from containers of any type (as a result of the repair, maintenance, or carelessness) are not permitted on any areas. Disposal must also conform to environmental regulations.
- d. The dumping of motor oil and other petroleum products into the storm sewers is a direct violation of the State Water Control Law and may lead to civil penalties and clean-up costs for the responsible person(s).
- e. All motor vehicles shall not exceed the speed limit of fifteen (15) miles per hour while operated in common area streets.
- f. All motor vehicles (including motorcycles) shall be operated in the paved parking lot areas only. Each unit is assigned two (2) parking spaces. All motor vehicles (including motorcycles) shall be parked in

the unit's assigned parking spaces only. Parking in the fire lanes and the rear areas where access to other common areas are impeded is prohibited, especially along curved curbs.

- g. Owners of vehicles will be held liable for all costs to repair damages to common areas caused by negligence, repair operations on the vehicle or storage of any combustible, dangerous or other wise hazardous material on common areas (regardless of the type of container).
- h. Parking of motor vehicles with commercial lettering, including but not limited to vans, cars, trucks, taxicabs, buses, and vehicles with ladders/ladder racks, are prohibited in Brookland Heights. Trucks greater than three quarters (3/4) of a ton in size are prohibited in Brookland Heights. Any vehicle longer than 19 feet in length will not be allowed to park in any common area parking space.
- i. Recreational vehicles including but not limited to boats, trailers, campers, ATV's, mini bikes, go-carts, etc are not permitted in the community.
- j. Any unlicensed person is prohibited from operating any motor vehicle on common areas.
- k. All persons operating motor vehicles upon common areas shall conform to all traffic control signs posted on the premises, and in accordance with the provisions of the traffic ordinances of Frederick County and the State of Virginia.
- l. Operation of any motor vehicle in violation of the Code of Virginia, as amended, is prohibited.

Consent is hereby given by the Board of Directors to all appropriate law enforcement officers who are hereby empowered to enforce all motor vehicle laws in the streets and common areas of Brookland Heights.

- m. Vehicles parked on property must be in compliance with Commonwealth of Virginia and Frederick County laws. Vehicles with expired stickers, tags and/or inspection, inoperable including but not

limited to flat tires, fire lanes, and no parking signs along the 4x4s. The tow company will tow vehicles not in compliance with the terms and conditions stated without notice at the owner's expense. All actions shall be coordinated with the Frederick County Police Department in accordance with the applicable requirements of the Code of Virginia as amended.

- n. All vehicles parked on any area in public view must be maintained in an acceptable state of repair to meet the following conditions:
 - 1. Powered vehicles must be maintained in operating condition.
 - 2. Tires supporting vehicles on common areas must be inflated at all times to within 10 PSI of the manufacturer's recommended pressure so that they can be moved in the event of an emergency.
- o. The Board of Directors shall be empowered to have vehicles which are in violation and any vehicles as defined in the Code of Virginia, as amended, removed from the common areas, at the owner's risk and expense at any time.

Recreational Vehicles

Recreational vehicles to include, but not limited to, motor homes, boats, and trailers shall not be kept on any lot or in the common areas or parking areas.

SECTION XI

Estoppel Certificate

An Estoppel Certificate is required by the Architectural Review Board and Virginia law to be completed and issued to your settlement attorney prior to the closing of the sale of your home. This certificate provides information on the current status of assessment payments and on the existence of any architectural violations.

The Estoppel Certificate helps to protect the future buyer against unknown problems with past owners' architectural changes or past-due assessments. If everything is in order, it also protects the seller from potential lawsuits involving violations of the Covenants by subsequent owners.