

HARROGATE NORTH CONDOMINIUM ASSOCIATION
RULES AND REGULATIONS
(Revised January 18, 2022)

The purpose of these Rules and Regulations is to help maintain the character and aesthetic appearance of our community and protect the integrity and quality of life at Harrogate North for today and into the future.

The Rules and Regulations published here are a supplement to the Declaration of Condominium for Harrogate North, An Age-Qualified Condominium, and are not intended to replace the actual document from which they are taken. You are encouraged to read and become familiar with the entire Declaration, specifically Article 3–Description of Condominium and Article 7–Building and Use Restrictions, for more information.

As provided in the governing documents, the Executive Board may adopt, amend and repeal, from time to time these Rules and Regulations as the Board may deem necessary or appropriate for the regulation of the use and enjoyment of the Common Elements, subject to Township approval, if required.

NOTE: These Rules and Regulations are to be adhered to by Unit Owners, their guests, and tenants occupying investor-owned Units. They are collectively referred to as 'Occupants' in this document.

GUIDELINES

The Executive Board encourages communication between neighbors. You should consider the feelings and opinions of your neighbors when planning any of the improvements or additions listed herein since changes to your own home and yard area often affect them as well. We believe that this practice will help you reap great rewards as well as preserve the character and aesthetic appearance of the Community.

Harrogate North is a self-policing community and as such it is our responsibility to ensure that these Rules and Regulations are adhered to by everyone. If a violation appears to be occurring, you might want to begin by simply talking with the neighbor where the violation is located. It is possible that they may not be aware of these Rules and Regulations or the Community's interest in compliance with them. You may also report violations in writing to the Property Manager. All reports are kept strictly confidential.

ARCHITECTURAL CHANGE REQUESTS

Any change to the exterior of the Unit including the yard areas **MUST HAVE THE PRIOR WRITTEN APPROVAL OF THE EXECUTIVE BOARD BEFORE** any work is contracted or started. Examples of items requiring prior approval include but are not limited to storm doors, awnings, and landscape changes.

Maintenance to the existing structure, such as painting, gutter replacement, repairs on roof, etc., without changing the existing footprint or neighborhood specifications of color, do not require Board approval. Please refer to the Community Specifications document on the Harrogate Website for specific information.

Unless otherwise indicated, all requests must be made in writing using the Harrogate North Condominium Association (HNCA) Architectural Change Request Form (ACR), available on the Harrogate website, in the Clubhouse Library or through the Property Manager. Please follow the instructions and guidelines for submission as indicated on the form.

NOTE: Approval of any project by the Executive Board does not waive the necessity of obtaining the required applications or permits from the appropriate municipal or governmental authority. It is the responsibility of the Occupant to adhere to local building and zoning requirements. Obtaining a municipal permit does not waive the need for Board approval.

Each Occupant shall try to minimize the disturbance of the natural features of the property, as well as the negative impact thereof from dwellings on adjacent or nearby Units of the Condominium.

ACR's from Occupants who have failed to pay Assessments or have outstanding violations, shall be considered denied until the amount is paid in full or otherwise resolved.

NOTE: The status of any request can be checked by calling the office of the Property Manager.

Any exterior alteration to an existing Unit shall follow the same design character of the original Unit. Whenever possible, the style of proposed exterior materials should match those existing on the original Unit and be compatible with the architectural design character of the Community. Colors must meet the guidelines of the HNCA Community Specifications document available on the Harrogate website, in the Clubhouse Library or through the Property Manager.

COMMON OPEN SPACE RULES

By way of example and not as limitation, no Person shall install, keep, or maintain any additions, structures, improvements, walkways, utility pads, chimneys, eaves, or bay windows on or which project into Common Open Space. The Executive Board shall have the authority to grant permission in special circumstances to conduct activities in the Open Space which may be inconsistent with the restrictions noted below. To preserve and protect the Open Space and natural areas, the following activities are prohibited:

1. The lighting of fires of any kind.
2. Camping or sleeping.
3. Use of snowmobiles, off-road motorcycles, 4-wheel or other all-terrain vehicles, battery powered scooters (unless a medical necessity), skateboards, or any other mechanically operated device or vehicle.
4. Installation of children's recreational equipment, portable or permanent basketball courts, bicycle ramps, backboards, trampolines, or other game/sporting device.
5. Removal of trees from any Common Element or other portion of the Property by any Occupant. Each Occupant shall be responsible for providing necessary and proper quantities of water to the trees adjacent to their Unit.

LIMITED COMMON ELEMENT RULES

Limited Common Elements (LCE's) include front yards extending from the front façade of the dwelling to the inside edge of the sidewalk, side and back yards generally extending to 10' from the dwelling on all sides, decks and patios, service walks, driveways, and sewer lines and water lines connecting from the Unit to the curb.

It is recognized that at time of conveyance of Units, the Declarant specified to the Unit Owner that no further improvements to the LCE were permissible. However, the Executive Board shall have the right to establish design criteria and standards for alterations and improvements within the Community as set forth in Article 3 and Article 7 of the Declaration, and may set forth additional details concerning

permitted and prohibited items and use of yard areas. The following is not intended to be a complete list of usage and restrictions, but to clarify items covered in Article 3 and Article 7.

Prohibited Items

1. Structures or other improvements, either permanent or temporary, installed or placed in yard areas, except as outlined below under “Allowable Items Requiring an Approved Architectural Change Request”.
2. Storage, depositing, dumping, burial, burning, or abandonment of any solid waste, debris, trash, or refuse of any nature.
3. Exterior sculptures, lawn ornaments, bird baths, bird feeders, fountains or similar items on the front or sides of Units. The foregoing shall not be deemed to prohibit these items on Occupants deck, patio or mulched bed, provided they are maintained in a neat and attractive condition.
4. Outdoor storage of appliances, lumber, wood, or building materials shall be forbidden except during approved construction activity. The foregoing shall not be deemed to prohibit an outdoor gas or charcoal grill on such Occupant’s deck or patio, provided such grill is maintained in a neat and attractive condition.
5. Outdoor fireplaces are prohibited. Wood burning grills and fire pits are permitted on patios and decks provided manufacturer’s safety directions are followed. Do not install on patio if there is a deck overtop.
6. Fencing of any kind.
7. Clothes lines, either permanent or temporary.
8. Above ground utilities, including overhead utility lines.
9. Window air conditioning units or similar units that extend beyond or through the Unit’s exterior walls.
10. Awnings in the front or to the side of the Unit.
11. In-ground or above-ground swimming or wading pools.
12. Vegetable gardens. However, this does not prohibit the planting of up to six vegetable plants in the rear yard or back half of the side yard.
13. Dog houses, dog runs, kennels, or portable animal pens.
14. Stabling, housing, raising, breeding, boarding, or keeping any animals or livestock of any nature for personal or commercial purposes (excepting only personal domestic household birds, fish, dogs, and cats limited to no more than 2 dogs and 2 cats).
15. Non-operating vehicles, any vehicle not currently registered and licensed or any vehicle having an expired state motor vehicle inspection sticker, commercial vehicles (displaying signs, logos, or business references), ATV’s, boats, boat trailers or other trailers, motor home, or RV’s are prohibited unless entirely enclosed in a garage. No maintenance work shall be done on any vehicle that will render the vehicle inoperable for more than 24 hours, unless it is completely enclosed in a garage.
16. Signs, banners, billboards, or advertisements of any kind, including, without limitation real estate “for sale” or “for rent” signs of any type or size, shall not be displayed on any Unit or elsewhere throughout the Community (including signs within the window inside any Dwelling) at any time. Two exceptions are:

- a. 'Information boxes' detailing the home for sale are permitted in the front lawn area.
 - b. One security/alarm system sign not exceeding 1 sq ft may be installed in a planting bed in front of the Unit.
17. Contractor vehicles parked on the street between the hours of 6 p.m. and 7 a.m.
 18. Trash cans and recycle bins not garaged within 12 hours of trash collection.
 19. Decks, stairs and patios extending beyond the side footprint of the house.
 20. Metal stairs on the exterior of the house.

Allowable Items Requiring an Approved Architectural Change Request

The following improvements to the Unit exterior are generally allowable but must be approved by the Executive Board using the HNCA ACR Form. The improvements must also meet the guidelines of the HNCA Community Specifications document available on the Harrogate website, in the Clubhouse Library or through the Property Manager.

1. Storm doors in the front or rear of the Unit.
2. Retractable awning over the patio or deck in the rear of the Unit.
3. Pergola over the patio in the rear of the Unit
4. Permeable Pavers in the rear of home are not to exceed 120 sq. ft. and/or extend past the side boundaries of the house. River rock to be used in rear, underneath decks or perimeter of the homes, must be consistent in size and color of rock already installed in the community.
5. Generators: Installation of a permanently installed generator is permissible with a completed ACR form that includes the size, location and installation information provided by the contractor. Generators should be located to minimize the visual disturbance to the community. The contractor must apply for and receive two permits (electrical and plumbing) through New Garden Township. Permits do not have to be included with the completed ACR form.
6. New or expanded landscape beds. All landscaping improvements should utilize plantings on the HNCA Suggested Landscape Plants list available on the Harrogate website, in the Clubhouse Library or through the Property Manager. Occupants are responsible for the work performed and to ensure that the bed appearance is consistent with the other beds in the Community. Occupants are responsible for proper watering, insect control, and non-scheduled pruning of their plants, shrubs, and trees. Planting beds along the side of the Unit are limited to a maximum width of 7' and along the rear to a maximum width of 4'. Landscaping is permitted around utility boxes in the LCE space in front of or between houses
7. Landscape and exterior lighting. However, small spotlights to illuminate the house number sign and motion detection lights less than 60 W (or equivalent) do not require approval.
8. Pavers for Lead Walk. Replacement of the concrete sidewalk leading to the front porch with pavers is permitted. Pavers should be of an earth tone color and consistent with other pavers used throughout the Community.

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Allowable Items Not Requiring an Architectural Change Request

1. Addition or replacement of shrubs, perennials, or trees to existing beds as long as the plantings are on the HNCA Suggested Landscape Plants list. If the plantings are not on the recommended list, submit an ACR form.
2. Addition of annual flowers or bulb plants to the planting beds.
3. Standard river rock may be installed around the HVAC and utility equipment without requiring an ACR form. Any new river rock must be consistent in size and color to river rock already installed within the community. Any additional river rock or expanded beds along the perimeter of the homes must still be approved via the Architectural review process.
4. Holiday wreaths, lights, and decorations are acceptable, but must be removed within 3 weeks of the end of the holiday or season.
5. Maintenance, repair or complete replacement of items such as roofing, siding, gutters, downspouts, chimneys, windows, shutters, trim, doors, decks, patios, awnings, driveways, service walks and exterior lighting, do not need prior approval, provided they meet the guidelines of the HNCA Community Specifications document.
6. Flags

An Occupant may display an American Flag and/or one decorative flag, of a non-offensive nature over a deck, patio, lead walk or on either side of the garage door. The flag must be displayed from a staff and cannot be draped or otherwise affixed to railings or walls. Flags must be no larger than 3'x5' and must not be faded or tattered.

- i. Political flags, signs and banners are strictly forbidden.
 - ii. United States flags must be taken down at dusk unless illuminated by a porch, garage or fixed light. This is following US regulations for lighting of American Flags.
 - iii. Multiple small flags (less than 1 sq ft) may be installed on front yard on federal holidays.
7. Satellite and Antennas - 47 C.F.R. Section 1.4000 or The Over-The-Air Reception Devices Rule of the Federal Communications Commission as it is better known, prohibits restrictions that impair the installation, maintenance, or use of antennas used to receive video programming. The Rule applies to video antennas including direct-to-home satellite dishes that are less than one meter (39.37") in diameter, TV antennas, and wireless cable antennas.

The Rule prohibits most restrictions that: (1) unreasonably delay or prevent installation, maintenance or use; (2) unreasonably increase the cost of installation, maintenance or use; or (3) preclude reception of an acceptable quality signal.

In light of the Rule and its interpretations, the Executive Board requests that all new satellite antennas or other antenna be installed at the rear of the dwelling below the roof line, or in the alternative for necessary reception, on the side of the Unit at ground level with a landscape screen.

COMMON COURTESY AND SAFETY REQUESTS

The following guidelines, while not strictly falling under the Rules and Regulations, are requested to be adhered to by Occupants:

1. Keep garage doors closed when garage is not in use.
2. Garage vehicles if possible.
3. Refrain from parking vehicles on the street for any extended period of time.
4. Park as close to the curb as possible to allow for passage of emergency vehicles.
5. Do not park directly across the street from a driveway.
6. Do not leave a vehicle parked on the street if a snow event is forecasted. This makes it difficult for snow plows to effectively clean the streets.
7. Occupants with front-facing garages sharing a driveway should not park vehicles beyond the outside edge of their garage door to provide room for those with side-facing garages to safely back out of the driveway.
8. Speed limit in the Community is 20 miles per hour.
9. Occupants sharing a driveway should try to reseal at the same time, sharing the cost.
10. Install timers or photo cells on outside garage lights to add to the safety and security of the community.
11. Be respectful of your neighbor's need for privacy while using the walking trails or walking in the Open Space.

FINES

In addition to any other method of enforcement permitted under the Declaration, Bylaws or Rules and Regulations, the Executive Board shall have the authority to impose fines on Unit Owners for violations of said documents. The Board, or their managing agent, shall notify in writing the Unit Owner responsible for the violation.

Violations are classified as Simple, Complex and/or Repeat. Simple violations can be corrected quickly with minimal cost. Examples included displaying a sign, banner or advertisement; leaving a commercial or non-operating vehicle in the street or driveway; and external storage of trash cans. Complex violations require significant time and/or expense to correct, and also include violations that require discussion and interpretation of the Rules.

For Simple violations, the Unit Owner will have 48 hours from verified receipt of the written notification describing the violation to correct the violation or request a hearing with the Executive Board to contest the violation. The request for hearing must be submitted in writing. If a hearing is requested, it will be scheduled within 5 days of receipt of the request. Following the hearing, a written notification will be provided to the Unit Owner summarizing the Board's decision. If the violation is upheld, the Unit Owner must correct it within 48 hours of verified receipt of this second written notification. If not corrected within such 48 hour period, an initial fine of \$25 will be imposed with an additional fine of \$25 per day each day that the violation continues.

For Complex violations, the written notice to the Unit Owner will include a description of the violation and the permitted time period to correct the violation. The time period will be set by the Board taking into consideration the cost and complexity of the correction as well as the impact of the violation on the community. The Unit Owner must correct the violation within the permitted time period or submit a written request for a hearing within 7 days of notification. The hearing will be scheduled within 7 days of receipt of the request. In addition to contesting the violation, the Unit Owner may also contest the suggested time period to correct the violation.

Following the hearing, a written notice will be provided to the Unit Owner summarizing the Board's decision. The written notice will either deny or uphold the appeal and, if denied, will set an updated time period to correct the violation.

If a hearing is not requested, and the violation is not corrected within the specified period, an initial fine of \$25 will be imposed on the first day following the expiration of the permitted time period. An additional fine of \$25 per day will be imposed for each day that the violation continues.

If a hearing is requested and fails to result in a withdrawal of the violation, and the violation is not corrected within the time period specified by the hearing written notification, then an initial fine of \$25 will be imposed on the first day following the expiration of the permitted time period. An additional fine of \$25 per day will be imposed for each day that the violation continues.

Written notification of a violation shall be made by e-mail and first class mail or hand delivery to the Unit Owner and, if applicable, to the renter occupying the Unit.

Hearings requested in response to notification of a violation may be held in person or via telephone or video conference.

Repeat violations follow the same procedures as above but fines are doubled – initial fine of \$50 and additional fines of \$50 per day each day that the Repeat violation continues.

All fines are due within 30 days of notice of violation or of board determination following hearing on appeal, as the case may be, and an interest charge of 1% per month will be added for overdue fines. Any fine imposed shall constitute an assessment and a lien against the Unit Owner. All reasonable legal fees, court costs, and any other costs or fees incurred in the collection of the fine shall be the responsibility of the offending Unit Owner.