

# The Hills of Waterford Association

## Rules & Regulations

Modified as of July 22, 2008

The Rules & Regulations listed herein are a supplement to the Condominium Bylaws and related documents of The Hills of Waterford Association. We hope you will recognize the following Rules & Regulations as additional tools to keep Hills of Waterford beautiful, and make the community a pleasant living environment for all its residents.

These Rules & Regulations have been approved by the Board of Directors for The Hills of Waterford Association in accordance with Article I, Section 4(a) 11 and Article VI, Section 11 of the Condominium Bylaws.

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### Prior Written Approval from Board of Directors

Adopted December 2, 1999 ~ Effective January 3, 2000

Any modifications that are outside the criteria provided in the Rules & Regulations for The Hills of Waterford require Prior Written Approval from the Board of Directors. Prior Written Approval consists of the following steps:

1. Submittal to the Board of Directors, in c/o of the Management Agent, plans and specifications, including site, grading, utility, residence, garage and landscape plans, as applicable, prepared and sealed by an architect registered in the state of Michigan, or by another person or entity approved by the Board of Directors, along with a completed signed Alteration and Modification Request form (available through the Management Agent).
2. These plans shall include the size, nature, kind, type and color of the elevations, façade, height, materials, color scheme (including but not limited to stain and paint colors), siding and location. Approximate cost of the proposed improvement may be included at the Co-owner's discretion.
3. The Board of Directors will have thirty (30) days from when the request was received to approve/disapprove the proposed alteration.
4. A copy of the plans and specifications, as finally approved, shall be kept permanently with the Board of Directors.

### Collection Policy

Adopted March 13, 1998 ~ Effective April 12, 1998

Any Association account that becomes delinquent in an amount equal to or greater than three (3) months Association Fees shall be subject to a lien and all applicable legal fees for the placement of the lien and the subsequent collection of the delinquency will be assessed to the corresponding Co-owner account. Any account that remains delinquent and exceeds an amount equal to or greater than six (6) months Association Fees shall be subject to foreclosure action and all applicable fees shall be charged to the Co-owner account as defined in the Condominium Documents.

**Rule Enforcement and Violations**

Adopted March 13, 1998 ~ Effective April 12, 1998

Article XI, Section D of the Association’s Bylaws provide for monetary fines when there is a violation of the Association Bylaws, the Master Deed, the Michigan Condominium Act, and existing Rules and Regulations of the Association. The process for notification of violations and the fining of these violations is as follows:

1. NOTICE ~ Notice of the violation must be delivered personally or mailed via First Class and/or Certified Mail. The notice shall contain the provision violated, together with a factual description of the alleged offense.
2. OPPROTUNITY TO DEFEND ~ The offending Co-owner shall have the opportunity to submit a written response to the Notice of Violation and offer evidence in defense of the alleged violation.
3. DEFAULT ~ Failure to respond, in writing, to the Notice of Violation within ten (10) days of the date of notice shall constitute a default.
4. HEARING AND DECISION ~ Upon submission of a written response by a Co-owner to the Board and presentation of evidence of defense, or in the event of a Co-owner’s default, the Board shall, by majority vote of a quorum of the Board, decide whether a violation has occurred. The Board’s decision is final.
5. AMOUNTS ~ After default of a Co-owner, or upon “4” above, the following fines shall be levied:  
 First Violation: No (\$0) fine shall be levied.  
 Second Violation: Twenty-five dollar (\$25.00) fine shall be levied.  
 Third Violation: Fifty dollar (\$50.00) fine shall be levied.  
 Fourth and Subsequent Violations: One hundred dollar (\$100.00) fine shall be levied.
6. COLLECTION ~ The fines levied shall be assessed against the Co-owner and shall be due and payable with the regular Condominium assessment on the first day of the following month. Failure to pay the fine will subject the Co-owner to all liabilities set forth in the Condominium Bylaws.

**Insurance Coverage**

Adopted May 1, 2002 ~ Effective June 1, 2002

All Co-owners must carry insurance coverage that is consistent with the Condominium Bylaw requirements. Any claims arising within or upon a condominium unit must be submitted to the insurance company of the individual Co-owner prior to submission to the Association. Coverage by the Association’s insurance policy shall only apply subsequent to any coverage offered by the existing homeowner’s policy. Any coverage provided to a Co-Owner by the Association’s insurance policy shall only be those amounts in excess of the Association’s deductible. In the event that repair costs are paid by the Association and the insurance proceeds do not satisfy the amount due for repairs, the Association shall post any shortage, including the applicable deductible, to the corresponding Co-Owner’s Association Account for immediate reimbursement to the Association.

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**Basketball Hoops**

Adopted August 5, 2003 ~ Effective September 5, 2003

Basketball hoops may be installed with freestanding posts that are permanently cemented into the ground adjacent to the driveway of each unit. Basketball hoops may not be affixed to a residential structure or

garage. Portable basketball hoops may be used provided that they are stored adjacent to the driveway of each unit in the same position as the freestanding posts that are permanently cemented or within the garage when not in use.

### **Color Scheme**

Adopted March 13, 1998 ~ Effective April 12, 1998

Certain color combinations were approved by the developer of The Hills of Waterford in an effort to maintain uniformity throughout the community. Any modifications to the original color scheme require the Prior Written Approval of the Board of Directors.

### **Community Lighting**

Adopted February 1, 2002- Effective March 3, 2002

In order to ensure adequate lighting for the entire community, all garage lights must have operational photocells in working condition and illuminated during the evening hours.

### **Decks/Patios**

Adopted December 2, 1999 ~ Effective January 3, 2000

All new or expansion of decks/patios require Prior Written Approval from the Board of Directors. All decks/patios must be constructed in accordance with, and be approved by the local building department and governmental authorities pertaining to deck construction. No part of the deck or patio shall protrude beyond the side walls of the attached building structure. All visible deck materials, including any approved privacy fencing, must be uniform in appearance and be made of the same material. For example; a deck may have all cedar wood, but may not have a combination of cedar and wolmanized lumber. Privacy fences that are approved by the local building authorities may be installed on decks or around patios provided they do not exceed 6 feet in height.

### **Fencing**

Adopted November 19, 2002 ~ Effective January 1, 2003

All fences require Prior Written Approval from the Board of Directors. A white picket fence or a hedge fence (not more than 4ft. high) may be installed around the rear perimeter of each unit's property within the approved boundaries of the unit in accordance with a true survey. The gap between each picket must be no less than two inches apart. Any and all applicable permits must be secured by each Co-owner and be approved by the governmental authorities pertaining to fence construction and placement. No part or portion of the fence may protrude beyond the front plane of the building structure (between the front of the home and the street). All fences must be properly maintained and constructed of wood or PVC. No fence of any kind is allowed in front of the building structures. No chain link fence is allowed.

### **General Landscaping Replacement and Removal**

Adopted April 24, 2007 ~ Effective May 31, 2007

A Co-owner shall remove and replace any dead or diseased trees, shrubs, and/or landscaping located on their Unit within 30 days after written notice from the Association. Failure of the Co-owner to complete the work within the 30 days after written notice to do so shall entitle the Association to proceed with removal and replacement of the dead or diseased trees, shrubs and/or landscaping without further notice to the Co-owner and to charge the cost thereof, including any administrative costs, to the Co-owner.

### **Hot Tubs**

Adopted March 13, 1998 ~ Effective April 12, 1998

Hot Tubs, Spas, Jacuzzis and similar items may be installed on the approved deck or patio of each condominium unit. Hot Tubs and similar items must be maintained in a manner consistent with applicable laws and/or municipal codes, including any provision for covering the device or installing a fence around the perimeter of said device.

### **Landscaping**

Adopted March 13, 1998 ~ Effective April 12, 1998

Typical landscaping may be installed around the perimeter of individual homes, provided that the existing grade is not altered. Typical landscaping may consist of metal or plastic edging, mulch, plant materials, and landscape lighting around the perimeter of a home. Any deviations from this standard must have Prior Written Approval from the Board of Directors.

### **Pets**

Adopted May 1, 2002 ~ Effective June 1, 2002

All pets must be on a leash and attended to at all times when on limited or common elements. All unattended pets within a unit's lot perimeter must be restrained by a leash or some other means of restraint in the area behind the home. No unattended pets may be left restrained or otherwise in the area beyond the front plane of the building structure (between the front of the home and the street). Co-owners shall be responsible to remove immediately after deposit, any excrement or other deposits left by their pets or by their guests or visitors pets.

### **Pools**

Adopted March 13, 1998 ~ Effective April 12, 1998

Any pool installation must have Prior Written Approval of the Board of Directors and be located in the accessory area (up to half the distance to the rear lot line and within the boundaries of the side walls of the corresponding house) per Article VI, Section 12 of the Bylaws. Any pool structure must be completely fenced and maintained by the corresponding owner. Any liability associated with a pool shall be exclusively held by the unit owner of said pool, and all applicable insurance must be maintained solely by the unit owner.

### **Satellite Dishes**

Adopted June 7, 1999 ~ Effective July 7, 1999

Personal satellite dishes for private home use may not exceed thirty-nine inches (39") in diameter, and adhere to the Satellite Dish Standard. The color of the satellite dish should closely resemble the portion of the building structure that it is attached to, so as to avoid drawing undue attention to the device.

### **Sheds**

Adopted December 2, 1999- Effective January 3, 2000

All sheds require prior written approval from the Board of Directors. One storage shed shall be allowed per condominium unit in the accessory use area of each unit (see Article, VI, Section 12), and shall not exceed a height of 10 ft. at the roof peak. Square footage of the shed floor area shall not exceed 120 sq. ft. Storage sheds shall be manufactured of wood and be painted or vinyl sided, and must match the color of the corresponding home. Shed structures must have a shingle roof that matches the shingles of the corresponding home. Sheds must be located behind the corresponding home in the accessory use area (up to half the distance to the rear lot line and within the boundaries of the side walls of the corresponding house) that is allowable for placement in consideration of Woodland ordinances, Wetland ordinances, and other applicable limitations. No sheds may be located next to or in front of the corresponding home. Any and all applicable permits must be secured by each Co-owner and approved by the appropriate governmental authority for the construction and location of storage shed. Storage sheds must be maintained in a consistent and presentable fashion, and must always match the color of the corresponding home.

### **Street Trees**

Adopted December 2, 1999 ~ Effective January 3, 2000

The Co-owner is responsible to plant one (1) large deciduous tree in the area between the sidewalk and the street in front of their residences within sixty (60) days of closing. All trees newly planted or replaced shall

have a trunk caliper of two and one-half inches (2½"). These trees are required to be Red Maple, Crimson King, Bradford Pear or equivalent upon Board approval.

### **Vehicles**

Adopted March 13, 1998 ~ Effective April 12, 1998

Article VI, Section 9 of the Condominium Bylaws for The Hills of Waterford provide that up to two (2) vehicles may be parked in the driveway apron of each home. These vehicles must comply with the description set forth in the Bylaws. Additionally, vans and pick-up trucks used for personal transportation must meet *all following criteria*:

1. The registration and title must describe the vehicle as a pick-up truck or van.
2. No ladder racks, tool boxes, or similar attachments to the vehicle are allowed.
3. No dump boxes, flat beds, tilt cabs, or other commercial modifications are allowed.
4. All vehicles are limited to two (2) axles; one front and one back.
5. No commercial lettering, signage, or similar identification is permitted on vehicles.

Any trucks, trailers, motorcycles or other vehicles not specifically approved in Article VI, Section 9 of the Bylaws must be parked inside the garage of each unit at all times. Please note that all approved transportation vehicles must be parked within the garage or in the driveway apron of each home. No curbside parking is allowed on the streets.

### **Wooded Common Elements**

Adopted August 28, 2003 ~ Effective September 28, 2003

All Wooded and General Common Elements/areas will be open for the use and enjoyment of all Co-owners and their guests. All children under the age of 18 must be accompanied by an adult when visiting and/or playing in the Wooded Common Elements from dawn to dusk:

All local, state and federal apply to the use of the Common Elements. Further guidelines are:

- No motorized vehicles.
- Common areas should remain in their current state. No trees, wildlife or vegetation shall be removed or damaged.
- No littering or smoking.
- Co-owners must leash and clean up after their pets.
- No alcohol or bonfires are permitted at any time.

The Association waives all liability associated with the use of these Common Elements and Co-owners and guests' use of this area is at their own risk.

Non-residents and non-guests are considered to be trespassing on the private property of The Hills of Waterford Condominium Association.

