

THE GREENS AT HAWK VALLEY
CONDOMINIUM ASSOCIATION
RULES AND REGULATIONS
Rev. 10/01/2023

I. GENERAL

1. The Greens at Hawk Valley Condominium Association, acting through its Executive Board, has adopted the following Rules and Regulations.
2. Whenever in these Regulations reference is made to “Unit Owners,” such term shall apply to the owner of any unit, to his family, tenants whether or not in residence, servants, employees, agents, visitors, and to any guests, invitees or licensees of such Unit Owner. Wherever in these Regulations reference is made to the Association, such references shall include the Association, the Board and any Managing Agent when a managing Agent is acting on behalf of the Association.
3. These Regulations are an addendum to the “Declaration of Condominium of THE GREENS at Hawk Valley, a Condominium”, and are intended to aid Unit Owners in complying with the Declaration and the Bylaws, and to provide uniform regulations governing the buildings, Common Elements, roadways, recreational areas, grounds, parking areas, and any other appurtenances.
4. The Association, after appropriate evaluations, may alter, amend, modify, repeal, or revoke these Regulations and any consent or approval given hereunder at any time. Such action shall be by resolution of the Executive Board.

II. RESTRICTIONS ON USE

1. No part of the condominium shall be used by or through a unit owner for any purpose except housing and the common purposes for which the condominium was designed, except for such accessory uses as may be authorized by the Executive Board pursuant to Article VIII of the Declaration. Each unit shall be used as a residence for a single family, its servants and guests.
2. In accordance with Section 5.1.1 (b) of the Declaration, a Unit Owner may not change the appearance of the Common Elements (or Limited Common Elements), or the exterior of a unit (or any other portion of the Condominium) without permission of the Executive Board. No patio or deck shall be enclosed or equipped with awnings/canopies by a Unit Owner, nor be altered in any way without prior written consent of the Executive Board, and any alteration shall be done in strict accordance with the Declaration. Decks and patios, however, may be treated with clear weatherproofing formulas after receiving permission from the Executive Board.

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3. Nothing shall be done or kept in any of the Common Elements that will increase the rate of insurance for the building or contents thereof applicable for residential use without the prior written consent of the Executive Board. No Unit Owner shall permit anything to be done or kept in his Unit or on the Common Elements which will result in the cancellation of insurance on the building or contents thereof or which would be in violation of any public law, ordinance, or regulation.
4. No gasoline or other flammable material may be kept in any Unit, storage area, or Common Element. Gas and charcoal grills for outside cooking must be located in the rear of the unit may be kept on the decks or patios but, when in use, must be used away from the building. No waste shall be committed on the Common Elements.
5. No garbage or trash shall be placed anywhere on the Common Elements. Garbage and trash to be collected shall not be placed in view sooner than the night before the normal collection day. Garbage and trash containers shall effectively resist entry by stray animals.
6. Except in the Limited Common Elements appurtenant to a Unit or in any recreational areas designated as such by the Executive Board, no playing or lounging shall be permitted, nor shall bicycles, toys, benches, chairs, or other articles or personal property be left unattended in Public areas, parking areas, lawns, or elsewhere on the Common Elements.
7. No unlawful, immoral, improper, noxious, or offensive activity shall be carried on in any unit or on any of the Common Elements, nor shall anything be done therein which may become an annoyance or nuisance to the other units or occupants. No Unit Owner shall make or permit any disturbing noises in the building or do or permit anything that will interfere with the rights, comforts, or convenience of other Unit Owners. All Unit Owners shall keep the volume of any radio, television, or musical instrument in or outside their units sufficiently reduced so as not to disturb other Unit Owners.
8. The right is reserved by the Declarant and the Executive Board or any Managing Agent, to place "For Sale," "For Rent" or "For Lease" signs on any unsold or unoccupied units, and the right is hereby given to any mortgagee who may become the owner of any unit to place such signs on any unit owned by such mortgagee. Signs are only permitted in flowerbeds or other mulched areas.
 - a. Signs listing a property "For Sale", "For Rent", or "For Lease" are not to exceed four (4) square feet and must be professionally printed.
 - b. Signs listing a property "For Sale", "For Rent", or "For Lease" must be removed within one week following the sale or rental of the property.

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9. Draperies, curtains, Venetian blinds, and any other window treatments viewable from the outside shall present a light, neutral shade to the exterior.
10. Nothing shall be stored or placed on the Common Elements without the written approval of the Executive Board except as may be provided herein, or in the declaration or Bylaws. Patios shall not be used as storage areas. No Unit Owner shall cause or permit anything to be hung, displayed, or exposed on the exterior of a Unit, a Common Element, or a Limited Common Element, whether through or upon windows, doors, siding, or masonry of such Unit. This prohibition includes, without limitation: laundry, clothing, rugs, signs, flags (except for the American Flag), shutters, or radio or television antennas (except as provided herein), or any other items. Clothes lines, clothes racks, or any other device may not be used to hang any items on any window, nor may such devices be used anywhere on the Common Elements except in areas specifically designated for such use by the Executive Board.
11. Satellite dish TV antennas smaller than 24" diameter may be installed on unit structure subject to written petition of the Unit Owner to the Executive Board, and written approval by the Executive Board.
12. No Unit Owner shall cause or permit to be placed within any Limited Common Element as described in 4.1 of the Declaration of Condominium, any furniture or other items which are not in good repair and of a style, color, and condition consistent with the general character of the condominium. The decision of what constitutes a violation shall be at the sole discretion of the Executive Board. The Executive Board has the authority to order any offensive items to be removed immediately from the Limited Common Element or units impacted by such items by the responsible Unit Owner.
13. Golf carts are permitted on the Common and Limited Common Elements of the Condominium. Mini-bikes, go-carts, ATV's or similar engine-powered, non-licensed vehicles may not be operated on the property.
14. Each owner shall have the right to place furniture upon the decks or patios associated with their unit. These areas should be kept neat and clean and not used as storage lockers. Food or other consumables shall not be stored in these areas. If the Executive Board determines that the condition of a deck or patio places the welfare or safety of the residents or the Association in jeopardy, the Board will serve notice on the resident (and/or owner) to remedy the condition. If the resident/owner does not remedy the situation, the Association will enter the area and perform any action deemed necessary. The resident/owner will be billed for all costs associated with the action and fined.

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A. PET RULES

1. Common domestic pets such as orderly dogs, cats or birds are permitted. Unless approved by the Executive Board, the number of pets allowed shall not exceed two (2) per unit. Unit Owners of pets agree to comply with the Declaration, Bylaws, Township of Breakneck Ordinance No.85, dated July 14, 1992, and as amended as well as these Rules and Regulations. Complaints of breach of compliance shall be evaluated by the Executive Board for possible action in the best interest of the Condominium.
2. A pet may be kept in a unit so long as it is not a nuisance. Nuisance, as defined by Brecknock Township Ordinance, is “the unreasonable, unwarrantable or unlawful use of public property which causes injury, damage, hurt, inconvenience, annoyance, or discomfort to any person in the legitimate enjoyment of his reasonable rights of person or property”. Actions that constitute a nuisance include, but are not limited to, unreasonable barking, crying, scratching or digging of lawn surfaces.
3. All pets must be house pets and remain inside the unit unless carried or on a leash under control of a responsible adult. At no time may a pet be left unattended outside a Unit, nor be fastened or leashed in any way to trees, shrubs, stakes or any structure.
4. All pet droppings are to be picked up IMMEDIATELY and disposed of in a responsible manner. Pets cannot be walked on the Common Elements within 20 feet of any building nor within 10 feet of any shrubbery, plantings, or small trees.
5. All dogs must be licensed and inoculated as required by law.
6. Pet owners shall be fully responsible for personal injuries and/or property damage caused by their pets.

B. STORAGE

1. All personal property placed in any portion of the building(s) or any place appurtenant thereto shall be at the sole risk of the Unit Owner, and the Association shall in no event be liable for the loss, destruction or theft of such property.
2. A reasonable amount of firewood (not to exceed ½ one cord – 4’ x 4’ x 4’ or 64 cubic feet) may be stored at the rear of individual units if neatly stacked on/under decks or patios. This firewood may only be placed on/under the decks or patios from October 15 – May 1. At no other time is firewood permitted on the decks or patios. The unit owner must immediately correct any infestation of pests that occurs because of the firewood.

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C. PARKING

1. Unless otherwise authorized by the association, the cul-de-sac (Hawk Valley Lane) and visitor parking (Crestview Drive) are only for brief visitor parking. No buses, large trucks, (except small pick-up trucks), trailers, boats, recreational, commercial/commercial equipment with or without logos or company name, or other over-sized vehicles shall be parked anywhere within the Condominium other than wholly within the Unit Owner's garage. All vehicles must have current license plates and inspection stickers and be in operating condition. No vehicles shall be parked on the Condominium with conspicuous "For Sale" signs attached. Gas, oil or antifreeze stains shall be cleaned up immediately by the responsible Unit Owner who shall be liable to the Association for any expense incurred as a result of such leakage.
2. The parking area is not to be used to store any ladders, plows, piping, or other commercial equipment.
3. All Unit Owners shall abide by all parking and traffic regulations as posted by the Association or by municipal authorities. Vehicles shall not be permitted on any grass area. Damage resulting from violations shall be charged and assessed to the Unit Owner responsible. Vehicles parked in violation may be towed away at the Unit Owner's sole risk and expense. Except for specific occasions of brief duration, vehicles shall not be parked on roads or access ways. Otherwise, Unit Owner's vehicles shall be parked in the garage or in driveway leading thereto or in certain areas specified by the Executive Board for their individual use.
4. Parking so as to block sidewalks or driveways, or mailboxes is not permitted. If any vehicles owned and operated by a Unit Owner, any member of his/her family, tenants, guests, invitees, or licensees shall be illegally parked or abandoned on the Condominium, the Association shall be held harmless by such Unit Owner for any and all damages or losses that may ensue, and any and all rights in connection therewith that the Owner or driver may have under the provisions of state or local laws and/or ordinances are hereby expressly waived. The Unit Owner shall indemnify the Association against any liability that may be imposed on the Association as a result of such illegal parking or abandonment and any consequences thereof.

D. ASSOCIATION

1. All charges and assessments imposed by the Association are due and payable on the first day of each month. Payment shall be made and sent to the Condominium's Property Management Agency by check or money order payable to the Association. Cash will not be accepted. Any charges or assessments that are not paid on time are subject to late fees/penalties (See Section I "Fines" below).

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2. Complaints regarding the Property Management Agency shall be made in writing to the Executive Board. All other complaints shall be made in writing to the Property Management Agency. No Unit Owner shall direct, supervise, or in any manner attempt to assert control over or request favors of the Property Management Agency, Contractors employed by the Association or the Association.

3. The Executive Board passed a resolution on January 20, 2004, which makes the homeowner responsible for the Association Insurance Deductible should there be a reportable loss. In the event, more than one unit is affected; the units affected will split the cost equally. The current deductible is \$50,000. (Effective October 2023)

E. CONSIDERATION IN USE OF UNITS

1. All persons shall be properly attired (preserving good taste) when appearing in any of the public spaces of the common areas.

F. OTHER

1. The installation or use of kerosene heaters or other unvented petroleum products fueled in any unit or installed underground adjacent to units is prohibited.

2. Unit Owners are responsible to see that fireplaces and chimneys are properly cleaned and maintained so as to prevent them from becoming fire hazards.

3. The planting of plants, flowers, trees, shrubbery, and crops of any kind is prohibited anywhere on the Common Element without prior permission of the Executive Board. Plants, flowers, and shrubbery may be planted along walks and stoops/patios/decks in the courtyard(s) directly adjoining a unit, provided that such plantings are consistent with the overall landscaping plan for the Condominium.

4. **No fences** may be erected on or around the Common Elements or Limited Common Elements.

5. **Exterior Decorative Objects** - Approval from the Board is required for all exterior decorative objects exceeding twelve (12) inches in height and eighteen (18) inches in width or depth, whether natural or man-made. Examples include, but are not limited to: bird houses, bird baths, driftwood, weather vanes, sculptures, fountains house address numerals and any item to be attached to the buildings. Appropriate outdoor furniture and planters that are placed on a front porch do not require approval. Requests for such items will be evaluated based on their general appropriateness, size, location, compatibility with architectural and environmental design qualities and visual impact on the

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neighborhood and the surrounding area. Sculpture, garden statues, bird baths, bird houses and similar items are restricted to the rear of the units and may not be visible from the front of the buildings. In particular, bird feeders/houses will be permitted with the following conditions:

- a) Must be located in back of the home.
- b) May not be hung from trees.
- c) May not interfere with lawn maintenance.
- d) The Greens Association is not responsible if feeders attract rodents or other animals.

NOTE: NOTHING IS PERMITTED TO BE HUNG FROM THE TREES

6. **Holiday/winter decorations** may be put up no earlier than Thanksgiving and must be removed no later than January 20th.

Holiday/winter decorations may include:

- Wreaths, Garland and/or Lights on doors, around doorways, garage doors, windows and lamp posts
- Lights may be put in trees and shrubs that are in beds alongside your home
- Lights may be white or multi-colored
- Decorative objects such as Winter arrangements, Christmas trees, Snowmen, Angels etc. not exceeding 36 inches in height and 18 inches in width or depth, may be placed on front porches or in the beds alongside your home. **Exceptions may be made with Board approval.**

Holiday/winter decorations that are not allowed:

- Any decorations that make music or sounds of any kind
- Inflatable decorations of any kind
- Blinking, twinkling or flashing lights or lights/decorations that include any kind of motion
- Projector type lights that display images on buildings or other types of medium
- No decorations of any kind may be placed on lawns or other common areas away from your home (This applies at all times of the year)

7. Banners, flags, windsocks, balloons, etc. may not be hung or otherwise displayed on the outside except for special occasions (birthday, holiday, etc.) in which case the decorations/displays must be removed within twenty-four (24) hours. The United States Flag may be flown at any time.

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G. ADMINISTRATIVE PROCEDURES

1. **Change/Improvement Requests.** When approval is required from the executive board, requests must be submitted in accordance with the procedures set forth in this section.

- a. One copy of each request must be submitted to the Property Management Agency. Forms may be obtained from Property Management Agency or The Greens website. The request must contain a complete description of the proposal, including drawings with dimensions, identification of materials, colors, etc. Satellite dish installation requests must include drawings showing exact location of the proposed satellite dish.
- b. Each request for change/improvement requires specific written permission from the Board before work can be started.
- c. When submitting the request for change/improvement, the owner must provide written consent of neighbors who may be impacted.
- d. The Board shall notify applicants in writing of a decision. If the request is rejected, a reason shall be provided.
- e. Copies of all requests will be maintained on file by Property Management Agency according to Unit Number, along with a copy of the decision and a statement of the action taken.

2. Maintenance/Repair Requests

- a. Requests of a routine nature, e. g. painting, repairs to siding, gutters/downspouts cleaning, drives, roads, walks, etc. – as well as complaints on snow removal or landscape services shall be made in writing to the Property Management Agency in sufficient detail to permit effective review. If an owner wants to do the work him or herself or hire their own contractor, he/she must obtain written permission from the Board prior to the start of such work.
- b. Repair requests of an emergency nature (sanitary sewer blockage, roof damage, etc.) should be reported immediately to Property Management Agency.
- c. Unit Owners, who undertake repairs or maintenance to the Common Elements independently either through contractors or their own labor, do so at their own risk and expense. These Unit Owners agree to indemnify and hold harmless the Association, the Executive Board, and the Property Management Agency for any and all liability for loss, damage, injury, or death resulting from the work done.

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3. Sale of Unit

- a. Prior to putting a Unit up for sale or lease the Unit Owner must notify the Property Management Agency which will provide guidance relative to condominium-specific procedures to be followed in such sale or lease, including size and placement of “For Sale” or “For Rent/Lease” signs.
- b. It is the responsibility of the Owner of such unit to provide potential buyers with all pertinent documents related to the Association including the Declarations, Amendments and Rules and regulations, Bylaws and any additional governing documents as required by law (Title 68, Section 3407 of the Uniform condominium Act). Any hard copy of materials requested from the Property Management Agent will incur a charge that must be paid in advance by the Owner.

H. ENFORCEMENT PROCEDURES

1. The Declaration, Bylaws, and Rules and Regulations of The Greens at Hawk Valley have been established for the protection and benefit of The Greens Residents. The Executive Board shall administer and enforce the provisions of these documents.
2. Any violations of the Declaration, Bylaws, or Rules and Regulations may be reported by any Association member to the Management Agent. Such reports shall include the name and address of the person submitting the report as well the name and address of the person in violation. All reports will be kept confidential.
3. The Board shall cause to be made such investigation of alleged violations brought to their attention, as they deem necessary.
4. If the Board determines that a violation does exist, written notice shall be given to the violator(s) which shall include:
 - a. A clear statement of the actions or conditions causing the alleged violation and specific reference to the governing provisions which have been allegedly violated.
 - b. A request that corrective action will be taken.

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- c. A statement that the alleged violator has the right to respond in writing to the charges within 10 calendar days from the date of the written notice, and also has the right to a hearing before the Executive Board which, if requested, shall be held within forty-five (45) days from the receipt of any such request.
- d. If no written response is received within the ten (10) calendar day notice period, or after consideration of such written response, or after a hearing by the Executive Board the Board is satisfied that a violation occurred or exists and that appropriate corrective action has not been taken, the violator(s) are subject to the fine or fines as herein provided.

I. FINES

- 1. In the event a fine or fines are considered proper by the Executive Board after written notice and an opportunity to be heard has been afforded, the Board shall impose such fine(s) in accordance with the following guidelines:
 - a. Such fine shall not exceed (a) \$25 for a first offence; (b) \$50 for a second offence; or (c) \$100 for any subsequent offence.
 - b. In the event of an existing condition constituting a continuing violation, fines may be levied on a per day basis until the condition is corrected. The amount of such fine(s) shall not exceed \$25 per day.
 - c. Written notice of the amount and condition of any such fine(s) shall be sent to the responsible party by registered mail.
 - d. Any fine(s) levied may be enforced and collected as provided in the Declaration, the Bylaws, these Rules and Regulations, or as provided by law.
 - e. Assessments for property damage(s) will be determined by the same procedures. Costs will be established by cost of repair plus fine(s) for violations.