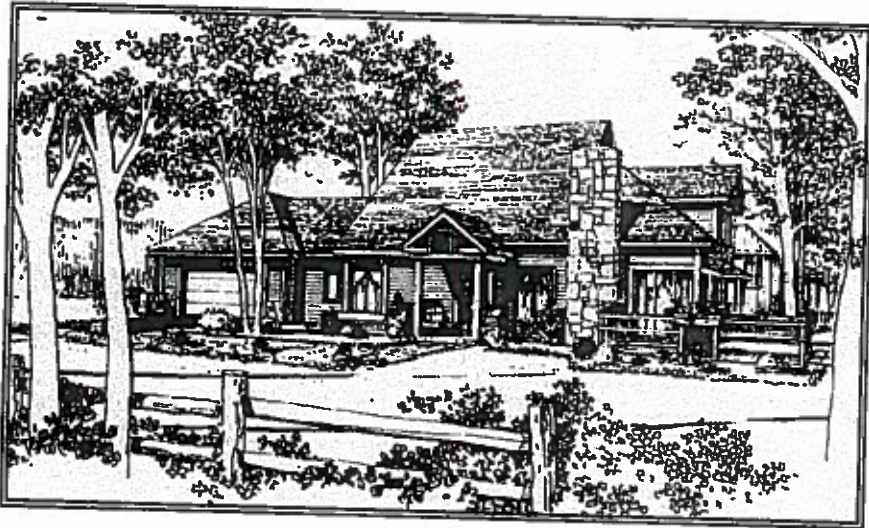

Woodcliff Homeowners' Association



Rules & Regulations

Updated March, 2016

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I. OVERVIEW

The purpose of this handbook is to define the rules and regulations for Woodcliff Homeowners. These are based on the Declaration of Covenants, Conditions, and Restrictions, as well as common sense directed at assuring a pleasing environment in which to live. The rules also are intended to assure consistency and uniformity. Adherence to these rules and regulations is the responsibility of us all. They are intended to provide a standard for maintaining Woodcliff Terrace as an outstanding community where residents may enjoy living and where property values are protected.

The rules and regulations were developed in 1993 by an ad-hoc rules committee comprised of homeowners and subsequently updated by the Board of Directors in 2000, 2003, 2011, and again in 2016. Many of the rules and regulations are modeled on those used by similar townhouse communities. The intent of these rules is to provide guidance for both homeowners and the Board of Directors in maintaining Woodcliff Terrace as a premium residential community.

These Rules and Regulations may be modified by a majority vote of the homeowners provided that any modification is in accordance with the association Declaration of Covenants, Conditions, and Restrictions. Any amendment to the latter document, however, currently requires a 90% favorable homeowner vote until 2017, when the vote required will be 75% of homeowners.

Woodcliff homeowners, tenants, and guests are requested and expected to follow these rules and regulations. Enforcement is the responsibility of the Board of Directors. A warning letter will be generated by the HOA Management Company alerting any homeowner of a perceived problem including a required corrective action date. Failure to comply will result in the problem being corrected by the Management Company with any charges being billed directly to the responsible homeowner. In addition, the Board of Directors may levy a fine against the homeowner if the violation is judged to be willful or results in damage to common property.

In the case of conflict between these rules and the Declaration of Covenants, the latter prevails. Failure by the Association or by any owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

The Board of Directors will address any variance requests or infractions of these rules and regulations at its periodic Board meetings. Meeting minutes will be maintained and sent to all homeowners. Any homeowner that wishes to address the Board is welcome to attend these meetings.

II. USE OF PROPERTY

- A. Homeowners are reminded that the property outside the home's entryway, patio, and deck areas is not private property, but is common property owned by the Homeowners' Association.
- B. No alterations or additions may be made to the exterior of the unit or common property without the approval of the Architectural or Landscape Committee. This includes awnings, screens, fences, or enclosures or any permanent or temporary structure. Also included are flower beds, bushes, trees and walkways. A variance request form must be submitted to the appropriate committee chairperson and approved before any such changes may be initiated. Copies of the variance request procedure and form are included in the Appendix and can be found on the managing agent's website.
- C. FOR SALE signs are not allowed.
- D. Open House signs are allowed during open house hours.
- E. Lawn furniture is not to remain overnight on the common area; it is restricted to the deck/patio. Seating used at the front entrance and patio area is to be architecturally compatible with the dwelling and landscaping. Additional lawn items, including statues, are restricted to rear decks and patios.
- F. Seasonal lighting or decorations may be displayed on or around the front and garage door entrance or light post up to 4 weeks prior to the holiday. Decorations must be removed no later than two weeks following the end of the official holiday. The repair of any damage from seasonal decorations is the responsibility of the homeowner. No decorations, signs, or ornaments are to be attached to or hung from the siding at the front or sides of the dwellings.
- G. Homeowners are reminded that the surrounding woods around our townhomes include areas of our common property and those of the Corporation that owns Woodcliff Hotel and Spa and golf course. These woods are considered by the town of Perinton as a Limited Development District and may not be altered by clearing, private planting, trimming, or decoration without approval of the Board of Directors.
- H. Maintenance and replacement of mailboxes, support posts and fences are the responsibility of the HOA. No attachments (newspaper boxes, holders, etc.) shall be made except by the HOA.
- I. Clotheslines are not permitted. No outdoor drying or airing of clothing or bedding is allowed.
- J. Homeowners should ensure that American flags are properly displayed, i.e., not touching the ground, not frayed, or damaged.
(ref. <http://www.va.gov/opa/publications/celebrate/flagdisplay.pdf>)

III. PARKING AND VEHICLES

- A. The following are not permitted to remain overnight on Woodcliff property unless they are garaged: boats, trailers, commercial, unlicensed and recreational vehicles. Requests for any short-term exceptions to this rule should be submitted to the Board of Directors.
- B. Homeowner's first two vehicles are to be kept in the garage. Any additional vehicles should be parked in the driveway. There should be no parking on the streets between 1:00 am and 7:00 am.
- C. Guests should park in homeowner's garage and/or driveway, whenever possible. Homeowners are encouraged to notify their neighbors if they anticipate having a large number of guests who will be parking in the vicinity of their home.
- D. Overnight/overflow parking must be in designated areas (see appendix). Parking is prohibited on grassy areas and in front of mailboxes at all times.
- E. Garage doors should remain closed, whenever possible.
- F. The maximum speed limit on Woodcliff Terrace is 15 mph.
- G. Sports and games are not allowed on the Woodcliff Terrace roadway. Snowmobiling is not allowed in any area.
- H. Vehicle restoration/repairs must be done within the homeowner's garage.
- I. Vehicles may be washed/waxed in the homeowner's driveway. Storage pods, renovation equipment, roll-offs, dumpsters, etc. are allowed only with an approved Variance Request.
- J. One household sale will be permitted for each current owner and one household sale for each subsequent owner of each unit. Household sales must be conducted by a reputable household sale organization, and a variance requesting such sale must be submitted to the Board of Directors a minimum of two weeks in advance.

IV. PLANTINGS AND GARDEN ORNAMENTS

- A. Permanent plantings (trees, shrubs, ground cover, etc.) may not be added or removed from existing landscaping without prior approval of the Landscape Committee.
- B. Flowering annuals/greenery must be:
 - 1. planted in the existing beds along walkways and around trees or in the patio areas (front and rear)
 - 2. displayed in containers at the entranceway, patios (front and rear) and decks
 - 3. weeded and trimmed regularly
 - 4. moderate in scale
- C. Hanging planters may be used in the rear deck/patio areas only. Plant containers are to be architecturally compatible with the dwelling and landscaping. Bird

baths, bird feeders, pole planters, etc. are allowed in the rear deck/patio areas only. No ornaments, decorations, or furniture are to be placed in or on the common areas.

- D. All annual plant material must be maintained by the homeowner. At the end of the growing season (by November 15), all annual plant material and portable containers are to be removed from the entrances, patios, and deck areas.
- E. Per the Town Fire Marshal, any planters placed on sidewalks and entranceways must not interfere with ingress or egress of emergency personnel.
- F. There shall be no artificial flowers or plants of any kind in the front and sides of units except at the entranceway (e.g., wreaths) and front stoop.

V. PETS

The Declaration of Covenants states that, except for fish or birds kept in a cage, homeowners shall be permitted to keep a maximum of two pets (cat, dog, etc.) and only if such animals do not disturb or annoy other residents.

- A. No pet shall be permitted to roam free, nor should homeowners leave pets outdoors unattended even if restrained. When outdoors, all pets must be accompanied by a person responsible for the animal's control and actions.
- B. No pet houses are permitted outdoors.
- C. No feeding of pets is permitted outdoors.
- D. Pet owners must clean up immediately after their pet, no matter where it "goes."
- E. All shrubbery, trees, or grass killed or damaged by pets will be replaced at the owner's expense.
- F. Property damage by pets will be repaired or replaced at the owner's expense.
- G. The use of "invisible fencing" is prohibited.

VI. SAFETY PRECAUTIONS

- A. Homeowners shall not permit anything to be done or kept in their townhouse that would increase the risk of fire or the rate of fire insurance.
- B. No resident is allowed on any roof unless authorized to be there by the HOA.
- C. Discharge of firearms, air guns, BB guns, pellet guns, arrows, slingshots, or any other weapons is strictly prohibited on Woodcliff Homeowners' Association property.

VII. NOISE AND ODORS

A. Noise

1. Wind chimes may be used at the rear of the units only with permission of proximate neighbors.
2. Owners are responsible to see that their pets do not create annoying or excessive noise (barking, meowing, chirping, etc.) so as to disturb other homeowners/residents.
3. No work on motor vehicles, boats, or machines of any kind shall be permitted outside on the property, except with the consent of the Board of Directors.
4. All work with respect to the interior of any unit shall be done so as not to interfere with other owners' use and enjoyment of their unit. Interior work shall be performed during normal working hours (8:00 am to 6:00 pm Monday through Saturday).
5. Homeowners shall use common sense and respect for others when playing or practicing musical instruments so as not to disturb other homeowners/residents.
6. Homeowners are expected to remember the proximity of their neighbors in the community and avoid excessive noise levels when hosting parties and particularly when using radios, televisions and stereo equipment.

B. Odors

1. There shall be no objectionable odors allowed to emanate from the dwelling units.
2. No trash or recyclable material shall be placed or stored outside other than on the collection days and for collection purposes only. Christmas trees are exceptions but should be stored out of sight until the evening before collection day. Garden waste including tree branches must be bagged and stored in garages or out of sight of the street until the evening before collection day.

VIII. PATIO/DECK AREAS

- A. Storage of lumber, metals, firewood, bulk materials, refuse, rubbish, trash, or other waste is not allowed on or under deck/ patio areas.
- B. Firewood should be neatly stacked, preferably in the garage. Care is to be taken that firewood does not come into contact with the deck or wood siding of the dwelling. Repairs required as a result of firewood storage are the responsibility of the homeowner. All exterior storage of firewood is to be done in such a manner to be least visible to adjoining dwellings and not visible from the street.
- C. Deck/patio areas should be used with discretion so as not to cause unsightliness or visual pollution of the area.
- D. Fire pits may not be used on decks or within 25 feet of any building, according to the Fire Marshal.
- E. Fencing of the patio/deck area is not allowed without the prior approval of the Architectural Committee.
- F. Patio/deck areas cannot be enclosed or weather proofed without prior approval by the Architectural Committee.
- G. Hot tubs may not be installed on decks or other areas without the prior approval of the Architectural Committee. Requirements for hot tub installation are included in Appendix C.
- H. Screen doors may not be added without the prior approval of the Architectural Committee. Restrictions for screen doors are summarized in Appendix D.
- I. Any installation of a propane tank requires a variance request and a permit from the town per our insurance documents. The homeowner must have both the variance approval and the permit prior to installation. Propane tanks must be screened by shrubbery or a fence, with prior approval of the Board.

IX. REFUSE DISPOSAL

- A. Except for building materials (during the course of construction or repair of any approved improvements), no lumber, metal, bulk materials, rubbish, refuse, trash or other waste material shall be kept, stored, or allowed to accumulate outdoors. All such trash shall be kept in an enclosed building. The Board of Directors or the Landscape Committee may, if necessary, adopt rules and regulations relating to the types of trash containers. All trash cans shall be kept in a clean and sanitary condition.
- B. Separate companies handle trash removal and blue box recycling. The pick-up day for both is Thursday. Recycling bins and trash cans must be placed at the curb no earlier than Wednesday evening. Containers should not be placed in the roadways. On windy days, care should be taken to avoid refuse being blown out of containers. The containers should be stored indoors as soon as possible after collection is complete.

IX. UTILITIES

- A. Homeowners shall not install post lamps, area illumination, walk lights, or other utilities without prior approval of the Architectural Committee. All wiring must be underground and to code.
- B. Heat tapes on roofs, when necessary, shall be installed and maintained by the HOA.
- C. No outside antenna (TV, radio, etc.) shall be erected on any home, lot, or other portion of the property without prior approval of the Architectural Committee. Satellite dishes may be installed in accordance with FCC regulations. However, prior approval of the Architectural Committee is required with regard to size and location.

X. MAINTENANCE

- A. Entrance doors and jambs, windows, and skylights are the responsibility of the individual homeowner. Maintenance of the front entrance porch and the exterior of the building is the responsibility of the HOA.
- B. Landscaping:
 - 1. All trees, shrubs, and greenery planted by the HOA in the common areas are maintained by the HOA. Plantings installed by the homeowner are to be maintained by the homeowner.
 - 2. The homeowner is asked to take initiative throughout the growing season to water areas surrounding the dwelling to minimize loss of plantings and lawns. Replacement of plantings is expensive and costly to ALL homeowners.
 - 3. Hoses and sprinkler equipment are to be removed from the lawn areas (so that lawn mowing may take place) when watering is completed. Hose reels and/or hooks are not to be mounted to front or sides of units. Hoses should be stored neatly so as not to be a safety hazard or interfere with grounds maintenance, and they should be returned indoors at the end of the growing season.

XI. TENANTS

- A. Tenants must be in full compliance with all rules and regulations.
- B. Tenants must have a minimum 90-day lease. There shall be no more than two leases per year per dwelling and not more than one family per unit.
- C. No sub-leases are permitted.

XII. ENFORCEMENT

GENERAL COMMENTS

To the extent possible, all homeowners are encouraged to address other homeowners with perceived infractions of HOA Rules and Regulations. If this is not practical or desirable, the Management Agent or Board of Directors should be contacted.

COMMUNICATIONS

All perceived infractions of the Rules and Regulations will be reviewed by the Board of Directors and communicated to homeowners in writing by the Management Agent.

Requested action to be taken and due date will be referenced. Homeowners that do not remedy the issue(s) by a specific date will be cited.

A copy of each letter sent to a homeowner will be sent to every HOA Board Member for awareness.

REMEDIES

Homeowners will contact the Management Agent within ten days if there is a question or dispute about the alleged infraction and/or about what is to be done. In the event of continued disagreement, recourse will be first with the Architectural or Landscape Committee and then, if necessary, with the HOA Board. The Board's decision will be final.

PENALTIES

Where applicable, the letter from the Management Agent will reference the cost and/or fine to be billed to the homeowner if the situation is not remedied as requested.

APPENDIX A: VARIANCE REQUEST PROCEDURE

The following steps are required, in accordance with the Woodcliff Homeowners' Association Rules and Regulations whenever a homeowner wishes to make a change to the exterior of his/her townhome or to the landscaping or any portion of the common area:

1. The homeowner must submit a completed Variance Request form describing the architectural or landscaping change(s) to the association's Architectural or Landscaping Committee chairperson. The homeowner must attach detailed architectural drawings together with a description of the materials to be used. Variance Request forms are available on the management company's website and can be completed easily online.
2. The homeowner is very much encouraged to discuss the Variance Request with immediate neighbors and obtain their concurrence of the project before submitting the Variance Request for Board of Directors approval.
3. If a neighbor raises an issue about the project that cannot be satisfactorily resolved in discussions between both parties, the neighbor may submit his/her concerns in writing to the Architectural or Landscaping Committee chairperson for review.
4. The Architectural or Landscaping Committee chairperson will discuss the Variance Request with the homeowner in a timely manner and will request additional information, if necessary.
5. The Architectural or Landscaping Committee chairperson will then review the Variance Request in detail and will submit the Variance, along with his/her recommendations, to the association Board of Directors for consideration at the next Board meeting. The Board Secretary will ensure that the decision of the Board is reflected in the minutes of the Board meeting, which are published and distributed to all members of the association.
6. The Architectural or Landscaping Committee chairperson will formally notify the homeowner of the Board of Directors' decision as soon as possible after the Board meeting and provide the homeowner with a signed copy of the Variance Request. At no time, however, should the homeowner proceed to implement a Variance without first receiving this signed copy.
7. If changes to the Variance Request are required by the Board of Directors, the Architectural or Landscaping Committee chairperson will discuss these changes with the homeowner, who will then be required to submit a revised Variance Request.
8. Before proceeding with the project, the homeowner is also responsible for obtaining a building permit, if necessary, or any other approvals that may be required by the Town of Perinton or any other governmental authority. A copy of the building permit and/or other approvals must be provided to the Architectural or Landscaping Committee chairperson.

9. If the homeowner wishes to make a modification to an approved Variance Request due to previously unforeseen reasons, work on the project must cease and a revised Variance Request must be submitted to the Architectural or Landscaping Committee chairperson. If the changes are minor, the Architectural or Landscaping Committee chairperson may approve them immediately and add an appropriate notation and signature to the original approved Variance Request. If the changes are major, the homeowner must submit a new Variance Request.
10. Every attempt will be made by the Architectural or Landscaping Committee and the Board of Directors to complete the approval process in a timely manner.
11. The homeowner will be expected to complete the project within a reasonable period of time after obtaining written Board approval of the Variance Request (nominally six months or less). Otherwise, the approval is automatically voided, and the homeowner must submit a new Variance Request.
12. Once the project has been completed, the homeowner must notify the Architectural or Landscaping Committee chairperson in writing.
13. The Architectural or Landscaping Committee chairperson will ensure that a complete copy of the approved Variance Request, together with any permits and approvals, is submitted to the management company, which will retain the copy in the association's unit file for that townhome. The Architectural or Landscaping Committee will also retain a copy for its files.
14. The homeowner should maintain a copy of these important documents in a safe location, such as with their townhome deed.
15. When the scope of a Variance is significant, the homeowner will be required to assume all future maintenance responsibilities for the improvements. In such cases, the homeowner will also be required to file an addendum to his/her townhome deed, or alternatively to file a recordable Agreement at the Monroe County Clerk's office to ensure that any future owner of the townhome is aware of this maintenance obligation. A standard recordable Agreement form may be obtained from the Architectural or Landscaping Committee chairperson or the management company.
16. If the homeowner is unsure of how to proceed with any step of the Variance approval process, he/she should contact the Architectural or Landscaping Committee chairperson for guidance.

The above procedure is not intended to be onerous. In fact, the Board of Directors encourages any project that enhances the beauty of Woodcliff Terrace. However, it is the responsibility of the Board, on behalf of all homeowners, to enforce the association rules and regulations in order to maintain Woodcliff Terrace as a desirable place in which to live. Therefore, it is imperative that all homeowners abide by the above procedures.

APPENDIX B: HOT TUB INSTALLATION REQUIREMENTS

1. A Variance Request for a therapeutic hot tub must be submitted and approved by the Board of Directors prior to installation.
2. The exterior color of the hot tub shall be a gray color to match as close as possible the color of the surrounding structure.
3. Neighbors on either side must agree to the installation of the hot tub.
4. The hot tub/spa must be installed on a properly supported deck, assuring that the installations will not cause any structural problems.
5. A permit, obtained from the Town of Perinton for both the deck and the hot tub, is required.
6. The installation must conform to all building codes and requirements for such installations. A dedicated 220 volt or 110 volt circuit run from your unit is required to prevent electrical shock hazard. A GFI (ground fault interrupt) grounding circuit must be installed.
7. The hot tub shall be safely covered and secured when not in use.
8. Emptying of the hot tub shall only be performed in a manner so as not to adversely affect neighboring units or the common areas (this pertains to flooding, soil erosion, etc.). Prior to draining, the water must be exposed to the air for a minimum of 24 hours (not to exceed 72 hours). During this period, the hot tub is to be secured in a manner that will not pose a safety issue for children or pets.
9. Water levels and chemical additives shall not be neglected to the point of stagnation so as to avoid a sanitation or odor problem. Hot tubs found to be unsanitary shall be ordered to be emptied at the discretion of the Board of Directors and at the expense of the owner. A hot tub found to be so neglected may be required to be removed by the owner.
10. Hot tubs shall be at all times used with consideration for neighbors, their right to privacy, peace, and quiet. Privacy fences and/or landscaping shall be installed to screen the hot tub from neighbors. Hot tubs shall not include built-in sound systems or special lighting systems that might annoy neighbors.
11. When maintenance, repairs, or replacement services are to be performed to the deck by the association, the homeowner shall be required to temporarily remove the hot tub, if necessary, and/or be responsible for any expenses incurred by the association to do so.
12. These rules and regulations may be amended or expanded by the Board of Directors at any time.

APPENDIX C: SCREEN DOOR INSTALLATION REQUIREMENTS

A screen door may be installed on the front doors at Woodcliff so long as it is of the style approved by the Board of Directors.

A Variance Request must be completed and submitted to the Architectural Committee for approval prior to any such installation.

The approved styles are Lawson Storm Doors, Model 227-FV or Model 349-04, or an equivalent. These doors are available at Morse Sash and Door. The color of the screen door must be earth tone brown. Homeowners are cautioned against using the glass insert to the storm door. Direct sunlight causes heat build-up between the storm door and main entrance door, which can cause serious damage to our beautiful mahogany entrance doors. Homeowners will be responsible for the repair or replacement of any entrance door so damaged.

APPENDIX D: CLOSING REQUIREMENTS

Upon the sale of a property, it is required that the buyer's attorney contact the managing agent prior to closing and request the following at the buyer's expense:

Statement of Common Charge
Certificate of Compliance

When a unit is purchased, the new homeowner will be subject to any and all approved variances, including future maintenance of these items and will be held responsible for any damage to the common area that the variances may have caused. For example, a homeowner may obtain an approved variance for a new garden. When the unit sells, the new homeowner takes on responsibility for the previous owner's garden. It must either be maintained or returned to the original state at the homeowner's expense. If it is returned to its original state, it may then be ceded back to the Homeowners' Association upon approval of the Board of Directors.

APPENDIX E: CONFLICT OF INTEREST POLICY

The Directors of the Woodcliff Terrace Homeowners' Association, Inc. owe a duty of loyalty that requires that they act, not in their personal interests or the interests of others, but rather solely in the interests of the Woodcliff Terrace Homeowners' Association, Inc. Directors must not use their positions as Directors, information they have about the Association, or strategies related to their activities in a manner that allows them to secure a pecuniary or any other benefit for themselves, their relatives, or other organizations they belong to or serve.

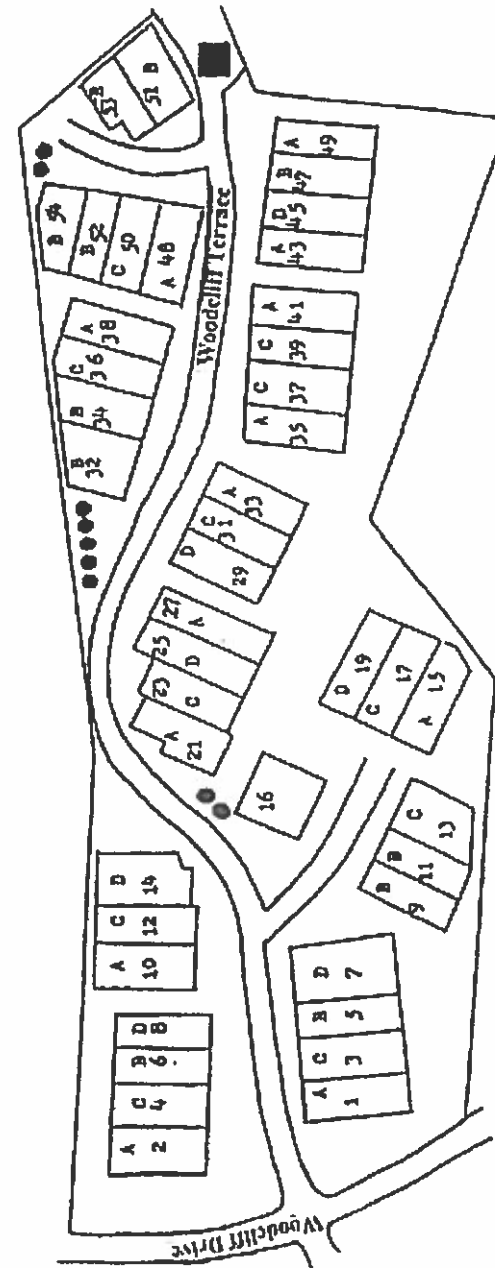
The conduct of personal business between the Director and the Woodcliff Terrace Homeowners' Association, Inc. is discouraged. Business transactions in which a Director has an interest are prohibited. Any matter in which one has a personal interest is, de facto, a conflict of interest.

A Director with dual interests in a proposed issue, transaction, or policy position shall not vote on or participate in a discussion of the matter.

A Director shall not use inside information for his/her personal benefit or for the benefit of any other organization or use such inside information for his/her position as a Director. Insider information is information obtained by a Director through the Director's position that has not become public information.

On an annual basis, each Director is required to complete a Director Disclosure Statement.

APPENDIX F: OVERFLOW PARKING MAP



Woodcliff Homeowners Association

Legend:
 • - Represents 1 car space
 □ - Represents area for potential parking

E
N S
W