

THE
VILLAS AT CANANDAIGUA
HOMEOWNERS ASSOCIATION

HANDBOOK

The Villas at Canandaigua Home Owner's Association Handbook Table of Contents

Section 1 Handbook

Introduction.....	3
About this Handbook.....	4
Living in the Villas.....	5
Clubhouse.....	6
Clubhouse Reservation.....	7
Exterior Lighting.....	9
Fitness Center.....	9
Lawn Care, Tree and Shrub Maintenance.....	9
Library.....	9
Pool.....	10
Speed Limit.....	10
Snow Removal.....	10
Sprinkler System.....	10
Trash Removal and Recycling.....	11
Wild Life.....	11

Section 2: Rules and Regulations

Rules and Regulations.....	12
Architecture and Landscaping.....	12
Common Areas.....	12
Dryer Vents.....	13
Exterior of Your Home.....	13
Fire Pits and Propane Tables.....	14
Flags.....	14
Grills for Outdoor Cooking.....	14
Holiday Decorations.....	14
Lot Personalization.....	15
Parking.....	15
Peddling and Solicitation.....	16
Pets.....	16
Ponds.....	17
Pool.....	17
Property Occupancy.....	18

Radio, TV or Antenna.....	18
Signs.....	19
Smoking.....	19
Trash Removal and Recycling.....	19
Yard Sales and Similar Types of Events.....	20

Section 3

Code of Conduct for HOA meetings.....	21
Code of Ethics for Board Members.....	22
Due Process and Penalties.....	23

The Villas at Canandaigua Home Owner's Association

Handbook



Introduction

Your Board of Directors is pleased to provide you with this Handbook as a way of welcoming new residents to our community as well as reaffirming for current resident's key aspects of living at The Villas of Canandaigua.

The Handbook is designed to help all residents have a great living experience at The Villas, capturing in one place helpful explanations and expectations around day-to-day and season-to-season activities within the community.

About This Handbook

The Handbook is organized alphabetically around topics that come up most frequently in the community or are of particular importance for residents to be aware of and understand. The vast majority of the handbook is derived from the Offering Plan (aka the “Blue Book”) that each resident receives from the Developer (or owner for re-sales) upon purchasing a unit or from community rules that have been established by the Board. Some residents were not given the Offering Plan.

The Handbook is maintained electronically and will be updated periodically as required and with the revisions distributed by e-mail. Hard copy updates will be available as needed.



Living at The Villas at Canandaigua



As each resident can appreciate, a life in a community such as The Villas at Canandaigua sometimes brings with it new ways of thinking about living with your neighbors. Of foremost consideration is that the Villas' experience means living within a Homeowners Association governed by a Board of Directors with elected residents representing all owners. The Homeowner's Association Board of Directors provides the leadership and governance framework to ensure the living experience is consistent with the Offering Plan and HOA rules. Your Board is in place to help set the direction of the Association as well as oversee, in conjunction with our Management Company (Crofton-Purdue) the day-to-day operation of the community.

Within this context, your Board operates with a goal to provide a positive experience for all residents of the Villas, with the expectation that each resident does their part in supporting and respecting the Offering Plan and community rules designed to guide this positive experience.

Your Board welcomes resident input on where improvements can be made to enhance our community living experience. Please submit to the Board of Directors any concerns in writing. While the Board cannot guarantee that all input will be acted upon, we can assure it will be appropriately considered.

Clubhouse

The Clubhouse is an integral part of the community. It is used for various meetings, gatherings and social events. As such, it is our collective responsibility to see that it is maintained and properly cared for. Therefore, subsequent rules and expectations are to be observed.

1. The clubhouse is for community use. Each resident has a code that provides them access to the clubhouse. Please do not give that code to non-residents.

The HOA employs a general cleaning service to conduct regular basic maintenance and cleaning of the Clubhouse, including the lavatories, library and fitness room. However, our clubhouse will not reflect the quality of life we expect of our community unless everyone understands the fact that we (the owners) are ultimately responsible for its appearance. The expectation, therefore, is that every resident must take an active role in seeing that the clubhouse is always presentable. Think of it as an extension of your home.

2. The HOA is responsible for the proper use of the clubhouse. Therefore, the following rules apply:

A. According to the most recent fire marshal report, the maximum number of people allowed in the clubhouse is 92

B. A resident who hosts an activity or brings guests, friends or relatives to the clubhouse is responsible for the behavior and conduct of such.

C. Appliances are available to the residents. The appliances include a refrigerator/freezer, an oven and microwave. Guests may use the appliances as long as they are directly supervised by a resident.

D. Guests MUST be accompanied by a resident at all times.

E. The activity items in the clubhouse, the televisions, the pool table and ping pong table top and equipment are property of the HOA. We own these items and we are responsible for their care. This means taking care that the items in our clubhouse are maintained properly. Specifically, turning off the TV's and putting the pool table items back to their proper locations is expected, as well as turning off lights, fans and the fireplace.

F. The pool table is available to the residents for their leisure. Residents that use the pool table for their own use or with guests (excluding children under the age of 14) should monitor its use very carefully. Cue sticks must be used appropriately and safely. Please note that the pool table surface is expensive to repair. Thoughtful and careful use of the pool table is required.

G. There is a ping pong conversion table available. There are 2 vinyl coverings, one for the pool table and one for the Ping Pong table, both covers are kept on the table. Please do not place anything, ie: coats on table.

When catering special events, the ping pong table top is essential to protect the pool table. **DO NOT** set any item directly on the pool table.

H. Paper goods, kitchen supplies, trash bags, plastic utensils, tableware, dishes, cups etc. are the property of the HOA and are provided exclusively for our community functions. These items are not provided for personal use, nor are they available to guests or those who rent the clubhouse.

I. With the exception of service dogs, no pets or animals of any kind are allowed in the Clubhouse or the fenced in pool area at any time.

J. The clubhouse and Pool Area are non-smoking facilities.

K. Any damage occurring by a resident or guest is that resident's responsibility. All repairs will require the Board's approval.

Clubhouse Reservation

The clubhouse may be reserved and rented by a resident. In the event that a resident wishes to reserve the clubhouse, the owner must contact the chair of the Clubhouse & Special Events Committee. The resident will receive a reservation form. There is a security deposit and a fee for the rental. Unless there are charges for material usage or damage, the deposit will be returned to the resident.

If you want to reserve the Clubhouse, first call the Clubhouse Reservation Coordinator of the Clubhouse Committee to see if it is available. If it is approved, then submit a reservation form and 2 checks to the Clubhouse Chair.

1. Community- wide events and HOA meetings take precedent over personal requests. The Clubhouse cannot be reserved for a major holiday, i.e. Easter, Memorial Day, 4th of July, Labor Day, Thanksgiving, Christmas Eve, Christmas Day, New Year's Eve and New Year's Day.

2. The clubhouse cannot be reserved for commercial uses.

3. Only residents may reserve the clubhouse and must be present during the entire event. The resident host is completely responsible for their guests at all times. The resident host also accepts full responsibility for damage to the clubhouse and for damage or theft of furniture, artifacts, appliances, electronics and any other articles in the Clubhouse.
4. Damages occurring during a rental period are the responsibility of the host resident. The cost to repair or replace items damaged or lost during a rental period will be determined by the Board. This can mean the loss of part or all of the security deposit and additional costs of replacement and repair.
5. The resident host is responsible for cleaning and restoring all areas reserved to original condition. This should be no later than 10am of the day after the event. The Board reserves the right to establish additional requirements when deemed appropriate and necessary.
6. The Board reserves the right to limit the number of participants, the nature of the activity and the time frame within the activity is to take place, based on the particular circumstance. Note that the fire code establishes the maximum number of people who can be in the clubhouse at any one time.
7. The clubhouse is a “carry in carry out” facility. Do not leave any items in the refrigerator and take all trash and recyclables with you as you leave.
8. Renting the clubhouse does not include the swimming pool, the Fitness Center or Library. These areas are always open to our residents.
9. With the exception of service dogs, no pets or animals of any kind are allowed in the Clubhouse or the fenced in pool area at any time.

*The word “resident” throughout this document refers to a homeowner in The Villas at Canandaigua or a lessee within the Villas community.

Exterior Lighting

Outside of all properties and in many locations throughout the community, independent lighting fixtures (post lights and street lights) are evident. These lights are maintained by our property manager. Residents who notice lights that are not working should notify the Maintenance Contact for their Phase for direction.

Garage lights and Patio Lights are the homeowner's responsibility.

Fitness Center

Please use the equipment as instructions indicate. If you are not sure how to use any of the fitness equipment, please contact a Board member. If equipment is not functioning correctly contact the Maintenance Chairperson. As per existing rules owners or immediate family members who are adults are permitted to use the Fitness Center.

The following rules apply:

1. After using the equipment use sanitary wipes as provided to wipe off the equipment.
2. Turn off the TV, fans and lights when exiting the fitness center.

Lawn Care, Tree and Shrub Maintenance

A landscape company is contracted for the HOA, by the property manager, to provide lawn, tree and shrub care. This includes requesting treatment and or replacement of stressed or dead plants and shrubs. Any additions or alterations to the landscaping including the planting of shrubs/trees, etc. should involve submitting a variance to the Property Manager in advance who will submit it to the Board of Directors be reviewed. Residents are free to plant flowers. The landscape contractor will weed twice a season. If weeds grow in between the times of weeding, owners can weed their own gardens.

Library

There are many books and magazines that are available for residents to take home and read. Please return items when you are finished with them. The library is found in a room off of the meeting room.

There is a community calendar in the meeting room to view upcoming events. There is also a general information board. Monthly board minutes and financial reports can be found in the cabinet in meeting room.

Pool

- During season, the pool can be used from dawn to dusk.
- Glass containers are prohibited.
- Diving and jumping into the pool are prohibited.
- Guests must be accompanied by a resident
- Children under the age of 16 must be with an adult.
- Children who are not toilet trained must wear swim diapers.
- Smoking and vaping in the pool area is prohibited.
- No one is permitted in the pool area if the pool is covered.
- If there is lightning or immediate storm approaching, the pool area must be cleared.
- Return lounges and chairs to their original positions after use.
- Please pick up after using the pool. This is a “carry in/carry out”. There are no trash receptacles in the pool area.
- Apply sun tan lotion before entering pool area, use towel to protect lounges.
- Be respectful of all residents and guests.
- If no one else is in the pool, the last resident to leave should lock the gate.

Snow Removal

Our contract with the snow removal company states they will plow streets and driveways and shovel sidewalks if there is 3 or more inches of snow. The snowplowing contract does not include salting driveways or sidewalks. If driveways or sidewalks become icy, homeowners may spread calcium chloride. Sodium chloride or Halite/rock salt can be used on driveways but not on the sidewalks. Drifting and wind may cause more than 3 inches of snow on your sidewalk, but not on the community roads, so you may need to shovel your own driveway and sidewalk.

Speed Limit:

Be aware of the speed limit in our community, 14 mph. Please drive slowly and carefully.

Sprinkler System

There is a sprinkler system to keep our lawns and shrubs in good condition. Residents should be aware that there are sprinkler heads at various locations around the property. If a sprinkler head is not functioning properly, or if a resident believes that a sprinkler head is damaged, please contact the Maintenance Representative from your Phase. Most sprinkler heads are at the edge of the roads and driveways so do not park on the grass.

Do not attempt to repair or replace a sprinkler head. In addition, the sprinkler system is managed through several programmable controller boxes that are found at specific locations throughout the community. Please do not touch these boxes or attempt to reset the program.

Trash Removal and Recycling

The HOA annually contracts with an accredited trash disposal company. The company provides trash bins and recycling boxes for residents.

Trash pick-up is presently scheduled for one day a week throughout the community. The specific day for pick-up is Friday. **There are six holiday weeks where the pick-up is delayed until Saturday.** Those weeks include the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

Residents are expected to place their trash bin and recycle box outside at the end of their drives no earlier than 5 pm on the day prior to the scheduled pick-up time. From November 1st to April 1st trash containers may be put out at 3 pm on the day before pickup. Residents are also asked to pick up their emptied bins by the end of the trash pickup day.

Because of our windy hill, we ask residents to tie or strap their bins shut. Those who use open recycle bins should pack their bins tightly, with light things on the bottom. When there are high wind warnings, we ask that you wait until morning to put your bins and containers out.

Wild Life

We have a beautiful location; complete with ponds and forever- wild areas. Wild ducks, geese, herons and other waterfowl visit our ponds. Deer and fox are also seen regularly. Do not provide food stations for duck, geese and deer. It is illegal to feed water fowl and wild animals. If a resident has a problem with the wildlife becoming pests, the resident should contact the Board about the possibility of a reasonable remedy. However, it must be understood that the Board may not be able to address every concern to everyone's satisfaction.

RULES AND REGULATIONS

Most items within this packet are found already in your Offering Plan which were given to some original homeowners. They have been pulled from the Plan and Homeowners Matrix to make them more user friendly and to help residents understand the reasons for the following guidelines.

Architecture and Landscaping

Before any changes are made to homes or landscaping and in order to maintain consistency of properties the following rules apply:

No alterations or exterior modifications of the buildings or landscape may be made without the approval of the BOD of the Association. Submission of a variance and approval by the BOD are required before such changes can be made. Refer to current property management's website for variance forms.

Examples of things that need a variance:

- antennas and satellite dishes
- exterior painting
- change in landscape
- patio awnings
- replacement doors
- window boxes
- alteration or addition to building
- planting of trees, shrubs or ground cover

The maintenance, repair and replacement of the exterior of all homes and garages (including roofs) is generally the responsibility of the Association. The Association is responsible for the repair and replacement of siding, brick, gutters, roofs, exteriors of windows and doors. See the Homeowner Responsibility Matrix for details.

The Association is not responsible for window panes, foundation walls, overhead garage door, garage tracks or openers, basements. If an overhead garage door is replaced by other than the standard solid door a variance is needed. Landscaping and lawn maintenance are the responsibility of the Association. Exception: landscaping done by the homeowner must be maintained by the owner.

Common Areas

The Board may designate certain portions of the common areas for use as paths, restricted common areas, community garden areas, and specific recreation areas for the use of owners, their invitees and guests. Invitees and guests may use common areas only as provided in the rules.

Nothing shall be stored in the common areas except with the prior written permission of the Board. Hunting is not allowed on the Villas property.

Dryer Vents

Most homes in our community have long vents extending through the roofs and can create a fire hazard. Therefore, it is recommended that homeowners have their vents cleaned annually or a minimum of two years. The Board of Directors reserves the right to request verification of cleaning from the homeowner or contractor.

Exterior of your home

In keeping with our desire to maintain the attractive, consistent and overall appearance of our community, the following rules should be followed regarding the exterior of your home:

1. Bees, Ants, and Pests – The homeowner is responsible, not the HOA.
2. Clotheslines are not permitted.
3. Villa owners and their guests shall not climb onto or stand on the roof of any structure.
4. Any contractors or repair persons must be insured.
5. Any damage to common property or the exterior of individual units either by moving objects, cars, bicycles, toys, tools, etc. shall be the responsibility of the villa owner involved or the person doing the damage.
6. Water hoses should be stored both summer and winter. The contractors are not responsible for these hoses.
7. Outside items such as grills, chairs, plant containers, etc. must be stored during the winter season, either on a patio, garage or basement. Storage must not interfere with snow removal.
8. The snowplow contract does not include salting driveways or sidewalks. If driveways or sidewalks become icy homeowners may spread calcium chloride (not sodium chloride or Halite/rock salt). Sodium chloride or Halite/rock salt can be used on driveways but not on the sidewalks.

9. Post lamps in driveways – Residents who notice lights that are not working should notify the Maintenance Contact for their Phase for direction. Lights at your front door, patio and garage are the homeowner’s responsibility.
10. No permanent generators are allowed; however, there is a generator in the Clubhouse.

Fire Pits and Propane Tables

For the safety of our attached homes, fire pits, outdoor propane heaters and tables are not allowed on patios or within 10’ of a structure or fence. The Town of Canandaigua prohibits fire pits directly on the ground.

Flags

For homeowners who wish to fly an American flag the following rules apply:

A variance is required for flags mounted on a structure.

The flag must be no larger than 3’ x 5’.

The flag must be mounted on a pole less than 7 ft in length. Flag mounting and mounting hardware must be non-corrosive.

The free end must not be higher than 11 ft.

All rules governing the flying of an American flag should be adhered to.

Ornamental flags/banners should follow the specific display heights and measurements as defined above.

Ornamental flags cannot be placed on common property.

Any flags deemed controversial may be removed at the discretion of the Board.

Grills for outdoor cooking

All residents of the Villas may cook meals outdoors on a grill designed for that purpose. Our HOA insurance recommends that all grills are to be located at least 10’ from any structure (including fences). In the event there is damage caused by these grills, the homeowner is responsible for the cost of any repairs needed to replace the structures to their original condition. You should keep your grill in the garage as opposed to your patio.

Holiday Decorations

Holiday decorations add to the personalization of our homes and are welcome at holiday time. Please follow the guidelines listed below when decorating for these special occasions:

1. Holiday displays and seasonal lighting are permissible during the traditional times of the holiday season, between Thanksgiving and January 15th.

For other holidays, decorations may be displayed two weeks before the holiday and must be removed two weeks afterwards.

2. Decorations should not be a nuisance or raise a safety issue, nor should decorations be attached to the exterior of any residence, including roofs so as to cause damage.
3. Inflatable decorations are not allowed.
4. Decorations that are placed on immediate contiguous areas should not infringe on common areas. Common areas are subject to control by the HOA.
5. Electrical cords must not cross sidewalks or driveways.

Lot Personalization

In order to keep the character and property values of our homes at their best, the following guidelines are to be followed when deciding what decorations are appropriate for maintaining the beauty of the Villas community. The Board reserves the right to restrict yard ornamentation that is excessive or offensive.

Privately planted trees and bushes must have an approved variance by the BOD and are the responsibility of the homeowner.

The landscaping of the Common Area is for the enjoyment of all residents and their guests. Trees, shrubs, bushes, and all landscaping shall not be removed or replaced or harmed in any way. Individuals desiring to change or add to existing Common Area landscaping or decorating must have a variance with approval of the Board.

Residents may not hang plants, bird feeders, or ornamentation on driveway lamp posts.

Attached planter boxes require a variance. The homeowner is responsible for any damage to a window sill or vinyl fence caused by planters or other ornamentation.

Solar lights should be white light. Spacing should be at least 2 feet apart and not interfere with regular ground maintenance.

Mailboxes are the property of the HOA and may not be decorated.

Parking

Parking regulations are intended to maintain a good appearance of our community as well as for the safety and welfare of the residents. Parking is always a concern especially when guests are visiting in our community.

Please observe the following regulations:

1. The speed limit within the Villas may not exceed **14 miles** per hour.
2. Stop signs must be observed

3. Caution must be exercised around the two traffic circles. Cars in the circle have the right of way and must stay to the right.
4. Residents are to use their garage or in front of their garage for their vehicles and any guest's vehicles. Parking on the grass is prohibited to ensure that damage is not done to the sprinkling system and the lawns. Any damage to lawns or sprinkling systems will be charged to the host. **Extended parking in the common turnaround is not permitted.**
5. Boats, trailers, and large vehicles shall be stored inside the garages and vehicle repairs must be done inside garages.
6. No motor homes, campers, motorcycles, trailers, or commercial vehicles may be stored on Villa's roads, driveways, or at the clubhouse parking lot. By request short-term parking may be approved by the Board for up to 48 hours as long as it does not interfere with approved parking by other residents. Moving Pods need to be approved by the BOD for a period of not more than two (2) weeks and their placement approved by the Board.
7. No overnight parking will be permitted on Villa roads between Nov. 1st and April 1st.

Peddling and Solicitation

Peddling and solicitation is not allowed in the Villas as it causes safety and nuisance issues.

Pets

Homeowners with pets must abide with the following rules and should be courteous to homeowners.

One dog and one cat or two cats per household may be kept by an owner or resident. The pets may not be kept for any commercial purpose.

Pets must be on a leash and under control by owners at all times

Owners are responsible for picking up after pets and for any damage caused by their pets.

The Board of Directors of the Association has the right to take appropriate action with respect to any pet deemed a nuisance. (For example: Owner does not clean up after the animal, the animal is too noisy or the animal is not properly controlled.).

Ponds

The following information is included to help us be more informed about the purpose and regulations regarding our ponds.

Three ponds were installed in the Villa's at the start of the development. Their purpose is to control the erosion of sediments and to reduce the amount of nutrients flowing down stream onto private lands and into Canandaigua Lake. When the ponds are working as designed, sediment or silt will become trapped in the ponds, thereby preventing its release downstream and its subsequent damage to the lake. This system will normally result in a silt build-up over time that must be dealt with by the HOA.

Normal maintenance activities may include: (1) breakdown repair of the aerators; (2) routine cleanup of debris entering the ponds; and (3) the application of chemicals to the ponds to control algae and weeds by New York State licensed Pesticide Applicators.

Please use the following guidelines to keep our ponds in good working order:

1. Swimming is not permitted in the ponds.
2. Keep trash and recyclables from blowing into the ponds.
3. Since it is **illegal** to feed waterfowl according to the Department of Conservation, **do not feed** the geese or ducks or place bird feeders within 100 feet of the ponds.
4. Fishing is permitted with a policy of catch and release. Do not eat any fish that may be taken from the ponds.

Any questions regarding the ponds should be directed to the HOA Board of Directors.

Pool

For the enjoyment and safety of our residents and their guests, the following rules apply:

1. The pool is open from dawn to dusk during the season.
2. Do not swim alone.
3. Guests must be accompanied by a resident.
4. Children under the age of 16 must be accompanied by an adult.
5. Glass containers are strictly prohibited.
6. No jumping or diving in the pool.
7. Smoking/vaping are prohibited in the pool area.
8. When the pool is covered, no one is permitted in the pool until the pool is uncovered.

9. If there is lightning or a storm approaching, the pool area must be cleared immediately. Safety standards suggest the pool remain closed for 30 minutes following the last lightning strike or thunder clap.
10. Please return chairs, lounges, and tables to their original position and close umbrellas.
11. This is a “carry in, carry out” area. There are no trash receptacles.
12. Be respectful of all residents and guests.
13. **Be sure to lock the gate if you are the last to leave the pool area.**

Property Occupancy

A Lot shall be used for single family residential purposes only. For the purpose of this section Single Family Residential shall mean the immediate family and no more than two (2) unrelated adults. If you will be away or want to rent your property, the following guidelines apply:

1. If a homeowner will be absent longer than 2 weeks at a time, he/she will need to contact the current property management company. In advance, the homeowner will be requested to provide an emergency contact person and phone number.
2. Any Villas’ owner considering the rental of their home, or permitting long term occupancy by a house sitter or other person while the owner is absent must notify the Board. The homeowner is responsible for the HOA assessments.
3. Rentals of homes for less than a 6 months term are not permitted. Tenants shall be bound by the Rules and Regulations in the same manner as the owners. Lessees/renters shall be entitled to use of the community’s amenities. Owners shall be responsible for repair of any damages by lessees/renters. No subletting is permitted.
4. Owners are required to register the name of their tenants with the current property management company and notify the same of any change in the tenant’s status in the owner’s villa. The owner is required to secure and provide to the current property management company and the HOA a form (provided by the Board) signed by the lessee/ renter that they have been advised of the Rules and Regulations and agree that they will abide by them.

Radio, TV or Antenna

In order to provide consistency in the placement of antennas in the community, please follow these guidelines:

All radio, television or similar towers or antennae may be considered by the Board of Directors by filing a variance. The Variance committee will recommend placement.

Signs

To maintain the beauty of the Villas at Canandaigua, the following rules and recommendations about signage apply:

For Sale signs: a single for sale sign is permitted only in one window of a home when the property is for sale. If there is a Realtor's Open House, there shall be no more than 3 signs allowed on the day of the open house. The Realtor's signs must be removed immediately after the open house concludes. With approval from the Board, exceptions may be made for homes, with one "House for Sale" sign with an arrow and the house number on it. The sign is not to exceed 18" X 18" and must be black lettering on a white background.

Political Signs: are not permitted on common ground. A Political sign may be placed in one window of a home.

Approved signs: e.g. security signs: may be placed at the front entrance of a unit provided they do not interfere with regular grounds maintenance.

Smoking

In order to provide a healthy environment for Villa residents and guests, the following rules regarding smoking/vaping shall apply:

Smoking/vaping is prohibited in the following areas:

- Community Clubhouse including attached porches and nearby sidewalks.
- Community Pool
- Community Patio

Smokers/vapers and their guests should not litter any property with smoking debris and should always be courteous to neighbors. Please be courteous of smoke traveling to your neighbor's patio.

Trash Removal and Recycling

The HOA provides trash removal and recycling services by contracting with an accredited trash disposal company.

Trash containers must be covered and should be put out on the day of pick-up. They may be put out the evening before, but not before 5 pm. From November 1st to April 1st trash containers may be put out the evening before, but not before 3 pm. Empty containers should be returned to the garage on the same day as pick-up. It is recommended that homeowners, who may be absent, make arrangements with their neighbors for either placement or removal of any trash and recyclable containers.

Trash pick-up is presently scheduled through the community on Friday of each week. There are 6 holiday weeks where pick-up is delayed until Saturday. Those holiday weeks include: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

Residents are expected to manage their trash and recycle materials in a manner that prevents them from blowing around the community. Open recyclable containers should have light items placed on the bottom with heavier items on top to preclude papers and recyclables from blowing out of the containers. When there are high wind warnings, we ask that you wait until morning to put your bins and containers out. All covered bins and containers should be tied or strapped closed to prevent the contents from blowing around. Winds can be very strong in the community and will blow even large containers over. Covered recyclable containers may be purchased for use from Lowes, Home Depot, etc.

An available alternative is the Canandaigua Town Dump. It is located on Routes 5 & 20 West at the Town Hall. It is open Wednesdays from 4-8pm, Saturday and Sunday from 8am to noon. You can take your trash items in your car and Town employees are available to help unload your car. You will need your car's registration and some form of proof of your address to obtain a permit which is required. Permits can be obtained at the Town Hall during regular business hours. This service is included in your town tax. Compost disposal is also available.

Yard Sales or similar types of Events

A committee of the HOA may periodically organize a community wide yard sale or similar type event.

Individual yard sales are not permitted. No live auctions will be permitted. Estate sales will be permitted with the following guidelines: The purpose of an estate sale is for the liquidation of the contents of a home. The estate sale can be held for two consecutive days only from 9am to 4pm. Parking shall be confined to one side of the street only to allow for emergency vehicles. Mailboxes shall not be blocked. Residents should consider online estate sales as an alternative. Dates must be approved by the Board of Directors or the President of the HOA.

Club House: Please refer to other sections in your handbook regarding regulations for use of the club house.

In the event of a conflict between these rules and regulations and the Declarations and By-Laws, the Declarations and By-Laws take precedent over the rules and regulations.

Villas at Canandaigua HOA Meeting Code of Conduct

The Villas at Canandaigua is committed to providing a safe, productive and welcoming environment for all meeting participants. All participants including, but not limited to, homeowners, speakers, guests, service providers and others are expected to abide by this Villas at Canandaigua HOA Meeting Code Conduct and General Meeting Courtesy.

EXPECTED BEHAVIOR

- ✓ All participants, homeowners, guests, guest speakers, vendors et al are treated with respect and consideration, valuing a diversity of views and opinions.
- ✓ Communicate openly with respect for others, critiquing ideas rather than individuals.
- ✓ Be mindful of your surroundings and fellow participants.

GENERAL MEETING COURTESY

- Come to the meeting with a positive attitude.
- Treat members and guests with respect.
- Be prompt in arriving to the meeting.
- Turn cell phone off or to vibrate. If you must take urgent call take your conversation outside.
- Present yourself in a positive matter.
- Limit side conversations.
- Talk one at a time, waiting to be recognized by a board member or guest speaker.
- Be patient when listening to others speak and do not interrupt them.
- Don't blame the messenger (individual) by saying "you" when an entire organization is meant.
- Members need to stay on the topic being discussed.
- When a topic or agenda item has been discussed fully, do not bring the same subject up again.
- Don't discuss personal issues during the meeting, except when it about the subject being discussed.
- Don't make threats or rude comments to any participants, homeowners, guests, guest speakers, vendor et al.
- Address any concerns about the discussion or the meeting with the Villas at Canandaigua Board of Directors. It is their job to bring the meeting to order.
- If members that they cannot talk about issues or concerns during the meeting, they can talk to the Board members after the meeting or set up a private meeting.
- Be respectful of other people's ideas or situations when they talk. Try not to judge them or point fingers.

Code of Ethics for Board Members of The Villas at Canandaigua

As a Board member serving the interests of the Villas at Canandaigua homeowners Association, I agree to:

1. ACT IN THE COMMUNITY'S INTEREST

- Board Members will work for the common good of the association, foregoing personal interests.

2. FOLLOW RULES AND REGULATIONS

- All Board members' actions will comply with the governing documents of the association.

3. DEMONSTRATE MUTUAL RESPECT

- Even in disagreement, Board Members will address each other and homeowners with courtesy and respect.

4. MAINTAIN HIGH STANDARDS OF CONDUCT

- Perform duties without bias for or against individuals or groups.

5. ATTEND ALL BOARD MEETINGS

- Unless there is a valid reason for absence, attendance at each meeting is expected.

6. BE PREPARED

- Board Members prepare for meetings by reviewing the agenda and related materials prior to arrival.

7. MAINTAIN CONFIDENTIALITY

- Board Members will respect the privacy of all community members. They will not spread highly sensitive and private information into or beyond the community.

8. RESPECT THE AUTHORITY OF THE BOARD

- Board Members must comply with all majority decisions.

9. PAY ASSESSMENTS IN A TIMELY FASHION

- Board Members will remain current in all Home Owner Association charges and will not expect special treatment.

10. PROMOTE HARMONY

- Board Members will promote community harmony in act, word and deed.

Penalties and Due Process

The Board of Directors believe that good community relations are best built and maintained through understanding, consideration and cooperation among neighbors. However, when homeowners and their properties are adversely affected by the actions of others, it is unfair to allow such offenses to persist. The Board must act to enforce the rules of the community in a timely and even-handed manner through the use of penalties and/or appropriate legal actions, as directed by the Declaration of Covenants and the By-Laws of the Association.

A. IDENTIFYING VIOLATIONS:

- Any homeowner may register a complaint by writing to our Property Management Company (referred as PMC in the rest of this document) or a member of the Board.
- Our PMC conducts frequent informal inspections of the property which may lead to a notice of violation.

B. ENFORCEMENT PROCEDURES:

- **Records will be maintained:** Complaints in writing and signed and violations will be noted on a log maintained in the office of our PMC. Subsequent actions taken with regard to any complaint or violation will be posted to the log and dated. All involved parties will be kept informed of the progress toward resolution of the problem.
- **Step 1 – INFORMAL RESOLUTION:** Our PMC will contact the responsible resident to inform him or her of the violation/complaint and will attempt to resolve the problem informally. If some action on the part of the resident and or homeowner is required for resolution, a reasonable deadline defined by the PMC will be given to homeowner. If it is not followed, it goes to Step 2 – Formal Action.
- **Step 2 – FORMAL ACTION** – If, by the deadline set by the PMC, the resident and or homeowner fails to resolve the problem and has not notified the PMC of any extenuating circumstances, a certified letter will be sent by the property manager to the homeowner (copy to the resident, if a tenant) detailing; a new deadline set by the PMC by which steps must be completed to resolve the problem and the penalty to be imposed if the deadline is not met. Processing fees will be charged to the homeowner.

The appeals process: The homeowner or designee may request an appeals hearing before the Board of Directors. The request for a hearing must be made in writing and delivered to our PMC before the deadline date given in the letter. The penalty will be suspended pending the outcome of the hearing. The homeowner may request the hearing in Executive session.

Step 3 – Appeals Hearing: The appeals hearing will consist of a quorum of the Board of Directors.

1. A meeting to hear the case will be scheduled as soon as possible.

2. The Board will review the written records of the complaint or violation and previous attempts at resolution and will listen to the homeowner's/resident's presentation. When the hearing is adjourned, the Board will discuss and vote on the matter.

3. Within three days after the hearing, the outcome of the Board of Directors review and decision will be provided to the homeowner/resident in writing. If the decision imposes a penalty, it will be due within five days after the date of this notification.

- The Board of Directors may impose a penalty that differs from the penalty stated in Step 2 of the Enforcement procedures. Processing fees incurred by the Homeowner's Association in implementing this process will so be charged. The total amount of the penalty and processing fees will become due 5 days after the date of this notification.

4. If the homeowner fails to appear or present written evidence at the hearing, the appeal shall be deemed to be withdrawn. The homeowner will be notified by certified letter that the penalty previously imposed has been reinstated.

C. PENALTIES: Penalties/fines will be imposed pursuant to the schedule of penalty/fines listed below. Penalties/fines may also include a combination of costs or repair and/or a fine as well as processing fees. Monetary penalties will be imposed on the homeowner, not on a tenant, and the process of initiating a lien against the homeowners Townhome property if not paid within 30 days. Overdue accounts may also be sent to an attorney for collection, with interest and legal fees added to the amount owed.

Fines may be imposed on a "Per Offense" basis or, in the case of a continuing violation, on a "Per Diem" basis.

Schedule of Fines:

First offense: \$25.00 plus processing fees

Second Offense: \$50.00 plus processing fees

Additional violation: 10% of the annual HOA assessment plus processing fees.

- Costs of repair and/or replacement may be assessed to the resident whose negligence or willful misconduct caused the damage.
- Vehicles may be towed. The vehicle owner will be charged for the cost of towing and the daily fee for storage of the vehicle by the towing company. When immediate action is required, such as for safety or plowing reasons, the Formal Action and appeals process may not apply.
- Law Enforcement may be called and criminal charges leveled if local or state laws are involved.
- A lawsuit may be initiated.