



Westage at Harts Woods Condominium

Rules & Regulations

November 2021

Revised from October 2020

Note: The following document replaces all previous documents including the August, 1987
THE WESTAGE AT HARTS WOODS CONDOMINIUM GUIDEBOOK

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HOMEOWNERS AND RESIDENTS:

The following **October 2021 revised edition** of the **Rules and Regulations** will be effective **November 15, 2021**. This edition is published to assist in the proper care of the Westage at Harts Woods Condominium, to extend courtesy and compliance to your neighbors and to maintain your investment as a Homeowner. These rules and regulations **supersede** any previous rules and regulations set forth by the Board of Managers.

As a Homeowner, you also own a share of the interior and exterior common areas. We are confident that all will have a rightful sense of pride in these facilities and will use them with care.

It is the responsibility of the residents to inform visitors and make certain they adhere to all rules, regulations and guidelines of the Westage at Harts Woods Condominium.

All Owners who rent their property to another party must inform their renters of the rules, regulations and guidelines of the Westage at Harts Woods Condominium. The Owner will be held legally responsible for those actions and activities of the renting parties and their guests, which prove detrimental to the Condominium.

Violators will be subject to fines for the first violation (there will be written warnings). See **ENFORCEMENT OF RULES AND REGULATIONS** on page 9 for the schedule of fines.

If you have any questions regarding your unit, do not hesitate to contact Crofton Perdue.

Definition of Terms:

What is a rule and regulation?

A rule is a specification of a required action. It states exactly what must be done. The word "regulation" is suggested as being a little broader in meaning than the word "rule".

What is a By-Law?

A By-Law is a rule for the Board of Managers' internal operations.

What is a guideline?

A guideline is a Board directive for discretionary action.

What is a resident?

A resident is defined as: A person(s) who is named on the deed and/or rental agreement and on record with the Management Company to reside in a unit at Westage at Harts Woods Condominium.

The legal basis for which Westage at Harts Woods Condominium Board of Managers derives its authority to establish and carry out rules and regulations pertaining to the operation of the Condominium is found in the By-Laws.

The Board of Managers requires all Owners to complete the attached Information Sheet and return to Crofton Perdue via email, fax or mail.

I. **BUILDING RULES:**

1. The sidewalks, entrances and driveways must not be obstructed, encumbered or defaced (chalk, charcoal, etc.).
2. Residents are required to move their vehicles to facilitate snow removal. If you are unable to move your vehicle, please ask a neighbor to help.
3. Residents are not to make excessive noise that is disruptive to their neighbors between 10 pm and 8 am.
4. Inside window treatments should appear from the outside to be professional, neat and in good taste. Units should not have foggy windows or sliding glass doors or they must be replaced.
5. Window or portable air conditioning units are not permitted.
6. Units cannot be rented as VRBO or Airbnb and must be rented for a minimum of 12 months. These sites will be monitored. See attached rental information sheet and send it to the managing agent.
7. Please fill out the Owner information sheet and send it back to Crofton Perdue to be used for communication and emergency use only.

HANGING PLANTERS, FLOWERS AND PLANTS, BIRD FEEDERS:

1. Hanging planters are not to be attached to any part of the building. You may hang planters from your patio/balcony railing.
2. All plants and planters must be removed by November 1st.
3. Bird feeders, or any kind of food put out for birds must be squirrel proof and hung from trees or freestanding hooks. No feeders should be hung on patios/balconies.
4. Each unit is supplied one (1) flagpole holder and patio light. Absolutely no other hanging fixtures can be attached to the building.

PATIOS/BALCONIES:

1. You are allowed a covering on the patio or balcony ***provided a variance request is submitted and approved*** with particulars stating that the covering is all weather and will be removed by November 1st as stated in paragraph 2.
2. Removal of all patio and balcony furnishings is required by November 1st and can be placed back on April 1st. Gas grills do not have to be removed.
3. Gas grills with 1.1 liter propane tanks are the **ONLY** type of grills permitted per the Perinton Building Code. **NO** other propane tanks are allowed. Adaptors for larger grills can be purchased at hardware stores or online for 1.1 liter tanks.
4. Hanging laundry outdoors is prohibited.
5. Christmas decorations are allowed between November 1st and January 31st. All Christmas decorations must be removed from your patio by January 31st. Live Christmas trees can be dropped off to a designated location determined by Crofton Perdue. The location will be sent **via email** the next business day after New Year's Day. Make sure your email is on file.
6. The removal of snow and ice from the balcony is the Resident's responsibility. Any damage resulting from failure to remove snow and ice will be billed to the responsible Unit Owner.
7. Cleaning of patios or balconies is the resident's responsibility. The HOA is responsible to keep them in good repair.

8. No items are to be stored on patios or balconies. Bicycles can be stored on the bicycle rack behind the pool area from April 1st – November 1st at the owner's risk. All other items must be stored in your unit or storage locker.

II. COMMON PROPERTY: Any area outside of a unit

1. Each unit is assigned one (1) Caged Storage Locker (CSL). CSLs are to be constructed of wire and 2x4s, no alterations are permitted without written approval from the Board of Managers. Items within the locker need to remain visible per the Perinton Fire Marshall.
2. One door decoration is allowed per unit. A number will be supplied by the HOA. No items are to be hung on common area walls.
3. No items are to be placed in the hallways/common areas temporarily or permanently including door mats. Any items found outside of units or CSLs will be removed and put into storage for 90 days. There is a \$75.00 storage and retrieval fee to have the item(s) returned.
4. Nothing can obstruct the wall heating units, fire extinguishers or a unit door. According to the Fire Marshall there must be a 36" clearance in the hallways and by unit doors.
5. One "For Sale" sign may be displayed on the inside of a unit window. Freestanding "For Sale" signs may be displayed on common property during an "Open House" but must be removed at the end of the day.
6. No estate or garage sales are permitted.
7. Garbage is to be put into plastic garbage bags and placed in garbage containers in the basements. Cardboard boxes are to be broken down by the resident and placed in the recycling bins for pickup.
8. Loose food or cat litter must be placed in plastic bags prior to being placed in the garbage totes.
9. If you have items that do not fit into the garbage totes, please contact Waste Management for pick up. Do not leave them for weekly pick up. Waste Management will not take them.
10. No occupant will use the premises in any manner which would be disturbing or a nuisance to other occupants, or in such a way as to be injurious to the reputation of the condominium complex.
11. **No smoking or vaping in common areas. Cigarette/cigar butts are to be picked up and disposed of by person(s) smoking outside of their residence.**
12. The operation of skateboards, roller skates, children's motorized vehicles, minibikes, scooters, and snowmobiles on the sidewalks, lawns and roadways of Westage at Harts Woods is prohibited.

WESTAGE AT HARTS WOODS PARKING POLICY

Revised October 2021

III. PARKING & VEHICLES: Westage at Harts Woods is a residential community. Westage at Harts Woods does not want home owners, their tenants or guests to keep commercial vehicles parked on their property and shall abide by the following parking regulation:

1. A commercial vehicle that has signage/lettering/logo(s) that promotes a business and is easily identified is not allowed to park on Westage at Harts Woods property unless it is a contractor hired by the association or a resident and is there to do a job.

2. Vehicles that do not fit within the designated parking spots are not allowed to park on the property. Parking spots are 18 feet in length. For safety purposes vehicles are prohibited to hang over sidewalks or lawn areas.

NOTE: A vehicle may require commercial plates due to its weight limit, however it doesn't mean that the vehicle is used for commercial purposes.

3. A speed limit of 10 MPH is in effect throughout the Westage at Harts Woods Condominium complex. All traffic and parking regulations that may be posted in the parking lots and roads shall be obeyed. All drivers shall use caution when entering, exiting and driving on the property.
4. Parking and/or storage of boats, trailers, mobile homes, campers, recreational vehicles and minibuses is strictly prohibited.
5. Due to limited parking spaces Residents are allowed only two (2) personal vehicles to be parked on the property.
6. All vehicles parked on the property must have a legal, current registration and vehicle inspection sticker posted on the vehicle's windshield. Current license plates must be installed and visible on the vehicle.
7. Vehicles shall park between the painted stripes and shall not park in such a manner as to block ready access to fire lanes, parking spaces, sidewalks, exits, dumpsters or other properly parked vehicles. Improperly parked vehicles are subject to immediate towing at the vehicle owner's expense.
8. Horns shall only be used when necessary for the safe operation of vehicles.
9. Vehicles must be maintained in good repair. Vehicles found to be in disrepair, such as broken windows and flat tires, shall receive a written notice placed on the vehicle's windshield. Vehicles not repaired within 5 days of being tagged shall be subject to towing at the vehicle owner's expense. Vehicles found to be leaking oil, gasoline, or diesel fuel shall be towed from the property immediately without any further notice to the vehicle owner.
10. Vehicles are to be parked in designated parking areas only. Motor vehicles are not to be driven or parked on lawns or sidewalks at any time. Vehicles parked on lawn areas are subject to immediate towing. Any damage done to the lawn areas will be repaired by the Association and charged to the unit owner.
11. Repairing or washing vehicles on the property is strictly forbidden. Vehicles being repaired on the property are subject to immediate towing and Unit Owners may be assessed fines. Emergency repairs are acceptable.
12. Motorcycle owners must abide by all parking rules. Any motorcycle parked on the premises must use a kickstand plate to avoid damage to the asphalt. Damage caused by kickstands will be repaired by the managing agent and billed to the owner. Motorcycles must be parked in parking lots only.
13. Exceptions to any of the above, requires a written variance approved by the Board of Managers. Fines assessed for parking violations are considered additional assessments and are subject to late fees and assessment collection policies.
14. Residents who are going to be away for more than two (2) consecutive weeks must park in the designated parking area across from the old Sales Office. Contact Crofton Perdue for further details. Towing and storage charges will be enforced at the resident's expense if not in compliance.
15. Please remember to always lock your vehicles.

Handicapped Parking Spaces

Public policy for handicapped parking is delineated in the Federal Fair Housing Act and in the Americans with Disabilities Act. The Board of Managers will accept requests to designate a handicapped parking space for eligible individuals. *A VARIANCE REQUEST MUST BE SUBMITTED TO CROFTON PERDUE'S OFFICE along with a doctor's certificate.*

IV. PETS:

1. Residents are allowed 1 dog or 2 cats.
2. Residents must register and immunize every dog in accordance with local laws and requirements. Residents must maintain such licensing and inoculation of their dog and submit proof to the managing agent (see resident and/or renter information sheets). All pets must be spayed and neutered.
3. It is solely the Resident's responsibility for all medical and financial issues in the event of a pet bite or other injuries to another person.
4. Every pet must be housebroken and cannot have a history of causing physical harm to persons or property, such as biting, scratching, chewing, etc., or any other type of vicious history or tendencies.
5. No Resident shall allow any household pet to run free on the common elements. Pets on the common elements shall be on a leash and accompanied by an adult. It is also prohibited to allow your pet to roam free in the hallways by leaving your unit door open.
6. Doghouses, staking-out or fencing-in of any pet in the common area is prohibited.
7. The placement of pet food on patios or balconies for consumption by pets is prohibited. The confinement of pets on patios or balconies is also prohibited.
8. Pets that create a nuisance (noise, sanitation problems) for the building is prohibited. The cost of repairing any damage to the common areas by a pet will be charged to the Unit Owner.
9. Pet Owners are required to immediately remove their pet's excrement from common areas, placed in a bag and put in an enclosed trash container. The Association has provided a dog waste station located on High Gate Trail by the parking lot for Buildings 15, 16 and 17.
10. Residents of Westage at Harts Woods have the right to call the Perinton Dog Warden if these rules are violated.

Residents in violation of these Pets Rules are subject to fines. See page 10 ENFORCEMENT OF RULES AND REGULATIONS listing the fine schedule.

V. WASHERS AND DRYERS:

1. The Board of Managers met with the Town of Perinton Fire Marshall in 2005. The Fire Marshall stated that as of January 1, 2003, all permanently installed dryers must have direct venting to the outside of the building; existing lint trap buckets would not be acceptable. As a result of that meeting, the Board of Managers made the decision that the installation of washers and dryers will not be allowed in any unit, including the LG combo unit that does not require outside venting.
2. Existing washers and dryers may remain in place but **cannot** be replaced. Any unit that currently has a washer and dryer may keep them. If the unit is sold the washer and dryer can remain as long as they are part of the unit sale.
3. Please observe laundry room hours, which are 8:00 am – 10:00 pm daily (last load in the dryer at 9pm). This includes units that have their own washers and dryers in them.
4. When the existing washer and dryer must be disposed of, it is the Resident's responsibility to do so properly and at the Resident's expense.

VI. WESTAGE AT HARTS WOODS CONDOMINIUM INTERIOR & EXTERIOR MODIFICATION:

Please refer to the Matrix of items that can be remodeled or modified within your unit. It is your responsibility to read the Matrix prior to any interior or exterior remodeling or renovations.

1. INSURANCE
 - A. Have the contractor provide a Certificate(s) of Insurance for the work being done.
 - B. The Association's insurance agent requires \$1,000,000 per occurrence and \$2,000,000 aggregate in liability coverage and statutory Workman's Compensation coverage. The Association requires the Certificate of Insurance to name Westage at Harts Woods Condominium as additional insureds.
 - C. The insurance certificates must be on file with Crofton Perdue Associates, Inc., prior to any work being performed.
 - D. If you do not have these certificates on file DO NOT begin work. You are putting yourself and the condominium at risk and may be fined per the By-Laws.
2. BUILDING PERMITS:
 - A. The Town of Perinton website contains detailed information on building permit requirements, at www.perinton.org. Follow the tabs to Code Enforcement and Development.
 - B. Make sure you or your contractor obtain the proper permits for the work being done i.e. demolition, electrical, plumbing, new construction, interior remodeling, etc. (This list is partial and should not be considered all-inclusive.)
 - C. When work begins, the Building Permit (if required) must be displayed. If not displayed this will prompt a call to the Town of Perinton Building Department to determine if a permit is required.

3. VARIANCE REQUEST:

- A. A variance request form **must be submitted** prior to any work being done to the exterior or common elements including gardens (see garden variance form). Please see the attached Matrix for items requiring a variance. Variance forms are on the Crofton Perdue website and may be submitted electronically.
- B. Work may not begin until the variance request has been approved by the Westage at Harts Woods Board of Managers.
- C. Residents are responsible for removing all debris.

Any questions regarding interior or exterior modifications should be directed to Crofton Perdue at (585) 248-3840 or Info@CroftonInc.com.

THE FOLLOWING WILL NOT BE ALLOWED OR APPROVED:

- 1. Lawn rubber edging, fences, rocks or bricks in or in front of garden beds.
- 2. Personal playground apparatus which includes permanent or temporary basketball hoops, soccer nets, and T-Ball stands.
- 3. Personal picnic tables or permanent barbeque grills.
- 4. Wood burning fireplaces (pot belly stoves, fireplaces).
- 5. No awnings or other projections shall be attached to the outside walls of the building.
- 6. Charcoal or open flame fire boxes/pits. See also BUILDING RULES – PATIOS/BALCONIES.

VII. POOL RULES AND REGULATIONS:

The pool and deck are for use of all who swim and/or sunbathe. Therefore, if the facilities are to be used by both children and adults, then some noise and splashed water is to be expected.

- 1. The pool will be open from Memorial Day Weekend until Labor Day, weather permitting (outdoor temperature must be at least 65°F). Please note the pool hours are 11:00 AM to 8:00 PM throughout the season.
- 2. Residents **MUST** show valid New York State driver's license or valid New York State Photo ID to enter pool and are required to sign the log-in sheet. Residents who reside at Westage at Harts Woods seasonally and are legal residents in a different state can show another source of proof of identification.
- 3. Residents are allowed to bring a maximum of five (5) guests per day. Each resident's guest must sign full name and address in the log sheet. **GUESTS MUST BE ACCOMPANIED BY THE RESIDENT AT ALL TIMES.** There will be no exceptions.
- 4. No person should enter the pool area when the Pool Closed sign is exhibited. Violators will be fined.
- 5. Bodily fluids or any foreign material that would contaminate the pool are prohibited. If there is contamination of the pool, the person(s) responsible will be charged the cleanup fee.
- 6. People who leave the pool area must relinquish lounges or chairs, to allow others to use them.
 - A. Lounges and chairs are not to be reserved for others who may be coming later.
 - B. All personal belongings should be removed from chairs and deck when leaving the area.

- c. On Saturdays, Sundays and Holidays, lounges and chairs are designated for adults.
7. Persons having colds, skin eruptions, eye infections, or similar contagious or infectious ailments are not permitted use of the pool area.
8. No glassware or breakable items of any kind will be permitted in the fenced-in pool area. Food and drinks will be allowed if stored in the non-breakable containers and should be eaten at patio tables.
9. Lifeguards are not babysitters. Therefore, children under the age of 18 are not allowed in the pool area without an adult present at all times.
10. No child under the age of 5 will be allowed in the pool unless accompanied by an adult who is at least the age of 18 and also needs to be in the water.
11. No rubber pants or regular/disposable diapers are permitted in the water at any time due to the safety hazard it poses with the pool filter system. Swim diapers such as Pampers Splashers and Huggies Little Swimmers are allowed.
12. Swimmers must wear swim attire (bathing suit). Non-swimmers are allowed to wear street clothes.
13. No running or rough housing within the pool area.
14. NO DIVING.
15. Appropriate pool accessories are allowed in the pool and pool area. Swimming aids/flotation devices used as swimming aids will be allowed (lifejackets, bubbles, arm floats).
16. No alcoholic beverages or smoking of any type within the pool area at any time.
17. The lifeguards/pool attendants have the authority to refuse admittance to and expel any person(s) from pool area for failure to observe rules and regulations.
18. The pool phone is for lifeguard/pool attendant use only. Personal calls are not allowed at any time from the pool phone.

VIII. ENFORCEMENT OF RULES AND REGULATIONS

The Board of Managers has adopted the following schedule of fines for non-compliance of the Rules and Regulations established for Westage at Harts Woods.

FINE SCHEDULE:

1. Unit Owners and/or their tenants who are not in compliance will be notified in writing. The Unit Owner has 10 days to correct the violation.
2. The Unit Owner has a right to request a meeting with the Board of Managers to discuss the infraction and possible solutions. This meeting must be requested in writing and addressed to Crofton Perdue Associates, Inc., 111 Marsh Road, Suite 1, Pittsford, New York 14534 within the 10-day period.
3. If the Unit Owner and/or their tenant is still non-compliant at the end of the 10-day period, the following schedule of fines will be initiated:
 - a. **\$75** after 10 days of original notice;
 - b. **\$150** additional after 30 days;
 - c. **\$250** additional after 60 days.
 - d. After 60 days the fine will be \$250 per month until violation is corrected.
4. The Board of Managers reserves the right to levy additional fines on non-compliant Unit Owners and/or their tenants. Unit Owners will be notified in writing of such fines.

OWNER INFORMATION SHEET

Owner Name: _____

Address: _____

Phone: _____

Email: _____

Vehicle(s)

Color

Make

Model

License#

If rented, please complete the Rental and Lease Addendum form on page 12.

Pets:

Dog: Current rabies certificate and dog license must be on file at Crofton Perdue's office.

Cat: Indoors Only

Emergency Contact NOT living with you

Name _____

Phone _____

**WESTAGE AT HARTS WOODS CONDOMINIUM
RENTAL / LEASE ADDENDUM**

Please complete and submit this form to Crofton Perdue Associates, Inc., when entering into a lease with a new tenant. You may return it via mail, fax or email.

Crofton Perdue Associates, Inc. 111 Marsh Road, Suite 1, Pittsford, NY 14534
Fax: (585) 248-3666 Email: Info@CroftonInc.com

Note: Lease is to be for a minimum of 12 months

To the Board of Management:

Pursuant to the Rules and Regulations of Westage at Harts Woods Condominium, I/we hereby give notice that I/we intend to lease the unit located at _____ effective _____ through _____ and provide the following information:

Name(s) of Tenants(s):

Tenant(s) Vehicle(s) (Color Make Model License#)

Tenant's Phone Numbers _____

Be further advised that I/we have supplied the tenant(s) with a copy of the Association's Rules and Regulations governing occupancy of the dwelling.

Dated: _____

Signature of Owner(s)

Owner Phone

**Westage at Harts Woods Garden/Landscaping
Variance Request Form**

Alterations/modifications to the exterior of a condo or adjacent common area are not permitted without an approved variance. Unapproved alterations will be removed **at the owner's expense**.

Name _____

Building/Unit Number _____

Phone _____ Email _____

Garden Request:

I request permission to plant a flower garden (no bushes, including roses, trees, ground cover or vegetables) in the area directly in front of my patio not to exceed 14 feet by 3 feet deep including the gate. Permission will be granted as long as the following rules are adhered to:

- A. The garden will be placed in front of the patio no larger than 14'x3' (including the patio gate) and will not encroach on any other common property area.
- B. **Flowers and Herbs only.** No trees, bushes/shrubs including roses, or ground cover.
- C. The area will be kept neat and weeded.
- D. If mulched, you must supply your own mulch. The color is to be black mulch, the same as used by the landscaper (no stones, etc.)
- E. No fencing or edging of any kind.
- F. The homeowner guarantees that the garden will be maintained until such time as the owner returns the garden to its original state and asks the association to resume control of the area or, upon the sale of the property, the owner makes sure that this variance is transferred to a new owner.

Any existing gardens must also have a variance. If the garden is currently larger than the 14'x3' area in front of the patio a variance must be submitted for this area including the size of the garden and a drawing/picture of the area.

The garden area is the sole responsibility of the homeowner and his or her successors. Approval of this variance by the Board of Directors does not make the Board, the Association, nor any person other than the owner responsible for maintenance and/or upkeep of the approved modification. Failure to maintain the modification will subject the owner to notices, potential fines and other actions as described in the Rules and Regulations of Westage at Harts Woods including removal of the modification by the owner.

Board of Directors:

- _____ Approved
- _____ Approved with Conditions
- _____ Not Approved

Comments: _____

Date: _____