

Village Walk Homeowners Association, Inc.

Townhouses on Ashwood Lane, Reynolds Road, & Walnut Circle
Webster NY 14580

RULES AND REGULATIONS

ALL THE RULES AND REGULATIONS OF VILLAGE WALK HOMEOWNERS ASSOCIATION, INC. HAVE BEEN ENACTED FOR ONE PRIMARY PURPOSE: TO ALLOW ALL MEMBERS THE ABILITY TO ENJOY THE FULL USE OF THEIR HOME AND FACILITIES WITH THE LEAST POSSIBLE RESTRICTIONS AND TO NOT VIOLATE THE RIGHTS OF OTHER ASSOCIATION MEMBERS TO ENJOY THE SAME PRIVILEGES.

As amended by the
THE BOARD OF DIRECTORS
November 2014
July 2015

Managing Agent: CROFTON ASSOCIATES, INC.
111 Marsh Road
Pittsford NY 14534

Email: Info@Croftoninc.com
Phone: 585-248-3840
Fax: 585-248-3666

BOARD MEETINGS AND PROPERTY MANAGEMENT

BOARD MEETINGS

The Board of Directors meets quarterly, usually on the fourth (4th) Tuesday of January, April, July, and October at 6:00 p.m. in a public meeting room in Webster (notification of the meeting date and location will be mailed to homeowners before each meeting). All homeowners are invited to attend these meetings. An annual meeting of all homeowners is held, usually in April, at which time an election is held for Board member positions and financial statements are reviewed. A question and answer period follows. The Board encourages all members to attend this important meeting.

MANAGING AGENT

The Managing Agent for our Association is Crofton Associates, Inc. For questions on exterior maintenance or repairs, please contact Crofton Associates, Inc. at 585-248-3840. The hours of business are Monday-Friday 8:30 AM – 5:00 PM, except holidays.

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USE OF VEHICLES

VEHICLES - Power vehicles, except for authorized power equipment for maintenance, may not be operated on the landscaped and paved areas. This includes but is not limited to, mini-bikes, go-carts, and snowmobiles.

Commercial vehicles, boating vessels, trailers or unregistered vehicles may not be parked or left on the landscaped or paved areas; they may only be stored in garages.

PARKING - The Village of Webster has a street-parking ordinance, which prohibits parking on the streets from 2-6 AM, year round. The Village will ticket vehicles left in the street. Homeowners are expected to park in their driveways and their guests should use the visitor parking areas provided.

The designated storage area for boats and trailers is not available at this time.

Parking is not allowed on the lawn area and damages resulting from the failure to comply with this rule will be assessed to individual homeowners.

ENFORCEMENT - All the rules and regulations of the Village Walk Homeowners Association have been enacted for one primary purpose: to allow homeowners the ability to enjoy the full use of their homes and facilities with the least possible restrictions and to not violate the rights of other association members to enjoy the same privileges.

- 1) Blocking the driveway, garage, or motor vehicle of another is absolutely prohibited. The homeowner blocked has the responsibility of asking that the blocking vehicle be moved. This request must be immediately complied with. In the event of non-compliance, or repeated occurrence, the homeowner should notify the management company or a Board member. After the first notification, a notice and/or fine will be sent to the offending member stating the parking policies.

FANS AND/OR AIR CONDITIONERS

Fans and/or air conditioners are not allowed in the windows.

EXTERIOR DECORATIONS

Temporary exterior decorations for the various holidays may be displayed provided that:

1. Decorations are removed within two weeks following the holiday.
2. Decorations that the Board deems not to be in keeping with the community's best interest must be immediately removed upon written notice from the Board.

Any homeowner may identify objectionable decorations to the Board for review.

Non-holiday exterior property decorations are strictly prohibited with the following exceptions:

1. A maximum of two (2) flower pots, with flowers, of two gallons or less in size, and must be confined to the porch.
2. A maximum of four (4) solar-powered walk lights, no taller than 12 inches. These lights must be confined to the sidewalk edges.
3. A maximum of one (1) American flag, no larger than 3 feet by 5 feet.

RESPONSIBILITY FOR DAMAGES

In the event that property maintained by the Association is damaged through negligence or culpable act of a homeowner, homeowner's guest, family members, agents or tenants, the Association shall make necessary repairs to the damaged property. The homeowner shall reimburse the Association for said repairs.

SATELLITE DISHES

Satellite dishes are subject to prior, written permission from the Board of Directors, via variance request and subject to the Guidelines that have been established by the Association. (See separate TV Dish Rules & Procedures.)

ADVERTISING SIGNS

Advertising signs, except for one "For Rent" or "For Sale" sign, are not permitted to remain on a lot or structure. "For Rent" or "For Sale" signs must be portable in construction and displayed only in the window of the unit being advertised. Exterior portable signs may be displayed only for an advertised "Open House." Fines for unauthorized display of signs shall be, without warning other than these rules: \$50.00 for the first day or portion thereof, \$100.00/day for succeeding days.

EXTERIOR CHANGES OR MODIFICATIONS

Exterior modifications of any kind shall not be made to the properties without prior, written approval from the Board of Directors. Requests for changes must include plans and specifications.

Homeowners' requests for exterior changes or modifications can be made by filing a Variance Request with the Managing Agent.

The following procedure for a "request for variance" has been established to define the steps to be taken when a homeowner wishes to make an exterior change to the buildings or grounds, or to make exceptions to the Rules and Regulations.

DECORATIVE STONES AND BED EDGING

Replacement of the organic mulch provided by the Association with decorative stones and installation of tube edging will now require a variance. Any property that has stones will be required to maintain them including adding an adequate amount of new stones as

necessary for a uniform appearance, weeding and raking. If this is not done within 30 days of the organic mulch maintenance, a crew will be dispatched to do this work and the cost will be billed to the homeowner.

VARIANCE PROCEDURE

Variance request forms are available from the Managing Agent. The Managing Agent will forward the variance request, dated upon receipt, to the Chairperson of the Architecture and Grounds Committee. Recommendations will be sent to the Board of Directors for final decision, to be rendered within thirty (30) days of receipt by the Board. If the Board needs further documentation and cannot act within thirty (30) days, the homeowner will be notified of a procedural denial with a request for further documentation.

If the homeowner does not wish to accept the decision of the Board, he or she may file a written appeal with the Board of Directors within thirty (30) days of the denial. A hearing will be held at the next scheduled meeting of the Board of Directors following receipt of the appeal, or at a mutually acceptable date. The Board of Directors will conduct the hearing. Both parties may request the presence of additional persons to present relevant information, which may affect the decision.

The Board of Directors will issue a decision by the next Board meeting. Please note that variances are not required for the installation/replacement of white storm doors.

SALE OF PROPERTY

A Certificate of Compliance shall be obtained from the Board of Directors at the time of sale of the property and presented to the new owner(s) at closing. This document will identify any external areas of the individual property that are not in compliance with the Declaration, By-Laws, or Rules and Regulations of the Village Walk Homeowners Association.

NOISE POLLUTION AND RESTRICTIONS

There shall be no noise from any sound-producing devices that will disturb the comfort of others, day or night. All Town, County, and State ordinances and laws, plus common sense and consideration will be used as guidelines. Residents should notify the County Sheriff (911) of any noise complaints.

GARAGE DOORS

In order to thwart vandalism when away from home, garage doors should be left closed. Closed garage doors also add to the appearance of the area as a whole. Repair and/or replacement of garage doors (other than painting) are the responsibility of the homeowner. A variance request is needed if the door is replaced other than in kind.

TRASH PICK UP AND RECYCLING

Waste Management (254-3500) provides trash pick-up and recycling. Trash should be contained in plastic bags in a covered container. Space for trash containers must be provided in the homeowner's garage. Trash must not be stored in patio areas or outside homeowner's unit.

On trash pick-up days, homeowners must place trash containers in their driveways. Collection begins early in the morning and trash containers should be outside before 7:00 AM, but not earlier than the evening before the scheduled pick-up. Trash containers must be put back in the garage by the end of the collection day.

Recycling is done according to Monroe County's guidelines. Paper bags may be put out in blue boxes (not plastic.)

Prior arrangements must be made for disposal of items other than household trash. Such items include carpet, furniture, appliances and remodeling debris. Your refuse collector will pick up your bulky items and appliances that are less than 42 inches in any dimension or 60 pounds in weight. Property owners are required to dismantle or cut up bulky items (furniture, rugs, lawn mowers, etc.) to meet the dimensional and weight limits. For appliances such as refrigerators, stoves, dishwashers, washing machines and dryers, exceeding the dimensional and/or weight limits, residents are requested to notify the Village Public Works office, (265-3770) who will make the arrangements to have these items disposed of with their contractor.

SALE AND RENTAL OF TOWNHOUSE UNITS

Homeowners who have sold or rented their homes are required to give written notification to the Managing Agent. Renters have full use of facilities. All townhouses are part of a planned urban development known as Village Walk and their intended use is as single family residences.

PLANTING REGULATIONS

Homeowner planting of any plants, flowers, shrubs, etc. is confined to the fenced-in patio area. Homeowners are responsible for the care and maintenance of plants that they have added. This includes trimming as needed, removal of dead blossoms and branches, weeding, and maintaining the general appearance of the area so as not to become an eyesore. The plants within the patio area shall not be allowed to encroach the common areas beyond the homeowner's patio.

No planting of any kind is allowed in the front beds, which are maintained by the Association's landscaper.

If the homeowner does not meet his or her responsibility regarding the care of the plantings in their patio area, the Board will issue a letter of warning. If the situation is not

corrected within two weeks, the Board will take action to correct or remove the plants at the homeowner's expense.

MAINTENANCE RESPONSIBILITIES

The maintenance responsibilities of the Association are described in detail in Article VI of the Declaration, as amended in 1989. Homeowners' responsibilities are likewise detailed in Article VI.

RULES FOR CONTROL OF PETS

Dogs, cats, and other pets present sanitation problems, permanent damage to shrubbery and landscaping, are a potential danger to children and cause deterioration of community relations. For these reasons the following rules concerning pets in the Village Walk community must be adhered to:

- The Webster Dog Ordinance applies to the common area of Village Walk as if it were a **private residence**. Maintenance personnel and homeowners should call the Webster Dog Control to pick up dogs not on leashes or otherwise causing a nuisance. Damage caused by a pet will be billed to its respective owner. Following are telephone numbers for your information:

Webster Dog Control:	911
Rabies Control/Animal Bites:	274-6864
Animal Control Investigator:	428-7274
Lollipop Farm:	
■ Main Office:	223-1330
■ Cruelty Investigator:	223-6500 (24 hours)
■ Emergency:	223-1332 (evenings/weekends)

- Pets outside of the living unit must be on a hand held leash and handled by someone who can control the pet. Children may be the pet's best friends but, in an emergency situation, they may not be able to control the pet's behavior.
- The owner of any pet that threatens or attacks another person or pet shall be given a warning followed by a fine. The owner of any pet that causes excessive noise shall be given a warning. If subsequent incidents occur, a monetary fine will be levied.
- No pet shall be tied or chained in the common area to a fixed object (vehicle, tree, stake, fire hydrant or doorknob.) Violations are subject to a warning followed by a monetary fine.
- The owner of any pet causing damage to the common area shall be given a warning followed by a monetary fine.
- No pet shall be permitted to remain on any deck or patio unattended; no pet shall be allowed to create an unsanitary condition. It is the owner's responsibility to clean up

the pet's waste when taking their pets for a walk, romping in gardens, or playing on lawns. The owner of any pet that does not adhere to this rule will receive a warning followed by fines.

The Town of Webster's police power that relates to pets includes the following prohibitions against dogs or cats running at large:

- Animals with dangerous dispositions
- Maintenance of animals in a sanitary manner
- Cruelty to animals
- Specific animals that are legally not to be kept as pets
- Restrictions on number of cats/dogs in a residence
- Barking dogs
- Requirements for prompt removal of feces
- Breeding of animals within a residence

PENALTIES:

Unless specifically spelled out in previous sections, general penalties shall be:

- 1st offence: Warning letter with 7 days to correct.
- 2nd offence: \$25 to \$50 fine, determined by the Board of Directors, with 7 days to correct.
- 3rd offence: If not corrected in 7 days, a fine of \$5 per day will be imposed until the offence is corrected. The owner will be responsible to contact the management office once the offense is corrected.
- If it is impossible to meet any deadline, the proper avenue is to request a variance, of which, approval is at the discretion of the Board.
- Violations are subject to the Town's enforcement as well.
- Late payment fee: \$25.00, plus \$25.00 per month until balance is paid in full.

We need to work together to keep Village Walk's environment appealing not only to our neighbors but for you, your family members, and your guests who will visit our area.

VILLAGE WALK HOA - WATERING POLICY - JULY 2015

Over the past several years many shrubs have been replaced throughout our community at significant cost to the association – you, the homeowners. While it is normal to have a few shrubs die due to our winter conditions, the association has experienced abnormal replacement due to a lack of watering.

Many of the shrubs replaced over the past three years were replacements for those planted just the year before. Many areas of the country have experienced a drought over the past two years and our area is no exception.

For these reasons the Board is adopting a watering policy for new shrub plantings. The association will continue to replace shrubs. However, when new shrubs are planted around a Unit it will be the homeowner's responsibility to water them for **two seasons**. The watering is best accomplished by the slow trickle method for 30 minutes at a time at least three times a week from spring through fall. If the new shrubs die due to a lack of watering, new shrubs will be planted and the homeowner will be billed at the prevailing rate.

Homeowners who refuse to water new plantings cannot expect their neighbors to pay for new shrubs around their Unit because they refuse to water.

Having watering done by a contractor is cost prohibitive.

If you are physically unable to water, we ask that you contact a neighbor or family member and make arrangements for the watering to be done for you. If you have an outside faucet you will be expected to provide enough hose to reach the plantings requiring watering and to have your outside faucet turned on. If you are going to be away from your Unit for more than a week during the period from spring through fall it is your responsibility to find someone to perform this watering for you.

This policy is in effect from the above date forward. We thank you for your cooperation and your participation with helping to maintain our property values and keeping our community a desirable property.