

# SECTION IV



## RULES AND REGULATIONS

OF

## OLD GEORGETOWN VILLAGE HOMEOWNERS ASSOCIATION

Revised May 1, 2017

## **SECTION IV RULES AND REGULATIONS**

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## **A. Moving in and moving out**

### 1. Notification- Rentals

- a. If home is to be rented the owner must provide a copy of the executed lease to the Management Company prior to tenant occupancy.
- b. Owner must furnish a copy of the Rules and Regulation to renters and must supply proof to Management that a copy has been furnished no later than the date of execution of the lease.
- c. No temporary rentals will be permitted (e.g., Airbnb).

### 2. Procedure:

- a. Permission: No later than 10 days prior to a move in or move out the owner must obtain permission from Management for a moving vehicle to enter OGV property.
- b. Deposit: permission for moving vehicle to enter OGV property will be contingent upon payment of a \$300 deposit, The payment will be refunded after inspection by the Management company to determine if any damage was done to either common or adjacent properties.
- c. Responsibility: Owners will be responsible for any damage in excess of the deposit.
- d. Moving vans and other commercial vehicles in excess of 27' are permitted only with the prior approval from the Management Company. Homeowners are responsible for any damage to OGV property caused by the moving or delivery process.

## **B. Parking**

1. Townhouses with garages will not be assigned a reserved parking space in the parking lot adjacent to the property. The owner and/or tenant will park one car in the garage and one on the parking apron in front of the garage.
2. Townhouses without garages will be assigned one (1) reserved parking space in the parking lot adjacent to the property. Unassigned spaces in the parking lot will be on a first-come, first service basis, for resident's second vehicle or for guest parking on a temporary basis. No provision is made for parking more than two vehicles per household. Any additional vehicle(s) must be parked off-site, for example on Edson Lane.
3. All vehicles parked in fire lanes, parked in any area where the curb is painted yellow or parked across parking lines so as to encumber two parking spaces will be immediately towed. To report a parking offense, residents should contact the Management Company. This action is necessary to ensure clear passage for emergency vehicles. All cost for towing and storing, as necessary, will be charged to the operator or owner of the vehicle towed. Vehicles that have been towed may be recovered by calling the Management Company for information about disposition of the vehicle. Parking is prohibited on lawns, pavements, walkways and wherever "No Parking" signs are posted.
4. "Permanently parked" vehicles are prohibited in unassigned parking places throughout the village and on the village access roads (Tudor, Dorchester, Empire and the entrances to section 5 from Edson Lane). Parking on Commonwealth Drive is prohibited

by GVC (Georgetown Village Condominium) which owns Commonwealth Drive. A permanently parked vehicle is defined as a vehicle that has not been moved from an unassigned parking space in 21 days. Any vehicle judged by the Board to be permanently parked will have an official tow sticker placed on the car by the Management Company. The sticker will be clearly marked with time, date, and contact information. If there is no response in 48 hours, the vehicle will be towed at the owner's risk and expense. This regulation does not apply to assigned spaces.

5. Commercial vehicles are not permitted to be parked within Old Georgetown Village except on a transient basis to provide services to the residents or the Association. Commercial vehicles belonging to residents of the Village must be parked off site in accordance with Montgomery County law.
6. The OGV Board will consider an exception to these regulations, provided that the request for exception shows just cause and is submitted to the Management Company in writing.
7. These regulations are in conformity with "Parking Rights" (Declaration of Covenants, Article II. Section 3).
8. Parking of vehicles on which current license plates are not displayed is prohibited, and such vehicles are subject to towing.

### **C. Landscaping**

1. General Policy: The landscaping budget for the common areas is approved by the OGV Board, which hires professionals to plant and/or maintain trees, shrubs, flowers, grasses, or other greenery within the common area. Residents are prohibited from pruning common area trees and shrubs except for the portions of said plantings that overhang or encroach on an owner's property. Attaching anything to common area plantings is prohibited. The Association will, at its sole expense, replace all trees in the common grounds that it considers appropriate. Nothing may be planted within common ground except under the supervision and with the approval of the OGV Board.
2. Maintenance of Private Property: On private property homeowners must maintain all lawns, trees and plantings in good order. If the OGV Board determines that a tree on private property should be pruned or removed because it presents a hazard, it must be done at the homeowner's expense. Owners will also be responsible for removal of dead plantings on their property.

### **D. Architectural Change Approvals: Policy and Guidelines**

1. Policy and Guidelines: In the interest of maintaining the architectural consistency, integrity, and property values of Old Georgetown Village, the residents of Old Georgetown Village as owners, tenants, and occupants have agreed to cooperate and abide by the conditions, covenants, and restrictions set forth in Article V of the Old Georgetown Village Declaration of Covenants, Conditions and Restrictions. As more fully set forth in said Article V, Section 1 of the Declaration, except as provided for herein below, any exterior addition, change or alteration occurring on a lot requires the prior approval of the OGV Board. The preceding shall include such items as benches, tables and chairs, etc., except in the rear yard. Therefore, permission to make any such

exterior addition, change or alteration must be requested from the OGV Board. Such requests are considered "Architectural Change Requests" and are processed in the manner set forth in the procedural section below. The Architectural Control Committee ("ACC") acts in an advisory capacity to the Board on all matters involving such requests.

2. Blanket Approvals: The Board has eliminated the necessity for obtaining the approval of the OGV Board for the below identified types of exterior modifications, additions, or improvements. These exceptions to the general policy are referred to as "blanket approvals." If an owner wishes to make a change to his property of a nature falling within one of the below listed approved blanket approvals, he may do so without Board approval provided 1) the owner provide the Board with 10 days prior written notice of the proposed Blanket Approval exterior modification, addition or improvement, with the exception of landscaping changes, for which prior notification is not necessary, and 2) that once completed the exterior modification, addition or improvement fully complies with the specific requirements and limitations for each of the specific Blanket Approvals categories listed below. Any deviation from the specific conditions and limitations of the Blanket Approval categories listed below will be deemed a violation. If there are any questions as to whether the planned exterior modification, addition or improvement will qualify for Blanket Approval, it is recommended that the owner submit an Architectural Change Request.

The following Blanket Approvals are granted without further OGV Board approvals subject to the conditions stated for each. Any change that is a deviation from the conditions enumerated is subject to the standard approval request procedures:

- a. Landscaping and Alterations in Backyards and Patios Areas; Owners may plant or improve the landscaping within their patio and backyard areas provided that:
  - i. planting or landscaping is limited to the area inside the property line;
  - ii. trees and shrubs planted are of the type and size appropriate to the enclosure;
  - iii. drainage is not changed so as to affect adversely neighboring units and common areas;
  - iv. climbing vines do not extend beyond the property or fence lines;
- b. Landscaping within Existing Front and Side Yards: Owners may plant annual, biennial, or perennial plants, trees, and shrubs within existing front and side flower beds and yards.
- c. Container Plants: Owners may place flowers and small plants on porches or in window boxes provided that the plants and containers are maintained so as not to become unsightly.
- d. Fences: An existing fence may be replaced without Board approval, provided that the replacement fence is the same size, style, and color and is located in the same place as the fence being replaced. It must be painted the approved fence paint color or match McCormick Paints "Chamois." See attached Appendix showing paint colors and direction to McCormick Paint store.
- e. Window/Door/Exterior Signs/Ornamentation: Ornaments may be placed on doors, windows, front surfaces of townhouses or on lawns temporarily for special events or holidays. Attachment braces, wires, and the like for temporary ornaments must not be permanently installed. Ornamentation must not obstruct

the entry way or windows of adjoining townhouses. Security signs that are industry standard for residential yards may be installed as may the company's decal in windows.

- f. Exterior Lighting: The finish and color of replacement lights should match the original standard brass, bronze or black of all existing exterior lighting. Refer to page with images of approved and not approved fixtures. Any ground level lights must be aligned and neatly maintained.
- g. Real Estate Signs: Owners may place one (1) real estate sign to advertise their townhouse for sale or rent provided that:
  - i. the sign is of the size and type customary in residential areas;
  - ii. the sign does not obstruct walkways or other parts of common areas;
  - iii. the sign is removed promptly after sale or rental of the unit.
- h. Exterior Changes to Townhouses. Blanket approvals are granted on changes conforming to:
  - i. replacement of roof ventilation fans on rear of townhouse;
  - ii. installation of roof drain gutter covers;
  - iii. replacement of chimney flue covering conforming to those that are presently installed;
  - iv. installation of inconspicuous animal intrusion abatement devices;
  - v. installation of a single satellite TV dish antenna, which may be installed inconspicuously on the rear roof and must be only minimally visible from the front of the house. All wires must be hidden behind and along downspouts or be strung inside the house.
- i. Window Well Coverings: Owners may install clear plastic, wire mesh, or nylon mesh window well covers, provided that such covers are not permanently attached so as to prevent emergency exit from the interior. All window well covers must be maintained, and must be the same style for all the windows of each home.

▪ *Any and all other additions, changes or alterations require the prior approval of the OGV Board.*

- 3. Architectural Guidelines: Any Architectural Change Request for the following items will only be approved if the proposal conforms to the corresponding guidelines.
  - a. Fences: Owners may install or extend their fences within property lines with fencing of the same design and material as that originally installed by the builder. Fences may be extended to the ground by installation of railroad ties, similar board, brick, or wire, as originally constructed. Such extensions are to be maintained so as not to become unsightly and must not be attached to or extend beyond the exterior of the fence.

- b. Front Doors: Front doors must be solid (no glass) with panel insets and must be painted the color originally assigned to that individual house. Any change in color must be approved.
- c. Storm Doors: Owners may install front storm doors (not including plastic weatherproofing) on the exterior of the townhouse provided that the storm doors are dark brown or matching the color of the exterior trim or the color of the front door. The storm doors must be single-pane, with clear tempered glass, compatible with the architecture of Old Georgetown Village. The acceptable styles of storm/doors are shown in the attached Appendix with images.
- d. Security Bars: Security bars over windows or doors are prohibited.

#### 4. Standard Architectural Change Request Procedure

##### a. Procedure:

- i. Architectural Change Requests must be submitted in writing to the OGV Management. Architectural Change Requests will be accepted only from owners of townhouses and must be signed by the owner.
- ii. All Architectural Change Requests must include enough information to describe fully the proposed addition, change or alteration, and shall include at least the following information: complete plans and specifications of the requested change including, but not limited to, scaled sketches, a list of the specific color(s) and materials to be used, and, if applicable, a dimensioned site plan indicating the precise location of the proposed change on the property.
- iii. Upon receipt of the above materials by the Management, the request will be referred to the Architectural Control Committee and an acknowledgement will be sent to the homeowner.
- iv. The Architectural Control Committee will review the request and will make a written recommendation to the Board. If request is denied, the Homeowner will be promptly notified.
- v. The OGV Board will make a decision on the architectural change request. If there is insufficient information in the architectural change request, the request will be denied and the homeowner will be advised of a need for further information and to resubmit the architectural change request.
- vi. The Board will approve or deny the request within 30 days of the date of the acknowledgement of receipt of the request for approval.

In the event of a denial of an approval by the Board, the homeowner has the right to request reconsideration within 30 days of the receipt of the denial of the original approval request. The reconsideration request must describe in writing any additional data or views that the homeowner believes were not taken into account by the Board in its denial of the approval. The Board will advise the homeowner of its final decision within 30 days after receipt of request for reconsideration.



b. Compliance

- i. The Architectural Control Committee or the OGV Board will conduct site inspections at least once a year, usually in March. Owners not in compliance with the Declaration or the Rules and Regulations will receive a notice of violation, detailing the nature of any violation, the action that must be taken, and the right of the owner to request a hearing, as more fully set forth in Section I of these Rules.
- ii. Owners are responsible for their property regardless of whether it is owner occupied or rented.
- iii. Owners must furnish a copy of the Rules and Regulations to the renters and supply Management with an affidavit to that effect. , Owners must supply Management with a copy of the lease with renter's contact information no later than the date of the execution of the lease.

**E. Trash and Recycling Collection**

1. Trash is collected twice a week (Tuesday and Friday) by a private contractor. Trash must be placed in heavy duty durable plastic bags or rigid containers with tight-fitting lids. *Days of trash pickup DOES NOT correspond to Montgomery County holiday schedule.*
2. Recycling is collected by Montgomery County once a week. In the event of a holiday, this schedule may change. The County collection schedule may be found in local newspapers and on the County web site, [www.montgomerycountymd.gov](http://www.montgomerycountymd.gov). For information regarding the private contractor, contact the OGV property manager. *The private contractor does not necessarily maintain the same holiday schedule as the County.* Recycling must be set out in accordance with Montgomery County's regulations. All reusable containers, trash or recycling, must display the residential address.
3. Trash and recycling containers must be out and ready at the curbside before 7:00 am on pick-up days. However, they may not be placed at curbside prior to 9:00 pm the night before pick-up day and must be removed by 9:00 pm the day of pick-up. At all other times, trash and recycling containers must be placed out of sight, not visible from the street.
4. Landscaping waste is collected by Montgomery County for recycling. Items include grass clippings, leaves, weeds, mulch and other such debris. Such products should be placed in the bags that are designated for the purpose and are available at hardware and grocery stores. *Landscaping materials must be in **paper bags** and WILL NOT be picked up if in plastic bags.*
5. Pet waste should be put with the regular trash. On common areas pet waste must be picked up immediately according to Montgomery County law.

**F. Yard Sales**

In accordance with the Covenants of Old Georgetown Village that prohibit commercial activity and signage, yard sales, garage sales, and signs advertising such sales are prohibited. Professionally managed estate sales may be conducted with *prior Board approval*. Signs for estate sales must be professionally printed and must conform to the rules for real estate signage.

## **G. Offensive Activity**

The noise ordinances of Montgomery County shall apply within the Village.

## **H. Animals**

### **a. Domesticated**

1. Dogs: Dogs are welcome in the community. Owners must obey the ordinances of Montgomery County within the Village. This includes keeping dogs on leash when on community property, picking up pet waste, and being considerate of neighbors when dogs are outside, insofar as excessive barking is concerned.
2. Cats: Montgomery County ordinances apply in the community.

### **b. Non-Domesticated**

1. Feeding of feral animals is prohibited.
2. Birdfeeders with seeds are prohibited. Seeds draw rodent pests to the community.

## **I. Collection of Assessments**

PURSUANT to Article IV, Sections 1, 3(c), 6, 7, and 8 of the Declaration of Covenants, Conditions and Restrictions-for Old Georgetown Village Homeowners Association, Inc., and Article VII, Section 2 (c) and Article XIV of the Bylaws, the following resolution for the collection of assessments is adopted by the OGV Board:

1. Annual assessments are fixed at a uniform rate for all owners and are collected in advance on a semi-annual basis. A statement is mailed 30 days in advance of each assessment period. All payments are applied to the earliest debt. Due dates are January 1 and July 1.
2. Any assessment not paid when due shall be considered delinquent. If the assessment is not paid within 15 days after the due date, the assessment shall bear interest from the due date at a rate of 8 percent (8%) per annum, and a late charge of \$25 shall be imposed.
3. When an assessment is not paid within thirty (30) days after the due date, the Manager will send the owner a Notice of Late Payment.
4. The OGV Board may, at its discretion, declare the entire remaining balance of the annual assessment immediately payable. The homeowner will be so advised that, if full payment, including penalties and interest, is not made within thirty (30) days, legal action will be taken to create a lien against his property as a result of his failure to pay.

5. The Association may bring an action at law against the owner for non-payment of assessment including but not limited to creating a lien against the property. Interest, filing costs, and reasonable attorney's fees of any such action shall be added to the amount of the assessment.
6. The Board will initiate action to create a lien against the property by having a Notice of Intention to File a Lien served on the owner under the provisions of the Maryland Contract Lien Act

## **J. Enforcement Procedures**

All residents of Old Georgetown Village are expected to follow the covenants and rules and regulations established for the Community. The owner is responsible and liable for the actions of his tenants or guests. The following are the minimum procedures for enforcement of the Old Georgetown Village's governing documents.

1. If the owner or his tenants, guests, or fellow residents, has violated any provision of the Covenants, Bylaws or Rules and Regulations established by the OGV Board, the relevant owner will receive a Notice of Violation. The Notice of Violation will inform the owner of the nature of the violation, the necessary action to correct the violation and a timeframe in which the violation must be corrected. The Notice of Violation will also inform the owner that if he wishes to contest the violation or otherwise discuss the matter further, he may request a hearing before the OGV Board, provided such requested is submitted to Management within ten (10) days of the date of the Notice of Violation.
2. If the Owner requests a hearing, a hearing will be scheduled. At the hearing, the Owner will have the opportunity to present evidence, to cross-examine witnesses and may be represented by counsel. Notice of the intention to be represented by counsel must be given to Management in advance.
3. If after the hearing or if no hearing is requested and the violation has still not been abated the Board may elect to proceed with further enforcement action. Permissible sanctions include:
  - the imposition of fines
  - entering the lot and abating the violation and assessing the owner the resulting costs
  - filing a complaint with the Montgomery County Commission on Common Ownership Communities or the Montgomery County Circuit Court seeking an Order compelling compliance.
4. Failure to enforce any Rule or Regulation in the past does not preclude enforcement in the future against the same or another owner.

Adopted by the Board of Directors on the date provided above.

ATTEST:

BY:

\_\_\_\_\_  
Secretary

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Barbara Wise, President