

## Briar Gate Homeowners Association Rules and Regulations

The Briar Gate Homeowners Association, Inc. acting through its Board of Directors, has adopted the following Rules and Regulations through the authority of the Bylaws, which may be amended, revoked, or altered from time to time by actions of the Board. These Rules and Regulations interpret, clarify, restate or assist in administering but do not supersede the Declaration of Covenants, Conditions, and Restrictions of Briar Gate HOA, Inc. or Bylaws in any manner; but they are equally enforceable.

### **Use of Common Area**

Owners are encouraged to use the common area for any activities they desire, however, equipment used for sports, outdoor cooking, or any other activity shall not be left outside overnight in the common area or limited common area excepting patio's or decks nor should such items interfere with the maintenance of the common or limited common areas as noted

### **Outside Appearance of the Units**

- 1) **Structure Exterior.** Owners shall not modify the exterior of their unit-lot without prior written approval from the Board of Directors. This includes, but not limited to, paint, screens, lights, storm doors and windows (see # 4 for window specifications) as well as structural changes. When installing or replacing screen storm doors, they must have full glass with or without a retractable screen and dark brown in color. **Approval Required**
- 2) **Exterior Surfaces.** Owners shall not place anything on or near the exterior of the building, which will damage the vinyl, brick or other surfaces for which the Association is responsible for maintenance unless specifically approved by the board. **Approval Required.**
- 3) **Paint/Lighting.** Paired Patio home homeowners may choose to change paint colors or change exterior lighting upon approval by the board and agreement between both parties of the paired patio home. The paint color must be identical, and lighting must be of the same appearance. **Approval Required.**
- 4) **Windows.** Paired Patio home homeowners replacing windows are to ensure that the replacement windows look similar to the original windows so as not to diminish or detract from the aesthetic appearance of the community. All windows are casement aluminum-clad windows. Windows installed prior to the October 2016 will be in compliance with this policy upon replacement in the future. Suggested brands and possible sources: Tommy D's for, Anderson Windows, Terratone as the color; Pella Windows & Doors for Pella brand windows, identified color as Portabello ; Crestline: Menards, color to be identified. Should names of colors of Pella or Anderson Windows change by the manufacturer, the board reserves the right to review the color for final approval. Any other brand of windows will require consultation with and approval by the board regarding frame and color. **Approval Required.**
- 5) **Aesthetics.** Garage doors are to be kept closed as much as possible. No clothesline or outdoor clothes drying.
- 6) **Satellite Dish.** No satellite dish may be installed without the prior written approval of the Board of Directors. Satellite dishes must be removed at the homeowner's expense within 30 days of concluded usage. All repairs or actions to bring the area whole must also be made at the same time. **Approval Required.**
- 7) **Personal Landscaping.** Owners shall be responsible for all trees, shrubs, flowers, etc. as defined in the Declaration of Covenants, Conditions and Restrictions. Failure to comply with such maintenance can result in the providing of such maintenance by the Association and subsequent billing the homeowner for service. Homeowners unable to maintain planting beds shall enlist the services of a landscape maintenance provider. Landscaping along the side or back of the unit may be returned to the original lawn. **Approval Required.**
- 8) **Mulch.** Mulch must be the same as that used by the lawn contractor throughout the common area.

- 9) **Plantings.** Any extension of landscaping currently in place, along with the installation of or removal of permanent plantings such as bushes, shrubs and trees need prior written board approval. **Approval Required.**
- 10) **Artificial Flowers.** No artificial flowers or other artificial greenery are allowed in the common area or in landscaping seen from the street or by another homeowner. Door ornamentation containing artificial flowers or greenery is an exception.

### **Decorative/Landscape Ornamentation – Approval Required**

Approval will be required for all exterior decorative/landscape ornamentation. The object of landscape ornamentation is to further promote a pleasing and harmonious neighborhood character. Applications for exterior decorative/landscape ornamentation will be evaluated in terms of the objects' general appropriateness, size, location, compatibility with architectural and environmental design qualities and visual impact on the neighborhood and the surrounding area.

### **Holiday Decorations – Exempt from Approval**

- 1) Seasonal holiday decorations are permitted; Christmas decorations shall be removed within two weeks after the holiday, while all other holiday decorations, i.e. Easter, 4<sup>th</sup> of July, etc. should be removed within 48 hours of the specific holiday.
- 2) No decorations may be attached to the exterior structure that may alter or damage in any way the surface for which the Association is required to maintain. Any damage incurred will be repaired at the expense of the homeowner.

### **Maintenance - General**

- 1) Homeowners should take proactive preventative measures to protect against the West Nile Virus. At least once or twice a week, empty water from flowerpots, decorative items or any receptacles that hold water.
- 2) *Work contracted by the Association within Briar Gate...* If a resident has questions or concerns about work being done in the Briar Gate HOA community, he/she should contact Hallmark. Residents should exercise restraint in interrupting, questioning or directing workmen causing delay in performing their work.

### **Absence from Residence & I.C.E. – In case of Emergency**

- 1) All owners are expected to provide for the care of their unit when absent for extended periods.
- 2) For emergency use it is suggested that Hallmark Rental and Management be given the name and contact information of an individual to contact in case of an emergency.

### **Snow Removal and Treatment of Ice**

- 1) The Association will provide snow removal after accumulation of 2 inches or more from driveways, sidewalks and front porch stoops (where applicable).
- 2) Homeowners should be aware that street plowing may produce snow banks across plowed drives after drives have been cleared. The Association or its designated contractor will not return to remove such snow banks.
- 3) If an owner parks a car or other vehicle in the driveway which interferes with our contractor's removal of snow, the owner will be responsible for cleaning the immediate areas of the parked vehicle.
- 4) Ice melt applied at the discretion of the board.

## **Insurance**

- 1) Owners will notify the Association's insurance carrier when major capital improvements are made to their unit.

## **Pets**

- 1) Pets allowed outside must be on a leash, under supervision and control of the owner
- 2) Owners are to clean up after their pets
- 3) Damage caused by pets is to be repaired or replanted by the pet owner.

## **Meetings**

- 1) Discussions by homeowners or board members are limited to 3 minutes per individual.
- 2) Homeowners who have a topic they wish to have placed on the agenda for discussion at the regular board of directors meeting are to notify Hallmark Management in writing providing a summary of the topic to be discussed no less than 10 days in advance of the regular Board of Directors meeting,

## **Parking**

- 1) Parking of homeowner vehicles, family or guests of homeowners is limited to homeowner's own driveway and not in the limited common area driveways belonging to other homeowners.
- 2) Street parking is subject to the ordinance of the town of Ellettsville.

## **Furnace and Air Conditioner**

- 1) The board recommends that residents, at their own expense, arrange for the inspection of their furnaces on an annual basis, and an inspection of the air conditioner unit as deemed necessary by the homeowner.

## **Miscellaneous**

Any homeowner who has a request for additional work, comments or complaints concerning levels of maintenance, or suggestions for improvement should contact Hallmark Rentals and Management, 812-334-8819, Monday through Friday, 9:00 a.m. to 4:00 p.m. If a matter needs to be considered by the Board, management may require the matter be placed in writing and submitted to Hallmark Rentals and Management, 1205 North Walnut St., Bloomington, IN 47404. These matters shall be brought to the attention of the Board to be considered at their next regular meeting, or specially called meeting. The Board will notify owner to appear before the Board of Directors to answer questions the Board may have regarding the request.

## **RECEIPT OF THIS DOCUMENT SHALL CONSTITUTE FORMAL NOTICE.**

First adopted: November 10, 1994

Revised: December 13, 1995

Revised: March 19, 2003

Revised: September 15, 2004

Revised: March, 2013

Revised: February 15, 2017