



## **Policies and Guidelines**

These guidelines are set forth to expand upon the information found in the Master Deed and By-Laws under which The Villas at the River Homeowner’s Association, Inc. (hereafter referred to as “HOA”) operates. All co-owners are expected to conform to these guidelines and reminded that the co-owner agreed to comply with all Governing Documents upon purchase of a unit in the HOA.

### **Table of Contents**

1.	Decorative Items .....	2
2.	Unit Alterations, Windows and Window Coverings .....	5
3.	Signs.....	6
4.	Domestic Pets.....	6
5.	Parking/Vehicles .....	7
6.	Swimming Pool .....	8
7.	Clubhouse .....	9
8.	Library Rules .....	10
9.	Drugs, as amended 9/11/2021.....	10
10.	Trash Collection .....	10
11.	Solicitation and Garage Sales .....	10
12.	Utilities.....	10
13.	Condominium Sales.....	10
14.	Payment of Association Dues .....	11
15.	Violation of Policies and Guidelines.....	11
16.	Amendment Record .....	13

# 1. Decorative Items

## 1.1 Plants and Flowers –

- A. Annual and perennial plantings are allowed in the flower beds around each unit, as long as they do not interfere with mowing.
- B. Plants in containers that are designed to hang on fences may be hung as long as the flowers do not interfere with mowing. Both the plants and the containers must be removed at the end of the growing season.
- C. There is no limit on flower pots that can be displayed within the patio area, provided the plants are living and healthy.
- D. Shepherds' hooks may be used to hang plants in the mulch but may not interfere with mowing.
- E. Annuals that are not maintained during the growing season will be removed and the cost for removal is billed to the co-owner. At the season's end, all dead annuals must be removed and perennials must be trimmed back.
- F. Rose cones and other protective coverings may be used to protect perennial plantings and various statues through the winter.
- G. Vegetables and fruit plantings are allowed only in the patio area.
- H. Artificial flowers are not allowed, except for decorative purposes on entrance doors.
- I. No plants or planters may be hung on gutters.
- J. Any planting of new shrubs outside the patio area must receive prior approval.
- K. No planting may exceed the height of patio fences nor grow taller than the fences.

## 1.2 Birds –

- A. Each unit may have one (1) bird bath and one (1) bird house in the flower beds or in the patio area.
- B. The maximum number of bird feeders is two.
- C. A maximum of two (2) shepherds' hooks may be used for feeders or flowers in the flower beds and pose no problem for mowing.
- D. Loose food or containers of food of any kind are not allowed on the ground.

## 1.3 Statuary, Rocks and Signs –

- A. Statues must be no taller than three (3) feet and are limited to the flowerbed areas around each individual unit. Other items that resemble statues include fountains, outdoor art, pottery, and Gaza balls. These items may be allowed,

provided the co-owner submits a request to the HOA Board of Directors describing the item (including dimensions) and provides a photograph.

*Note: As of 8/19/2020, requests to install trellises will no longer be approved. Existing trellises are grandfathered in as of 8/19/2020; but if the trellis needs to be removed to paint the building(i.e., the trellis or plantings on the trellis are touching the siding), then the trellis may not be reinstalled.*

- B. There can be no more than three items in any given unit's flower beds.
- C. Decorative rocks may be displayed, provided they are placed in the flower bed areas and do not interfere with mowing.
- D. None of the aforementioned are allowed in the Common Elements.
- E. No signs or decorative items may be attached to the side/siding of a building in any manner.

#### 1.4 Flags/Windsocks –

- A. One (1) mounted flag/windsock holder per unit is allowed. It may be mounted at the discretion of the co-owner. When it is removed, the hole in the siding or stone must be repaired at the co-owner's expense.
- B. Free standing flag poles are not allowed.
- C. The American flag may always be flown according to normal flag protocol. It shall be no larger than three (3) feet by five (5) feet.
- D. Professional team and school team sports flags may be flown on the flagpole on the day of the game. Flags/windsocks may temporarily replace the American flag in the single mounted flag holder.
- E. Garden flags featuring professional teams, college/university/high school teams, and seasonal themes may be displayed as long as they are in the unit's mulch area and do not interfere with mowing.

#### 1.5 Holiday Decorations –

- A. Holiday decorations include items hung on the front door, lighting attached to bushes and shrubs in the unit's flower beds, and freestanding objects. These are all acceptable, provided they meet outdoor safety standards. Electrical cords may not extend across the sidewalk where shoveling could occur.
- B. In regard to Christmas, decorations may not be displayed before Thanksgiving Day and must be removed no later than January 7 of the following year.
- C. Other holiday decorations are permitted under the same guidelines and may not be displayed for more than one (1) week before or one week after the holiday.
- D. Air-filled (blown up) decorations for any holiday are not allowed anywhere

outside of the condo units.

1.6 Fire Pits, Grills/Smokers, and Tiki Torches –

- A. Only propane fire pits are allowed but must be pre-approved by the Board of Directors or its designee before installation.
- B. Grills/Smokers must be attended at all times when in use.
- C. Grills/smokers and candles must be positioned so smoke does not blow into any neighbors' homes.
- D. A fire extinguisher, water hose, or other means to extinguish a fire must be readily available when grills/smokers are being used.
- E. Gas, electric, propane, and charcoal grills are allowed.
- F. During grilling season, grills/smokers may be stored outside the garage or on the patio.
- G. In winter, grills/smokers must be removed from the driveway area and must not interfere with the shoveling of sidewalks or the patio area.
- H. The Sodus Fire Department recommends a grill/smoker be at least (10) feet away from a building when in use.
- I. Grills/Smokers, fire pits and candles must be positioned sufficiently away from the buildings to avoid any fires or scorching of the building. Any repairs to the building if damaged by smokers, grills, candles or similar devices are the responsibility of the co-owner.
- J. No grilling or use of smokers is allowed in a garage.
- K. Tiki torches are not allowed.

1.7 Other –

- A. Exterior carpeting may be used on the patio area provided it is in a neutral tone and is in keeping with the colors of the buildings. Exterior carpeting such as AstroTurf is not allowed.
- B. Solar powered (clear or white) landscape lighting may be placed in the unit's flower beds, provided it does not shine unduly in neighboring units.
- C. Stepping stones are permitted in the unit's flower beds but must be flush with the ground and not extend into lawns. No stones or similar stepping objects may make a path to a mailbox.
- D. Gardening equipment must be kept in the garage or the individual unit and shall not be hung around the patio, left in sight continuously, or stacked on the sidewalks where tripping is a hazard.
- E. A maximum of four (4) battery operated motion sensitive security lights (not to be confused with solar powered landscape lights) may be attached to the outside of the unit in the soffit area. Motion sensitive AC powered security

lights must be approved by the Property Manager and be installed by a licensed electrician.

- F. Keyless garage door opener pads may be attached to the side of the garage doorframe.
- G. Wireless doorbells may also be attached to the side of the garage doorframe.
- H. One (1) thermometer may also be attached to the side of the garage or the front door.
- I. Wall plaques, wagon wheels, wind chimes, and inflatable decorations of any kind are not allowed. Nothing may be hung or displayed, nor may signs, awnings, canopies, shutters, antennae or satellite dishes or any other device or ornament be affixed to or placed upon the exterior walls, door, fences or roof without prior written approval of the Board of Directors.
- J. Hot tubs are not allowed.
- K. Clotheslines or swing sets are not permitted. Laundry may not be hung over patio fences (swim suits, towels, rugs, etc.)
- L. All personal property, such as lawn chairs, bicycles, tables, etc. must be kept within the patio area or the garage. Personal property maintained within the patio area may not be visible above the patio fences (if applicable) with the exception of patio table umbrellas.
- M. Standby generators may be allowed provided the co-owner submits a request to the HOA Board of Directors providing the generator's specifications and dimensions, a picture, and proposed location. Installation must be approved by the Board, and the installer must be licensed, insured and provide proof of such.
- N. Any item or items that are not specifically covered in these guidelines require advanced HOA Board approval and can be removed by the Property Manager at the co-owner expense.

## 2. Unit Alterations, Windows and Window Coverings

- 2.1 Regulations concerning visible areas are found in the Master Deed Condominium By-Laws, Exhibit C, Schedule 1, Restrictions, Item D. Nothing shall be caused or permitted to be hung or displayed on the outside or inside of windows (except interior inoffensive drapes, curtains, or louvered blinds, which, from the exterior observation, must be white, beige or gray, or as otherwise authorized by the Board) or placed on the outside walls of a building or otherwise outside of a unit, or any part thereof. No awning, canopy, shutter or television or citizen's band or other radio antenna or transmitter, or any other device or ornament, shall be affixed to or placed upon an exterior wall or roof or any part thereof, or

the exterior of any door or window, or in, on, or over a patio, porch or balcony, visible to the exterior, unless authorized by the Board or required by applicable law to be permitted, but, in such case, subject to such lawful Policies and Guidelines as the board may adopt from time to time.

- 2.2 White, full glass storm doors may be added at the co-owner's expense and with the approval of the Property Manager. Hardware must be brushed aluminum or pewter gray in color.
- 2.3 Window glass alterations to include UV protection must be approved by the Property Manager prior to installation and may not be colored or reflective in nature when seen from the outside.
- 2.4 Window(s) replacements are a co-owner's expense into perpetuity. Written approval from the Property Manager is required prior to installation.
- 2.5 Interior alterations of the unit must be presented to the Board for approval via the Property Manager to protect the structural integrity of Condominium Unit.

### 3. Signs

Regulations concerning signs are found in the Master Deed Condominium By-Laws, Exhibit C, Schedule 1, Restrictions, Item G. No sign of any kind shall be displayed to the public view except: (i) on the common elements, signs regarding and regulating the use of the common elements, provided they are approved by the Board; (ii) on the interior side of the window of a unit, one professionally prepared sign not in excess of nine square feet in size, advertising the unit for sale.

### 4. Domestic Pets

- 4.1 Regulations concerning animals are found in the Master Deed Condominium By-Laws, Exhibit C, Schedule 1, Restrictions, Item J. Except as hereinafter provided, no animals, livestock or poultry of any kind shall be raised, bred or kept in any unit or on the common elements. Notwithstanding the foregoing, household domestic pets, not bred or maintained for commercial purposes, may be maintained in a unit, provided that: (i) the maintaining of animals shall be subject to such Policies and Guidelines as the Board may from time to time promulgate, including, without limitation, the right to place limitations on the size, number and type of such pets, and the right to levy enforcement charges against persons who do not clean up after their pets; and (ii) the right of an occupant to maintain an animal in a unit shall be subject to termination if the Board, in its full and complete discretion, determines that maintenance of the animal constitutes a nuisance or creates a detrimental effect on the Condominium or other units or occupants.
- 4.2 No more than one household domestic pet, not bred or maintained for commercial purposes, may be kept in any one home. Pets shall be limited to

dogs or cats. However, if any owner has more than one pet when he/she moves into the Condominium, and such pets comply with the requirements of the Master Deed, up to two (2) pets may be kept by the owners. After the passing of one of the two pets, thereafter only one pet may be kept.

- 4.3 Pets must be registered with the property manager.
- 4.4 Grooming pets is not allowed on the Common Elements.
- 4.5 When walking pets, co-owners must pick up any waste left by the pet and dispose of properly.
- 4.6 No pet shall be tethered unattended outside in the lawn or Common Elements; nor shall any pet be tied to any stake, patio fence or furniture.
- 4.7 All animals, when outdoors, shall be maintained on a leash not more than eight (8) feet in length. They shall be supervised by a responsible individual at all times.
- 4.8 Invisible fences are prohibited.
- 4.9 Co-owners are required to ascertain that their pet(s) in no way cause offense to others by barking, jumping on or nipping at people.
- 4.10 Co-owners with pets may be fined for violation of these policies. The first notification will be a warning. The second notification will include a fine of \$25. There will be a \$50 fine with each additional notification.
- 4.11 If pets become a nuisance, they may be ejected at the discretion of the Board of Directors.

## 5. Parking/Vehicles

- 5.1 Regulations concerning vehicles are found in the Master Deed Condominium By-Laws, Exhibit C, Schedule 1, Restrictions, Item F. The Board may promulgate Policies and Guidelines restricting or prohibiting the parking of automobiles, vans, buses, inoperable vehicles, trucks, trailers, boats and recreational vehicles on the common elements, including the limited common elements, or parts thereof, and may enforce such regulations or restrictions by levying enforcement charges, having such vehicles towed away, or taking such other lawful actions as it, in its sole discretion, deems appropriate.

- 5.2 All parking by residents or guests must be: (a) within the garage, (b) in the limited common area in front of the garage door, (c) in the parking spaces at the Clubhouse area or boat dock parking area, or (d) on the side of the drive in such a manner so as not to block any other residents access to the garage or street. PARKING IS PROHIBITED IN THE "TURN AROUND" AT THE END OF THE DRIVEWAY for more than 1 hour. No vehicles may be parked in the clubhouse or boat dock area for more than 48 hours. Vehicles parked there for more than 48 hours are subject to being towed at the owner's expense.
- 5.3 Golf carts must be registered with the property manager.
- 5.4 Inoperable vehicles (with flat tires, expired tags, etc.) or vehicles that cannot be identified as belonging to a resident, which are in any general common or limited common elements for more than forty-eight (48) hours may be towed off the premises at the vehicle owner's expense. No repair work is permitted on vehicles in the limited or general common areas except for short-term emergency work (flat tire, battery charge, etc.)
- 5.5 The speed limit within the community is 14 mph. Reckless operation, excessive speed and parking or driving on the lawn areas is prohibited.
- 5.6 No vehicle may be parked on the street overnight.
- 5.7 No vehicle may be displayed as "for sale" in any area of the Villas.

## 6. Swimming Pool

- 6.1 The pool is for the exclusive use of the co-owners and their guests. Any person who cannot be identified as a co-owner, or who is not accompanied by a co-owner, will be asked to leave the pool area.
- 6.2 All persons using the pool and pool facilities do so at their own risk and sole responsibility. There is no lifeguard.
- 6.3 All children under the age of eighteen (18) must be accompanied by an adult co-owner age eighteen (18) or older.
- 6.4 Guests are limited to five (5) per household and must be accompanied by a co-owner at all times. Guests will be asked to leave if the co-owner is not present. At the discretion of the Property Manager pool passes may be allowed for guests of co-owners with special circumstances. Guests may not bring additional guests.
- 6.5 All pool users must be cognizant and respectful of the age and ability of other swimmers present. Courteous behavior is expected of all pool users.



- 6.6 The following are prohibited in the pool area:
- A. Animals or pets
  - B. Glass or other breakable items
  - C. Excessive noise, running, diving, splashing or other disruptive behavior
  - D. Headphones are required for radios or other audio devices
  - E. Private pool parties
  - F. Large rafts that interfere with the personal pool space of otherswimmers
  - G. Smoking or illegal drugs
  - H. Foul or offensive language
- 6.7 Swimming is permitted only in garments sold as swim wear. Infants must also wear swim suits and swim diapers.
- 6.8 Lounge chairs or tables may not be reserved and must be repositioned in an orderly fashion. The last person leaving the area must be sure that all umbrellas are in the down position, chair cushions stored, the shower turnedoff and the bathrooms doors locked. The gate must be locked after leaving.
- 6.9 The pool will be open daily during swimming season until 10:00 p.m. Adultonly swim hours may be established at the discretion of the Board and will be posted on the pool gate.
- 6.10 Wet swim wear is not permitted in the Clubhouse other than in thebathrooms.

## 7. Clubhouse

- 7.1 The Clubhouse is for the private use of the co-owners and their guests.
- 7.2 Refer to the Clubhouse Rental Agreement, Clubhouse Rental Procedure andthe Clubhouse Check List for guidelines, terms and restrictions for private rental which can be found on the website or by contacting the property manager.
- 7.3 The clubhouse great room may be used for recurring events that are renewed on an annual basis. Refer to the Clubhouse Recurring Activity Request Form. A designated co-owner host is required. Co-owners may invite guests to these events, however guests may not invite additional guests. All guests must have their host co-owner present at the activity.
- 7.4 Recurring events utilizing the small conference rooms do not require a fee. Reservations should be made through the Property Manager.

## 8. Library Rules

Library rules and guidelines are posted in the library.

## 9. Drugs

- 9.1 Possession, use, manufacturing or growing of illegal drugs or substances either for private or commercial use is prohibited anywhere in the HOA.
- 9.2 State Statute allows for the legal personal use of marijuana for Michigan residents. However, the Villas prohibits the manufacturing, growing or sale of marijuana anywhere in the HOA.

## 10. Trash Collection

- 10.1 Trash collection containers shall not be set out prior to 5:00 p.m. the day prior to collection. Empty containers must be put away by 9:00 p.m. the day of collection. Only trash containers provided by the current trash removal company are allowed. Damaged trash containers should be reported to the Property Manager for replacement.
- 10.2 All trash for collection must be set out at the main street, next to the curb at the end of the driveway. Trash containers, when not set out for collection, must be kept inside the garage. Co-owners are responsible for clean-up of trash spillage from the containers.

## 11. Solicitation and Garage Sales

Solicitation is not allowed within the HOA. Garage sales and estate sales are prohibited.

## 12. Utilities

Co-owners are responsible for maintenance and payment of their own gas, electric, cable television, telephone, and for calling to initiate service on the date of possession. Water, trash and sewage utilities are paid for by the HOA.

## 13. Condominium Sales

- 13.1 The co-owner who is planning to sell his or her Condominium Unit is required to notify the Property Manager and follow the procedures below:
  - A. Comply with all provisions concerning the transfer/sale of a Condominium Unit contained in the Governing Documents.

- B. Notify the Property Manager of all ownership changes and scheduled closing dates.
  - C. Make certain all dues and fees are current.
  - D. Make certain new co-owners receive all Governing Documents.
- 13.2 All sales are subject to a buy-in fee equal to 1.5 times current monthly dues payable to the HOA upon completion of the transaction.

## 14. Payment of Association Dues

- 14.1 Condominium monthly Association dues are payable on the first day of each calendar month. In the event a co-owner fails to pay the monthly assessment by the fifteenth (15) day of a calendar month, the HOA (pursuant to the authority granted in the Master Deed and By-Laws, Exhibit C, Article 2, Assessments) shall assess a late fee charge on the assessment based on the following schedule:
- A. First delinquency: \$5.00
  - B. Second delinquency: \$7.00
  - C. Third delinquency: \$9.00
  - D. Fourth delinquency: \$11.00
  - E. For other delinquencies after the fourth delinquency, late fees shall be based upon similar increments.

## 15. Violation of Policies and Guidelines

- 15.1 Failure to comply with any of the Governing Documents of the HOA shall be grounds for immediate action that may include, without limitation, an action to recover sums due for damages or fines for violation of said documents. The HOA shall have the right to suspend a co-owner's rights to use the Common Elements as specified in the Governing Documents.
- 15.2 The Board of Directors may levy fines and/or suspension against co-owners, or the guests or tenants, or both who commit violations of the provisions of any of the Governing Documents or who condone such violations by their family members, guests or tenants.
- 15.3 If the Board of Directors imposes a fine or suspension, the Board of Directors must provide written notice of such fine or suspension by mail or hand deliver to the co-owner and, if applicable, any tenant, licensee or guest of the co-owner. The co-owner may request a hearing for said infraction which should occur within 10 days of the dated notification.
- 15.4 Fines not paid within five (5) days of the Written Notice above shall become delinquent. Fines may be treated as an assessment subject to the provisions for

collection of assessments and may become a lien against the unit. Reasonable attorney fees and costs (including the cost of registered mail concerning such violations) may be added to the delinquent fines.

15.5 Violation procedures generally followed at the discretion of the Board of Directors and suitable to the magnitude of the violation:

- A. Hand delivered, emailed, phone contact or mailed notification of the violation(s) stating violations and indicating fines may be imposed. Correction is expected within seven (7) days of dated notification. The first notification will be a warning. The second notification will include a fine of \$25. There will be a \$50 fine with each additional notification.
- B. The co-owner may request a hearing for said infraction which should occur within 10 days of the dated notification.

\* Disclaimer: These policies and guidelines will be subject to change from time to time at the discretion of the Board of Directors.

## **AMENDMENT RECORD**

1. At a special meeting on September 11, 2021, the HOA Board amended Section 9 – Drugs, to be consistent with current Michigan law that allows for personal use of marijuana by Michigan residents.