

# Reserve Master Association

## Rules and Regulations

### General Requirements and Property Maintenance

#### A. INTRODUCTION

The primary purpose of having community rules and regulations is to protect your investment as a homeowner and provide a common framework for members of the community to live together as neighbors. Although rules and regulations may seem restrictive at first glance, they are meant to maintain and promote an attractive neighborhood and to protect and enhance home values. The success of our community depends, in large part, on adherence by all residents to the rules and regulations that govern our community.

#### B. AUTHORITY

Pursuant to Article IV, Subsection 4.2, Article VI, Subsection 6.6, Article VII of the Restated and Amended Declaration of Protective Covenants and Restrictions, Article IV, Subsection 4.2(0 of the Bylaws, and VA, Code Ann. §55.1-1819, the Board of Directors is empowered to adopt rules and regulations, and architectural guidelines.

#### C. COMMUNITY DESCRIPTION

The Reserve at Williamsburg is a planned development community located in York County, Virginia. Parcel 3 of the development is comprised of 94 townhouses. Parcel 5 of the development is comprised of 47 single family detached homes. Together they make up the area of The Reserve At Williamsburg development controlled by the Reserve Master Association (the "Association").

#### D. RULES AND REGULATIONS PURPOSE

This document sets forth the Rules and Regulations of the Reserve Master Association, adopted and incorporated by the Board of Directors as authorized by, and in accordance with, the Virginia Property Owners Association Act; Restated and Amended Declaration of Protective Covenants and Restrictions, Bylaws, and Articles of Incorporation (collectively, the "Governing Documents")

The Rules and Regulations have been developed to provide rules and regulations, in those areas where the "Governing Documents" do not provide such specific guidance, and to adopt other use restrictions of the Declaration of Protective Covenants and Restrictions as permitted under Article VII of the "Declaration".

## SECTION 1. - MANAGEMENT OF THE ASSOCIATION

### A. MANAGEMENT COMPANY

The Board of Directors has established A Management Company as a means for managing the Association:

- Responsible for receiving and processing of all monthly dues and controlling all expenditures of funds by verifying all such expenditures have proper authorization. Carries out the directives of the Board of Directors and supervises the community to ensure compliance with the Declaration, Bylaws, and Rules and Regulations and manages the association's contractors. The Management Company acts as 'a liaison between the community and the Board of Directors and is the point of contact for the members of the Association.

## SECTION 2 - LEASING OF PROPERTY

### A. LEASE REQUIREMENTS

Owners who choose to lease their homes must abide by the following:

- Owners who wish to lease their homes must provide the Association with names and contact information of the tenants and authorized occupants under such lease, and any authorized agent of the homeowner, and vehicle information for such tenants or authorized occupants.
- The homeowner shall be responsible to provide the tenant a copy of the Rules and Regulations and to provide the Association with a signed copy of the tenant's acknowledgement of, and consent to abide by the Rules and Regulations of the Association.
- Authorization to request tenant information by the Association is granted under the Virginia Property Ownership Act.

## SECTION 3 - OWNERS RESPONSIBILITIES

### A. OWNERS ARE RESPONSIBLE FOR THE FOLLOWING:

Abiding by all of the guidelines, restrictions and requirements as set forth in the Declaration, Bylaws, Articles of Incorporation, and Rules and. Regulations.

- Maintaining an attractive and well-kept lot and home.
- Obtaining PRIOR written approval for any planned exterior alterations by submitting an "Application for Architectural Change" to the Architectural Review Committee through the Management Company.

- Obtaining written approval for any actions or activities that require written authorization by the Board as stated in the Declaration.
- Paying the Association assessments in a timely manner.
- Providing elected representatives to manage the interests of the Association and ensuring the Association remains compliant with the Governing Documents and Virginia Requirements and laws.
- If not living in the residence, providing the Association written notice of occupancy status of home (e.g. home is being rented. Relative is living in the home, home is unoccupied, etc.)

## SECTION 4 – ASSESSMENTS

Homeowner association assessments represent an allocated share of the budgeted annual costs and expenses incurred by the Association to comply with the requirements established by the Governing Documents for the preservation, maintenance and protection of the value of the common properties and to pay for agreed upon common services (i.e. lawn maintenance, trash collection). The Association members are obligated to the duty of care mandated by the Declaration of Protective Covenants and Restrictions and by the Rules and Regulations.

Upon the purchase of their home, each homeowner becomes a mandatory member of the Association, agreeing to support the common interests and obligations of the community.

## SECTION 5 – COMPLIANCE

The Association believes the best way to gain compliance with our Rules and Regulations is by trusting in the integrity of the individual homeowner, coupled with a fair administration of the rules by the Association. If a homeowner chooses to not follow the Rules and Regulations, the Association is placed in the undesirable condition of trying to enforce the rules by issuing a violation notice. If the violation is not corrected within the specified time, charges may be levied against the homeowner, or after extended non-compliance, a lawsuit may ultimately be filed against the homeowner.

Every attempt will be made by the Board of Directors to avoid this kind of situation by engaging with the homeowner to reach an amicable solution. However, the Rules and Regulations must be fairly applied to all residents and the Association is obligated to take whatever steps are necessary to protect the common interests of the community.

## SECTION 6 - ARCHITECTURAL CONTROLS

### A. ARTICLE VI, SECTION 6.2 OF THE DECLARATION STATES THAT:

"Before commencing with the construction, erection, or installation of any building, addition, patio, deck, fence, wall, exterior lighting, sign, mailbox or mailbox support, improvement or other structure (each of the foregoing being hereinafter referred to as an "improvement") on any Lot or Parcel, including any site work in preparation therefore, and before commencing any alteration, enlargement, demolition or removal of an Improvement or any portion therefore in a manner that alters the exterior appearance (including but not limited to paint color) of the Improvement or of the Lot or Parcel on which it is situated, each Owner, shall submit to the Architectural Review Committee a completed application provided by the Architectural Review Committee."

### B. ARTICLE VI, SECTION 6.5 OF The DECLARATION STATES THAT:

"No improvement shall be constructed, erected, installed, or maintained on any Lot or Parcel, nor shall any improvement be altered, enlarged, demolished, or removed in a manner that alters the exterior appearance (including paint color) of the improvement, or of the Lot or Parcel on which it is situated, unless the application, plans, and construction schedule therefore have been approved by the Architectural Review Committee."

### C. THE ARCHITECTURAL GUIDELINES

The Architectural Guidelines and Application Review, Appeal, and Correction Procedures are set forth under PART 2 of these Rules and Regulations.

Residents who do not follow the Architectural Guidelines or application process may be subject to penalties under the laws of Virginia and pursuant to the Restated and Amended Declaration. In the Architectural Guidelines under Part 2 of the Rules and Regulations, homeowners are referred to as "Owner" and residence and lot are referenced as "Dwelling".

### D. APPLICATION FOR ARCHITECTURAL CHANGE

The guidelines require that before any improvements are made to the exterior of your home, or on your lot, an Application for Architectural Change (AAC) must first be submitted and written approval must be granted by the Architectural Review Committee. The Application for Architectural Change (AAC) is available from the Management Company or at [www.thereserveatwilliamsburg.com](http://www.thereserveatwilliamsburg.com)

### E. ARCHITECTURAL REVIEW COMMITTEE

The Architectural Review Committee (the "ARC") has the exclusive right to approve or deny plans, in its sole discretion, in compliance with the Governing Documents. Absent an approval from the ARC the proposed alteration or improvement shall not be commenced. ARC decisions may be appealed to the Board of Directors if a Owner disagrees with an ARC decision. NOTE: The ARC and the Board do not provide the approval for any city, county, or state requirements. Obtaining proper permits and abiding by municipal codes and restrictions is the sole responsibility of the Owner.

#### F. MODIFICATION OF ARCHITECTURAL GUIDELINES

These Architectural Guidelines may be modified by the ARC from time to time with such modifications being subject to approval by the Board.

#### G. CONTROL BY GOVERNING DOCUMENTS

The Architectural Guidelines are subordinate in all respects to the provisions of the Governing Documents. Should any provision of these Architectural Guidelines conflict with the provisions of the Governing Documents, the terms and provisions of the Governing Document(s) shall control.

### SECTION 7 - PROPERTY MAINTENANCE AND APPEARANCE

Proper care and overall appearance of each Owners Dwelling within our community is essential to maintain our property values. The Association seeks to help ensure that our community looks its best and functions smoothly. To that end, community-wide standards have been adopted related to proper maintenance and appearance of lots and residences. In addition, it is important that proper care and use of common facilities is adhered to at all times. It is with this in mind that the following Rules and Regulations have been adopted:

#### A. PERSONAL PROPERTY

All personal property must be kept orderly, maintained and if applicable stored when not in use. Nothing may be hung or displayed in the front of the property, nor may any awnings, canopies, shutters, antennae, satellite dishes, signs (e.g. political, advertisement, business) or any other device or ornament be fixed to or placed upon the exterior walls, doors, fences, or roof without prior approval of the Board of Directors. The exceptions will be house numbers, a cleat for the United States Flag, or one decorative plaque no larger than 12" X 16".

#### B. DECORATIVE ITEMS

The following items WILL be allowed:

- A door wreath on the entrance door.
- A bird feeder may be placed in the mulched area immediately surrounding each unit or in wooded buffer area. The feeder area is to be kept clean by the owner.
- Ground lights of uniform size (white or clear bulbs) not to exceed 12" in height and no closer than 3 feet apart may be place in mulched area & used for safety to light sidewalk.
- No more than two (2) uniform flowerpots, not to exceed 18" in diameter, may be placed in the corner area beside the garage door, as long as there is no obstruction to the common area.

- One seasonal decorative garden flag may be placed in mulched area. Flags should be free standing, no larger than 12"x14" and must be placed near the entrance to unit. Flags shall not contain political statements or images, or offensive or discriminatory statements or images.
- Except for seasonal decorations, any statue, fountain, or ornament (including but not limited to birdbaths, artificial lawn figures, and other yard ornaments) located in the front or side yard may not exceed 30 inches in height. There shall be a limit of no more than two (2) items in townhouse homes and three (3) in single family homes.
- One (1) wind chime not to exceed approximately fifteen inches (15") in length may be placed in the area immediately surrounding the unit. If the noise proves bothersome to neighbors it must be removed.

#### C. HOLIDAY DECORATIONS COMMON AREAS AND RESIDENTIAL

- Common Area holiday lights and decorations are permitted to be placed by the approved Board Committees on building exteriors provided the decorations do not damage the structure, gutters or the siding.
- Common Area holiday decorations shall not be attached to buildings or fences with fasteners that would damage surfaces (ex. nails, screws, tape).
- Holiday decorations in the front yards of private dwellings may be displayed beginning on Thanksgiving Day and must be removed by no later than January 7th of the following year. Other holiday decorations are permitted and may not be displayed more than two weeks before or two weeks after the holiday.
- Holiday decorations may be placed on the lot or residence provided they are to scale or proportionate to the size and setback of the Dwelling; ( ii)they do not create a noise, appearance, or light disturbance of other Lot Owners; (iii) they are appropriate for the holiday; (iv) they are installed no earlier than thirty(30) days before the holiday and are removed within 7 days of the holiday.
- Exceptions for the time period to display Holiday decorations will be granted upon request to assure that all residents are permitted to enjoy and celebrate their religious and cultural holidays.

#### D. THE AMERICAN FLAG

The Unites States Flag (including garden United States Flags) may be flown or displayed at any time provided (i) that complies with the rules and customs pertaining to the proper display or use of the United States Flag; (ii) that is displayed or flown via bracket on the front of the Dwelling of the home; and (iii) it does not exceed 3' x 5'. Free-standing flagpoles in the front yard are not permitted.

#### E. MAILBOXES

Damaged mailboxes and posts must be replaced with comparable replacements. If current style mailboxes and/or posts become unavailable, replacements must be approved by the Architectural Review Committee (ARC). Mailboxes and/or posts must be painted to match those originally installed. It is permitted to decorate temporarily in recognition of a holiday, and time limits are the same as for Holiday decorations. We took out the statement on the approved that refers to decorations must not make noise or have blinking lights etc.

#### F. FLOWERS / LANDSCAPE PLANTS

Flowers may be planted inside the fence or directly outside the patio fence in existing mulched areas. Only plants that will not exceed the patio fence height shall be used. Exceptions will be plants grown during the summer season, which must be pruned back during the winter months. Maintenance of the plantings is the responsibility of the Owner and dead annual plantings are to be removed at the end of the season. Plants that are not maintained during the growing season will be removed by the groundskeeper. The cost of the removal will be billed to the Owner. No invasive vines or clinging plants growing up the side of buildings or outside fences are allowed. Vegetation must be maintained in healthy condition by the Owner.

- Additional landscape plants that may be considered will be of a species already in use in the community or approved by the ARC.
- Any new planting of beds in the front of the property must be approved by the ARC and may be limited in size.
- New beds must be mulched with matching hardwood. Any other mulch material must be approved by the ARC.

#### G. VEGETABLE GARDENS

See ARC Guidelines for information regarding Vegetable, Raised/ Contained Gardens, Section 23.

#### H. STORAGE

Owners shall not obstruct any of the Common Areas, nor shall any unit owner store anything upon any of the Common Areas unless such areas are specifically designated for storage by the Board of Directors. Any items found by the Board of Directors, or the Management Company, to be existing in violation of the foregoing may be removed without any notice being required.

#### I. TEMPORARY STORAGE

Owners shall not place any temporary storage containers (e.g. PODS, dumpsters, etc.) on Association grounds without prior written consent of the Board of Directors. Requests for temporary storage shall indicate the circumstances necessitating temporary storage, the size of the container(s) and duration of storage.

#### J. EXTERIOR ALTERATIONS

No alterations, additions, fences, walls, patios, decks, etc. may be made to the exterior surface of a building nor may any trees be planted, transplanted, or removed without the prior written approval of the ARC. The Owner is responsible for the repair and maintenance of fences and gates.

For further information on Exterior Alterations, see the ARC Guidelines Visible Exterior Building Modifications and Painting, section 1.

K. SCREENED PORCH ENCLOSURES

Glass and seasonal enclosures for the screened porch may be installed at the resident's expense using only the design and specifications approved by the ARC.

L. STORM DOORS

See ARC Guidelines for information regarding Storm Doors, Section 20.

M. FRONT DOORS

See ARC Guidelines for information regarding Visible Exterior Building Modifications and Painting, Section 1.

N. SHEDS AND TOOL STORAGE

See ARC Guidelines for information regarding Sheds and Greenhouses, section 18.

O. SWIMMING POOLS

See ARC Guidelines for information regarding Swimming Pools and Hot Tubs, section 21.

P. TRASH CONTAINERS & SCREENING

See ARC Guidelines for information regarding Trash Containers and Screening, Section 22.

Q. GRILLS

Permanent or portable grills and other cooking devices must be located in the rear yard.

R. ANIMALS

The maintenance, keeping, boarding or raising of animals, livestock, poultry or reptiles of any kind, regardless of number is prohibited as set forth in Article VII, Subsection 7.1(x) of the Declaration.

- The keeping of Assistance Animals as defined by Va. Code Ann. § 36-96.1; and orderly domestic pets such as dogs, cats or caged birds is permitted.
- Assistance Animals and orderly domestic pets shall not be kept or maintained for commercial purposes or for breeding.
- Assistance Animals and orderly domestic pets shall not create a nuisance, unreasonable disturbance, or noise.
- All Assistance Animals, and orderly domestic pets, when outdoors, shall be under a person's immediate control and maintained on a leash not more than eight (8) feet in length or carried by the owner. A responsible individual shall supervise the animal at all times. Such individuals shall be responsible for the immediate clean-up and disposal, of all pet waste whether it's on the Owner's lot, a neighbor's lot, or a Common Area. Pet waste attracts pests, is a biohazard, and creates a nuisance and unpleasant environment.
- All Assistance Animals and orderly domestic pets shall be registered and inoculated as required by law.



- If a resident of the Association witnesses any violation regarding the cleaning up of pet waste, he/she may lodge a verbal complaint, followed up with a written complaint to the Management Company, stating violating residents name, date and time of incident and signed by complaining resident. Violations of these rules will be handled in accordance with Section B, Violations and Appeal Procedures.
- No Assistance Animal or orderly domestic pet shall be tethered outside on a lot or Common Area or tied to the outside of any fence. Pets are not permitted in the clubhouse with the exception of service animals.
- If any Assistance Animal or orderly domestic pet that becomes a nuisance to their neighbor/neighborhood or creates an unreasonable disturbance or noise (in the opinion of the Board of Directors), the Assistance Animal or orderly domestic pet may be permanently ejected from the community upon ten days written notice from the Board.
- See the ARC Guidelines for information on Animal Structures, Section 3.

#### S. PARKING VEHICLES /SPEED LIMIT

- No boats, trailers, motor homes, campers, trucks (other than a customary passenger vehicle of a non-commercial nature, travel trailers, recreational vehicles; large vehicles, any ground, maintenance equipment, or any vehicle with commercial advertising may be parked on any street, driveway, or in the clubhouse parking lot
- No vehicle shall be parked in any manner that blocks any street or driveway, or the ingress/egress to any garage other than the Owner's garage. Vehicles parked in driveways may not obstruct the sidewalk or extend onto the street. Parking on the street in the townhouse section of the community is prohibited as per York County regulations. Signs are posted indicating that no parking is allowed on either side of the street.
- Parking in front of the community mailboxes is prohibited in the townhomes. It impedes the mail delivery. Residents in the single- family homes should be considerate of the mail delivery when parking their vehicle as well on the street.
- Inoperable vehicles (with flat tires, expired license tags, invalid inspection stickers, etc.) or vehicles which cannot be identified as belonging to a resident or a resident's guest, which are parked on any Common Area or along any street for more than forty-eight (48) consecutive hours may be towed off the premises at the vehicle owner's expense. No repair work is permitted on vehicles on Common Areas except for short-term emergency work such as fixing a flat tire, obtaining a battery charge, changing a battery.
- No motorized vehicles, including, but not limited to, motorcycles, scooters, mopeds, segways, and golf carts, may be driven or used upon common areas except for paved roads, parking areas and driveways. No motorized vehicles of any kind will be allowed on the trail. Exceptions will be made for motorized wheelchair vehicles for someone who is disabled.
- The speed limit on the private streets within the community is 15 MPH. The speed limit on Reserve Way is 25 MPH. Reckless operation, excessive speed, and parking or driving on lawn areas or sidewalks is prohibited. If a resident/guest is observed not obeying the speed limit a written complaint to the Management Company containing the name, date, car make/model, color and if possible, the license plate number can be made. Violations of these rules will be handled in accordance with Section B, Violations and Appeal Procedures. Residents of the Association are responsible to notify their guests or visitors of the speed limit.

T. TRASH AND RECYCLE COLLECTION

- Trash and recycle containers shall not be set out prior to 5:00 P.M. the day preceding collection, and the containers must be put away by 9:00 P.M. of the day of collection. Only trash containers with lids, or securely tied plastic bags are permitted for trash disposal. Trash containers, when not set out for collection, must be kept inside the garage or within ARC approved outdoor screening. Owners and residents are responsible for cleaning trash/debris spilled from the trash or recycle containers.
- The days scheduled for trash and recycling collection can be found on the York County website at [www.yorkcounty.gov](http://www.yorkcounty.gov) or by contacting the York' County Division of Waste Management.
- Bulk collections can also be scheduled by contacting York County Division of Waste Management. Bulk collections shall not be put at curbside until the day preceding the pickup. Bulk collections set at curbside for more than 3 days will be removed by a private waste removal company with all charges assessed against the Owner.

U. EROSION CONTROL AND ENVIRONMENTAL PROTECTION

Owners shall ensure that gutter downspouts in the front of the dwelling are directed to flow towards the street and not into the side or back yard swales. It is imperative that the drainage areas for storm systems and swales are to be maintained in accordance with drainage calculation. In addition, it is a best practice to avoid directing the flow of storm water across an impervious surface such as concrete driveway or sidewalk. Water can be dispersed via French drains, rocks, stones, gravel or landscape material in order to maximize percolation to an area away from the foundation.

V. SOLICITATION AND GARAGE SALES

- Solicitation by (commercial enterprises) is prohibited within the community.
- An annual community garage sale requires BOD approval. Private garage sales are prohibited.

W. RECREATIONAL AND PLAYGROUND EQUIPMENT

See ARC Guidelines for information regarding Recreation, Sports and Playground Equipment, Section 16.

X. SIGNAGE

Owners are permitted to place one For Sale or For Rent sign on their lot provided that the signage does not exceed 18" x 24". Temporary signs no larger than 18" x14" of recognition with management's approval may be placed in the front yard for up to 7 days.

Y. SECURITY CAMERA AND DOORBELL CAMERAS

Security and doorbell cameras are allowed. Owners shall ensure that the camera is placed as to not invade the privacy of their neighbors next door as well as across the street. The camera's sole purpose shall be for security of the owner's property.

## SECTION 8 – CLUBHOUSE

### A. USE OF THE CLUBHOUSE FACILITIES

- All persons using the clubhouse do so at their own risk and sole responsibility.
- All children under the age of 14 must be accompanied by an adult resident, age 18 or older.
- Guests must be accompanied by a resident at all times. Guests may be asked to leave if the resident is not present.
- The following are prohibited in the clubhouse:
  - Animals (except Assistance Animals)
  - Unruly or disruptive behavior
  - Excessive noise
  - Private pool parties
  - Smoking and vaping are prohibited in the clubhouse & swimming pool area
- The clubhouse area is available by rental or reservation only. The pool and hot tub are not part of the rental agreement.

### B. COMMUNITY POOL

The pool is for the exclusive use of the residents and their guests. Any person who cannot be identified as a resident, or who is not accompanied by a resident, will be asked to leave the pool area.

The pools rules are as follows:

- All persons using the pool and pool facilities do so at their own risk and sole responsibility. No lifeguard is on duty.
- All children under the age of 14 must be accompanied by an adult resident age 18 or older.
- Guests must be accompanied by a resident at all times. Guests will be asked to leave if the resident is not present. The number of guests per unit shall not exceed, four (4) at any one time without written permission from a member of the BOD.
- Swimsuits are required. Pool attendees who may require incontinence supplies or infants and children who are not potty- trained shall use swim diapers.
- Lounge chairs or tables may not be reserved and must be repositioned after use. Umbrellas must be placed in the down position after use.
- The pool will be open daily during swimming season from 10 A.M. to 8 P.M.
- Pool will be open from Memorial Day weekend to 8PM on Labor Day.
- Should you notice a mechanical or other issues with the swimming pool or hot tub please notify management or a Board member as soon as possible.

The following are prohibited in the pool area:

- Animals
- Glass or other breakable items
- Running, diving, or disruptive behavior
- Excessive noise, splashing, or radios (unless sound production is limited solely to headphones).  
Exception will be made for community sponsored activities.
- Private pool parties.

#### C. EXERCISE ROOM

Use of the exercise equipment is restricted to residents 16 years of age or older and their guests who are 18 years of age or older. Residents are limited to two (2) guests per household.

- Guests must be accompanied by the resident at all times. Residents of the community have priority over guests for use of equipment. All persons using the exercise room do so at their own risk. All exercising equipment must be left in the same position and condition as found. Wipe off all equipment after use.
- Proper attire must be worn in exercise room. No food or animals are allowed in the exercise room.
- Glass containers or other breakable items are not permitted.
- No smoking or vaping is allowed in the exercise room.
- Report any damaged equipment to the management comp

#### D. COMMON AREAS

Common areas are for the enjoyment of all owners. Common areas are maintained by the association and must remain in natural condition.

- No modifications in the common area may be made unless with the approval of the Board of Directors. That includes no building, cutting, digging, planting, or composing. Dumping of any kind and littering are not allowed.
- The community maintains a path for walkers and joggers. For the safety of those using the walking path, no bicycles, scooters, roller blades or skateboards are allowed on the walking path.