

Community Rules and Regulations Tuscany Estates Owners, Residents, and Guests as of April 15, 2020

The Declaration of Covenants, Conditions, and Restrictions provides for certain restrictions on the use of the real estate and common elements in a Planned Community. Tuscany Estates Association has adopted these Rules and Regulations which apply equally to Owners, Residents, Tenants and Guests in the Tuscany Estates Community. These Rules and Regulations may be amended or modified by the Association Board according to the procedures established in the Declaration and the Association bylaws.

Non-compliance of the Rules and Regulations & Architectural Guidelines will result in written warning from the Board for the first offense; offenses thereafter will result in a monetary fine.

PLEASE NOTE: All fines may be assessed on a per day, per week, per month or per violation basis and are not limited to those listed herein. Also, in addition to any fines imposed for cited violations herein, unit owners will be subject for the payments of any or all costs to repair/replace or correct damages to units or common elements caused by them or their family/guests. Exceptions to the Rules and Regulations, in some instances, can be obtained with a prior request to our current management company (via phone or email) and approval by the Board of Directors.

1. MEMBERSHIP

Each dwelling owner becomes a member of TEA at the time he/she acquires legal title to a dwelling in Tuscany Estates. The monthly fees for membership are established at the annual budget meeting.

2. MEMBER IN GOOD STANDING

- a. Dwelling owners will be considered members in good standing if their dues or assessments are current (within 60 days) and they have no infractions of the rules and regulations of the TEA.
- b. Only members in good standing are permitted to vote on TEA issues or use any common facilities.

3. COMMUNICATION RULE

- a). In compliance with the TEA Inc. By-Laws, (section 8.02) the Board of Directors has deemed it duly noticed that electronic messaging (E-MAIL) will be the accepted form of communication to our members.
- b) Exceptions are made where personal information is confidential such as violation letters. These personal notices may be but not limited to written letters sent by regular mail.
- c). This rule presumes that, mail sent via regular mail when properly addressed and mailed with correct postage and notices sent electronically via email, was in fact received by the addressee, regardless of whether or not they claim to have received it.
- d). Such notices shall be sent to the Unit Owner at the address registered or email address on record with the Association, therefore, it is the responsibility of the Unit Owners to submit updated contact information to the Association via CMP.

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4. DWELLINGS

- a. Dwellings may be used only as a residence and for no other primary purpose. Owners may lease their dwelling to Tenants, who are bound by these rules, regulations and restrictions. Owners will be responsible jointly and severally for their tenants and guests, therefore, are responsible for fines imposed due to violations or infractions made by their tenants and guests. All leases must be for a term of at least one year.
- b. Owners who rent or lease their dwelling must notify the current management company no later than (15) days after any change in occupancy of their unit, including if the unit is vacant but available to rent and provide Community Management Professionals (CMP), our management company, with the following: The tenant's name, phone number and email address. Fine: \$25.00
- c. No retail or commercial business shall be conducted from any dwelling. With the exception of an Owner, Resident and Tenant may operate a home-based business or professional service, as long as it does not create traffic or visitor parking problems in the community or cause unsightly debris throughout the community. Owners, Residents and Tenants conducting such activity should notify current management company of the name and nature of the business by phone or email for approval. Fine \$100.00
- d. A dwelling may not be used in connection with any unlawful purpose or in a manner which creates a nuisance. Owners, Residents and Tenants may not keep anything in their dwelling or in the common area, which could cause harm to residents or damage to other dwellings. Fine: \$100.00
- e. No garage or other structure constructed on a lot may be used as a residence, either temporarily or permanently. No dwelling under construction may be occupied until an occupancy permit is issued by the appropriate authority. Fine: \$100.00
- f. In addition to yard requirements specific to each zoning district, the following is applicable for corner residential lots: All corner lots shall provide front yards on each street frontage. The remaining two yards shall constitute side yards. This is noted in the Union Township Zoning page § 280-106 **Special yard requirements.**
- g. When construction work to the exterior of the property is being performed as a result of an emergency repair or renovation that requires a dumpster or PD, or any other construction material in the driveway, the owners must provide the Board with their plan for such work including the time period anticipated for the construction work. Such plans must be provided to the ARC board prior to starting the said work.
- h. Employees of the Association or Management company shall not be sent off the premises by any Owner for any purpose or directed to perform any function other than those for which they are employed.

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5. EXTERIOR MAINTENANCE/UPGRADES

Exterior maintenance, repair and upgrade of the dwelling are the responsibility of the Owner/Resident. Town home/patio home owners please refer to the Architectural Guidelines and Association Responsibility Matrix on (tuscanyestates.org) for all questions or concerns. Fine: \$75.00

6. EASEMENTS

Easements are shown on the recorded plot plans and reserved for sewers, drainage, utility installations, maintenance, and such purposes and use as may be shown on the recorded Plans. All lots are subject to such easements. No structure, planting, or other material shall be placed where it may damage or interfere with installation and maintenance of utilities or which may change the flow of drainage channels in the easements. Fine: \$100.00

7. PETS

Pets are permitted in Tuscany Estates. Owners, Residents, Tenants and Guests are advised to check county and/or township ordinances regarding pets.

- a. Owners, Residents, Tenants and Guests wishing to keep a pet at Tuscany Estates are subject to the following requirements: (i.) pets must be on a leash at all times when outside; (ii) pets may be unleashed in rear yards that are fully fenced, and no pet may be left outside overnight; (iii) pet owner must clean up after their pets at all times. Fine: \$50.00
- b. Pet owners are liable for all damages to persons or property caused by their pet or resulting from its presence. Fine: \$50.00
- c. If the Association finds that a specific pet is vicious, annoying to residents, or creating a nuisance, the owner will be asked to remove that pet from the premises. Fine: \$50.00
- d. If landscaper has to remove excessive feces from a property to make it permissible to maintain lawn, the landscaper will charge HOA a fee for removal and in turn, the Owner will be charged. Please see Union Township Ordinance. Fine: \$50.00
- e. Please follow Union Township Ordinance regarding animal/dog barking or noise making. Fine: \$50.00

8. NOISE

At no time shall any Owner, Resident, Tenant or Guest make disturbing noises, or allow family, friends, or visitors to make disturbing noises or permit actions that interfere with the rights, comforts, or convenience of other community residents. Union Township noise ordinance is in effect from 10pm to 7am. Fine: \$50.00

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9. SIDEWALKS

Dwelling owners with sidewalks abutting street are required to maintain (this includes snow/ice removal), replace, repair said sidewalk when needed within Community Standards. For snow removal, dwelling owners are required to shovel said sidewalk within 24 hours after each snowfall. Fine: \$25.00

10. ARCHITECTURAL GUIDELINES

Please see Architectural Guidelines listed on (tuscanyestates.org) for all exterior upgrades/modifications to all properties.

11. PARKING

a. No large trucks or commercial vehicles with gross vehicle weight greater than ten thousand (10,000) pounds, and no boats, trailers, campers, mobile homes, recreational vehicles, sheds, storage units, out buildings, dumpsters or dumpster bags may be parked or stored on any lot or driveway in the community unless inside a closed garage or parked at the rear of a free-standing dwelling where it cannot be viewed from the street. Exceptions can be made by contacting current management company (7) days advance notice required. Fine: \$25.00

b. Reasonable and occasional use of trailers and large vehicles will be allowed for Owners, Residents and Tenants moving into or out of the dwelling by notifying the current management company (14) days advance notice required. Fine: \$25.00

c. No automobile or motor-driven vehicle may be left on front property or in a driveway for a period of thirty (30) days or more if it is unable to be operated on a public roadway. After thirty days, such vehicle shall be considered a nuisance and the TEA will have it removed at the Owners, Residents and Tenants expense. Fine: \$25.00

d. No parking on grass areas at any time. Note: This includes grass areas of single-family homes. It is the violating owner's responsibility to arrange and pay for the repair to the grass/planting beds damaged by improper parking of vehicles, in a manner approved by the BOD. Fine: \$25.00

e. Overnight street parking is permitted on a temporary basis only.

f. Common area parking - Any lot that is located in common area is not to be used as a permanent parking space. Specific lots such as lot on Tuscany Estates (formally the model home parking lot) is to be used on a temporary basis for visitor's and compact cars only. Visitors are also permitted to park on lots located at pool/clubhouse, the back side of Viareggio, the end of Cinque Terra, the end of Tuscany Estates Drive and end of Grossetto are also to be used on a temporary basis only with 3 days advance notice to CMP and Board approval. Fine: \$25.00

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12. TRASH/GARBAGE

Due to the weather patterns of Western PA, Tuscany Estates, is subject to high winds, heavy rains and other adverse weather conditions that create problems with our trash being blown around the community if it is not contained properly. In addition, it is extremely unattractive to see garbage out for long periods of time and have it blown in other resident's yards and hillsides. Because of past and current problems which have not been resolved the Association is instituting the following rules concerning trash collection with the community. It is up to each of us to ensure a continued, high quality appearance to the community. Your help and cooperation are vital. CMP will be doing random checks to ensure that this is being followed. It is homeowner's dues that are being affected because your Association has to pay to have this trash removed.

- a. Trash/Garbage containers-should only be-placed out at the curb the night before the pick-up. Therefore, please be aware of holiday pick-up schedule. This is listed on the Union Township website. Fine: \$25.00
- b. All trash MUST be put out in a sealed container with a lid firmly in place and secured with a bungee cord if needed. If your container contains only sealed bags inside, no lid is necessary. All paper, cardboard boxes must be tied/bundled or weighted. The only exception are large individual trash items (such as furniture or appliances) which can be put to the curb "as is." Fine: \$25.00
- c. The board suggests that you procure your garbage container as soon as possible and to make sure your unit number is painted on the container and lid.
- d. Any loose trash that is on any unit's property must be picked up and disposed of by the homeowner of that unit within one day of the trash being blown on the property. Also, please be conscious if your trash spills onto the road, and retrieve and dispose properly. Fine: \$25.00
- e. All sealed garbage cans and/or recyclable containers must be stored in rear/side of residence or in the garage. Garbage cans stored in a driveway or front walkway is prohibited. Fine: \$25.00

13. HOLIDAY DECORATIONS

All holiday decorations must be removed within (30) days after corresponding holiday. Fine: \$25.00

14. GOLF CARTS and ALL-TERRAIN VEHICLES

Golf Carts and all-terrain vehicles are NOT PERMITTED anywhere on Tuscany Estates roads, sidewalks or association property and the Tuscany Estates Association assumes NO LIABILITY for any persons not abiding by this rule. Fine: \$25.00

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15. BURNING, GRILLS AND FIRE PIT RULES

Burning is permitted in rear yards of single-family homes only and shall be done in accordance with Union Township ordinance regulations #106-4 OPEN BURNING (Township Code <https://www.ecode360.com/26805651>).

Grills/ barbeques are permitted in rear yards/patios/decks of patio homes or town homes as long as they are operated at a distance of 5 feet from the building. *(Note: Any damage to siding caused by barbeque grills is the responsibility of the unit owner and if noted on monthly inspection the association can make the repair if needed and will bill the unit owner for the repair costs.)*

Fire pits are permitted in rear yards as long as they are in a contained structure and operated at a distance of at least 10 feet from the building. *(Note: Fire pits may not be installed and/or operated on any common property.)*