

Community Rules and Regulations
Tuscany Estates Owners, Residents, and Guests Revised March 25, 2022

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.

PLEASE NOTE:

Non-compliance of the Rules and Regulations or Architectural Guidelines will result in one written warning notice from the Board of Director's. All offenses, thereafter, will be assessed a \$50.00 fine unless otherwise noted. 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 or guests.

Exceptions to the Rules and Regulations, in some instances and on a case-by-case basis, can be obtained with a prior request to our management company (via phone or email) with final approval by the Board of Directors.

MANAGEMENT COMPANY

All reference to our current management company herein shall be noted as (CMA)
Community Management Advisors Inc.

200 Commerce Drive, Suite 206 Moon Township, PA 15108

Contact person/ aimee@cmamgt.com or derrick@cmamgt.com, Fax: 412-269-7780

Aimee Hennemuth 412-269-7800 x110

aimee@cmamgt.com

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MEMBERSHIP

Each dwelling owner becomes a member of TUSCANY ESTATES ASSOCIATION INC. 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.

MEMBER IN GOOD STANDING

- a) Dwelling owners will be considered members in good standing of the TUSCANY ESTATES ASSOCIATION INC. if their dues or assessments are current (within 60 days) and they have no outstanding violations of the Rules and Regulations or Architectural Guidelines.
- b) Only members of the TUSCANY ESTATES ASSOCIATION INC. in good standing are permitted to vote on issues, use any common facilities or have any new AR Requests approved.

COMMUNICATION STANDARD

- a) In compliance with the TUSCANY ESTATES ASSOCIATION 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 update contact information to the Association via our management company.

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1. **GUIDELINES:**

An AR (Architectural Review) request form is required for most exterior upgrades, such as, property or dwelling structure additions or modifications. Please see Architectural Guidelines listed on our website (tuscanyestates.org) under “Documents and Forms,”

NOTE: PROJECTS STARTED BEFORE BOARD REVIEW AND APPROVAL WILL BE ASSESSED A \$100 FINE.

2. **BURNING, GRILLS AND FIRE PITS:**

- a) Burning is permitted in rear yards only and shall be done in accordance with Union Township ordinance regulations #106-4 OPEN BURNING (Township Code <https://www.ecode360.com/26805651>).
- b) Grills/ barbeques are permitted in rear yards/patios/decks as long as they are operated at a distance of 5 feet from the building.
- c) 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. *(Fire pits may not be installed and/or operated on any common property.)*

NOTE: Any damage to siding or structure of patio or town homes caused by burning, barbeque grills or fire pits is the responsibility of the unit owner. If damage is noted on monthly inspection and not corrected by home owner, the association can make the repair as needed and will bill the unit owner for the repair cost.

3. **CLOTHES LINES:**

- a) The hanging of clothes on a permanent line is prohibited.
- b) Temporary apparatuses or a deck railing used to dry laundry are permitted, however, may not be left out for more than 24 hours or overnight.

4. **CORNER LOTS:**

- a) 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.
- b) The remaining two yards shall constitute side yards. This is noted in the Union Township Zoning page § 280-106 **Special yard requirements.**
- c) This rule specifies that the side yard of a corner lot is considered as a front yard and therefore prohibits any objects be installed on such yard as specified in the architectural guidelines.

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5. DWELLINGS RESIDENCE:

- a) Dwellings may be used only as a residence and for no other primary purpose.
- b) Owners may lease 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.
- c) All leases must be for a term of at least one year.
- d) A dwelling may not be used in connection with any unlawful purpose or in a manner which creates a nuisance.
- e) Owners, Residents and Tenants may not keep or store anything in their dwelling or in the common area, which could cause harm to residents or damage to other dwellings.
- f) No garage or other structure constructed on a lot may be used as a residence, either temporarily or permanently.
- g) No dwelling under construction may be occupied until an occupancy permit is issued by the appropriate authority.

6. EASEMENTS:

- a) 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.
- b) 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.
- c) Board members of the association, management company employees, contracted construction workers, maintenance workers, or anyone employed by the association shall not be sent off the premises by any owner for any reason or directed to perform any function other than those for which they are employed.

7. EXTERIOR MAINTENANCE/UPGRADES:

- a) SINGLE FAMILY OWNERS--exterior maintenance, repair and upgrade of the dwelling are the responsibility of the Owner/Resident.
- b) PATIO/TOWN HOMEOWNERS-- please refer to the Architectural Guidelines and Association Responsibility Matrix on (tuscanyestates.org) for all questions or concerns.
- c.) Damage to any personal or common property due to any construction, repair and maintenance of any property, the owner must restore this affected property to its original condition. or as directed by the Board of Directors.
- d.) Damage caused, by any modification or upgrade to existing items designated on our "Responsibility Matrix" as association responsibility, without an Architectural Request and/or AR approval will be deemed as invalid and will result in repair costs to be charged to the unit owner.

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8. FIREWOOD STORAGE & STACKING:

- a) Storage or stacking of firewood is permitted only in the rear yard of the dwelling.
- b) The storing or stacking of firewood should be located at least 3 feet from all property lines.
- c) The wood should be stored or stacked in a safe and orderly manner and the stack should be no higher than 4 feet and kept at least 10 feet from the dwelling as a safety precaution.
- d) Stacking the firewood against or very near the dwelling can attract unwanted termites or carpenter ants. The Association will assume that any infestation of ants or termites, where wood is stacked against or very near the dwelling, is caused by the wood and the owner will be responsible for extermination costs.
- e) If the storage or stacking of firewood impedes the mowing of the lawns and the Association incurs a fee, the fee will be passed along to the owner.

NOTE: If a shed will be used to store the firewood, then see SHED guideline page 21.

9. FIREWORKS:

FIREWORK DISPLAYS ON TUSCANY ESTATES PROPERTY IS NOT PERMITTED

If you so choose to have fireworks on your own property, please remember:

1. Owner who has the fireworks display would be responsible for all damages to any property or injuries to others.
2. Tuscany Estates HOA has no responsibility and the HOA master policy would not provide coverage.
3. Owner should contact their personal carrier to be sure coverage is provided.
4. Any such displays require pre-approval from Tuscany Estates HOA and proof of adequate liability insurance from the owner using the fireworks.
5. Failure to comply with this will result in a monetary fine.

10. GOLF CARTS AND ALL-TERRAIN VEHICLES:

- a) Golf carts and all-terrain vehicles are NOT PERMITTED anywhere on Tuscany Estates roads, sidewalks or association property.
- b) The Tuscany Estates Association assumes NO LIABILITY for any persons not abiding by this rule.

11. HOLIDAY DECORATIONS:

All holiday decorations must be removed within (30) days after corresponding holiday.

12. LEASE OR RENTAL DWELLINGS:

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 our management company, with the following: The tenant's name, phone number and email address.

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13. NOISE

At no time shall any Owner, Resident, Tenant or Guest make disturbing noises, or allow family, friends, visitors or contractors 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 7:00 a.m.

14. PARKING

- a) No large trucks, commercial vehicles, 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 our management company (7) days advance notice required, and approval is given on a case-by-case basis.
- 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 our management company (7) days advance notice required.
- 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 board will have it removed at the Owners, Residents and Tenants expense.
- d) No parking or driving 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 driving or parking of vehicles, in a manner approved by the Board of Directors.
- e) Overnight street parking is permitted on a temporary basis only, 3 days advance notice is required to our management company.
- 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 our management company and Board approval.

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15. 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 by disposing of feces in garbage containers. Please do not throw feces onto any common property.
- b) Pet owners are liable for all damages to persons or property caused by their pet or resulting from its presence.
- 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.
- 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.
- e) Please follow Union Township Ordinance regarding animal/dog barking or noise making.

16. RAIN BARRELS

SINGLE FAMILY--Rain barrels or other water collection portals are permitted.

PATIO/TOWM HOME—Rain barrels are **NOT** permitted since most downspouts are connected to the main sewer line within the community.

17. RETAIL or COMMERCIAL BUSINESS

- a) 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.
- b) Owners, Residents and Tenants conducting such activity should notify our current management company of the name and nature of the business by phone or email for approval.
Fine \$100.00

18. SIDING, ROOF OR STRUCTURE DAMAGE

- a) Any damage to patio or town homes caused by awnings, grills, flag poles, window boxes, satellite dish or any other item attached to the vinyl siding or roof is the responsibility of the unit owner.
- b) If damage is noted on monthly inspection and not corrected by homeowner, the association can make the repair as needed and will bill the unit owner for the repair costs.

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19. SIDEWALKS

- a) Dwelling owners with sidewalks abutting street (common sidewalks) are required to maintain (this includes snow/ice removal).
- b) For snow & ice removal, dwelling owners are required to shovel said sidewalk within 24 hours after each snowfall or ice storm.
- c) Replace and repair of common sidewalks is the responsibility of the unit owner when needed within community standards and Architectural Guidelines page 6.

20. SIGNS AND BANNERS

- a) Small signs and banners no larger than 3' x 3', may be placed on the dwelling's property for up to 2 weeks.
- b) Political signs can be displayed 2 weeks before and 2 weeks after an election.
- c) For patio and townhome units, the sign cannot impede the landscapers. The landscapers will not trim around any free-standing item; therefore, the sign should be removed on cutting days. If not removed it will be the responsibility of unit owner to trim around sign.
- d) Signs or banners with crude or inflammatory language or artwork are not permitted. If the owner is unsure if the sign or banner contains crude or inflammatory language or artwork, the owner is encouraged to contact the current management company for guidance.
NOTE: Real estate "for sale" signs and the displaying of the American or State flags are exempt from this policy.

21. DUMPSTER

When construction work to any part of the interior or 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 via our management company-with their plan for such work including the time period anticipated for the construction work.

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22. 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. Our management company-will be doing bi-monthly inspections of the community to ensure compliance. 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.
- 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."
- 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.
- 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.

23. WORK HOURS

Contractors or any other persons performing construction or renovations to any part of any dwelling should perform such work any day between the hours of 8:00am to 9:00pm.