

## Westview Lakes Homeowner's Association Rules and Regulations

NOTE: HOMEOWNER ASSOCIATION DUES ARE DUE AND PAYABLE ON A QUARTERLY BASIS ON THE FIRST DAY OF THE FOLLOWING MONTHS: JANUARY, APRIL, JULY, AND OCTOBER. NO EXCEPTIONS WILL BE MADE TO THIS RULE. WHEN A LOT OWNER IS REFERRED TO AN ATTORNEY FOR COLLECTION FOR NON-PAYMENT, DUES WILL BE ACCELERATED AND PAYABLE IN FULL FOR THE REMAINDER OF THE CALENDAR YEAR. IF A LOT OWNER IS REFERRED TO AN ATTORNEY TWICE, **PAYMENTS MUST BE PAID ANNUALLY THEREAFTER.**

1. All use of the property known as Westview Lakes shall be in accordance with the provisions of the Declaration, the Bylaws, Articles of Incorporation and these Rules and Regulations.
2. These Rules and Regulations apply to each Lot owner, the Lot owner's family, guests, employees, agents and lessees, and the lessee's family, guests, employees, and agents. The Lot owner/lessees shall be legally responsible for the actions of such persons.
3. No sign, advertisement, notice or any other object may be attached to the exterior of the Lot without prior written consent of the Association's Board of Directors.

No sign, notice or other lettering shall be displayed in any Unit window except as follows:

- A. A maximum of one "For Rent" or "For Sale" sign of standard size may be placed in the window of each unit.
  - B. Standard "Neighborhood Watch" signs may be displayed in windows in accordance with local directives.
  - C. Small security decals may be displayed in windows and one small security sign in the yard, if appropriate.
  - D. Only one "NO SOLICITING" sign may be displayed in a window or on a door.
  - E. A maximum of two standard-sized realtor signs per Unit may be temporarily placed on the lawn near the Unit. One on the front side of the Unit and one on either side of the Unit.
  - F. Only one standard election sign (must be smaller than 24" x 24") may be placed on the property for a period of 60 days prior to Election Day and must immediately be removed the day after Election Day.
4. A. Lawn furniture, children's toys, and the like may be placed on the common areas that are maintained by the Association as long as no damage to the lawn results (nor damage to any Unit's property), no access to any Unit is blocked, and such objects are removed when they are not in actual use.

- B. No basketball hoops will be allowed on any streets within the Association or any common ground grassy areas and must be removed from parking areas and driveways when not in use.
  - C. Scooters and other motorized vehicles are not allowed in the common areas or sidewalks within the Association.
5. No television or radio antenna greater than 9 feet, earth station, or any other sending/receiving device of any kind/size shall be attached to, hung from or erected on the property of a Lot without prior written approval. Small satellite dishes (less than one meter in diameter) and antennas less than 9 feet are acceptable without prior written request. Satellite dishes and antennas must be placed on the Lot owner's lot/dwelling in the least conspicuous location to achieve the best reception.
  6. Window or wall air conditioning units visible from neighboring properties will not be permitted.
  7. No solar energy collector panels or attendant hardware or other energy conservative equipment shall be constructed or installed unless they are an integral and harmonious part of the architectural design of a structure, as determined in the sole discretion of the Association's Board of Directors. Application to and approval by the Board is required prior to installation.
  8. Patios should be kept reasonably clean and free of unsightly objects. All tools and sporting equipment must be kept within the dwelling, storage shed or fenced-in yard. All trash toters and recycle bins shall be kept in the garage, rear or side of the house or inside a fenced yard.
  9. No rubbish or debris of any kind shall be placed or permitted to accumulate upon or adjacent to any property within this community. No odors shall be permitted to arise so as to render any such property or any portion thereon unsanitary, unsightly, offensive, or detrimental to any other property in the vicinity thereof or to its occupants. The burning of trash is not permitted.
  10. No hazardous substance may be stored inside storage sheds or on Common Areas.
  11.
    - A. All persons shall reduce noise level between the hours of 11:00 P.M. and 8:00 A.M. so that residents of other Lots will not be disturbed.
    - B. At all times radios, tape decks, stereos, televisions and CD players shall be played at a volume low enough not to disturb residents of adjoining Lots. Unnecessary noises, including but not limited to fireworks and the "gunning" of engines, are prohibited.

12. No obnoxious or offensive activity which may be, or may become, an annoyance or nuisance to any resident shall be conducted upon any part of the Lot. Activities which may interfere with the quiet enjoyment of any resident are prohibited.
- A. Activities which shall increase the rate or insurance carried by the Association are also prohibited. These include swimming, fishing and boating in all three lakes.

13. **RENTING/LEASING UNITS:**

Lot owners may not lease their Lots except in accordance with the following provisions:

- A. Lots shall be leased for residential purposes only. Each Lot may be occupied by only one family or by a maximum of two persons per bedroom for unrelated persons according to Virginia State and City of Hampton codes. LOT OWNERS MUST PROVIDE THE ASSOCIATION WITH A COPY OF THE LEASE. FAILURE TO DO SO WILL CONSTITUTE A VIOLATION OF THESE RULES AND REGULATIONS.
- B. Lot owners shall not lease their Lots unless at least one of the lessees who will actually occupy the Lot is 18 years of age or older. Copies of the lease agreements shall be made available to the Association for records.
- C. Individual Lot owners, in conjunction with any applicable property managers, are required to provide their lessees with copies of the current Declaration and Covenants, Bylaws and Rules and Regulations as amended. Lessees must agree to abide by the aforementioned documents.

14. **PET POLICY:**

- A. Only common domestic animals, such as dogs, cats, birds and fish shall be permitted.
- B. All **DOGS AND CATS** shall be licensed and immunized as required by law.
- C. There shall be no more than **TWO** pets maintained in any Lot unless prior written consent is given by the Board of Directors; such approval may be withdrawn by the Board of Directors for any reason at any time upon ten days notice to the pet owner. Fish are exempt from the two-pet rule.
- D. All pets shall be under control and kept on leashes or properly caged when taken from a Lot and shall not be allowed to run loose. Residents are responsible for the actions of their pets and those of their guests' pets.
- E. All pets will reside within their owner's dwelling and shall not create a nuisance by barking.

- F. Pets may be walked within the common areas provided they are on a leash and controlled by their owners as long as they do not create a nuisance, hazard to health or damage to any property. Feces must be removed when it is produced. ***If your pet is seen defecating and you fail to remove the feces, fines of up to \$50.00 can and will occur.***
- G. No animals, livestock or poultry of any kind may be raised, bred, kept or permitted on any Lot.
- H. No pets shall be kept, bred or maintained for any commercial purpose.
- I. No structure for the care, housing or confinement of any animal shall be maintained outside of the residence or enclosed fence, so as to be visible from neighboring property.
- J. **Enforcement and Penalties:**
  - 1. Any observances of loose dogs should be phoned in to S.P.C.A. at 595-1399.
  - 2. Every Lot owner has the **Right and Responsibility** to report any violation of rules pertaining to pets. Reports of pet violations should be made in writing to the Board of Directors, who will investigate all reports to determine their validity.

15. **PARKING RULES AND REGULATIONS:**

- A. Each resident/lessee has the responsibility of controlling the parking of their visitors and informing them of these regulations.
- B. Any vehicle parked in violation of these Rules and Regulations will be subject to **Towing** without notice, at the **Owner's expense**, by the Association.
- C. Care should be taken not to block driveways and mailboxes. Courtesy and common sense should be used.
- D. Inoperable, abandoned or junk vehicles are prohibited from parking in any Westview Lakes Association area. This includes vehicles without current license plates, city stickers, current state inspections stickers, vehicles with flat tires, wheels missing, extensively damaged, or any other external sign of inoperable condition; and/or vehicles for which no owner can be found. If any such vehicle is parked in the Westview Lakes Association, a notice will be affixed to its windshield. If the condition is not rectified within seven (7) days, such vehicle will be towed without further notice, by the Association, at the **Owner's expense**.

- E. Driving over sidewalks and through common areas is prohibited due to the damage that can occur and the repair costs to the Association. Residents are also responsible for informing their visitors of this as well.
- F. Portions of the parking areas which are required for the safe movement of traffic, for access by fire or rescue equipment, or to allow for the collection of refuse from dumpsters, are marked **NO PARKING (either by signs or yellow or white painted areas)**. Parking in these areas is prohibited regardless of duration.
- G. Parking in Westview Lakes is restricted to personal autos and motorcycles within the private residential parking areas, including van and lightweight trucks (3/4 ton or less and under 20 feet in length) provided they are licensed as privately-owned vehicles. No commercial vehicles exceeding 3/4 ton and over 20 feet in length will be allowed.
- H. No major repair of autos or other vehicles is permitted in any private parking lot and/or any driveway.
- I. Resident's vehicles will be operated only on paved city or private streets. At no time will they be driven over or parked on recreation areas, common areas or sidewalks owned and maintained by the Association.
- J. Parking of motor homes, boats, campers, trailers and other recreational vehicles will be permitted for a 72 hour period on a temporary basis within any given 30 day period.
- K. Excess or visitor parking for town homes on Westview Drive is ONLY allowed opposite of the town homes.
- L. **TOWNHOMES AND QUAD/CLUSTER HOMES**
  - 1. Visitors may not use assigned slots other than those allocated to the Lot they are visiting.
  - 2. Each Lot is assigned two (2) parking slots for use by the residents of that Lot, identified by the number of that Lot. Any slots available in addition to these two (2) per Lot will be designated as **Visitor Parking**, available for temporary use on a first come, first served basis to residential visitors only.
  - 3. Not more than two (2) parking slots may be used by the residents of one Lot at any time. Whenever a resident requires more than two (2) slots allocated to that Lot, additional vehicles must be parked on the street. No slot designed for another Lot may be used without the explicit permission of the resident of the Lot in writing.

16. **ARCHITECTURAL GUIDELINES:**

- A. No exterior modifications, improvements, deletions, construction or alteration may be made to the exterior of a Lot without the prior written consent of the Board of Directors. Such modifications shall include, but are not limited to, the addition deletion or alterations of building, terraces, patios, decks, sidewalks, driveways, walls, fences, retractable awnings, screens, jalousies, windows, doors or enclosures of patios. The exceptions are:
1. Concrete patio areas may be sealed with a colorless sealant.
  2. Screen doors, storm doors or combination storm and screen doors with color to match the trim are permitted.
  3. Mailboxes may be replaced with any US Post Office approved mailbox without prior written consent of the Board of Directors.
- B. Any Lot which has (or will have in the future) a trampoline , swingset or a pool (above ground or below ground) larger than that of a child sized wading pool, must be enclosed in a fenced-in yard. Pools must be installed according to Hampton City codes.
- C. **BEFORE YOU PUT UP SHEDS, FENCES, DECKS, AWNINGS, ETC., PLANS MUST BE SUBMITTED IN WRITING AND BROUGHT TO THE CHAIRPERSON OF THE ARCHITECTURAL COMMITTEE AND BOARD OF DIRECTORS FOR APPROVAL.**
- D. **BUILDING PERMITS ARE REQUIRED THROUGH THE CITY OF HAMPTON TO BE PURCHASED BY THE LOT OWNER (OR CONTRACTOR) FOR ANY TYPE OF CONSTRUCTION (INCLUDING THE INSTALLATION OF ABOVE GROUND OR BELOW GROUND POOLS) PRIOR TO WORK BEING STARTED.**
- E. **IF YOU ARE CONNECTING YOUR FENCE TO A NEIGHBORS' FENCE, YOU MUST HAVE WRITTEN PERMISSION FROM ALL APPLICABLE LOT OWNERS. IF THE NEIGHBOR IS RENTING THE HOME, YOU MUST CONTACT THE LOT OWNER AND GET PERMISSION FROM THEM. Forms can be found on the website [www.westviewlakes.org](http://www.westviewlakes.org).**
- F. **IF YOU NEED TO MAKE CHANGES AFTER SUBMITTING YOUR ORIGINAL PLANS FOR APPROVAL, YOU MUST RESUBMIT NEW PLANS FOR APPROVAL.**

G. **Approved Outside Paint colors:**

Property Management has a strip of paint colors from Sherwin Williams. The ones listed below have been approved by the Board of Directors. Additional paint color samples are available, but those will require the ARB request be approved by the Board of Directors.

<b>Shades of Brown – Color strip #16</b>	<b>Shades of Brown – Color strip #17</b>
SW6111 Coconut Husk	SW6118 Leather Bound
SW6110 Steady Brown	SW6117 Smoky Topaz
SW6109 Hopsack	SW6116 Tatami Tan
SW6108 Latte	SW6115 Totally Tan
SW6107 Nomadic Desert	SW6114 Bagel
SW6106 Kilim Beige	SW6113 Interactive Cream
SW6105 Devine White	SW6112 Biscuit

<b>Shades of Green – Color strip #26</b>	<b>Shades of Green/Gray – Color strip #28</b>
SW6181 Secret Garden	SW6188 Shade-Grown
SW6180 Oak Moss	SW6187 Rosemary
SW6179 Artichoke	SW6186 Dried Thyme
SW6178 Clary Sage	SW6185 Escape Gray
SW6177 Softened Green	SW6184 Austere Gray
SW6176 Liveable Green	SW6183 Conservative Gray
SW6175 Sagey	SW6182 Ethereal White

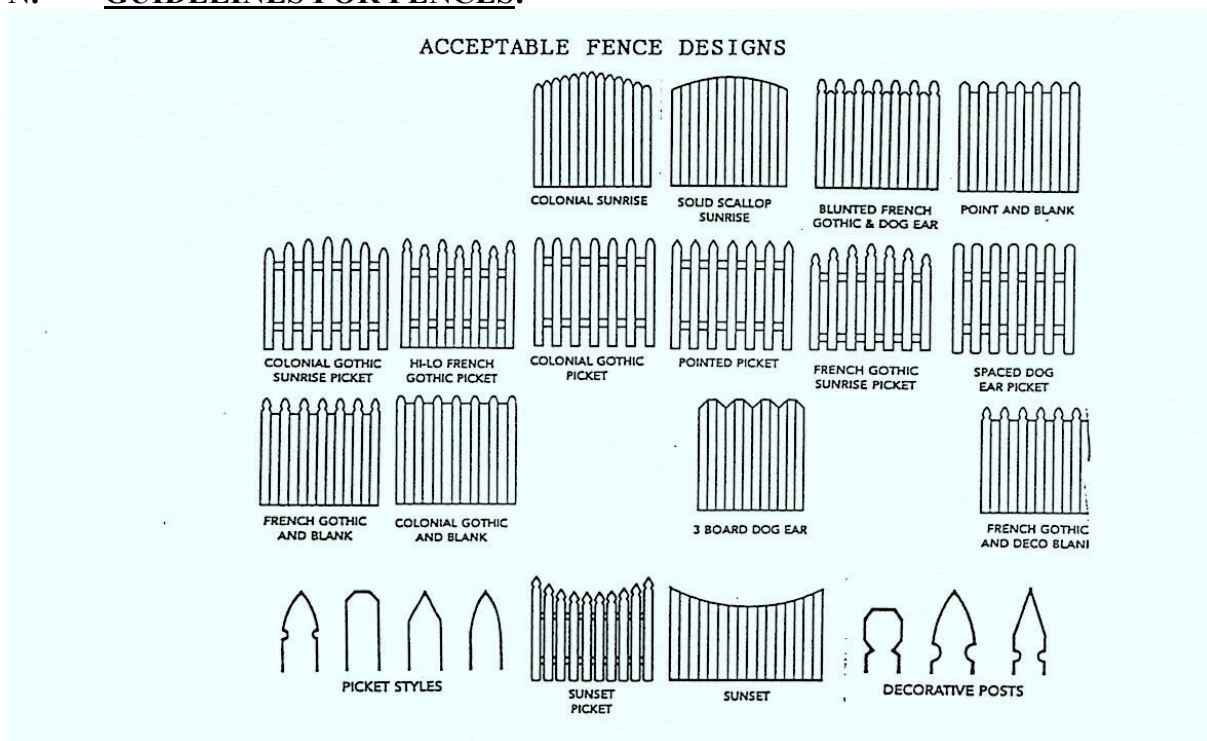
<b>Shades of Gray – Color strip #29</b>	<b>Shades of Gray – Color strip #D</b>
SW6202 Cast Iron	SW7020 Black Fox
SW6201 Thunderous	SW7019 Gauntlet Gray
SW6200 Link Gray	SW7018 Dovetail
SW6199 Rare Gray	SW7017 Dorian Gray
SW6198 Sensible Hue	SW7016 Mindful Gray
SW6197 Aloof Gray	SW7015 Repose Gray
SW6196 Frosty White	SW7014 Eider White

<b>Shades of Blue – Color strip #35</b>	<b>Shades of Red – Color strip #44</b>
SW6244 Naval	SW6307 Fine Wine
SW6243 Distance	SW6306 Cordial
SW6242 Bracing Blue	
SW6241 Aleutian	<b>Shades of Red – Color strip #45</b>
SW6240 Windy Blue	SW6314 Luxurious Red
SW6239 Upward	SW6313 Kirsch Red
SW6238 Icicle	

1. Paint colors must be approved before any painting may commence.
  2. Shutters must be one solid color.
  3. Quality of paint must be acceptable.
  4. Painting must be completed within thirty (30) days of its inception.
- H. Storm windows and doors must be bronzed or painted the same color as the trim. To avoid pitting and rust, anodized windows and doors are preferred.
- I. No awnings, outside blinds, window air conditioners or other projections shall be attached to the outside or other parts of a building without prior written consent of the Board of Directors.
- J. Seasonal or holiday decorations are permitted provided they are not offensive in nature, in good taste, aesthetically pleasing, and not excessive. Such decorations are permitted for display up to 30 days prior to the holiday or season and 10 days afterward.
- K. During reasonable daylight hours, any member of the Board of Directors, or authorized representative, shall have the right to enter upon and inspect any property within this community and the improvements thereon, except for the interior portions of any residence, for the purpose of ascertaining whether or not the provisions of this Declaration have been or are being complied with, and such person shall not be guilty of trespass by reason of such entry.
- L. No garbage or trash shall be placed or kept on any property within this community except in provided containers. In no event shall such containers be maintained in the front or side yard of any Lot so as to be Visible from Neighboring Properties except to be made available for collection and then, only for the shortest time reasonably necessary to effect such collection. Trash containers may be placed curbside the night before collection and must be put away no later than the evening of collection. Trash containers must be stored in the rear of the Lot or in an enclosure to be concealed from neighboring streets and property. REMINDER...MONDAY IS TRASH COLLECTION DAY EXCEPT WHEN MONDAY IS A HOLIDAY, THEN COLLECTION WILL BE THE WEDNESDAY AFTER A HOLIDAY.
- M. **GUIDELINES FOR STORAGE SHEDS:**
1. Location and style of shed must be approved prior to the start of construction. **DO NOT** start to erect your shed until obtaining written permission from the Architectural Committee Chairperson.

2. Limitations on construction of storage sheds will be as follows:
  - a. All sheds will be of wooden materials (some vinyl lean-to styles will also be considered).
  - b. All storage sheds must have the same exterior colors as your home or be a natural wood style.
  - c. Trim to all sheds must also match the home's trim.
  - d. Roofing material must match the style and color of your home.
3. Size limitations for single family homes will be no taller than eight (8) feet in height with no decorative toppings such as steeples, figurines or weather vanes. Perimeter will not exceed 8 feet wide by 10 feet long or vice versa.
4. Town home Owners will be limited to a 7 feet height, 4 feet depth and 6 feet length. You will find that these limits are well within the space available to you. Storage units must be located adjacent to the townhome and the divider fence.
5. Hampton City Codes requires that sheds remain at least 5 feet from the rear of the property line and at least 3 feet from either side property line. If you live on a corner lot, the shed must be built at least 8 feet from the side property line nearest the corner of the Lot and 5 feet from the rear property line.

**N. GUIDELINES FOR FENCES:**



1. General:
  - a. Fence posts must be square or round and embedded 2 feet in ground with a four (4) feet minimum and six (6) feet maximum in height above the ground and coated with a preservative.
  - b. Gate construction and style must be the same as the fence. Dimensions not exceed 3'6" wide and 6' high.
  - c. Hinges and mountings to be of sufficient strength to support the gate.
  - d. Fence is not to protrude or be located on common areas.
  - e. Fence must remain neutral or natural color. Fences may be stained a natural wood color: DO NOT PAINT. The exception is you may use white vinyl fencing that complies with the other guidelines for fences.
  - f. For safety reasons, picket-type fences may not have more than a 2 inch gap between pickets.
  - g. Adjoining residents who do not prefer to have the fence shared on a property line and both parties have their own fence to maintain, the space created between the two fences will become the responsibility of both parties for upkeep and maintenance. If maintenance (i.e.: weed and grass control) is not kept up, both parties will be cited for violation of Rules and Regulation # 14.
  - h. All fences will be installed with the finished side facing outward. All fence posts are to be located on the inside of the fence.
  - i. Fence may not be higher than 6 feet and no lower than 4 feet. Any fence adjoining a neighbor on a lot line is allowed only if both parties on either side agree to it and give written permission. If not, you must not construct the fence on the lot line.
  - j. All fences must remain a natural wood color. DO NOT PAINT. The exception is you may use white vinyl fencing that complies with the other guidelines for fences.

**O. GUIDELINES FOR RETRACTABLE AWNINGS:**

1. All retractable awnings must be approved **prior** to the start of any construction. No exceptions to this rule will be permitted.
  2. Only retractable awnings with canvas shades are accepted. No aluminum awnings are allowed.
  3. Retractable awnings must be erected on the **REAR** of the dwelling only. No front or side awnings will be allowed.
  4. The coloring of the support beams and applicable structure **MUST** match that of the dwelling's exterior color or the color of its trim. The canvas shade must look appropriate to those colors as well.
  5. When not in use, all awnings must be retracted and stored in an appropriate manner (i.e.: rolled up) so as not to cause an unsightly distraction.
17. All lawns, shrubs, etc. within each lot will be kept neat and trimmed. Unkept shrubs and grass over eight (8) inches high will be cut by the Association at an assessment of \$50.00 to the Lot Owner. Lot Owners are responsible for maintenance of any landscaping which they have added to their lots. **Lot owners who rent are responsible for Tenant compliance with these Regulations.**
18. No clotheslines are to be visible from the exterior of the Lot's dwelling. Included in the term "building" are: patio fences and deck enclosures.
19. Firewood will be placed in an orderly manner within the lot owner's property in the backyard at least 1 foot from all the property line fences (to prevent any termite damage to the fences) and shall not be stored in common areas.
20. **PODS:** (Portable On Demand Storage) **MUST** be placed in the Lot's driveway or assigned numbered parking space. PODS are **NOT** to be parked on the street or in VISITOR parking spaces. PODS will be limited to a period of 30 days without Board approval. If you find it necessary to exceed the 30 day period, a written request for an extension must be presented to the Board for approval.
21. **PLAYGROUND:** The playground is closes at dusk. **DO NOT** throw the rocks around the playground equipment as this could injure others.

## **ENFORCEMENT PROCEDURES:**

In accordance with The Virginia Property Owners Association Act, all enforcement procedures will be in accordance with Sections 55-513, 55-514, 55-525, and 55-516 of the Act and will be initiated by the Association Board of Directors after first endeavoring to resolve the problem (1<sup>st</sup> Notice) without taking further action.

1. Letter to the Lot Owner stating the nature of the problem and a deadline to correct the problem.
2. If the problem remains uncorrected, a second notice will be sent to the Lot Owner with another deadline to correct the problem.
3. On the third inspection, a letter will be sent to the Lot owner calling him/her to a hearing for non-compliance with Governing Documents and/or the Rules and Regulations.
4. Once the hearing is held, the decision will be mailed to the Lot Owner within seven (7) days. Should the Board find the Lot Owner in non-compliance; assessments will be levied against the Lot Owner in the amount of \$10 per day for violations of a continuing nature or \$50 for a single offense.
5. Once the assessments have been levied, standard collection procedures take effect.

**ALL FINAL APPROVALS OR DISAPPROVALS ARE MADE BY THE  
BOARD OF DIRECTORS.**

**The Board of Directors is the final authority in the interpretation of these Rules and  
Regulations and shall serve as the arbitrator of all disputes.**

Adopted by the Board of Directors on: October 12, 2004