

# RULES AND REGULATIONS

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**THE GATES AT BOULDERCREST UNIT OWNERS’ ASSOCIATION, INC.  
RULES AND REGULATIONS**

Pursuant to Article V, Section 1 of the By-laws of The Gates at Bouldercrest Unit Owners Association, Inc. the Board of Directors has established the following Rules and Regulations to govern the use and occupancy of the Condominium.

All pronouns used in these Rules and Regulations are intended to be gender neutral, and the use of the masculine gender shall be deemed to include the feminine and neuter genders. **Contractors/Workman Hours: All work for the day must begin no earlier than 8:00 a.m. and end by no later than 7:00 p.m. No work is permitted on Holidays or on Sundays, per Dekalb County regulations.**

• **ARCHITECTURAL GUIDELINES**

**Proceeding with any exterior project without prior approval from the Board of Directors in writing, via an approved Architectural Request Form shall be subject to being fined.**

All roofing, structural, and electrical work must be completed by a licensed contractor and properly permitted through Dekalb County, and a copy of the approved permit, contractor certificate of insurance, and contractor license MUST submitted to the Property Management Company prior to proceeding with a project.

All violations for non-compliance are subject to fines and/or corrective action by the homeowner to bring the unit in compliance within 90 days at the owner’s expense.

**ANTENNAE; AERIALS; SATELLITE DISHES**

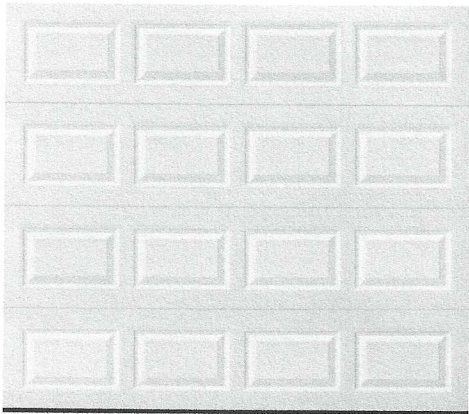
No antenna, satellite dish or other reception device of any kind whatsoever shall be placed on the front or roof exterior of any Manor Home or in plain sight from the street. **Any antenna or satellite dish installed on the roof will VOID THE WARRANTY.** It is recommended that Unit Owners install the antenna, satellite or reception device to the side or rear of the unit, or on a pole adjacent to the unit, at least 5 feet back from the front of the unit. It shall be mounted in a manner not to impede access to utilities, and must be securely fastened. It is prohibited to install the pole in common areas. Poles must be installed within the 4-foot flower bed immediately adjacent to the Manor Home. **TV cable connecting the satellite dish or cable television must not be run across or attached to the front of any Manor Home for any reason.** The cable connecting these services must be run on the side or back of the Manor Home for installation and securely fastened to the Manor Home.

**GARAGE DOORS**

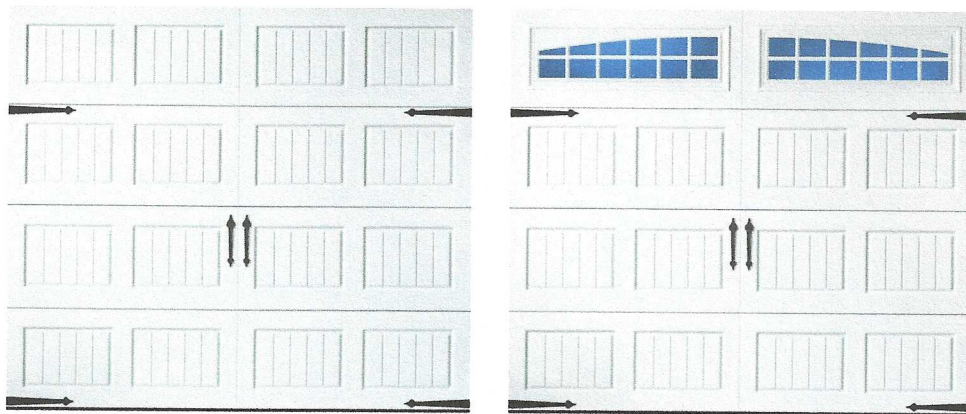
Garage doors shall generally be kept closed, except for entering and exiting, and shall not be left open for periods of time in excess of two hours. (See Article VII, Section 12 of the Declaration of Condominium). Size and Color (White) must be typical of original traditional aluminum panel design (without windows), or new carriage house panel design (with windows and accent hardware). Fiberglass energy efficient traditional panel doors (white) will be accepted. Wooden garage doors are not approved. Any replacement door must be submitted via an architectural request for approval before replacement.

Garage Door Examples:

Original Door:



Carriage House Door (with hardware and with windows and hardware):





## **FRONT DOORS**

Please submit any design changes to the original metal traditional panel doors to the Board of Directors for a case-by-case analysis. Only Traditional or Modern Style front doors (metal or fiberglass energy efficient) will be approved and may contain either oblong, oval, rectangle, or square window panes of either half or full height.

## **BACK DOORS**

Please submit any design changes to the original doors to the Board of Directors in writing via an architectural request form for a case-by-case analysis, unless the unit has erected a fence, in which case the back door is annexed to the unit. If the fence is removed, the doors must be restored back to original traditional style glass panel doors.

## **SECURITY/STORM DOORS**

If installing a storm/security door, it must be a “Full Light” or “Full View” style with NO divider muntins between the glass (ie. grill kits), vertical dividers called mullions, horizontal dividers called transoms or split panes with sashes and retractable screens. Examples of approved door styles:



The storm/security door color shall either match the front door & shutter color of Manor Home or be of the color white to match the trim color of the Manor Home. The choice of Brass or Satin Nickel hardware & kick plate shall be left to the Homeowner. The security models (with triple latches) are the Anderson 4000 series and the Larson Secure Elegance series, which also have laminated safety glass.

Again, any and all changes to the existing doors MUST be submitted to the Board of Directors and will require prior written approval and an approval letter from the Property Management Company prior to the change being made unless the unit has erected a fence, in which case the back security/storm door is annexed to the unit.

If you would like to put in a rear security door, the only style that will be approved is a “full view / light door”; be sure to submit an Architectural Improvement Request Form, unless the backyard is completely fenced in. If the fence is removed, the storm/security doors must match the same style as the approved front storm/security doors.



### **BURGLAR BARS**

Burglar security bars on doors or windows will not be allowed in the community for any reason whether your back yard is fenced in or not.

### **FRONT / SIDE WINDOW TREATMENTS**

A usual and customary window treatment (to include, but not limited to blinds, curtains, etc.) must be placed in the street and side windows within 90 days of occupancy. The treatments shall be maintained in good condition (not visibly broken, torn, bent, or missing).

### **SKYLIGHTS**

Please submit any design choices to the Board of Directors for a case-by-case analysis.

### **SOLAR PANELS**

Solar Panels will not be approved for any reason as they will void the roof warranty.

### **GLASS BLOCK WINDOWS**

Glass block windows are to be limited to exterior bathroom windows only. Only translucent, non-colored, non-multicolored blocks are to be used.

### **PERSONAL PATIOS**

Article III, Section 7 of the Declaration of Condominium provides that the patio annexed to each Manor Home shall constitute Limited Common Elements which are reserved for the exclusive use of such Manor Home (hereafter, "Personal Patios"). Painting of Personal Patios is prohibited. Clear sealer is preferred. Other colors, stain, or materials will be considered, but must be approved by the Board of Directors in writing via an Architectural Improvement Request. Modifications of any kind must be approved by the Board of Directors via an Architectural Improvement Request. In no event, shall a larger than 10 ft. x 10 ft concrete slab be poured due to the ability to maintain access for repairs of any underground drainage lines, which connect each unit to the main drainage trunk line. Expanding the patio with pavers or slate, or other removable hard surfaces is acceptable, if approved by the Board of Directors via an Architectural Improvement Request Form. If the fence is ever removed, the patio must be restored back to builder specs (10 ft. x 10 ft. uncolored concrete slab).

### **PERSONAL DRIVEWAYS**

Painting of personal driveways is prohibited. Clear sealer is preferred. Other colors, stain, or materials are prohibited. Driveway modifications, repairs, or replacements of any kind must be approved by the Board of Directors in writing via an architectural request form.

## **MAILBOXES**

**The Association maintains the mailboxes. Any damage to mailboxes found to be caused by any individual, either accidentally or on purpose, shall be the responsibility of that individual. The individual responsible shall be liable for all costs incurred to repair the mailbox and/or post. If the responsible individual is a guest, the cost of repair will be charged to the account of the homeowner whom the guest was visiting.**

## **EXTERIOR PAINTING – GENERAL INFO**

Approvals: In no event shall any Manor Home be painted pursuant to the provisions of this Section unless approved by the Board of Directors. All design options must be submitted on an Architectural Improvement Request Form and approved by the Board of Directors prior to scheduling the project to commence. Even if the Home is being repainted the same color, the Owner must submit an Architectural Improvement Request Form to allow for approval prior to painting. Any project which begins without prior approval shall be subject to being fined.

- As a guideline, homes are recommended to be repainted every 7-10 years as required for proper maintenance.
- It is recommended that the body of the Home be a Satin Finish for improved UV resistance and longevity, although Flat paint is acceptable and may require more frequent painting.
- Paint samples must be painted on a small section of the siding of the home for review by the Board of Directors prior to receiving approval. Samples shall not be painted directly on the brick.
- The front door must match the shutter color. Exceptions must be submitted via Architectural Improvement Request Form to the Board of Directors for approval.
- The storage sheds must be painted fully across to the other unit (not split down the middle, however, they may be split down the middle in the rear only if a fence is installed preventing access to the other half). Units are responsible for the entire shed to the their left when facing the front door, even for middle units which may utilize half of a shed on each side of the unit.

## **EXTERIOR PAINTING – TRADITIONAL HOMES (Original Brick NOT Painted)**

- Refer to the Sherwin Williams Paint Color Charts: American Heritage Collection and/or Suburban Traditional Collection as a guide. The color guide is a reference and Sherwin Williams paint is not required to be used. Alternate high-quality exterior grade paints are acceptable.
- The preferred trim color shall be white, or alternate choices as approved by the Board of Directors. Trim details such as eaves, soffit, fascia, cornice, moldings, doors, and shutters, and gutters, shall be typically Semi-Gloss or High Gloss finish.
- Garage Doors shall be white.
- Shutters shall remain the original 2 panel style on traditional style painted homes with exposed brick, and typically shall be painted the same color as the front door. Exceptions may be considered by submitting an Architectural Improvement Request form to the Board of Directors for approval. Original style shutters which are loose or have fallen may be reinstalled as necessary by the Association if not repaired by the Owner.



## EXTERIOR PAINTING – MODERN HOMES (with Brick Painted)

- Any painting of the brick shall adhere to the following guidelines:
  - Once the brick has been painted it is PERMANENT, and will remain painted in perpetuity. Therefore, the Owner is responsible for obtaining contractor experienced in masonry paint. Prior to painting, the following tasks may be required:
    - The brick shall be properly repaired to fix any damaged spots prior to painting.
    - The brick shall be cleaned to remove any existing dirt or mold prior to painting.
    - The brick shall be sealed and primed as appropriate before application of paint.
    - Exterior grade brick/masonry paint shall be used to allow the brick to breathe properly so as to prevent moisture from being trapped behind the paint which may cause it to peel.
    - Each material used shall be identified on the architectural request form for approval prior to proceeding.
    - As a guideline, brick is recommended to be repainted every 3-5 years as required for proper maintenance.
    - As with all exterior paint projects, Owners are required to submit an architectural improvement request form prior to any work being scheduled.
- Color selections shall adhere to the following guidelines:
  - The body colors shall be light shades of muted tones only, such as creams, greys, tans, taupe, or white. The brick and body shall be painted the same color. “Two-tones” and all darker shades of blues, browns, greens, charcoal greys and including black are prohibited.
  - The trim colors may be darker tones to provide contrast and depth, such as blacks, browns, and grays. Trim details such as eaves, soffit, fascia, cornice, moldings, doors, and shutters, and gutters, shall be typically Semi-Gloss or High Gloss finish. An approved exception for the gutters is copper.
  - All colors must be approved by the Board of Directors in writing via an Architectural Improvement Request Form prior to the project being scheduled. **Painting without prior approval shall be subject to being fined.**
  - Original garage doors shall be painted the same color to match the selected brick and siding paint color. The new carriage doors may be white or painted.
  - For homes which have painted brick, the shutters may be changed to a board and batten style shutter and must be submitted via an Architectural Improvement Request form to the Board of Directors for approval. Shutters may be painted an accent color such as black, white, tans, greys, or remain wood with a protective clear coat. Any shutters changed to the board and batten style are the homeowner responsibility for any reinstallation if they come loose or fall or require maintenance to replace any rot.



**PERSONAL FENCES**

The owner of every Manor Home shall have the right to erect on the Association Property a fence to enclose all or any part of the Patio that is annexed to his Manor Home. All fences that are installed to enclose all or any portion of a Patio must be constructed and installed within such area adjacent to the Patio in accordance with design standards and criteria established by the Board of Directors and the Architectural Committee and as defined below.

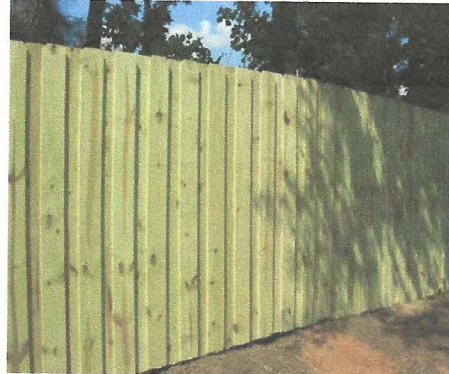
Approvals: In no event shall any fence be erected pursuant to the provisions of this Section unless approved by the Board of Directors. All design options must be submitted on an Architectural Improvement Request form and approved by the Board of Directors prior to scheduling the project to commence. Any project which begins without prior approval shall be subject to being fined.

Standard Design: Solid privacy type (NO gaps, picket, or chain link), natural wooden fence (with dog ear, board on board, saddle, scallop, capped privacy panels), or tan vinyl panel only. Each fence must be required height of 6 feet on all sides. The height may be authorized up to 7-1/2 ft maximum only in certain situations where the yard is SLOPED to keep the top of the fence level. In this situation the fence cannot extend higher than the soffit/bottom of the gutter on the storage shed and must be approved by the Board of Directors via an Architectural Improvement Request Form. Examples of approved fences are:

Dog Ear Privacy - Height – 6 Feet Tall



Board on Board Privacy - Height – 6 Feet Tall



Saddle Privacy - Height – 6 Feet Tall



Scallop Privacy - Height – 6 Feet Tall



Capped Privacy – Height – 6 Feet Tall

Tan Vinyl Privacy – Height – 6 Feet Tall



Fence Limits: The width shall be the distance from the center of storage unit to center of storage unit for middle Manor Homes and center of storage unit to exterior sidewall surface of an end unit Manor Home. Corner fence posts may be shifted a maximum of the thickness of downspout pipe to clear the pipe, only if necessary. The depth shall be no more than 5 feet past the edge of the patio, or less to leave a minimum of 2 feet between the edge of the fence and the common planting bed. It shall have an exit gate of same design, color, and height of rest of fence and must be on center portion of fence. Exceptions may be made for corner units, which may put exit on open side of unit. If a privacy fence is added, the homeowner/resident can change his/her fenced-in area without community. If fence is ever removed, exposed areas must be brought up to community design codes within **60** days.

In the event that the owner of any Manor Home shall elect to erect any such fence pursuant to the provisions of this Section, the owner of the Manor Home to which such fence is annexed shall be responsible for the repair, maintenance and replacement of such fence.

Staining: All fences shall be stained within **6** months of installation or replacement to protect them from the elements. All stain colors shall be stated on the Architectural Improvement Request Form at the time of submission for approval by the Board of Directors. The only stain colors which shall be approved are natural clear, brown, gray, or reddish wood tones, and must be submitted via an Architectural Improvement Request Form for approval by the Board of Directors before any work begins.

### **GRILL PAD SPECIFICATIONS**

Please submit to the Board of Directors in writing via an architectural request form for a case-by-case analysis. In general, submitted designs should be pavers that equal 36" x 72" maximum space. The grill must be placed 10 -15 feet away from any combustible material per fire regulations, so pads should be on the backside of the patio, furthest from the Manor Home.

### **AMERICAN FLAGS**

American flags that are displayed on the exterior may be displayed on one of the house's front columns, with a maximum size of 3' x 5', with a maximum aluminum or wood post of no more than 5'. Any other display flag must be submitted for Board of Directors approval, with an Architectural Improvement Request Form. The flag must be replaced when torn or tattered.



## **HOLIDAY DECORATIONS**

The Board approves inflatables or other holiday decorations as long as decorations do not impact access to utilities and are removed within a reasonable timeframe (no later than 1 week) after the holiday for which they are applicable. Inflatables must be placed in a flowerbed vs the middle of the yard. Items in the yards could affect landscape service.

Note: The owner/tenant accepts all responsibility for any damages. The landscapers shall not be held liable for accidental damage to the decorations or extension cords.

## **SIGNS**

No sign of any kind or character shall be erected or displayed to the public on any portion of any Manor Home, Association property, or vehicles on the premises without the prior written consent of the Board of Directors, except for Unit owner customary name and address signs. There shall be only 1 community for sale/lease sign at the front entrance of the community. All real estate "For Sale" or "For Rent" signs advertising a Manor Home can only be displayed at the right side of the community land outside the community front entrance gate. All real estate "For Sale" or "For Rent" signs shall not be larger than three square feet per side. All real estate listings shall be posted in MLS or FMLS for information. Access to the community must be obtained through the community Property Management Company, by issuance of a temporary code of by purchasing a remote-control device. The restriction herein stated shall include the prohibition of placement of any sign within any Manor Home. When a unit is listed for lease or for sale, the owner must contact the Association's current Property Management Company to provide the contact information for the individual and/or agency handling the lease or sale of the unit.

## **REMOVAL OF TREES**

Except during initial construction of a Manor Home, no trees shall be removed from the Association Property without the prior written approval of the Board of Directors. The Board of Directors, in its discretion, may adopt and promulgate rules and regulations regarding the preservation of trees and other natural resources and wildlife upon the Association Property, in accordance with the provisions of Article VII, Section 9 of the Declaration. All trees are installed on Association property, and as such are reviewed bi-annually by a certified, licensed, arborist for current conditions. The Board of Directors shall not remove any trees deemed healthy by the arborist for any reason, including homeowner requests. All trees deemed necessary for removal shall be contracted through the Board of Directors by a licensed and insured contractor who will obtain any necessary permits from Dekalb County.



## LANDSCAPING

The maximum size of flowerbeds shall not exceed 8 feet from the front of the unit, or 4 feet from each side or rear of the unit, unless a fence is erected in the rear and shall not exceed 15 feet from the rear wall of the unit. Removal of Association plantings must be submitted in writing to the Board of Directors via an Architectural Improvement Request for approval prior to removal of the existing shrubs. **To reduce the potential for erosion, flower beds shall not be left bare. Please specify alternate plantings on the Architectural Improvement Request and secure Association approval prior to replacing the Association shrubs.**

Removal of Association turf (grass) in rear yards, and/or enlargement of the rear patios shall not be approved for any reason without the rear yard being enclosed by a Fence. Reference Personal Fence Guidelines in this document for requirements.

Flowerbeds around mailboxes shall be no wider than a single sidewalk section (approx. 4-5 ft.). The height of all plantings in such bed shall not exceed the bottom of the mailbox (approx. 42 in., or 3.5 ft.) so as to not obstruct the unit number for mail delivery. The plantings shall not overhang the sidewalk or the street curb. Nothing shall be attached to the mailboxes.

Flowerbeds must contain mulch of some type to prevent erosion around Manor Homes. Manor Homes may choose to join the "No Pine Straw" list. However, an alternate type of mulch is mandatory, and must be submitted in writing to the Board of Directors via an Architectural Improvement Request for approval before replacing pine straw with alternate mulch. **Flowerbeds may not be left bare.** Additionally, an entire bed shall be covered in the same mulch materials (ie. No splitting of different mulch types down the middle of a flowerbed between units). Manor Homes **may not** change mulch types in Association flower beds without approval in writing from the Board of Directors via an Architectural Improvement Request. Any flowerbeds neglected from being properly maintained, the Association retains the right to re-install pine straw to prevent erosion. Pine straw is planned for twice annual installation.

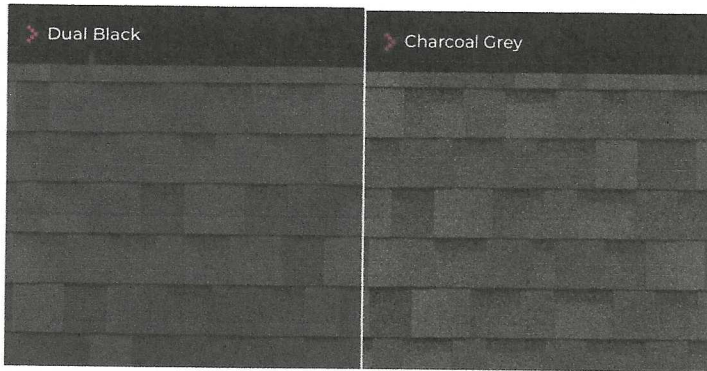
All flowerbed edging materials shall be submitted to the Board of Directors for approval via an Architectural Improvement Request prior to proceeding with installation. Any manor home with gravel in lieu of pine straw or mulch shall be required to install some form of edging material to retain the gravel and prevent migration into the turf (grass).

All retaining wall installations shall be performed by the Association for through a licenced general contractor. In no situation shall any homeowner under any circumstances modify or remove a retaining wall on Association property, including adjacent to a manor home. Report any deficiencies to the Board of Directors for corrective action.

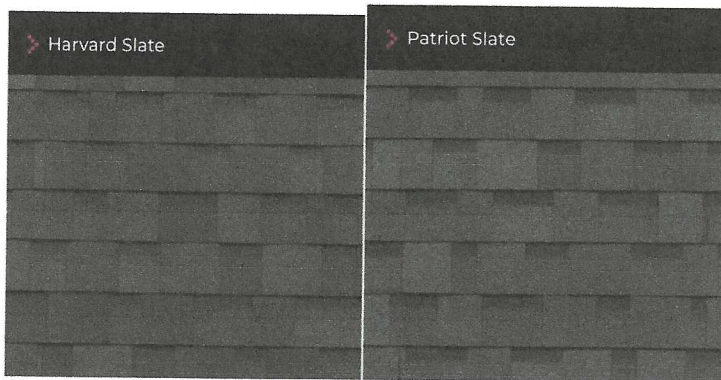
**ROOFING**

Upon replacement of the roof, the roofing material shall remain asphalt shingles. They may be the same existing 3-tab style or upgraded to the new architectural style shingles. Colors may remain black, or be changed to brown, charcoal, slate, or weatherwood. Any roof replacement for any reason shall require an Architectural Improvement Request Form to be submitted to the Board of Directors for review and approval before the work may proceed. See color examples below:

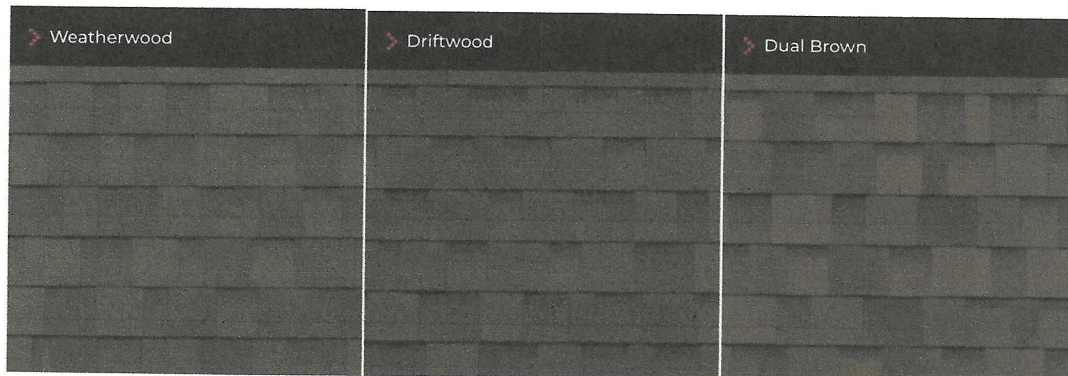
Black and Charcoal:



Slates and Gray Tones:



Wood Tones and Browns:





## II. USAGE GUIDELINES

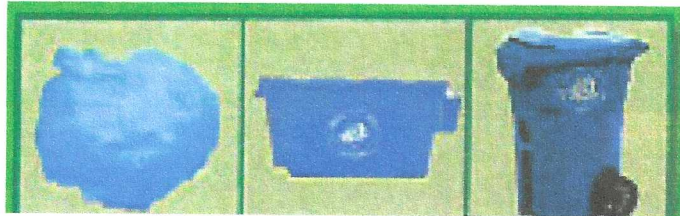
### TRASH / RECYCLING CONTAINERS

All household garbage must be placed in plastic bags and securely tied. All plastic bags must be placed in the receptacle provided by DeKalb County. All approved receptacles must be placed at the end of the driveway apron serving the unit without blocking mailboxes, utilities, driveways, sidewalks, drainage systems or roadways before 7:00 a.m. on the day of household garbage collection, as scheduled by DeKalb County. The arrow on the lid must be facing the street. Containers must be returned to your home after collection. After collection, containers may not stay at the curb overnight for any reason. Trash may not be placed on top of the trash can lid for any reason. Extra trash must be sat alongside of the container. Residents may not alter or modify the DeKalb County canisters with unit numbers, but are responsible for noting their container serial number if necessary, for replacement. Containers shall be stored on the side or rear of the Manor Home and reasonably out of site. Fines for non-compliance will be: \$50 for 1<sup>st</sup> offence, and \$100 for each occurrence thereafter. Refer to the DeKalb County Collection Procedures for all non-household garbage. Approved Containers are:

Trash Receptacle



Recycling Containers



### ANIMALS

No animals, livestock, or poultry of any kind shall be raised, bred or kept on any Lot, except that a reasonable number of dogs, cats, or other household pets (not in excess of 2) may be kept provided they are kept in accordance with the duly adopted Rules and Regulations of the Association, and provided further, they are not kept, bred or maintained for any commercial purpose, and do not constitute a disturbance to neighbors in accordance with the provisions of Article VII, Section 4 of the Declaration.

- All pet owners must clean up after their animals
- All pet owners must have their pets under control of the handler at all times
- All pets must be on a leash or lead when outside the home.
- Animals must not be kept in garage areas in extreme heat or cold.
- It is the pet owner's responsibility to clean up after their pet if their pet gets into the trash.
- Fines for non-compliance will be: \$50 for 1<sup>st</sup> offence, and \$100 for each occurrence thereafter.

### VEHICLE ENTRY GATE CHANGES/POLICIES

Changes in gate information must be submitted in writing to the Association's current Property Management Company. Owners should allow a minimum of 72 business hours for the change to be made. The names of Owners who are more than thirty (30) days overdue to the Association will be removed from the gate system. The Owner must contact the management company once their overdue balance is paid in order to have their name added back into the gate system. The \$5 charge to the



Association for gate changes and additions is passed onto the owner and is required to be paid prior to the name being re-instated in the gate system. Owners who have been removed from the gate system may only be permitted access through the pedestrian gate. Access through the vehicle gate will be suspended until the Owner's account is in good standing.

### PARKING/STREET REGULATIONS & POLICIES

The Gates at Bouldercrest parking regulations must be enforced in order to comply with the DeKalb County Fire Department and for the safety of residents and guests traveling the roads in the community. Fire trucks need a certain width in order to pass through the streets, which has been a problem in sections of the community due to parking on both sides of the street.

- **The speed limit throughout the Community is 25 MPH.**
- **Garages must be maintained for parking** and not converted into storage and/or living space.
- **Owners and Residents should park in their garage or driveway** and not on the streets or common driveways, which are part of the Association Property (Third Amendment, Article III, Section 10). Vehicles shall be parked in the garage first, and the driveway second. **Parking on the street shall not be permitted at any time, as this is a violation of Dekalb County Fire Code.** Violators will be warned and fined/towed in accordance with the governing documents, and Dekalb County laws and ordinances.
- **Red zones are identified as fire lanes to allow access to fire hydrants and emergency vehicles.** Vehicles found parked in Red zones are subject to towing immediately.
- **Vehicles cannot block entrances or exits, driveways/access to individual homes, emergency stations, hydrants, or mailboxes,** or other areas determined by DeKalb County Law and governing documents.
- **No vehicles are allowed on any lawn or common area at any time. Contractors and Utility vehicles are exempt in due course, while conducting daily work activities.**
- **Visitor Parking.** Guest vehicles shall be parked in the homeowner driveway. **There shall be no parking in the street at any time.** Violators will be warned and fined/towed in accordance with the governing documents.
- **Restricted Vehicles.** No boats, trailers, recreational vehicles, campers, truck campers, mobile homes, motor homes, canoes, motorized go-carts, jet skis, trailers (either with or without wheels), tractors, tractor trailers, trucks of a capacity of one ton or greater, may be parked in the driveway or yard of any Manor Home, or in any streets or common driveways which are part of the Association Property.
- **Any Owner whose vehicle damages Association Property, whether directly or indirectly, shall be liable for the cost to repair the damages incurred as further provided in the governing documents.** Owners are also responsible for any damage caused by vehicles owned or operated by their guests. The fine for damaging the front entry gate is a minimum of \$250. This does not include repair costs or other fees.
- **No mechanical work to vehicles may be performed on the property.** Any maintenance or repair of any vehicle must be accomplished inside of the garage of a Manor Home with the garage door closed. No maintenance or repairs on any vehicle may be performed on the driveway of any Manor Home or

on any part of the Association property (Third Amendment, Article III, Section 10). This does not apply to starter jumps in order to move the vehicle to an off-site service area.

- **Disabled and stored vehicles are prohibited from being parked on the Property.** A vehicle shall be considered “disabled” if it does not have a current license tag or is inoperable. A vehicle shall be considered “stored” if it continuously remains on the Property for fourteen (14) consecutive days or longer without the prior written consent of the Board of Directors. Owners should report inoperable and unattended vehicles to the Association’s current Property Management Company in writing so that the length of time such vehicles are left can be monitored.
- **Vehicles parked in violation of the Declaration or these Rules and Regulations,** including, without limitation, any vehicles parked improperly, may be towed at the Owner’s or vehicle owner’s expense.
- All parking rules subject to change at any time in accordance with Dekalb County regulations.

### **FIREWORKS**

Fireworks are not permitted to be used within The Gates at Bouldercrest neighborhood for any reason at any time. Anyone found to be in violation may be fined by the Association. Any property damage incurred through the unapproved use of fireworks will be the sole responsibility of the unit owner.

## **III. LEASING PROCEDURES**

### **LEASING POLICY**

1. Within ten (10) days after executing a lease agreement for the lease of a Unit, the Owner shall provide the Management Company with a copy of the lease and the name and contact information of the lessee and all other people occupying the Unit. The Owner must provide the lessee copies of the Declaration, Bylaws, and the Rules and Regulations. Nothing herein shall be construed as giving the Association the right to approve or disapprove a proposed lessee; the Board’s approval or disapproval shall be limited to approved leases for the state of Georgia.
2. Leases must include the following language: **“The lessee agrees to abide by the Declaration, Bylaws and Rules & Regulations of The Gates at Bouldercrest Unit Owners Association. The lessee hereby acknowledges receipt of the aforementioned documents.”** In addition, the Owner must submit a signed copy of the Association’s provided “Receipt of Governing Documents” Form. The form must be signed by the Owner and the tenant to confirm that the tenant has received the documents and is fully aware of the policies, provisions, rules and restrictions of the Association. Failure to submit a signed form to the Board of Directors will result in suspension of use of the common areas. No access devices will be distributed until the signed document is received and access through the vehicle gate will be suspended.
3. General: Units may be leased only in their entirety; no fraction or portion may be leased without prior written Board approval. Roommates are considered tenants, and the Owner is required to provide the property Management Company a copy of the terms of their lease. All leases shall be in writing. All leases must be for a period of no less than six (6) months.
4. **Lessees will not be entered into the Gate system until a Lease and Homeowner Information Sheet is received by the Management Company.** Gate system updates are generally made within 3 business days of receipt of all information.



#### **IV. GAZEBO RESERVATIONS & USE**

The Gazebo area is available for any homeowner to use whose account is in good standing with the Association. Any Resident (owner / renter) who is planning a specific event, must reserve the gazebo by contacting the Management Company. Reservations can only be made by the Owner at least 72 hours prior to the event and include the purpose of event, start and end times, and estimate of attendees (if a renter would like to reserve the Gazebo, they will have to have the homeowner request a reservation). The Gazebo is available between 9:00 am and 9:00 pm. Questions should be directed to the Management Company.

##### **GAZEBO USAGE RULES**

- If event request is approved, Resident will have access to the gazebo area including the use of lighting, electricity, grills, fans and seating areas for the approved time frame.
- Decorations are allowed however they must be arranged with scotch tape, string and other non-damaging items.
- No nails, permanent hooks, duct tape, electrical tape, thumbtacks or other items that can cause damage are allowed.
- Any damage that occurs during the event will be the sole responsibility of the homeowner who made the reservation. This includes but is not limited to damage to plants, flowers, structure and concrete, seating areas and provided receptacles.
- Nothing should be placed on the roof of the structure at any time.
- Gazebo can be used for any event that does not promote violence, hate or other socially reprehensible issues. Our community always welcomes diversity and the promotion of responsible issues.
- Resident must confirm reservation with the social committee 7 days before the approved event. This can be done via phone or email.
- Resident must communicate to the Management Company that the event is completed within 24 hours after it ends. This can be done via phone or email.
- All guests are expected to treat our neighborhood and the center park area with respect. Homeowners are responsible for their guests' actions at all times and will be held accountable.
- Guest shall distribute parking around the neighborhood to prevent congestion at the park entrances. Guest vehicles are subject to fining and towing restrictions as listed in the rules-n-regulations.
- Noise level must be kept at a minimum.
- No smoking is permitted within the community common area.

##### **EVENT CLEAN UP**

- All concrete areas must be swept and free of debris and refuse.
- Food waste, food wrappers and containers must be contained in a garbage bag and placed inside the receptacles provided so that no animal can get to the refuse. All other non-food garbage must be placed in garbage bags and can be placed either in (if there is room) or to the sides of the receptacles (only if there is no room in the receptacles). Note: Garbage bags must not block walkways or be placed in plant bedding or turf areas. The garbage will be removed by the landscaping crew during their visit following the event.
- All decorations, tape and removable hooks must be removed from the area.



- All flower & plant beds and turf areas must be clean and free of debris.
- All grill fires must be completely extinguished.
- Grills must be cleaned. Ashes and other grilling debris must be disposed of properly.
- All fans, lights and water must be turned off completely.
- Hose the Gazebo area down after event.
- The owner is subject to fining for any damage or non-compliance with the Gazebo Rules.

## **V. EVENTS**

### **PRIVATE EVENTS**

Private events may include, but not be limited to, events held at the Resident's Manor Home or the community Gazebo in the park. Residents, who wish to hold private events, may do so provided that all guests abide by the governing documents. Residents may choose to request a gate code for the specific event for ease of access by the guests invited to the event. The gate code will be subject to the \$5 processing fee to program the system. It is recommended that residents hosting the event shall provide notice to their surrounding neighbors as a courtesy. Private events held at the Gazebo shall be subject to the Rules and Regulations defined in the section entitled "Gazebo Reservation and Use."

### **YARD SALES**

The Association will hold community-wide yard sales (minimum of 1 per year) in which public advertising will be released and the gates opened to facilitate access for residents participating in the planned yard sale event. In the event that a resident requests to hold a yard sale on any date other than a community-wide yard sale date, the resident must request approval from the Board of Directors. They may either request a private event gate code or ask the Management Company to program the gate to be open no earlier than 7 a.m. and no later than 5 p.m. The gate code or open request will be subject to the \$5 processing fee to program the system.

### **OPEN HOUSES**

Residents and/or their Real-estate Agent may request an open house event. Either a private event gate code can be issued, or a request for the gates to be open may be programmed into the gate system for a \$5 processing fee.

## VI. MAINTENANCE RESPONSIBILITIES

### MAINTENANCE RESPONSIBILITY CHART

	ASSOCIATION	OWNER
Stoop attached to Manor Home		X
Patio attached to Manor Home		X
Driveway attached to Manor Home		X
Walk attached to Manor Home		X
Fence surrounding patio		X
Brick, Stucco and concrete portions of the Manor Home		X
Original shutters mounted on the portion of each Manor Home that connects to the adjoining Manor Home	X	
Easement Area annexed to a Manor Home by a fence, including cutting the grass, weeds and other vegetation, removing dead trees, shrubs and other plants and pruning and otherwise maintaining all plants, shrubbery, trees, flowers, bushes, grass, ivy and other foliage as may be planted in such Easement Area		X
Fence erected by Manor Home owner to annex Easement Area		X
Drainage structures which constitute part of a Manor Home		X
Association Property (all real property which is shown and depicted on any Plat which is neither included within any Manor Home nor dedicated to a governmental authority)	X	
Original exterior lighting NOT on a wall enclosed by a fence erected by a Manor Home owner	X	
Original exterior lighting on a wall enclosed by a fence erected by a Manor Home owner		X
Exterior lighting installed by a Manor Home Owner		X
Mailboxes	X	
Roof and roof framing system (includes soffits and fascia boards)		X
Gutters and downspouts NOT enclosed by a fence erected by a Manor Home owner		X
Gutters and downspouts enclosed by a fence erected by a Manor Home owner		X
Other items and property outside the boundaries of a Manor Home or outside any Easement Area enclosed by a fence installed by a Manor Home owner	X	

### MAINTENANCE EASEMENTS

There shall be appurtenant to each Manor Home an easement for the exclusive use and enjoyment of the Easement Area that shall include a flowerbed that shares a border with the Manor Home exterior wall. Such easement shall include the rights to plant or remove shrubbery, plants, flowers, bushes, grass, ivy and other foliage in and on such Easement Area, in accordance with the provisions of Article III, Section 6 of the Declaration.

Any changes to such easements shall require the written approval from the Board of directors, in accordance with the provisions of Article III, Section 8 of the Declaration.



## VII. FINING & COLLECTIONS POLICIES

### FINING SCHEDULE

Violations of the governing documents may result in the imposition of monetary fines, which are imposed as follows:

- Homeowner is sent a notice in writing and given 15 days to correct the violation (emergency situations exempted);
- On 16<sup>th</sup> day, a fine of \$25.00 is applied to account if the violation is not corrected;
- On 30<sup>th</sup> day, a fine of \$25.00 is applied to account if the violation not corrected; and
- Fines of \$25.00/day accrue after the 30<sup>th</sup> day and continue until the violation is corrected.
- The homeowner in question must contact the management company to report correction, and it will be inspected.
- Owners who tamper with, damage, or hit the gate(s), gate arm(s), or the security camera(s) are subject to a fine of \$250.00, plus the cost of the repair of the gate(s)/arm(s)/camera(s).
- Owners who do not comply with the Gazebo Rules are subject to a \$100.00 fine.
- Pet Waste and Trash Can violations are subject to: fine in the amount of \$50.00 for 1<sup>st</sup> offence, and \$100.00 for each occurrence thereafter.

### COLLECTIONS POLICY

- Owners with amounts past due are not permitted to vote or use Gazebo/other Common Elements.
- Owners are responsible for paying assessments as provided in the Declaration.
- Payment in full is due by the 10<sup>th</sup> of each month.
- If payment is not remitted within 30 days of the due date, the owner's name may be removed from the gate directory. Names cannot be added back into the directory until the past due amount is paid in full, in addition to the gate reactivation charge (The gate reactivation charge is \$5.00 as of the date of this Resolution, and is subject to change);
- The owner must notify the Management Company in writing after payment is remitted, asking to be re-instated. In the event that an Owner's account is more than thirty (30) days delinquent, the Association will suspend such Owner's right and the right of all Occupants, tenants and guests of the Owner's Unit to use the Common Elements, including, without limitation, parking on the Common Elements, including driveways. In the event parking privileges are suspended, all vehicles parked by the Unit Owner and any Occupants, tenants and guest of the Unit on the Common Elements will be booted. All booting or towing services are provided by:

<b>Empire Parking Services (EPS)</b> 1039 Grant Street Atlanta, GA 30315 EPS 24-hour Call Center 404-605-9242	<b>A-Tow, Inc.</b> 180 Harriett Street Atlanta, GA 30315 24-hour Call Center 404-577-6566
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**Note:** **Once a boot has been placed on your vehicle, YOU MUST contact the Association's Property Manager to pay the balance on your account and have the boot removed. Once parking privileges are suspended, vehicles brought onto the Common Elements in violation of such suspension may be booted at any time during such suspension at the Owner's expense.**

- If a delinquent account remains delinquent for more than ninety (90) days, the Owner may be referred to the Association's attorney for collection of the amount owed, which may include the filing of a collection's lawsuit.

- The Declaration, Bylaws and the Georgia Condominium Act dictate that the costs of collection and legal fees expended by the Association to pursue the assessments, fines, and/or other charges are the responsibility of the owner.

**RESOLUTION OF THE BOARD OF DIRECTORS**  
**THE GATES AT BOULDERCREST UNIT OWNERS ASSOCIATION, INC.**

This Resolution is made and adopted as of the 16 day of April, 2022 (the "Effective Date") by all of the members of the Board of Directors of The Gates at Bouldercrest Unit Owners Association, Inc. (the "Association") in accordance with Article V, Section 1 of the Bylaws.

**WITNESSETH**

WHEREAS, Article V, Section 1 of the By-laws of The Gates at Bouldercrest Unit Owners Association, Inc. provides that the Board of Directors shall have the authority to make, modify, repeal and enforce reasonable rules and regulations governing the conduct, use, and enjoyment of Units and the Common Elements; and

WHEREAS, the Board of Directors previously adopted "Rules and Regulations;" and

WHEREAS, the Board of Directors believes it is in the best interest of the Association to amend the Rules and Regulations, as set forth herein; and

WHEREAS, on this 16 day of April, 2022, the Board of Directors voted to adopt the amended Rules and Regulations.

NOW, THEREFORE, BE IT RESOLVED that the "Rules and Regulations" as previously adopted are hereby deleted in their entirety and are replaced with the new "Rules and Regulations," attached hereto as Exhibit A and incorporated herein by this reference. The Rules and Regulations were duly adopted and approved by the Board of Directors for The Gates at Bouldercrest Unit Owners Association, Inc.

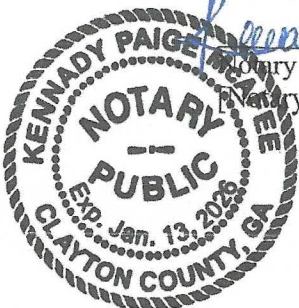
Dated this 16 day of April, 2022

THE GATES AT BOULDERCREST  
UNIT OWNER ASSOCIATION, INC.

By: Tory Tucker  
President of the Board, Tory Tucker

Attest: Morieka Johnson  
Secretary of the Board, Morieka Johnson

Sworn to and subscribed before  
me this 16 day of  
April, 2022.



Kennedy Paige McGehee  
[Notary Seal] exp. 01-13-2026