

FINAL

Berkeley Woods Condominium Association

Rules & Regulations

Pending Approval at Annual Meeting, December 2022

General Policy

These Rules and Regulations are established pursuant to the Declaration in order to promote the enjoyment of the condominium community by the residents and to promote the property values of the homes within our community. The quality of the condominium lifestyle depends upon cooperation and a group effort. Courtesy, respect, restraint and tolerance of fellow homeowners are of paramount importance.

The Declaration and By-Laws for the Berkeley Woods Condominium Association contain restrictions relating to the ownership of units and the occupancy by residents of Berkeley Woods. The following rules and regulations serve to supplement those restrictions and are not intended to modify or limit them. It is recommended that all owners keep a record of the rules and regulations for future reference.

Note: Definitions of Terms are located at the end of this document.

I. Aesthetics

- a. **Damage to Common Elements:** Any damage to the Common Elements, including, but not limited to, building interiors and exteriors, doors, sidewalks, curbs, shrubs and/or grass, caused by an Owner, family member, tenant or guest, are the responsibility of the Owner. Upon knowledge of such damage, the Association will repair the damage caused, and the cost of the repair will be assessed to the Owner responsible for the damage.
- b. **Attaching or Fastening to Building Exteriors:** Nothing, including, but not limited to, flags, AC units, artwork, satellite dishes and/or exposed wires, may be attached or fastened to the exterior of the buildings (exterior walls, decks, gutters, soffits). Note: State law allows all residents to display the standard American flag. All other flags are not permitted.
- c. **Exterior Lighting & Holiday Decorations:** Christmas, Hannukah, and other winter holidays may be celebrated by lights and decorations. These decorations may be displayed from Thanksgiving Day through January 6. Strings of lights may not be displayed at any other time during the year. For use during non-holiday months, patio/porch lights and fixtures must be approved by the Board with written authorization and must emit white light only (no colors other than white/warm light).

- d. **Clotheslines:** Outside clotheslines for air drying clothes, towels, rugs or any other item is not permitted. Drying towels or wet items on deck railings or walkway railings is also not permitted.
- e. **Window treatments:** All window treatments, shades, drapes, blinds, etc., shall be white or off-white. All vacant units shall have window treatments in good condition on all windows.
- f. **Patios, Balconies and Walkways:** Patios, balconies and walkways are not to be used as storage. All planters are to be free of dead plants and must be maintained. Planter boxes (flower boxes) may only be placed on deck railings, and only allowed if they can be installed without using screws or nails to attach. Firewood is not allowed on decks or patios. Bicycles may be placed on deck flooring, but not hung from above. Residents shall maintain patios and balconies in a clean, neat and orderly condition and appearance.
- g. **Walkways (outside the front entrance to a unit):** Plants may be displayed in the area immediately adjacent to the front entrance of a unit if contained in decorative planters or pots. All plants must be maintained in a healthy condition. Planting boxes are not permitted on walkway railings. Planters should be removed when empty of plants or flowers. Please use common courtesy when watering plants, and be respectful of your neighbors below your unit.
- h. **Gardening:** Homeowners, tenants, family members or guests are not permitted to plant, install or change any aspect of the landscaping on the property without written authorization from the Board of Directors. Unauthorized planting will be removed at the expense of the homeowner responsible for planting or installing the item(s).
- i. **Cigarette Butts:** Cigarette butts shall not be discarded anywhere on the Common Elements including, but not limited to, walkways, sidewalks, parking lots or landscaping.
- j. **Storage:** Storage units shall be maintained in a clean and orderly manner. The hallways inside the storage area should be clear of all items. Toys shall be stored within a Unit and not in outside areas, including decks, patios or balconies.

II. Safety, Sanitation and Occupants

- a. **Insurance:** No action by a homeowner, family member, tenant or guest may take place that will increase the rate of insurance for the Association. No one may store unusual or unnecessary quantities of flammable liquids, explosives, corrosives, poisons or lethal chemicals, or any substance that is a violation of local, state or federal law.
- b. **Structural Changes to the Buildings or Units:** No owner or occupant shall do any interior structural work to their Unit without written authorization from

the Board of Directors. Storm door installation must be approved by the Board and be brown in color.

- c. **Grills:** Propane, gas and charcoal grills are not permitted on patios, decks, balconies and walkways, or within ten feet of any structure. Electric grills are permitted. No flammable liquids or charcoal may be stored on decks or patios. Grills are not permitted to be left outside on the Common Elements, unless granted through written authorization from the Board of Directors. The community grill may be checked-out to homeowners for use at the pool pad from Board members when requested. The community grill must be cleaned prior to its return. Grills that are in use should never be left unattended.
- d. **Firearms and Fireworks:** The firing of all firearms on the property is strictly prohibited. The use of fireworks is likewise strictly prohibited.
- e. **Trash:** All garbage, trash and debris must be placed in a securely fastened or tied plastic trash bag and deposited into the compactor located in the front of the Community. Household appliances, remodeling debris, furniture, rugs, bedding and similarly sized items are not permitted in the compactor nor are they permitted to be placed near the compactor. It is the homeowner's responsibility to discard such items. Please see information at the following link regarding the City of Duluth Dump Card. This is a great option to dispose of larger items at no cost.
https://www.duluthga.net/departments/public_works/dumpster_info.php
- f. **Speed Limit:** The speed limit on the property is 15 MPH.
- g. **Roommates and Guests:** All roommates, guests, tenants and family members are subject to the Declaration, By-Laws and the Rules & Regulations. All owners are responsible for the actions of their guests.
- h. **Motor Vehicle Assembly/Disassembly:** Assembly or disassembly of motor vehicles or other mechanical devices on the property is not permitted.
- i. **Bird Feeders and Pet Houses:** Bird feeders, dog or other pet houses, pet bowls or other pet related items are not permitted on the Common Elements of the property.

III. Signs

The only sign that is permitted to be displayed by a homeowner or occupant is a "For Sale" sign, for the purpose of selling the unit. No other signs are permitted to be displayed by individual homeowners, occupants, tenants or visitors.

IV. Pool

- a. **Hours of Operation:** The pool is accessible by owners in good standing from 7AM- 11PM from the first weekend in May through the last weekend in September.

- b. **No Lifeguard:** The Association does not provide a lifeguard at the pool. Swimming and use of the pool area will be at your own risk.
- c. **Rules:**
 - i. No boisterous conduct is permitted at or around the pool. This includes running, pushing, dunking, or other acts that endanger others.
 - ii. Swimwear is required to enter the pool. Swimming is permitted only while wearing garments sold as swimwear.
 - iii. Use discretion regarding placement of large objects such as floats and rafts. Any object brought to the pool should be removed when the user leaves the pool area.
 - iv. Children under 14 must be accompanied by an adult who assumes responsibility for the child(ren).
 - v. Infants are required to wear swim diapers or rubber pants when in the pool.
 - vi. Glass containers are not permitted within the pool gate.
 - vii. Pets are not permitted within the pool gate.
 - viii. All trash and cigarette butts must be placed in the trash containers provided.
 - ix. Persons with open wounds, sores, bandages or communicable diseases must not use the pool.
 - x. The pool is for Berkeley Woods residents and guests.
 - xi. No furniture or equipment should be removed from the pool.
 - xii. All food and drink (no glass containers) should remain at least six feet from the pool at all times.
 - xiii. Household electrical devices are not permitted within the pool gate.
 - xiv. Those residents wishing to hold a party of 12 or more people should contact the Board at least ten days in advance for approval. This ensures that multiple events are not scheduled at the pool for the same time.
 - xv. All Gwinnett County Pool Rules are to be always followed. See link for full document:
<https://www.gwinnettcounty.com/web/gwinnett/departments/communityservices/parksandrecreation/aquatics/aquaticsafetyrules>

V. Tennis Court

- a. **Individual Responsibility:** The tennis court is for the exclusive use of owners and their guests.
- b. **Proper Use:** The tennis courts are for the sole use of playing and practicing tennis. Objects with wheels (skateboards, roller skates, roller blades, bikes, etc.) are prohibited.
- c. **Pets:** Pets are not permitted on the tennis courts.

- d. **Glass Containers:** Glass containers are not permitted inside the tennis gate.
- e. **Personal property and trash:** All items, including trash, should be removed from the tennis court when finished using the court.

VI. Pets

- a. **Aggressive or Vicious Behavior:** any animal exhibiting such behavior that endangers the safety of others will be reported to Gwinnett County Animal Control.
- b. **Owner Responsibility:** Owners will be held responsible for damage caused within the community by their cats and dogs. All pets must wear a tag with the name and phone number of the owner.
- c. **Pet Waste:** Owners are required to immediately pick up the solid animal waste from your pet. No one wants to step in the mess left behind by a pet's owner. Pet waste should be placed in the provided plastic bags and dropped into the dog stations or the trash compactor.
- d. **Leash Requirement:** Dogs must be on a leash at all times when outside their owner's unit while on community property. No pet shall be tied up outdoors or left tied to a stake. No pet should be left on a patio or balcony, and no pens or structures are permitted on patios and balconies.
- e. **Nuisance and Barking Noise:** All barking, noise and odors should be controlled by the owners, to not disturb others in the community.

VII. Vehicles and Parking

- a. **Parking:** All vehicles must be parked in a parking space (facing the buildings) or parking area (facing away from the buildings). Owners may park one vehicle in a space facing the building. Additional owners and visitors' vehicles should park in parking areas facing away from the buildings (e.g., facing the woods, landscaping islands or pool). Vehicles should be parked front first and not backed into spaces, in order to protect landscaping.
- b. **Number of Vehicles:** Owners may park a maximum of two cars per occupant of driving age within the community as described above in VII.a (Vehicles and Parking).
- c. **Towing:** The Board of Directors has the authority to tow cars at owner's expense if, but not limited to, they are parked improperly, appear abandoned, block a fire hydrant, block another vehicle, or does not display a parking permit sticker.
- d. **Vehicle Stickers:** All owners vehicles must be registered with the management company and display a parking sticker on the back windshield. Car sticker forms are available from Board members.

VIII. Nuisances, Noise Disturbances and Solicitation

- a. **Nuisances:** Loitering or behavior that causes unreasonable annoyance, embarrassment or discomfort of others, as determined by the Board of Directors, is not permitted and will be considered a violation.
- b. **Excessive Noise:** Noises generated from electronics, musical instruments, pets, etc., shall not disturb residents in other units. Excessive noises that can be heard in neighboring units may be considered a violation by the Board of Directors.
- c. **Solicitation:** Berkeley Woods is a residential community. No businesses that generate traffic (walking or vehicular) shall exist in the community. Salespersons are not permitted to knock on doors to sell products or gather charitable donations.
- d. **Private Sales:** No private sales, yard sales, or selling private property are permitted in the community without the prior written approval by the Board.

IX. Leasing

On December 13, 2000, the prohibition of leasing Amendment to the By-laws was approved by the community. Only those owners who purchased their units prior to this date are permitted to rent their unit. All other owners are prohibited from renting to tenants unless approved by the Board of Directors with written authorization as a result of an undue hardship. Violations to this amendment will result in fines and referral to association attorneys.

X. Plumbing

- a. Plumbing maintenance and repair are the responsibility of the owner for pipes and fixtures that serve only one unit and are located within the interior of the unit.
- b. Owners are responsible for the maintenance and repair of water heaters, furnaces, HVAC equipment and other appliances

XI. Enforcement of Rules and Regulations

- a. Should a violation be reported to the Board of Directors, upon approval and determination that such violation is valid, the following actions will occur:
 - i. A letter and email will be sent to the owner describing the concern and providing the rule that was violated. The owner will have 14 days to correct the violation.
 - ii. After 14 days, if the violation is not corrected, a \$50 fine will be placed on the owner's association account. Another letter and email will be sent reiterating the violation and the need to correct the issue.
 - iii. After an additional 14 days, if the violation remains unaddressed, a \$100 fine will be placed on the owner's association account. Additionally, amenities will be suspended. Pool access, internet and cable service will be suspended until the violation is corrected.
 - iv. Should another 14 days pass without resolution (6 weeks from receipt of original letter and email), a \$200 per month fine will be placed on the owner's association account until the violation is corrected.
 - v. Attorneys will be contacted by the Board to enact collection procedures for owners with delinquent (negative) accounts.

Definition of Terms

- **Common Elements**: Includes walkways, stairs, sidewalks, curbs, grounds and air space above the buildings. Residents can place NO personal property on Common Elements.
- **Limited Common Elements**: Includes the entry immediately outside your front entry door, as well as patios and decks.
- **Grandfathered Owners**: Current owners who purchased their units prior to December 13, 2000, and have owned that unit continuously. Only these owners have the option to rent their units to others. All other owners are not permitted to rent their units, unless they received a written authorization from the Board under the hardship clause.