

# Alcovy Ridge Homeowners' Association

## Violations & Fine Policy

The purpose of this policy is to establish guidelines for some of the frequent types of violations addressed in the Deed Restrictions. It is not intended to be a complete list of all possible violations. For more complete information, refer to the DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE ALCOVY RIDGE HOMEOWNERS' ASSOCIATION (henceforth referred to as CCR's).

### FINES

The Board of Directors is given express power in the Association's CCR's and Bylaws to adopt and publish rules and regulations to enforce the protective covenants. In order to enforce these rules, the HOA Board has also adopted a fining policy to address repeat violations.

The fines collected will be added to the Alcovy Ridge HOA account and used to offset the cost of management and enforcement of the neighborhood rules. The HOA board will provide uniform enforcement and tracking of homeowner violations.

Notices of violations will be emailed to the home owner's email address on file and/or hand delivered to the home owner's property. We will also mail certain violations depending on the severity. It is the home owner's responsibility to provide the HOA with accurate contact information. **Residents may report violations in writing via mail or email. The recipient of a "concerned neighbor" violation will not know the source of the complaint; however anonymous reports will not be addressed.**

When a fine is assessed, the owner will receive the notice of violation along with an invoice showing the fine has been added to their assessment account. An owner will have the opportunity to contest any fine that is assessed against their assessment account. The process will be stated on the notice.

These fines are guidelines for standard fines only. The Board reserves the right to levy lesser or greater fines and provide additional warnings or fewer warnings before fines are made.

## **VIOLATIONS**

All properties should be kept neat and well-maintained at all times.

**Yard maintenance needed:** Yards must be maintained on a basis frequent enough to maintain an overall well-kept appearance. This includes:

- **Mowing:** Front yard and side yard of corner lots.
- **Edging:** Sidewalk, driveway and curb; no runners should be showing on paved surfaces.
- **Weed control:** Flowerbeds, non-lawn areas, and cracks of sidewalks, and driveways.
- **Vegetation requirements:** The majority of the front yard will consist of grass or short, maintained vegetation or groundcover.
- No hard, packed earth or barren spots.
- Gravel and loose stones cannot be used in lieu of vegetation except in curb areas.
- Yard debris, including lawn clippings and tree & shrub trimmings, must be removed from view after maintenance until trash pick-up day. Blowing, raking or sweeping lawn clippings and leaves into the street is not acceptable.
- **Pruning:** Trees must be pruned 8' above the sidewalks and streets. Shrubs may not extend over paved areas. All shrubs on the Lot must be neat and pruned.
- Removing dead plants, shrubs, trees in a timely manner.
- Keeping Lot areas visible from the street picked up and clear of miscellaneous items which are not meant to be permanently placed in yard.

**\*Weeds/Lawn Maintenance\*-** Yards should be maintained and weed free and should reflect the entrance to the subdivision. Visible weeds should be removed and/or chemically treated. Lawns should be mowed to a standard height across the entire yard not to exceed **3"** in height. Any bald areas that are visible from the curb should be reseeded or sodden. Failure to maintain the yard, such that it is not visibly appealing from the street and per these standards, will result in a **written warning and a three-day grace period. After three days, the homeowner will be fined \$35 a day until the lawn is cut to meet the HOA standards. A second violation will receive a fine of \$50 a day. Three or more consecutive violations will receive a fine of \$75 per day and an additional \$100 fine being assessed for each occurrence after the second within 180 days. Any further violations will also result in legal action.**

**Landscaping:** Front bedding areas should be visually attractive from the street. Mulch should be used and replenished as required to maintain a positive aesthetic value. Only pine straw, mulch and rocks is acceptable for use as ground cover. Dead plants should be removed and dormant plants should be sheered back. **Non-compliance with this guideline will result in a \$35 fine per day until corrected.**

**Trees:** Gwinnett County has very strict rules concerning the removal of trees and those must be adhered to. Trees within the front yard must be replaced if removal is required or desired. Remnants of removed

trees must not be visible from the street. Removal of all trees in any section of a yard is not permissible. All violations will be sent to Gwinnett County

**Trash receptacles in view:** All trash containers must be hidden from general view except on trash pick-up day. If containers can be seen from the street, they are not out of view. Trash receptacles must be removed from street no later than 9p.m. on day of trash pickup or property owner is subject to a fine or fee. Vacationing or traveling homeowners must plan to have cans removed from view if pickup is desired while they are away. **After 2 consecutive violations, a fine of \$35 per day will begin until corrected.**

**Animals:** All pets must be leashed and under control of the person holding the leash. Dogs, cats or any other animals may not be allowed to cause a nuisance. Pets may not foul another owner's property. If an accident occurs, the pet's owner must immediately remove the feces from the property. This also applies to the Association's common areas. **Conflicts in regard loose or stray animals shall be directed to Gwinnett County Animal Control at 770-339-3200**

**Vehicles:** Vehicles that are regularly parked in view may not be parked on the grass or on sidewalks at any time. No vehicles without a current license plate, derelict (inoperable), junk, or racing vehicles shall be located on any Lot temporarily or permanently. Gwinnett County authorities will be contacted to enforce procedures to remove abandoned and/or inoperable vehicles from the street and right-of-ways.

*Definitions* of inoperable vehicles includes, but not limited to, expired registration, expired inspection, without a current license plate, elevated for some period of time and vehicles in need of required parts or maintenance (i.e. missing components, flat or missing tires, etc.).

- **Boats, trailers, and other recreational vehicles and equipment:** May not be parked or stored on any Lot or within the neighborhood without prior authorization. Special considerations will be given, but limited to forty-eight hours, in the case of preparation and unloading of recreational vehicles and trailers. Removal of the recreational vehicle or trailer for short periods of times, so as to avoid the intent of this provision, shall NOT affect the running limited to, recreational equipment (boats, jet skis, campers, RV's, off-road vehicles, etc.), and trailers (hauling, storage, utility).
- **Commercial Vehicles & equipment:**
- Only 1 company-provided, passenger (i.e. marked van, car, pick-up) vehicle per household shall be parked in the neighborhood (overnight or temporarily).
- Commercial vehicles (larger than passenger), work trailers, and equipment shall NOT be parked in the neighborhood (overnight or temporarily).

**Any violations will receive a written warning and a three-day grace period. After three days, the homeowner will be fined \$35 a day until the vehicle has been made compliant and inspected by a representative of the Board of Directors.**

**Unapproved exterior changes:** All changes to the exterior of the residence, the addition of any structure, fence replacement or installation, painting, roof replacement, and major landscape modifications and installations must be pre-approved in writing by the ACC. (Refer to CCR'S, Article VII, Section 5). Any homeowner that fails to submit an ARC Request and makes a change to the exterior of their home or lot may be subject to removing or reversing that change. **A letter of violation will be sent via US Post or hand delivered by an ARC representative that will state the violation and provide a period of two weeks to correct any violation. After two weeks, a second violation letter will be delivered to the**

**property stating that the property is being fined at \$35 per day until the violation has been resolved. Submission of ARC requests after a change has been made does not assure that the change will be approved and is the risk of the homeowner.**

**Sheds Buildings:** Sheds will be constructed such that it is the least visible possible from the road. Only the approved shed design will be allowed. Shed placement must still go through ARC approval

**Signs:** Only one (1) sign for the sale or lease of a home are permissible and must be on a staked device in the front lawn. Fence signage is limited to “Beware of Dog” signs and law required notices.

**Window coverings and treatments:** All windows that can be viewed from the street must have fitted window coverings and must be in good condition (no bent/broken slats, no tattered/torn edges). Covering windows with foil, reflective film, blankets, sheets, or paper is not permitted.

**Basketball hoops and skateboard ramps:** Portable or street hoops and skateboard ramps need to be moved near the house or garage when not in use. At no time are portable or street hoops or skateboard ramps to be used or stored in the street.

**Woodpiles:** Woodpiles must be located away from structures because of termites and insects. They must be concealed from view of the street. No approval is required to store wood for burning, but any wood kept shall not be permitted to become unsightly.

**Painting:** Any change to the exterior color of the house including, but not limited to doors, shutters, trim must be approved by the Architectural Review Committee. Repainting requires prior written approval only if the color is changed. If repainting with no color change, it is the homeowners’ responsibility to ensure that the repaint color is exactly the same color and shade as the one previously used. A paint color change requires the following information:

1. Paint sample chip, with the manufacturer’s name and color number. At the discretion of the ARC, the homeowner may be required to paint a small sample of the house with the color change, if the color change is significant.
2. Description of area of home to be repainted.
3. Photograph of your home and homes on either side (adjacent homes cannot be painted the same color.)

No garage door should be painted they are to remain white in color.

**Holiday Decorations:** Exterior Christmas Decorations may not be displayed before Thanksgiving and must be removed by January 10.

For all other Holidays, all decorations, including flags (excluding the American Flag), may be displayed two weeks before the holiday and must be removed no later than one week after the holiday.

**Fencing:** Fencing designs must be submitted for ARC approval and include a plot map depicting the area to be fenced, the design details of the fence (including color), and a schedule for all work to be performed. No use of chain link will be accepted. Fences are not permitted to be erected any farther forward than the back corners of the home. All fencing that faces the road must be privacy fence.

**Mailboxes:** All mailboxes must conform to the standard set by the builders within the neighborhood. The mailbox must be black and of the same size and shape as the original installation. **Any failure to comply with this standard will be met with a written warning and two weeks to comply with the standard. After two weeks, the homeowner will be fined \$35 a day until the mailbox has been made compliant and inspected by a representative of the Board of Directors.**

**Satellite Dishes/Antennas:** Satellite dishes may be no larger than one meter in diameter and should be placed such that it is obscured from view from the street and from other lots to the maximum extent possible. ARC approval is not needed unless the antenna is to be mounted on any front section of the house or visible roof section facing the street. All other antennas must have prior ARC approval prior to construction.

**Statuary:** Any decorative appurtenance, such as sculpture, birdbaths, birdhouses, fountains, etc. must be approved in advance by the ARC if it is visible from the street. No plastic decorations are permitted.

**Shutters:** Any shutters that have fallen must be replaced. **Any failure to comply with this standard will be met with a written warning and two weeks to comply with the standard. After two weeks, the homeowner will be fined \$35 a day until the shutters has been made compliant and inspected by a representative of the Board of Directors.**

**Storm Doors:** Storm doors are permitted; however, they must be full glass and be factory finished in white or a color that will match the trim color surrounding the door. Prior approval is not needed if the door falls within this criterion. Any deviation must receive ARC approval prior to installation.

**Awnings and Covered Porches:** Both awnings and covered porches require prior ARC approval. Awnings are not allowed on the front side of the house, but can be approved for use on the backside. They should be attached to the structure and visually appealing for their entire life of use. Covered porches may also be built onto the backside of the structure, but must be built on a concrete slab if they are not built on top of an existing deck. Local building codes and permits must also be applied

**Other:** Examples of additional things that could incur violations are:

- Window air conditioning units (CCR Article VI, Section 4).
- Deferred maintenance of the property including painted surfaces.
- Non-complying basketball goals.
- Miscellaneous unsightly items stored in view.
- Miscellany in Yard – Any items in yard which are not meant to be permanently placed in yard such as household furniture, toys or yard tools.
- Torn window screens.

## **SUMMARY**

The goal of adopting this policy for violation notification is to make the homeowners aware of ongoing problems that affect their neighbors and the overall quality of the neighborhood. The violation process includes multiple notifications, ample time to take corrective actions, and fair enforcement by an objective third party.

This fining policy is to provide an incentive to homeowners to address ongoing problems that are going without correction. Refusal to take corrective actions when notified must be followed up with a monetary penalty that is contributed to the process of improvement for our neighborhood.

This policy was adopted by the Alcovy Ridge Homeowners Association, Inc. Board of Directors and, by Resolution of the Board of Directors, is effective on May 13, 2010. Additionally, revisions to this policy were adopted by the Alcovy Ridge Homeowners Association, Inc. Board of Directors and, by Resolution of the Board of Directors, and effective on October 1st, 2019.