

## COMMENTS ON REVISED DELIMON TOWNHOUSE ASSOCIATION RULES

**The Board of Directors adopted the revised Rules on November 14, 2017, and hopes that all residents and owners will read and appreciate the sentiments contained in the PREAMBLE to the newly revised Rules, to wit:**

DeLimon Townhouse Association is a densely populated, restricted townhouse community. Townhouses are not the same as detached, single-family houses. Neighbors live in close proximity to each other, and, therefore, what one neighbor does affects other neighbors. For this reason, and in conformity with the governing documents of the DeLimon Townhouse Association, Inc., the Board of Directors has adopted the following Rules that govern the day-to-day operations of the Association with the goals of maintaining the quality and aesthetic integrity of the neighborhood, peaceful use, and a pleasant place to live.

**As to the revised Rules, owners and residents should be aware of the following:**

**WHEN TO NOTIFY THE BOARD?** Any time any change is contemplated (leasing, renovation, landscaping, etc.) or any activity that would possibly inconvenience your neighbors (moving, estate sale, etc.), you should contact the Board for approval, which will not be unreasonable delayed. Also, if you wish to file a written complaint, send it to the Board. If you are in doubt, be safe, not sorry, and notify the Board.

**WHAT ARE THE MOST SERIOUS VIOLATIONS?** The Board has resolved to be strict in the application of the Rules relating to:

- Animals (waste and control of animals),
- Rental of units (prohibition short-term leasing and notice of lease provisions),
- Townhouse maintenance (failure to maintain landscape or repair townhouses),
- Termite prevention (access for inspection and treatment if necessary), and
- Vehicles (maintenance of garages for 2-car parking).

These issues give rise to most of the complaints and impact neighbors adversely; therefore, the Board has determined that sanctions will be appropriate for owners and residents whose inconsiderate actions warrant.

**WHAT WILL THE BOARD DO TO ENFORCE THE RULES?** The revised Rules contain enforcement provisions which explain the process adopted by the Board, and, further, the Board will not hesitate to refer serious violations to the authorities of Jefferson Parish for disposition.

**WHAT CAN YOU DO?** If you have a complaint, consider talking to the offending owner or resident first, and, if that does not resolve the issue acceptably, then submit a written complaint to the Board (e-mail is acceptable).

## **DELIMON TOWNHOUSE ASSOCIATION RULES**

### **PREAMBLE**

DeLimon Townhouse Association is a densely populated, restricted townhouse community. Townhouses are not the same as detached, single-family houses. Neighbors live in close proximity to each other, and, therefore, what one neighbor does affects other neighbors. For this reason, and in conformity with the governing documents of the DeLimon Townhouse Association, Inc., the Board of Directors has adopted the following Rules that govern the day-to-day operations of the Association with the goals of maintaining the quality and aesthetic integrity of the neighborhood, peaceful use, and a pleasant place to live.

### **DEFINITIONS**

**COMMON AREAS** are those properties owned or otherwise maintained, repaired, or administered by the Association for the benefit, use, and enjoyment of its members, e.g., the entrance area from Metairie Road to the first townhouses, the lot at the Focis Street exit, common garage driveways, fountains, the Clubhouse and pool grounds, and perimeter fences. The streets and those areas between the sidewalks and the streets are considered **public areas**.

**ORDINANCES** are the Jefferson Parish ordinances and regulations, and also include applicable laws of the State of Louisiana.

**RESTRICTIONS** are the provisions of the Declaration of Servitudes, Conditions and Restrictions of DeLimon Townhouses, and include the provisions of the Articles of Incorporation and the Amended and Restated By-Laws of DeLimon Townhouse Association, Inc.

### **ANIMALS**

The Association follows the ordinances that govern animals (Article II – Animal Control and Welfare). Residents must be aware of the following specific rules:

**LEASHES:** Dogs and cats are subject to leash ordinances when outside of a townhouse. Pet owners shall control their pets while leashed so they cannot menace or physically contact other pedestrians, pets or property. Pets are **not** allowed in the common areas of the Clubhouse, pool, and fountain patio.

**WASTE:** Pet owners are responsible for cleaning up after their animals. Scoopers or plastic bags are recommended for removal. The waste must be disposed of properly, not thrown into a storm drain or another resident's garbage. As a matter of courtesy and respect for the property of others, residents shall **not** allow their pets to use the front yards, gardens, and lawns of other residents for pet waste elimination, i.e., space between the sidewalk and a townhouse.

### **COMPLAINTS**

Any complaints of violations of the Rules or covenants are to be submitted to the Board of Directors in writing or by electronic communication. See **PROCEDURES**.

### **DRIVEWAYS**

Large trucks (e.g., moving vans), large service vehicles and dumpsters are forbidden in all common driveways as they may damage the driveways or other property and severely restrict passage.

Storage pods or storage units and dumpsters are not permitted without the approval of the Board. If approval is granted, such pod or storage unit or dumpster must remain in the front of the owner's townhouse for loading or unloading, and it must be removed from the subdivision by 6:00 PM on the day of delivery. Such units shall not remain overnight unless specifically approved by the Board.

No vans, trucks, vehicles bearing commercial type license plates, boats and trailers, or recreational vehicles shall be parked in the rear access driveways, the drives of "front loaders" (townhouses with garages facing the street), or on the streets of DeLimon Townhouse Association between the hours of 6:00 PM and 8:00 AM.

Residents shall not park unattended vehicles parallel to the garage doors. **Attended** vehicles shall not impede traffic when so parked. Residents are responsible for the violation of this rule by their contractors and vendors.

### **ESTATE AND GARAGE SALES**

Garage Sales are not allowed in DeLimon Place. Estate sales are allowed but must follow the ordinances relative to Garage Sales (Sec. 30.1 - Garage, rummage, yard, craft, and boutique sales), which require a permit from the Parish. The permit must be posted in front of the townhouse at all times during the sale. The sale must be between 8:00 AM and 5:00 PM and can last a maximum of two consecutive days. Signs may not be posted other than on the owner's property. Signs are **not** allowed on the common areas, telephone poles, neutral grounds, or on any Parish right-of-way. Residents must provide notice of the intent to conduct an estate sale to the Board and adjoining property owners at least one (1) week in advance of the sale to allow for notification to all residents. The entrance and exit for the sale must be through the front door of the townhouse.

### **GARBAGE AND RECYCLING**

Garbage and recycling services follow the ordinances (Article II, Chapter 16.). Normally, household garbage is collected in DeLimon Townhouses on Mondays and Thursdays, and household recyclable material is collected on Mondays.

Holidays on which **garbage WILL NOT BE COLLECTED** include:

- New Year's Day, January 1st
- Martin Luther King Day - the third Monday of January
- Mardi Gras Day (Tuesday)
- Independence Day, July 4th
- Labor Day - the first Monday of September
- Thanksgiving Day - the fourth Thursday of November
- Christmas Day, December 25<sup>th</sup>.

Garbage, debris, and recyclable material shall not be stored or placed in front of a resident's townhouse or in sight of the street prior to 4:00 PM on the day preceding the regular collection day. Residents shall place garbage curbside directly in front of their own townhouse.

DeLimon Townhouse Association is exempt from the Parish's semi-automated garbage collection system, in which a specific container for garbage is provided by the Parish; therefore, garbage should be containerized in garbage cans (with lids) or in sealed plastic bags. Residents are encouraged to use strong plastic bags rather than garbage cans. If cans are used, garbage should be placed in sealed plastic bags first and then in the garbage cans to prevent spillage due to wind or animals.

Garbage cans and bins for recyclable material shall be removed and **stored out of sight** as soon as possible after collections have been made, but no later than 8:00 PM on the day of the collection.

### **GENERATORS**

Permanent whole-house electric generators are prohibited. Temporary portable generators designed for use during times of emergency are permitted.

### **LANDSCAPING**

Each owner is responsible for the maintenance and replacement of their dead shrubbery, lawns, and trees. If any owner fails to do so, the Board may order it done at the owner's expense.

Any significant changes in planting or landscaping in front of a townhouse, including trimming or removal of trees, shall require written or e-mail approval of the Board. Unauthorized removal of trees is prohibited and is a violation subject to sanction by the Board.

DeLimon Townhouse Association is within the Metairie Ridge Tree Preservation District. As such, trees of the following species that are 8 inches in diameter at breast height (approximately 4.5 feet above the ground) are protected:

- (1) All Oaks (Live, Water, Willow, Red, Nuttail, etc)
- (2) All Elms (American, Winged, Chinese, Drake)
- (3) Bald Cypress
- (4) Pecan
- (5) Magnolia (Southern, Japanese)
- (6) Sycamore

A property owner shall preserve protected trees. Prior to any construction activity, including but not limited to tree removal only, a property owner or his agent shall submit a Metairie Ridge Tree Preservation District permit application to the Department of Inspection and Code Enforcement. Further details can be found in Article X.5 of Chapter 40 of the Jefferson Parish Code of Ordinances.

A list of acceptable trees to plant is available upon request from the Board or on the Association's web site, (<http://www.delimonplace.com/delimon-place-trees/>).

The Association is responsible for cutting and edging of the grass in the front of townhouses, including the public areas; however, replacement of grass and trimming of trees are the responsibility of the owner. The Association's contractor will trim shrubbery upon request.

Any yard work for which the townhouse owner is responsible may be performed by a gardener/contractor of the owner's choice. If the Association's contractor is chosen, the owner shall make the arrangements directly with that contractor and pay directly for the work done.

No vines, climbing plants, trees, shrubs or flower pots are allowed above the Association's perimeter brick or wood fences, or above owners' walls separating properties in the patio areas.

Flower pots or similar containers placed next to any garage may not extend more than 14" beyond the garage wall or extension of the party wall.

No plants, trees or tree canopy, shrubbery, or flower pots may protrude upon the sidewalks to impede passage.

## **LATE CHARGE POLICY EFFECTIVE JULY 1, 2019**

The payments required under the Association's governing documents for assessments are billed quarterly, and payment is due within 30 calendar days of the date that the notice of payment has been sent to the member. If a member does not pay in full any quarterly payment, including fines and special assessments, due to the Association by its due date, the payment will be deemed delinquent. All payments must be sent to the Association's address at 805 Rue Bourbon, Metairie, LA 70005, or dropped in the Association's box at the Club House.

If the Association does not receive payment for any expense due by the date required, the delinquent member shall pay a **\$25.00** (or other) late fee for each month of delinquency of that particular quarterly payment, with a maximum assessment of **\$75.00** per quarterly assessment as damages to reimburse the Association for its time, inconvenience, and overhead in collecting the payment.

In addition to late fees, for each check from a member that a bank returns for any reason, the member must pay a penalty of **\$25.00**, as well as all bank charges assessed against the Association.

If a member becomes more than six (6) months delinquent or has an unpaid balance of \$1,000.00 or greater, the member will receive a 10-day notice of the Association's intent to suspend voting privileges and the right to use Association amenities and common area facilities, including the Club House and swimming pool. If the Association receives payment in full before the 10-day notice period expires, the privileges will not be suspended. A violation of any suspension will result in an additional fine of **\$100.00** per occurrence. The Association may also refer the member's account to an attorney or collection agency for appropriate action. All fees incurred by an attorney or collection agency to recover the delinquent amounts will be assessed to the member in accordance with the By-Laws.

The authority of the Board to adopt this policy is set forth in the Declaration of Servitudes, Conditions and Restrictions of DeLimon Townhouses Article VII(6)(a) which states that "all unpaid assessments and fees shall be subject to a late charge for non-payment as may be determined from time to time by the Board".

### **MAINTENANCE OF COMMON AREAS**

The Association is responsible for and will incur the cost of maintenance of the common areas. This includes cutting and edging the grass, trimming shrubs, weeding, fertilizing, and general clean-up.

### **POOL RULES – SEE SEPARATE RULES**

### **RENTAL OF UNITS**

Owners may lease townhouses subject to the conditions set forth in the Restrictions, and a copy of the lease must be submitted to the Board upon its execution. All leases must contain a provision requiring the lessees' strict adherence to the Restrictions and Rules. Any such lease shall be for a minimum term of 12 months, unless a shorter term is approved by the Board. Short-term rentals or swaps (e.g., VRBO, AIRBNB, HOMEAWAY, HOMETOGO, HOMEEXCHANGE, etc.) are prohibited.

### **SATELLITE DISHES AND ANTENNAS**

The Association is subject to Rule 47 C.F.R. Sec. 1.4000 of the 1996 Telecommunications Act (Sec. 207) While installation of outside radio and TV antennas is not allowed, the installation and placement of satellite dishes is allowed with prior approval of the Board. Owners who wish to install a satellite dish must provide a written request to the Board with, at a minimum, a hand-drawn picture of the requested

area for placement and a picture of the model to be installed. Dishes over 36 inches will not be approved. Satellite dishes are not allowed on parapet walls, in gardens, facing streets, in patios visible to neighbors, or on adjoining walls.

### **SEASONAL DISPLAYS**

Outdoor seasonal displays for recognized holidays shall not be installed earlier than four weeks prior to the holiday. Excessive pageantry and illumination of displays are prohibited. Decorations shall be removed no later than two weeks after the holiday.

### **SERVITUDE AREAS – REAR DRIVEWAYS**

The driveways in the rear of townhouses are subject to access and utility servitudes and must remain clear of obstructions to the use and maintenance of those servitudes. As stated in **LANDSCAPING**, flower pots or similar containers placed next to any garage may not extend more than 14" beyond the garage wall or extension of the party wall.

Permanent recreation or sports equipment shall not be placed within the servitude area with the exception of basketball goals, which are permissible with Board approval and only if mounted on the garage at a height which will not interfere with access by other owners, residents, or necessary service vehicles. Free-standing basketball goals are prohibited.

### **SIGNS**

No signs shall be erected, posted, visible or displayed upon, in, or about any of the properties, with the following exceptions:

- Alarm monitoring signs are permitted but may not exceed 1 square foot in area. The sign shall be erected immediately adjacent to the townhouse.
- A single real estate sign is permitted but may not exceed 4 square feet in area. The sign may be erected upon townhouse property placed on the market for sale or lease, and shall be removed promptly following the sale or lease of such townhouse.
- Temporary estate sale signs not exceeding 4 square feet in area. The sign may be erected upon townhouse property at which the sale is located no sooner than 48 hours prior to the sale. The sign must be removed at the end of the sale.
- Building permits required by law to be posted are allowed.

### **SOLAR ENERGY**

Solar or energy saving films or coatings on windows, doors, side-panels, or patio enclosures that would be reflective or create a mirror-like appearance are prohibited.

Owners who wish to install solar panels on their roofs or property must provide a written request to the Board with, at a minimum, a hand-drawn picture of desired size and placement and a picture of the model to be installed. Solar panels must not be visible from the front of other townhouse owners' front doors or visible from the street unless the panels are facing the garage driveways.

## **SPRINKLER (IRRIGATION) SYSTEM**

The Association is responsible for periodic watering of frontage gardens using the underground irrigation system and for the routine maintenance of the irrigation system. However, damages caused by owners, residents, or their contract employees are at the owner's expense. Owners or their contractors are not permitted to modify the Association's irrigation system without the Board's prior approval. The addition of additional sprinkler heads or drip lines as extensions of the system is prohibited due to loss of system pressure. Personal systems unconnected to the Association's system may be installed with prior Board approval.

## **TERMITES AND PEST CONTROL**

The Association is responsible for the oversight of the termite contract, under which service includes one annual inspection, periodic external spraying for termites, and maintenance of the termite baiting system. If termites are found and damage to the townhouse has occurred, the repairs to the townhouse are at the owner's expense. Subject to the terms of the Association's termite contract, and at the owner's option, the Association's termite contractor will do the re-treatment.

Owners must permit access to townhouses for the annual inspection by the Association's contractor, and failure to permit access for the annual treatment is a violation subject to sanction by the Board. Owners should periodically check the outside of the townhouse slab for mud tunnels around the slab or in the grout of the bricks, from the ground to the first brick level. If a tunnel is found, please contact the Association's termite contractor immediately (See Directory or web site for contacts). Owners should also check for tunnels coming from a brick or a wooden fence to the townhouse. In accordance with the Association's contract, the Association's termite contractor will treat the immediate area where termites are visible at no charge.

## **TOWNHOUSE APPEARANCE AND MAINTENANCE**

Each owner is responsible for the maintenance, repair, and replacement of their townhouse and townhouse exterior. (See Restrictions, pg. 21, Article VIII, Sec. (2) Maintenance of Townhouses). As required by applicable ordinances, building permits must be obtained and displayed.

Owner's shall not change or alter any townhouse exterior without the prior written approval of the Board. (See Restrictions, pg. 7, Article IV, Sec. (3) Prohibitions). Changes or additions include, by example only, different color paint on walls, doors and/or trim, windows or shutters, handrails, walkway leading to porch, color of roof tiles, lighting of front porch or side of house, or additions of awnings, satellite dishes, solar panels, hurricane shutters, gas meters or water purification systems. This list is not exhaustive. All changes must be approved first by the Board. The Board will be as responsive and timely as possible and will respectfully balance the desires of the owner with the aesthetic integrity of the community.

Owners who want to make changes and/or additions shall submit a letter to the Board outlining the changes desired with, at a minimum, a hand drawing of the change, sample of colors requested, picture of the fixture or handrail, etc. Owners should provide as much information as possible to the Board so a timely and informed decision can be made.

All construction materials and equipment must be removed from the property at day's end or stored out of sight.

All exterior changes to a townhouse to which the old Rules applied and Board approval was not obtained are "grandfathered", i.e., no longer are subject to complaint.

Painting of house numbers at the street curb is prohibited.

The Association follows the ordinances that govern noise. Due to townhouses being contiguous, interior or exterior maintenance, remodeling, or repair work, including painting shall be performed on Mondays through Saturdays between 8:00 AM and 6:00 PM. Sunday work is not permitted.

### **VEHICLES, PARKING, AND GARAGES**

**USE YOUR GARAGE FOR PARKING!** Each townhouse has a two-car garage which **must** be used for off street parking, and the garages **must** remain for that purpose. Because of the narrow streets in DeLimon Townhouses, owners or residents who own three (3) or more vehicles **must** park two (2) in their garages, and for “front loaders” the additional vehicle(s) must be parked in the driveway for that townhouse. Owners and residents who fail to maintain their garage for the parking of two (2) vehicles shall be subject to Board sanction.

Each townhouse, except for "front loaders," has one (1) parking space available within its street frontage, which frontage is defined as the extension of each townhouse’s property lines into the street. Corner townhouses have frontages on two streets, and the side frontages should be used for non-resident parking only. As a matter of courtesy, owners and residents should refrain from parking in the frontage space of a neighbor's townhouse, whether or not the neighbor is in residence or absent. Additionally, owners and residents are responsible for notification to and the adherence of their visitors, employees, contractors, or service personnel to the applicable parking restrictions so as not to inconvenience their neighbors.

Street parking in DeLimon Townhouses is governed by ordinances that make it unlawful to park a vehicle on any street for longer than 48 hours. Violators of any parking ordinance are subject to having their vehicles ticketed or removed and impounded by the Sheriff.

No repairs, except those of an emergency nature, may be made to any vehicle while parked on the streets or access driveways of DeLimon Townhouses. Vehicles may not be washed on the streets of DeLimon Townhouses.

DeLimon Townhouse Association identification decals shall be placed on the driver’s side of the front and rear bumpers of all vehicles of owners and/or residents to assist with the Association’s security protocols.

The legal posted speed limit in DeLimon is 20 mph which is subject to enforcement by Jefferson Parish Sheriff’s Deputies, and all drivers must observe this limit, as well as parking regulations, throughout the area.

### **CLUBHOUSE AND SWIMMING POOL RULES**

1. Clubhouse and pool hours are from 8:00 AM until 10:00 PM daily. Any deviation from these hours shall require the prior approval of the Board.
2. The pool is for the exclusive use by owners, residents, and their guests. It is privately owned by the DeLimon Townhouse Association. Please do not share the pool gate key with others.
3. Guests must be accompanied by owners or residents.
4. Please shower before entering the pool to remove dirt and oils which soil the pool water.
5. Children 12 years of age and under must be accompanied by an adult when in the pool area.
6. There is no lifeguard on duty. Swim at your own risk.

7. No running or “horseplay” is allowed in the pool area. Please respect other people in the pool and avoid excessive splashing and noise, including loud music.
8. Proper swimming attire is required in the pool. Attire such as cut-offs, jogging shorts, etc. are not allowed.
9. Only unbreakable containers are allowed in the swimming pool area. Food is allowed but the area must be kept clean and all trash removed. There is a garbage can in the pool bathroom area.
10. Toys appropriate for pool play are allowed. However, after their use, all toys and inflatable items must be removed. Toys, clothing, and other personal items left behind will be thrown away.
11. No pets are allowed within the swimming pool fenced area, inside the clubhouse, or the patio area.
12. The ring mounted on the clubhouse wall is a lifesaving device and shall not be used for pool play.
13. Recoil and hang up hoses after use.
14. Due to the trees surrounding the pool area, leaves, berries and bugs will require using the skimmer for removal. Please return the skimmer to the side of the clubhouse after use.
15. If chairs or chaise lounges are moved, please return them to their original space. Do not block the gate or bathroom door with chairs or chaise lounges. To allow for safe passing, no items should be placed aside of the clubhouse wall.
16. Leave all lounge mats on the lounge chairs and hang them over the top of the chair to drain and prevent mildewing. To prevent excess wear, mats should not be laid on the concrete ground.
17. After use, close all umbrellas and secure them with the strap or bungee cord to prevent the wind from ripping the umbrellas, blowing them over the fence, or turning over the tables.
18. The clubhouse bathroom closest to the swimming pool may be accessed directly from the pool area. The same key used to open the pool gate will open the door to the pool bathroom. The bathroom door must remain closed (to maintain A/C or heating) and the pool gate closed to enable it to automatically lock to provide for safety. The bathroom fan and lights must be turned off after use or by the last person to leave the area.
19. Five (5) guests per owner/resident family at one time are permitted in the pool. Prior approval of the Board is required only when there will be more than five (5) guests. No authorization will be granted for the exclusive use of the pool. The owner/resident must accompany their guests in the swimming pool area and is responsible for their conduct, for cleanup, and for any damages.
20. Through its Secretary, the Board will authorize exclusive use by an owner/resident of the clubhouse and patio for social events at which no more that twenty-four (24) persons will be present. The Secretary may approve up to thirty-six (36) guests depending on the type of social event. A notice will be placed on the clubhouse bulletin board announcing when a group will be using it at a particular time and date. The owner/resident requesting such use must be present with their guests and be responsible for their conduct, for cleanup, and for any damages. A special key, obtainable from the Secretary, is required to access the clubhouse and must be promptly returned.

21. To save money while not in use, the clubhouse thermostats are set at 76 degrees in summer and 70 degrees in winter. When a special function is scheduled, the thermostats may be adjusted. Otherwise, please do not adjust the thermostats. Please turn off all lights and return the thermostats to the setting above if you are the last to leave the clubhouse.
22. Smoking or vaping is not allowed in the clubhouse or pool area at any time.
23. Parking is not allowed in the clubhouse drive except to pick up mail and to load/discharge passengers and party supplies.

The pool and clubhouse belong to you, the DeLimon Townhouse owners. Please help maintain it in good condition and encourage courteous and proper behavior.

### **PROCEDURES FOR APPLYING THE PROVISIONS OF THE GOVERNING DOCUMENTS**

The Board has the right to take immediate action as to obvious violations of the DECLARATION OF SERVITUDES, CONDITIONS AND RESTRICTIONS OF DELIMON TOWNHOUSES, the BY-LAWS, or the RULES of the DeLimon Townhouse Association Townhouse Association, Inc.

Any complaints by Association Members of violations of the Rules or covenants are to be submitted to the Board of Directors in writing or by electronic communication. (Board membership may be found on the Association's website - [www.delimonplace.com](http://www.delimonplace.com))

The name of the complainant must accompany the complaint to the Board, along with any available evidence, e.g. photographs, etc. However, if requested, the Board will not reveal the complainant's name unless the complainant is the only witness to the violation and no other evidence is available.

Upon receipt of any complaint the Board will review and determine the appropriate resolution e.g.:

- Responding that the complaint does not state a violation and reject the complaint;
- Asking the complainant to talk directly with the alleged violator;
- Assisting the complainant with filing a complaint with the Jefferson Parish authorities; or,
- Initiating a formal Notification to the alleged violator from the Board.

Initially, the Board may take no action with respect to a complaint on a Rule for which a Jefferson Parish ordinance applies. Such a complaint should be filed with the appropriate Jefferson Parish department. (The Board will offer procedural advice to any complainant with respect to the procedure for filing such a complaint.) If, after a reasonable period of time, the Parish has failed to act, the Board may take action on the complaint.

Upon determination that a formal Notification is appropriate, the Board will forward the complaint to the alleged violator with a request for response to the Board within seven (7) calendar days of receipt. Absent unusual circumstances, failure to respond in the prescribed time will result in a determination that the complaint was established as valid and require the Board to move to the penalty phase.

If any disputed complaints are pending, the parties involved in a complaint will be invited to attend the next monthly Board meeting and offer additional testimony or other new evidence. After any party who attends has presented their position, they will be asked to excuse themselves. The parties will be advised in writing of the Board's decision within five (5) days.

The Board may take the following action:

Issue a letter to the parties rejecting the complaint; or,

Issue a letter to the party whom the Board judged to be in violation of a Rule and state the penalty imposed, and should it be appropriate, require that the action which violated the rule be changed, e.g., exterior alteration of their townhouse without first seeking and gaining approval of the Board. The complainant will be notified also of the decision of the Board.

Failure to satisfy penalties imposed and/or subsequent violations by an Association member may require recourse to litigation or other remedies that may be reserved to the Association by the governing provisions of the DECLARATION OF SERVITUDES, CONDITIONS AND RESTRICTIONS OF DELIMON TOWNHOUSES, the BY-LAWS, or the RULES of the Association. In such circumstances, above and beyond the specific penalty involved, compensatory financial penalties may be assessed.

ADOPTED: November 14, 2017. Amended: May 14 and May 24, 2019

# DeLimon Townhouse Rules Violations

Adopted Nov. 14, 2017

Category	Rules Synopses ( <u>specific violations</u> )	Page # in Rules	Class 1 Most Severe	Class 2 Moderately Severe	Class 3 Least Severe
<b>Animal/Pets</b>		pg. 1			
	Pets not on a leash		X		
	Uncontrolled pets (on or off leash)		X		
	Waste not picked up			X	
<b>Driveways</b>		pgs. 1-2			
	Large vehicles in garage driveways			X	
	Storage pods/units			X	
	Vehicles parked in rear driveways				X
	Unattended vehicles				X
<b>Estate and Garage Sales</b>		pg. 2			
	No Garage Sales allowed			X	
	Procedures for Estate Sales			X	
<b>Garbage and Recycling</b>		pgs. 2 - 3			
	Garbage/Recycle out before approved days and times				X
	Storage of garbage/recycle prior to or after pickup				X
<b>Generators</b>		pg. 3			
	Permanent generators not allowed		X		
<b>Landscaping</b>		pg. 3			
	Maintenance of landscaping				X
	Removal of trees without advance Board approval		* Special violation		
	Vine/plant growth between units over walls				X
	Flower pots near garages				X
	trees and plants that impede sidewalk				X
<b>Clubhouse and Pool</b>		pgs. 7 - 8		X	
<b>Rental of Units</b>		pg. 4			
	Failure to provide copy of the lease to Board upon its execution			X	
	Requirement in lease to conform to all governing docs		X		
	Minimum term of leases less than 12 months		X		
<b>Satellite Dishes and Antennas</b>		pg. 4			
	Procedures for installation of dishes/antennas			X	
<b>Seasonal Display</b>		pg. 4			
	Excess pageantry				X
	Time limits for displays				X

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<b>Servitude Areas- Rear Driveways</b>		pg. 4			
	Clear of obstructions			X	
	Sports equipment placement			X	
<b>Signs</b>		pgs. 4 - 5			
	Alarm and real estate signs size and placement ( <u>immediate removal</u> )				X
	Estate signs ( <u>immediate removal</u> )				X
	Building permit placement				X
<b>Solar Energy</b>		pg. 5			
	Process for installation of solar panels.			X	
	Prohibition against films and window/door coverings			X	
<b>Sprinklers (Irrigation) System</b>		pg. 5			
	Responsibility for irrigation system			X	
	Responsibility for damage to Association's system			X	
	Modifications to Association's system			X	
<b>Termite and Pest Control</b>		pg. 5			
	Procedures for termite, pest and rodent control		X		
<b>Townhouse Appearance and Maintenance</b>		pgs. 5 - 6			
	Owner responsibility for maintenance, repair and replacement of units		X		
	Changes of exterior require prior approval		X		
	Noise and work performed in violation of approved hours and on Sundays			X	
<b>Vehicles, Parking, and Garages</b>		pgs. 6 - 7			
	Garages must be maintained for parking 2 vehicles		X		
	Prohibition against washing/repairing vehicles in front of townhouses				X
	DeLimon identification decals				X

Notes	Fines:	Class 1	Class 2	Class 3
Fines are assessed based on the "Class" of violation. Recurring " <u>Specific Violations</u> " <u>within the class</u> are considered a 1st violation, 2nd violation, etc. The violation does not have to be the same <u>specific violation</u> ; only that it is in the class.	<b>* Special violations</b>	\$1,000	n/a	n/a
	<b>1st violation</b>	\$ 500	\$ 250	\$ 100
	<b>2nd violation</b>	\$ 1,000	\$ 500	\$ 200
	<b>3rd violation</b>	\$ 2,000	\$ 1,000	\$ 400
	<b>Per day</b>	\$ 100	\$ 50	\$ 25