

The Gables of Brickyard Hill Rules and Regulations

Adopted August 7, 2024

Section 1 - Introduction

Statement of Purpose

These rules and regulations are to be used by the members (consisting of Owners and Residents) and the Board of Directors to clarify their respective responsibilities, as well as understand what is permissible by members. The Board of Directors reserves the right to amend these Rules and Regulations as may be necessary throughout time, The Gables at Brickyard Hill Bylaws Article VII 7.1.

Definitions

1. "Act" means the Pennsylvania Uniform Planned Community Act, 68 PA.C.S. §§5101 *et seq.* (the "Act").
2. "Common Facilities" shall be defined as in the "Act" and shall include all areas designated as "open Space(s)" on the Plan(s) and all buildings and structures erected thereon (i.e. pool and clubhouse) and improvements thereto, including but not limited to identification signs until such time as they may be dedicated to the township. Does not include Units.
3. "Limited Common Facility" shall be defined as in the "Act" and shall include yards and landscaping surrounding the Units, the driveways and sidewalks, and all other areas of Lots except for the physical boundaries of the Units erected thereon.
4. "Association" is the Unit Owners' association known as The Gables at Brickyard Hill Homeowner's Association.
5. "Building(s)" means any Units or building(s) constructed or erected on the Real Estate.
6. "Bylaws" means Bylaws of the Association.
7. "Community-Wide Standard" shall mean the standard of conduct, maintenance or other activity generally prevailing throughout the Plan. Such standard may be more specifically determined by the Board of Directors.
8. "Declaration of Covenants, Conditions, Reservations and Restrictions" be amended from time to time.
9. "Officers" The officers of the Association shall be a president, vice president and secretary treasurer and other officers as the Board of Directors may from time to time by the Executive Board of the Association.
10. "Lot" means a lot as described in the Plan(s) intended as the site for one or more Units, but shall not include the Recreational Lot.
11. "Owner" shall mean and refer to any owner of a Lot in the Plan.
12. "Unit" or "Units" means a unit constructed on a Lot as described in the Plan(s).
13. "Unit Owner" means the owner in fee simple of any Unit, any builder taking title to any Unit or any person or persons purchasing a Unit under contract (until such contract is fully performed and legal title conveyed of record)

Section 2 – Member Requirements

A. Aesthetics and Structure

1. As a general rule, all aesthetics must be properly maintained, not interfere any neighboring Lot, and not detract from the general appearance of the Lot and the Community. Aesthetics are intended to beautify a Lot and add value to the Community as a whole. Although this statement is referenced in various clauses herein, it is intended to apply to all elements affecting a Lot and/or Unit.
2. Laundry, towels, rugs, etc. shall not be hung outdoors (including on lines, yard fences or deck railings). The Board acknowledges that an Owner, on a rare and temporary basis, may have a large blanket or rug that needs to be air-dried outside; this is permitted as long as it is not visible from the road and is removed within 24 hours of hanging.
3. Window replacement is the responsibility of the unit Owner and must be replaced with windows identical in appearance to the original and submitted to The Gables at Brickyard Hill Homeowner's Association for approval. Broken blinds or inappropriate window coverings (paper, tattered curtains, bed sheets, offensive patterns) will constitute a violation.
4. All mailboxes must match the appearance of the Planned Community's current mailboxes and must be properly maintained by each Owner.
5. Replacement of the garage door is the Owner's responsibility. Replacements must look identical in appearance to the original and submitted to The Gables at Brickyard Hill Homeowner's Association for approval.
6. Owners are responsible for the maintenance, repair and replacement of their driveways, as needed.
7. No member or any resident is permitted to make loud noises, especially with outside radios, or do anything that will interfere with the rights or comforts of another member or resident. This also includes vocal or musical instruments, audio/visual devices and any activity which would cause the annoyance of other members and residents. Furthermore, acceptable hours to perform construction or loud maintenance work is to be determined by the Township. Fines can be assessed to unit Owners conducting work outside of these hours. Please refer to the Township ordinances for additional noise restrictions. Any resident who experiences such an annoyance may address the matter with the Police and is requested to file a written complaint with the Township office, with the specifics of the noise/nuisance infraction.

B. Landscaping

1. Members are not permitted to make any **alterations** to the landscaping without prior written consent of The Gables at Brickyard Hill Homeowner's Association.
2. It is the responsibility of the unit Owner for the upkeep of existing shrubs and trees on the owner's lot including pruning and removal. Owner awareness of their property boundaries and vegetation within those boundaries will give significant clarity to the owner in terms of his or her responsibility. The replacement of trees on an owner's property is the responsibility of the owner as to the extent required by the Township.
3. All lots must be either seeded or sodded for the entire front, both sides and to a minimum

distance of thirty feet from the rear of the house unless the landscaped areas include chips, bark or other similar materials within the seeded or sodded area.

4. “Protection of Trees” The trees contained in the wooded areas of the of the “Common Facilities” and in the landscape **buffer** shown on the Plan of the landscaping plan are **perpetually protected** and logging or felling of live trees thereof is specifically prohibited. The Association shall be responsible for replacing any trees in any such area which may die, to the extent required by the Township. (Article IV, §§ 4.1 (m) of the declaration)
5. No refuse pile or other unsightly objects shall be allowed to be placed or remain on any portion of the owner’s lot.

C. Exterior Modification/Architectural Changes

1. “Community-Wide Standard” shall mean the standard of conduct, maintenance, or other activity general prevailing throughout the Plan. Such standard may be more specifically determined by the Homeowners Association Board of Directors.
2. Unit Owners may not make any alterations, additions, or improvements to the exterior of their units or to any Common Element or Limited Common Element, without prior written consent from the Board of Directors of The Gables at Brickyard Hill Homeowner’s Association. An Exterior Alteration Request form can be obtained by contacting the property management company.

D. Pets

1. Members may own domesticated pets. The ownership of livestock or farm animals, such as chickens, pigs, or llamas, is prohibited.
2. Pets are to always abide by the state Leash Law and Township Ordinances, which includes picking up of pet waste and its proper disposal. Pet waste is not to be disposed in the Common Area trash cans.
3. All pets are the responsibility of the Owner and are to always be directly supervised when outside. Pets must be leashed and accompanied by a responsible adult at all times. Leashes may not exceed six (6) feet in length. No pet may be tied, staked, attached to a run or be otherwise allowed outside of the Unit unattended in any other way.
4. No member is permitted to operate a “doggie daycare” or other pet-care service within their home. Professional breeding, selling, and warehousing of animals is also prohibited.
5. Pets may be maintained in a Unit so long as it or they are not a nuisance. Actions that will constitute a nuisance include, but are not limited to, abnormal or unreasonable crying, barking, scratching, offensive hygiene or odor, or an unreasonable number of pets. No pets may be maintained outside the Unit. Cats shall not be permitted to run free on the Common Elements nor any other Owners' lot.
6. Each Owner: (a) is solely responsible for, and (b) shall fully indemnify, defend and hold harmless the Association from, any claims made as a result of the action of or inaction of its (or its tenant’s, guest’s, etc.) pets.

E. Garbage

1. Per the Borough Regulations, garbage and recycling may not be placed at the curb until after 4:00 p.m. on the day prior to pick-up and must be removed from the curb side the day of the pick-up no later than 10:00 p.m. on such day. For clarification, this requirement will be adjusted for delays not caused by the Owner. If an Owner is away, please make arrangements for a neighbor or friend. **All trash and recyclable receptacles must be stored within the units, except when placed at the designated pickup location, this applies to bulk items as well.**
2. Trash pick-up will be on the day specified by the Township.
3. **There shall be no dumping or deliberate or willful disposal of trash, grass clippings, rocks, plant cuttings, or any other refuse materials on any of the Property elements or on adjacent or connecting properties.**

F. Guests and Visitors

1. Guests and visitors must obey all Governing Documents.
2. Owner must supervise his family members, guests, invitees and visitors at all times while they are on the property subject to the Declaration and rules.
3. The Association will not be liable for any injury or harm suffered by a family member, guest, invitee or visitor, or caused by a family member, guest, invitee or visitor while they are on the property subject to the Declaration.
4. **No guest is permitted to use the Clubhouse, indoor or outdoor Clubhouse facilities, or Pool without being accompanied by an Owner.**

Section 3 - Enforcement

Fine Process and Penalties

Please refer to The Gables at Brickyard Hill Homeowner's Association Violation Fine Process and Penalties.

Fines

The first notification of a violation shall be made to a Unit Owner as a Courtesy Notice of Violation to provide a due date for correction and the fine to be applied if not compliant. The initial fine is set at \$25.00 for the second occurrence of a violation, deemed a First Fine Notice of Violation and following the Courtesy Notice. If a Unit Owner or tenant has a violation of the same or substantially similar rule or regulation, the Unit Owner may be assessed a \$50.00 fine for the third occurrence and \$100.00 for the fourth occurrence. After the fourth notice, The Gables at Brickyard Hill Board of Directors may assess a Daily Fine in an amount calculated to cause the unit Owner to cease the violation. The Gables at Brickyard Hill Board of Directors at its sole discretion, may restrict or suspend the rights or privileges of any unit Owner or tenant from the community pool as a penalty for noncompliance with the Rules and Regulations. If the unit Owner is unwilling to pay the fine and/or cease the violation, a lien shall be placed against

the unit along with an assessment against the unit and the Owner. Please refer to The Gables at Brickyard Hill Homeowner’s Association Violation Fine Process and Penalties.

Violations are considered “Closed” if the violation ceases during a follow up compliance check. Violations will reopen, under most circumstances, if the violation reoccurs within one year (1) from the last notice of violation. The Gables at Brickyard Board of Directors reserves the right to reopen any violation and escalate the violation within the Fine Process. Violations which are closed but then noted to be occurring again at a future inspection within 6 months of the prior occurrence will constitute a second notice of violation (not “restart” at the initial notice).

Enactment

This revised edition of The Gables at Brickyard Hill Homeowner’s Association Rules and Regulations, as well as all Exhibits, becomes effective on August 7, 2024 and assigned to below. The Board of Directors may, from time to time, amend this document and exhibits as deemed appropriate. Any such amendments will be communicated to all members of The Gables at Brickyard Hill Homeowner’s Association.

Attest:

Jamie Zinke

Board President

8/7/2024

Date

Janet Brczyk

Board Secretary

8/7/2024

Date

Effective 8/7/2024