

### **Revision to Pinehurst Rules and Regulations**

Effective December 19, 2011, Council has approved the following revision to Pinehurst Rule and Regulation 12. "Vehicular Traffic," last revision approved August 30, 1979.

RESOLVED, that Pinehurst Rule and Regulation 12 be revised to read "The maximum speed limit within the Pinehurst Condominium site is 15 miles per hour. Individuals will not drive throughout the Condominium site in a manner that creates unsafe conditions endangering life, property or the safety of residents and visitors. Also, this applies to visitors, employees and service/maintenance personnel."

RESOLVED FURTHER, that pursuant to Article III "Units" Section 18, Owners are advised that motorcycles are permitted on the Property so long as they are the personal property of Owners and are stored in garages and used in a manner that does not create a nuisance or impediment to the peaceful possession and proper use of the Property by its residents,

RESOLVED FURTHER, that pursuant to Upper St. Clair Code, Chapter 12, Recreational Vehicles; Trailers, recreational vehicles, boats, trailers and similar property that cannot be stored inside an owner's garage cannot be parked on the Condominium site.

Approved By Council:

ATTEST:

  
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Gregg Schmidt, Secretary

\* see page 17 of the Declaration, also recorded as Vol 5354 Pg 119.

## RULES AND REGULATIONS FOR PINEHURST

Rules and regulations adopted and promulgated by Council for the Pinehurst Condominium are summarized below. These rules and regulations implement, supplement or highlight provisions, requirements or limitations contained in the Declaration of Unit Ownership.

Council's authority for such action is contained in Section 21, Article III; Section 2(e), Article VI; and Section 16, Article VIII of the Declaration of Unit Ownership.

Rule and Regulation <u>No.</u>
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| 1. | <p><u>Exterior Esthetic Conformity:</u> Buildings, as well as the front and rear areas of units (including, but not limited to: porches, patios, steps and planted areas), will be maintained in their original state. As is outlined in the provisions of Section 13. (Additions, Alterations or Improvements by Unit Owners), Article VIII of the Declaration of Unit Ownership, prior written Council approval must be received for any additions, alterations/changes or improvements to the structures and such areas. Patio and rear porch awnings are authorized, as long as they comply with certain specified requirements and limitations (Pinehurst Rule and Regulation No. 2). Front areas will not be used to store items (including, but not limited to: firewood, bicycles, newspapers, refuse).</p> |
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(Revision Approved: August 30, 1979)

Rule and  
Regulation  
No.

2.

Patio and Rear Porch Awnings: Patio and rear porch awnings are permitted as long as they meet the following requirements and limitations:

Refer to change -  
Bulletin No. 52

a. Awnings must be solid yellow or yellow and white striped fabric.

b. They must be properly sized, specified and installed in accordance with recommended industry standards.

Refer to change -  
Bulletin No. 59

c. Patio awnings must be entirely within the patio area, and they will not extend beyond the rear of the paved patio area except for installation of the frame in the ground area. There will be no attachments to unit dividers.

Refer to change -  
Written Consent of  
Council Members to  
Action Taken in Lieu  
of a Special Meeting  
dtd Nov 23, 1992

d. Drop awnings may be installed on rear porches of Phase I end units as long as they are entirely within the porch area.

e. Individual residents are responsible for any damage caused by or resulting from the installation of awnings.

(Approved: January 26, 1978)

3.

Storm Doors: Only white storm doors may be installed.  
(Approved: January 26, 1978)

Rule and  
Regulation  
No.

4. Parking and Placing of Equipment and Articles:  
Equipment and articles (including, but not limited to: bicycles, tricycles, antennas for television or any electronic equipment) will not be parked or placed on any of the walkways, passages or roofs. Laundry, laundry lines and other unsightly articles will not be placed on porches, patios and Condominium common areas.  
(Revision Approved: August 30, 1979)
5. Care and Cleanliness of Private and Common Areas:  
Each Pinehurst Condominium unit owner/resident will maintain his/her porch, patio and any other areas to which he/she has sole access, in a good state of preservation and cleanliness. Trash or other substance will not be swept or thrown from such premises. In addition, unit owners/residents and guests will clean and remove any litter and articles from Condominium common areas after their authorized use.  
(Revision Approved: August 30, 1979)
6. Signs, Notices, Advertisements, Etc.: Except for unit for sale signs (Pinehurst Rule and Regulation No. 7), signs, notices, advertisements and illuminations will not be inscribed or displayed on any part of the Condominium buildings (including on or at any windows) or on any common areas.  
(Revision Approved: August 30, 1979)

Refer to change -  
Bulletin No. 58

Rule and  
Regulation  
No.

7. Unit For Sale Signs: Each selling owner will notify Council that he/she is listing or placing his/her unit for sale. At this time, the selling owner may display a for sale sign. As soon as the unit is sold, the selling owner will immediately notify Council that a sale is in process and remove any for sale sign that has been posted.  
(Revision Approved: October 12, 1978)
- Refer to change -  
Bulletin No. 58
8. Garbage and Refuse Collection: Packaged or bagged garbage, rubbish and trash of any kind or nature will be placed on the front curb areas no earlier than 6:00 P.M. on the day preceding the designated pick-up date. Unit owners/residents will ensure that all garbage and refuse placed for collection are adequately bagged and/or securely tied to facilitate pick-up, withstand the elements, and prevent littering of the grounds. Where possible, such items will not be placed on any of the front planted areas. Garbage, rubbish and trash will not be disposed of or left on or adjacent to Pinehurst Condominium property.  
(Revision Approved: August 30, 1979)
9. Disturbing Noises and Activities: Pinehurst Condominium unit owners/residents will not make or permit any disturbing noises and activities in his/her unit or within the Condominium common areas which will interfere with the rights and reasonable comfort and convenience of other unit owners/residents.  
(Revision Approved: August 30, 1979)

Rule and  
Regulation  
No.

10. Parking of Vehicles: On-street parking is not permitted on Pinehurst Drive. Individual vehicles will be parked either in the garages or in the designated parking areas. The Fire Marshal of the Township of Upper St Clair has established fire lanes on both sides of Pinehurst Drive, and the posted no parking is enforced by Township Police. Vehicles will not be parked on the Condominium site in any manner which impedes or prevents ready movement of another vehicle. Also, this applies to visitors, employees and service/maintenance personnel.  
(Revision Approved: August 30, 1979)

11. Stopping of Vehicles: On-street stopping of vehicles is permitted on Pinehurst Drive for loading and unloading purposes only. At no time are vehicles permitted to stop on any part of the sidewalks or walkways. Also, this applies to visitors, employees and service/maintenance personnel.  
(Approved: January 26, 1978)

12. Vehicular Traffic: The maximum speed limit within the Pinehurst Condominium site is 15 miles per hour. Individuals will not drive throughout the Condominium site in a manner that creates unsafe conditions endangering life and property. Motorcycles, tricycles, skateboards and roller skates are not permitted on Pinehurst Drive and Condominium driveways and sidewalks. Also, this applies to visitors, employees and service/maintenance personnel.  
(Revision Approved: August 30, 1979)

Rule and  
Regulation  
No.

13. Pets: All pets must be kept leashed when they are outside of the units. Pets are not permitted near trees, shrubbery and plants. It is the owner's responsibility to clean-up immediately after his/her pet on any of the Condominium common areas and private porches and patios.  
(Revision Approved: August 30, 1979)

14. Unit Owner/Resident Initial Contact and Pertinent Information: Within five days after an individual becomes a Pinehurst Condominium unit owner/resident, he/she will contact a member of Council to:

a. Ascertain an understanding of Pinehurst requirements, rules and regulations.

b. Furnish pertinent information and data necessary for association records and for emergency contact and routine business purposes. Pinehurst unit owners/residents will immediately notify Council (preferably the Treasurer or Secretary) of any changes to this information. (Individuals who are Pinehurst unit owners/residents, as of December 18, 1978, will complete and submit to Council a questionnaire to satisfy this initial requirement.)

(Approved: December 18, 1978)

15. Inflammable, Combustible and Explosive Substances: Inflammable, combustible and explosive fluids, materials, chemicals or substances, except what may be necessary for normal household use, will not be brought into or stored in any unit. In addition, it is not permitted to store gasoline in any unit or garage space.

(Revision Approved: August 30, 1979)

Rule and  
Regulation  
No.

16. Water Apparatus: Toilets and other water apparatus in the individual units will not be used for any purpose other than that for which they were designed and intended. Accordingly, sweepings, rubbish, rags and any other articles will not be thrown into toilets and other water apparatus. Unit owners/residents are responsible for repairing, at no cost to the Association, any damage resulting from the misuse of such fixtures and apparatus.  
(Revision Approved: August 30, 1979)
17. Garage Doors: Garage doors will be kept closed at all times, except when moving automobiles or other items in and out of garage spaces or while a unit owner/resident or his/her family member, employee, guest or visitor is physically present in the garage space.  
(Revision Approved: August 30, 1979)
18. Snow and Ice Melting Agent: Salt will not be used as a snow or ice melting agent on any of the Condominium concrete areas. These areas include, but are not limited to: sidewalks, steps, patios, porches, side entrance landings, stoops. When needed, calcium chloride will be used to melt snow and ice.  
(Approved: December 18, 1978)



**Rule and  
Regulation  
No.**  

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19. Electronic or Electrical Equipment: Radio, television or other electronic/electrical equipment of any kind or nature installed or used in a unit will comply with all rules, regulations and requirements of cognizant governmental regulatory agencies and public authorities having jurisdiction. Unit owners/residents will be liable for any damage or injury caused by any radio, television or other electronic/electrical equipment installed in his/her unit.  
(Revision Approved: August 30, 1979)

20. Condominium Operations and Service: Any comments regarding the operation and servicing of Condominium property and grounds will be submitted in writing to Council or to any designated/employed managing agent and/or manager.  
(Revision Approved: August 30, 1979)

21. Association Employees: Pinehurst residents will not utilize, for any private purpose or business, any individual employed by Council or by any designated/employed managing agent and/or manager.  
(Revision Approved: August 30, 1979)

Rule and  
Regulation  
No.

22.

Unit Owner/Resident Keys: If any keys (for units, automobiles and personal property) are entrusted by a unit owner/resident, his/her family member or his/her representative to a member of Council or any designated/employed managing agent and/or manager, it will be at the sole risk of the unit owner/resident. Neither Council nor the managing agent and/or manager will be liable for any direct or indirect injury, loss or damage of any nature that may occur.

(Revision Approved: August 30, 1979)



# Pinehurst Condominium Council

1551 Pinehurst Drive  
Pittsburgh, PA 15241

October 5, 1985

BULLETIN  
NO. 52

Patio and Rear Porch Awnings: Council has approved the following addition to Pinehurst Rule and Regulation No. 2 (Patio and Rear Porch Awnings), effective this date:

"f. Awnings will not be erected any sooner than April 1st of each year and must be removed by October 31st of each year."

This addition will be incorporated in a future revision of Rule and Regulation No. 2. Until such revision is received, each unit owner and/or resident should file a copy of this bulletin in his/her copy of the Rules and Regulations for Pinehurst (Tab K of the Pinehurst Condominium Association Document Book).

Lois H. Lloyd  
President



# Pinehurst Condominium Council

1538 Pinehurst Drive  
Pittsburgh, PA 15241

January 30, 1986

BULLETIN  
NO. 58

Revisions to Pinehurst Rules and Regulations: Council has approved the following revisions to Pinehurst Rule and Regulation No. 6 and No. 7, effective this date:

- "6. Signs, Notices, Advertisements, Etc.: No "for sale", "for rent" or other signs, notices, advertisements and illuminations will be inscribed or displayed on any part of the Condominium buildings (including on or at any window or door) and on any common area. (Unit owners displaying a "for sale" sign at the time this revision is approved may continue doing so, until the unit is sold or the current listing agreement/contract is terminated or expires, whichever occurs first.)"
- "7. Units Placed/Listed For Sale: Selling unit owners will notify Council, in writing, prior to placing/listing a unit for sale."

These changes will be incorporated in a future revision of the Rules and Regulations. Until such a revision is received, each unit owner and/or resident should file a copy of this bulletin in his/her copy of the Rules and Regulations for Pinehurst (Tab K of the Pinehurst Condominium Association Document Book).

David S. Smith  
President



# Pinehurst Condominium Council

1538 Pinehurst Drive  
Pittsburgh, PA 15241

May 5, 1986

BULLETIN  
NO. 59

1. Patio and Rear Porch Awnings: Council is in the process of revising Pinehurst Rule and Regulation No. 2 (Patio and Rear Porch Awnings). This revision will include more precise specifications and a phasing-out of the current fabric colors of yellow and striped yellow and white. On frequent occasions, unit owners with awnings have informed Council that these colors are not the most practical. Council is considering a fabric color recommended by a committee of unit owners/residents who recently met at Council's request. Until this revision is finalized and issued, unit owners, who are planning to install awnings or replace current awning fabrics, should contact Council before completing arrangements with any awning company/contractor. See below.

2. Planting in Common Elements/Areas: Unit owners/residents are reminded that planting and altering shrubbery and trees in the common elements/areas are not permitted (Pinehurst Rule and Regulation No. 1). This includes all grounds beyond the confines of porches, stoops and patios. Unit owners/residents may make use of hanging baskets, planters, flower pots and plant boxes on their porches, stoops and patios. In addition, those with patios may plant in the grounds along the sides of their patios bordering the dividers between units.

David S. Smith  
President

Council has approved the following fabric for awning replacements and new awning installations at Pinehurst:

Manufacturer:	Glen Raven
Trade name:	Sunbrella
Type of material:	Acrilan
Color:	No. 4704 (Black & white - 6 bar)



November 23, 1992

Written Consent of Council Members  
to Action Taken in Lieu of a  
Special Meeting

The undersigned, being all of the members of the Pinehurst Condominium Council ("Council"), Pinehurst Condominium Association ("Association"), in lieu of and to the same effect as a special meeting of the Council, hereby consent to the adoption of the following resolutions:

RESOLVED That Pinehurst Rule and Regulation No. 2 (Patio and Rear Porch Awnings) be amended to read: "Effective this date, the installation of awnings in the rear patios of the following inner units of Pinehurst Condominium Buildings 1, 2, 3, 4, 5, and 6 is not authorized:

Building 1 -  
Units 1597, 1595, 1593, and 1591

Building 2 -  
Units 1585 and 1583

Building 3 -  
Units 1577, 1575, 1573, and 1571

Building 4 -  
Units 1565, 1563, 1561, and 1559

Building 5 -  
Units 1553 and 1551

Building 6 -  
Units 1545 and 1543"

RESOLVED FURTHER That Mr. and Mrs. John P. Cangelier, current owners of Pinehurst Condominium Unit 1597, may retain their patio awning until their ownership of Unit 1597 is transferred to another individual, individuals or other legal entity, at which time the awning is to be removed at no cost to the Association.

Continued . . . .

Written Consent of Council Members  
to Action Taken in Lieu of a  
Special Meeting

Approved

Disapproved

Council Member

CH

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Cynthia D. Golding


CH

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Carol H. Hochman

RDK

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Richard D. Kocur



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L. E. LaScala

MFS

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Melvin F. Schlentner

PROCEDURE FOR THE ENFORCEMENT OF  
RULES AND REGULATIONS FOR PINEHURST

1. Purpose: The purpose of this Procedure is to establish a system for the enforcement of Pinehurst's Rules and Regulations ("Rules and Regulations").

2. Authority: The following provisions provide the authority for the enactment of this Procedure: (a) the Unit Property Act ("UPA"), the Pennsylvania statute under which Pinehurst was declared a condominium, (b) the Uniform Condominium Act ("UCA"), the recently enacted Pennsylvania statute containing provisions applicable to all condominiums enacting fine procedures for the enforcement of their rules and regulations, and (c) the Declaration of Unit Ownership of Pinehurst ("Declaration") which imposes upon the Pinehurst Condominium Council ("Council"), on behalf of the members of the Pinehurst Condominium Association ("Association"), the duty to enforce the Rules and Regulations and authorizes the Council to take all necessary and reasonable steps to accomplish such enforcement:

Section 700.306 (3) of the UPA states that "The duties of council shall include ... the promulgation, distribution and enforcement of rules governing the details of the use and operation of the property and the use of the common elements ..."

Section 3302 (a) (11) of the UCA provides, in effect, that the Council, on behalf of the Association, may "after notice and an opportunity to be heard, levy reasonable fines for violations of the declaration, bylaws and rules and regulations of the association."

Article VI, Section 2 (e) of the Declaration states that "Council shall have the powers and duties necessary for the administration of the affairs of the Property and may do all such acts and things ... (including) the following: adoption, promulgation, distribution, enforcement, and amendment of Rules and Regulations covering the details of the operation and use of the Property.

See also Article III, Section 21 and Article VIII, Section 16 of the Declaration for additional authority for the enactment of this Procedure.

3. Definitions: All terms which are not defined in this Procedure have the same definition ascribed to them in the Declaration.

4. General: After notice and an opportunity to be heard, Council may levy the fines authorized in this Procedure against any owner or occupant for violation of the Rules and Regulations.



5. Notification: An owner or occupant believing that a violation of the Rules and Regulations has occurred may notify the President in writing of such. The President shall present such written notification to the Council at its next meeting. Furthermore, any Council member at any Council meeting may verbally notify the Council of any alleged violation of which he or she has knowledge. Council, if it determines that action by the Council is warranted, will direct the President to send to the allegedly non-complying owner or occupant by first class mail, postage prepaid, a Notice of Alleged Violation which will state:

- a. the nature of the alleged violation with specific reference to the numbered rule or rules being violated;
- b. the remedial action to be taken;
- c. the date, which shall be not more than thirty days after the date of the Notice of Alleged Violation, by which such remedial action must be taken;
- d. the date, place and time at which a hearing will be held to consider the alleged violation, unless (1) the remedial action required has been taken and verified by the President prior to the hearing date and (2) the allegedly non-complying owner or occupant has never been previously issued a Notice of Alleged Violation involving the same rule or rules.
- e. the maximum fine which can be levied by Council following a hearing and decision by the Council that the owner or occupant is in violation of the Rules and Regulations;

6. Owner and Occupant Action: Upon receipt of a Notice of Alleged Violation, an owner or occupant may:

- a. prior to the hearing date, take the remedial action required, notify the President in writing of such action, and allow the President to verify the action taken, or
- d. notify the President that the owner or occupant intends to appear at the hearing.

If the owner or occupant does not give to the President either notice, then, the hearing will take place as scheduled in the Notice of Alleged Violation.

7. Hearing: All hearings to consider violations of the Rules and Regulations will be conducted in an informal manner and be open to all members of the Association. At the hearing Council will hear all testimony relevant to the violation in question. Council may continue the hearing if it determines that additional information or testimony is necessary in order to render a decision. Within ten days after the completion of the hearing, Council will notify the owner or occupant by first class mail, postage prepaid, of its decision ("Notice of Decision"). The Notice of Decision will:

- a. state whether the owner or occupant is in violation of the Rules and Regulations;
- b. if a violation is found to exist, state the remedial action which must be taken to correct the violation as well as the date by which such remedial action must be taken ("Compliance Date"); and
- c. state the amount of fine, if any, levied by the Council against the owner or occupant, which fine, unless otherwise indicated in the Notice of Decision as being effective immediately, will become effective commencing with the day following the Compliance Date, unless the required remedial action has been taken before then.

8. Continuing Violations: A separate violation of the Rules and Regulations exists for each day, full or partial, following the Compliance Date unless or until the required remedial action has been taken. The fine levied by the Council is automatically levied for each such separate violation.

9. Fines: The following is a schedule of the maximum fines which the Council may levy against an owner or occupant for each separate violation of the Rules and Regulations. The Rules and Regulations currently in effect are classified under specific topics and subjects.

<u>Classification/ Rules and Regulations</u>	<u>Maximum Fine For Each Separate Violation</u>
a. Exterior Appearance and Aesthetic Conformity (Rules and Regulations #1, #2, #3, #4, #6, #7)	\$ 75.00
b. Disturbing Noises and Activities (Rules and Regulations #9)	\$ 75.00
c. Vehicular Movement, Stopping and Parking (Rules and Regulations #10, #11, #12)	\$ 50.00
d. Storage of Hazardous Substances (Rules and Regulations #15)	\$ 50.00
e. Care, Cleanliness and Safety of Condominium Property and Areas (Rules and Regulations #5, #16, #17, #18, #19)	\$ 50.00
f. Pet Care and Control (Rules and Regulations #13)	\$ 50.00

<u>Classification/ Rules and Regulations</u>	<u>Maximum Fine For Each Separate Violation</u>
g. Garbage and Refuse Collection (Rules and Regulations #8)	\$ 25.00
h. Condominium Business and Operations (Rules and Regulations #14, #20, #21, #22)	\$ 25.00

10. Costs of Enforcement: If, after a hearing, the Council decides that an owner or occupant is in violation of the Rules and Regulations, such owner or occupant shall pay to the Association, in addition to the fines levied by the Council against such owner or occupant, all costs, including costs for restoring or replacing areas damaged as a result of the violation and all attorney's fees incurred by the Association or Council in enforcing the Rules and Regulations against such owner or occupant.

11. Collection of Levied Fines: Any fine levied by the Council (including fines for separate violations as provided in section 8) against an owner or occupant in violation of the Rules and Regulations, and all costs of enforcement as set forth in section 10, shall be due and payable, as to the fines, on the date they are effective, and, as to the costs, when incurred. With respect to the collection of unpaid fines and costs of enforcement, Council shall have all rights and remedies available to it under the UPA, UCA, Declaration and Code of Regulations of Pinehurst for unpaid assessments. If an owner or occupant fails to pay the levied fine and costs of enforcement, such owner or occupant shall pay to the Association interest at the legal rate on such unpaid fines and costs from their due dates, together with all expenses, including attorney's fees, incurred by the Association in any proceeding brought to collect such unpaid fines and costs. All unpaid fines and costs shall constitute a lien on the owner's or occupant's unit, and such lien shall have the priority to which it is entitled under the UPA, UCA and Declaration.

12. Fine of Occupant is Fine of Owner: Any fine levied against an occupant of a unit at Pinehurst shall be deemed to be a fine levied against the owner of such unit, provided such owner has received a copy of all correspondence between the Council and such occupant with respect to the violation, including specifically the Notice of Alleged Violation and Notice of Decision. It is the intention of this Procedure to allow the owner to take an active role in the determination of the existence of a violation of the Rules and Regulations with respect to his unit.

13. Severability: The provisions of this Procedure are severable, and if any provision of this Procedure is held invalid or unenforceable in whole or in part, then such provision shall be ineffective to the extent of such invalidity or unenforceability without in any manner affecting the remaining provisions of this Procedure.

14. Approval: This Procedure for the Enforcement of Rules and Regulations of Pinehurst was approved and adopted by the Pinehurst Condominium Council on January 18, 1984, and will become effective on April 1, 1984.

Attest:

Pinehurst Condominium Council

By Robert J. Cameron  
Robert J. Cameron, Secretary

By Lois H. Lloyd  
Lois H. Lloyd, President