

# **AMBERLEIGH HOMEOWNERS ASSOCIATION RULES AND REGULATIONS**

Version 1.2

The Amberleigh HOA Rules and Regulations in this document are in addition to the rules, regulations, and bylaws set forth in the Declaration of Amberleigh.

**Unit Owners are responsible for following all township, county, state, and federal rules and regulations.**

1. Pre-Approval for Projects/Exterior Modification:

Projects/Exterior Modification included, but not limited to, the following must be pre-approved in writing by the Executive Board:

- a. Patios, decks, and major hardscaping projects (Townhouses units only)
- b. Tree installation (Townhouse units only)
- c. Fence installation
- d. Hot tub installation
  - i. Note: Hot tubs are prohibited on townhouse units
- e. Any changes in grade affecting drainage
- f. Re-grading, filling or paving which may kill existing trees
- g. Driveway modifications

Note: The following information should be either stated or be evident on the plan:

- i. Sketch plan drawn at a readable scale showing the location of proposed modifications on the Lot.
- ii. Type, style and height of materials to be used such as rock walls, bricks, stone cover, etc.

2. Exterior sculptures, lawn ornaments, bird baths, standing bird feeders, fountains and other similar items are permitted in mulched planting beds. Items placed on townhouse unit lots are at their own risk of damage from landscaping/mowing contractors.

3. Firewood storage:

- a. Per the Declaration 8.1(k), firewood shall be maintained in a neat stack not more than five (5) feet from ground level.
- b. Additionally:
  - i. Firewood may only be stored in the rear of a Unit. Firewood shall not be stored in the front or side yards, or along the rear of the property lot lines of the Lot.
  - ii. Firewood should not be stored directly against a Unit's exterior or garage to prevent termite or fire damage (Townhouses only).
  - iii. Firewood delivery vehicles shall not damage any Common Elements. Any repairs to Common Elements will be the financial responsibility of the Unit owner.

4. Storm doors:

- a. Storm doors are permitted on exterior doors.
- b. Front storm door must be white, clear glass, or the same color as the door (Townhouses only).

5. Miscellaneous *prohibited* items:

- a. Window air conditioning units or window exhaust fans that extend through the Unit's front windows or exterior walls.
- b. Overhead utility lines.
- c. Above-ground or in-ground storage tanks.
- d. Hot tubs (prohibited on townhouse units only)

6. Animals/Pets:

- a. Dogs must be leashed at all times unless they are confined to a Unit Owner's fenced-in yard.
- b. Pet owners must clean up animal waste immediately in all common areas or properties not owned by the pet owner.
- c. Animal waste should be cleaned up from pet owner's property as soon as possible in accordance with 8.1.k in the Declaration of Amberleigh.
- d. No exterior housing of pets shall be permitted.
- e. Storage of animal waste or permanent disposal systems are prohibited on a Unit's property.
- f. Violation of these rules may result in a fine the amount of which is established by the Executive Board.

7. Awnings:

- a. No awnings are permitted on the front or side of any Unit.
- b. Awnings are permitted on the rear of the Unit.
- c. No permanent fixed pipe or post-type awnings are permitted.
- d. Individual window awnings are not permitted on any window.
- e. The homeowner is responsible for replacing any torn awning as soon as possible.
- f. The homeowners can select the awning manufacturer as long as awning specifications are met.
- g. Awning specifications:
  - i. All awnings shall be retractable types only. Either hand-crank or power awnings are permitted.
  - ii. Awnings may be either striped or solid color.
  - iii. Awnings must match the color scheme of the Unit.

8. Maintenance of Individual Units:

a. **Townhouses:**

The Association will provide exterior painting services. Townhouse Unit Owners should not paint the exterior of units and are responsible for contacting the Association if services are required.

- b. **Single Family Homes** are permitted to paint or replace the exterior siding, trim, doors and shutters without prior written approval of the Executive Board if the material is the SAME style and color as the original style and color of the Unit. If another color is desired by the homeowner, a written request must be submitted to the Executive Board prior to the start of any work. Only colors that are similar in color and style to the original exterior siding, trim shutters and doors in the neighborhood will be considered for approval.

9. Street Trees:

- a. Unit owners are responsible for maintenance and care of street tree installed on their property.
- b. Unit's are not permitted to remove street trees unless the tree has died.
- c. Unit owner must replace any dead street trees on their property. Inquire with Berks Homes to determine if the tree was under warranty.
- d. Before replacing street trees, Unit owner must choose from a list of permitted trees and receive permission from the Executive Board.
- e. The replacement tree must be approximately the same size of the tree that has died

unless an exception is give by the Executive Board (e.g., if a larger, mature tree dies from a disease). Trees shall be a minimum of 1-½" caliper at 6' above ground height at time of planting.

- f. Street trees are subject to the provisions set by the Final Subdivision Plan, drawing no. 7 of 21, including: not more than 25% of any one species of tree shall be used and no more the 5 tree species shall be planted in a row on the same side of the street.
- g. Approved Street Trees (common names) set by the Final Subdivision Plan:
  - i. Crimson King Maple
  - ii. Red Sunset Maple
  - iii. Bonfire Sugar Maple
  - iv. Aristocrat Pear
  - v. Bloodgood London Planetree
  - vi. Willow Oak
  - vii. Red Oak
  - viii. Green Vase Zelkova

#### 10. Exterior Lighting:

Location of proposed alteration or addition of site lighting: (Subject to Executive Board approval)

- a. Homeowners should request approval to install directed exterior spot lighting in the rear of their Unit and on front lawn areas. These lights may not be directed onto the neighboring houses/properties.
- b. Low-voltage or accent lighting that is not directed onto the neighboring houses/properties does not need to be submitted for approval.
- c. The following information should be submitted for review by the Executive Board:
  - i. Sketch plan drawn at a readable scale showing position and number of light fixtures on the Unit or Lot.
  - ii. Specifications of the light fixtures such as style, type, wattage and cut-off characteristics.
- d. Avoid leaving bright spot lights on all night. If security is an issue, consider using a spot light and motion detector or timer combination to turn lights on/off. Should the use and installation of the lights disturb neighbors, the Executive Board may request the removal or change in placement of the lights. Any complaint concerning the installation of lights must be received in writing by the Homeowners Association.

#### 11. Fences:

- a. All fences must be approved by the Executive Board before being installed (per Rule 1).
- b. For fence guidelines, See the Declaration of Amberleigh section 8.1(e).

#### 12. Decks:

- a. Townhouses:
  - i. Stairs may be built more than 8 feet from the rear of the building, but must be built parallel to the deck unless approved otherwise by the Executive Board.
  - ii. Changes or additions to decks must be approved by the Executive Board prior to work (per Rule 1).

13. Parking:

- a. All residents are responsible for following on-street parking regulations set forth by the township where their vehicle is parked.
  - i. On December 1, 2014, Benner Township adopted a new ordinance (#118) that prohibits parking at all times on the Benner Township roads within Amberleigh. **Questions or concerns regarding this ordinance should be directed to Benner Township at 814-355-1419 or bennertwp@aol.com.**
  - ii. The HOA is not responsible for the implementation or enforcement of township ordinances. The HOA assumes no liability for fines or penalties administered in the regulation of the township ordinances, or other state and/or local laws.
- b. No parking is permitted on grass or property not designated as a parking space. No part of a vehicle may be parked on grass, including one tire. Any vehicle parked within a unit's property lines must be confined to the driveway.
- c. All vehicles must be removed from the streets in the event of snow. Additionally, if a snow plow is forced to drive around a parked car, the unit owner is responsible for removing the snow from the street.

14. Capital Improvement Fee:

- a. At closing for the resale of units, the Association shall collect from the purchaser an amount equal to three hundred fifty dollars (\$350). Such payments are non-refundable and do not constitute advance payments of regular assessments.

15. Sidewalk Maintenance

- a. Snow or ice must be removed from sidewalks no later than 24 hours after a storm. If snow or ice is not removed within this period, the HOA will perform the maintenance and, per Section 2.3 of the Declaration of Amberleigh, "assess the costs thereof, plus ten percent, against such Unit Owner as a Limited Common Expense payable on demand."

16. Vegetable Gardens

- a. **Townhouses.** Townhouses are permitted to have vegetable gardens if they meet the following requirements:
  - i. Vegetable gardens must be contained within raised garden beds, no larger than 4 feet x 8 feet.
  - ii. No more than two raised beds are permitted per unit.
  - iii. In no event may vegetable gardens be closer to the street than the rear line of the Dwelling constructed on the Unit (per Declaration 8.1(u)).
  - iv. Unit owners are responsible for cutting/trimming grass around the raised beds if not maintained by the landscaping contractor.
- b. **Single Family Homes.** Vegetable gardens can be installed on single family home units that match the requirements of townhouses. Additionally, approval for other garden specifications can be requested from the board.

17. Holiday Decorations

Lights and decorations for December holidays should not be placed on or around Units prior to Thanksgiving and should be removed no later than the second week of January.

## 18. Enforcement and Fines:

The Executive Board may establish fines for violation of the Declaration of Amberleigh, bylaws, or HOA Rules and Regulations. Unpaid fines will be treated the same ways as unpaid Home Owners Association fees and may become liens on the property that if unpaid will be required to be paid at any conveyance of the property. Unit owners may report violations privately to the Association and the management company may provide random inspections. Fines will be enforced by the Executive Board based on known facts and best judgement. The decision of the Executive Board will be final.

### a. Current Fines:

- i. HOA Parking Violations (e.g., parking in the grass. Township will be responsible for enforcing their rules): Resident will receive one warning. Further violations will result in a \$25 fine per day.
- ii. Animal Waste: Failure to clean up after pets will result in a \$50 fine per instance.
- iii. Other Violations: Other violations of the Amberleigh Rules, Declaration of Amberleigh, or the Bylaws may result in fines of \$25 per day until the unit is in compliance.
  1. For example, the installation of a structure (as defined in the Declaration 1.3(v)) that violates the Declaration of Amberleigh, bylaws, or the HOA Rules and Regulations will result in a fine of \$25 per day until the structure is removed or modified to be compliant.
  2. The Executive Board will provide time, at its discretion, for the Unit to make the necessary changes to be compliant before enforcing fines.

### b. Rental Units:

- i. Unit Owners are responsible for the actions of their renters. If a renter violates the rules, the resulting fine will be applied to the unit and is the responsibility of the Unit Owner. If unpaid, fines may become liens on the property that will be required to be paid at any conveyance of the property.

## For Questions and Requests for Approvals

**For all HOA questions, concerns, or requests, contact the Amberleigh HOA Management Company:**

Continental Real Estate  
Attn: Amberleigh HOA  
300 S. Allen St., State College, PA 16801  
Phone: 814-238-1598 • Email: [mgmt@continentalrealestate.net](mailto:mgmt@continentalrealestate.net)

Amberleigh unit owners must also comply with the Declaration of Amberleigh -- especially Section 8.1 Architectural Control and Design Criteria, Use and Other Restrictions -- and its Bylaws.

Amberleigh unit owners are responsible for following all township, county, state, and federal rules and regulations.

**For questions or concerns about the Benner Township parking ordinance (#118), contact:**

Benner Township  
1224 Buffalo Run Road, Bellefonte, PA 16823  
Phone: 814-355-1419 • Email: [bennertwp@aol.com](mailto:bennertwp@aol.com)

## Approval of Amberleigh Rules and Regulations

This version 1.2 of the Amberleigh Rules and Regulations were approved and effective on April 22, 2016 by a unanimous vote of the Amberleigh HOA Executive Board members: Gregory Angle, President; Michael Misselwitz, Vice President; Eric Michielli, Treasurer; and Julie Dussinger, Co-Secretary; Jay Orr, Co-Secretary.

  
Authorized Signature

4/22/2016

Date

Gregory Angle, President

Print Name and Title

## Version History

### 1.0 -- 07/18/2014

- Initial Release

### 1.1 -- 04/06/2015

- Updated Rule 13.a(i-ii) (announce new Benner Township ordinance restricting parking on both sides of street)
- Added Rule 13.c (restrict street parking in the event of snow)
- Added Rule 15.a (removal of snow/ice from sidewalks within 24 hours)

### 1.2 -- 04/22/2016

- Added Rule 16 (vegetable gardens)
- Added Rule 17 (holiday decorations)