



## **Twin Lakes Owners' Association Community Rules and Regulations**

(Last updated: 4/17/2023)

### 1. FINES

As of August 2017, all rules and regulations listed under this committee shall carry a fine when violated as defined by the nature of the violation.

### 2. UNKEMPT AND UNSIGHTLY AREAS

It shall be the responsibility of each property owner to prevent the development of any unclean, unsightly, or unkempt conditions of building or grounds on such lot, which shall tend to decrease the beauty of the neighborhood as a whole or in a specific area.

No building material shall be stored on any lot except temporarily during continuous construction of a building unless stored out of view.

Broken down and unregistered vehicles will not be permitted on any lot unless vehicle(s) undergo progressive repairs. Grass around vehicles in repair must be kept trimmed.

Vehicles without license plates or current registration parked on the road or in cul-de-sacs can be towed by the Board of Directors at the owner's expense.

Disturbed areas lacking vegetation to secure soil must be addressed by installing silt-fencing downslope of the barren area until proper vegetation has rooted to secure the soil. Sedimentation of our waterways and lakes is the biggest issue they face, and property owners should exercise all reasonable efforts to minimize runoff from lots.

Brush and shrubs shall be trimmed back and maintained so they are at least 6 feet from the road's edge.

Incomplete or derelict structures on homeowners' properties are strictly prohibited.

No building shall be covered with moss or algae such that the growth is clearly noticeable from the road.

### 3. MAILBOXES

Mailboxes shall be placed on lots in a manner and at a location that would not require mail carrier vehicles to leave the roads to place mail into the mailbox and shall comply with all U.S. Postal Service codes and specifications.

### 4. SPEEDING

Homeowners and guests are required to observe the speed limit of 25 mph.

### 5. SIGNS AND SOLICITATIONS

No signs, excluding "For Sale" and "For Rent" signs, shall be erected or maintained on any lot except with the written permission of the Committee or except as may be required by legal proceedings. If such permission is granted, the Committee reserves the right to restrict size, color, and content of such signs. Property identification and like signs exceeding a combined total of more than two (2) square feet may not be erected without written permission of the Committee.

Political campaign lawn signs shall be allowed, providing that they meet the following criteria:

- No larger than 18" x 24".
- Not displayed more than 30 (thirty) days prior to a federal, state, or local public election polling day in which Greene County participates.
- Only displayed up to 1 (one) week following the day that polls are open.
- Pertaining exclusively to the current election campaigns.

Homemade signs such as "Lost Dog" or "Garage Sale" are not permitted to be posted on Twin Lakes Road Signs. Such signs are, however, permitted to be displayed on posts or supports designed for that purpose and must be removed after two weeks.

Twin Lakes is a private community and does not permit solicitations from outside vendors or property owners.

Defacing Twin Lakes' road signs, such as but not limited to graffiti, is strictly prohibited.

### 6. OFF-STREET PARKING

Parking is not permitted on the subdivision's streets except in specified areas designed for that purpose. All vehicles belonging to or used by property owners or their tenants shall be parked on the lot or other off-street areas. Each property owner shall provide space for parking off the street prior to occupancy of any dwelling constructed on said lot.

7. CAMPERS, CAMPING TRAILERS, MOBILE HOMES, BOATS, BOAT TRAILERS, AND OFF-ROAD VEHICLES

No camping trailer, mobile home, double-wide mobile home, contained recreational vehicles, tent, barn, or other similar temporary living or camping quarters or out-building or structure shall be placed on any unimproved lot at any time, except that mobile campers and tents which do not remain on any lot more than thirty (30) days, this exception can only be considered during the construction, planning and/or investigation of future construction.

Off-Road Vehicles, including but not limited to ATVs (all-terrain vehicles), motor-cross bikes, dirt bikes, go-carts, and scooters, are strictly prohibited from Lots and Common Areas.

RV vehicles and campers owned by a resident's guest are permitted to park on a resident's lot for a period not exceeding 14 (fourteen) consecutive days with prior approval from the Board. RVs owned by homeowners need to be registered and in slightly order or covered.

8. RUBBISH RECEPTACLES AND COLLECTION

Except for the day of collection, outdoor receptacles for ashes, trash, rubbish, or garbage must remain at least 50 feet away from the road and/or be screened or obscured from roadside view.

Trash receptacles may be placed at the edge of the road after 4:00 pm the day before trash pick-up day and must be removed by 7:00 pm on trash pick-up day.

Burning trash with or without burn barrels is strictly prohibited.

By resolution, the Board of Directors may designate an exclusive provider for curbside trash and recycling collection services ("Provider") to do business in Twin Lakes with the Association and its members. The Board's selection of such Provider shall be made by resolution adopted at any regular or special meeting of the Board of Directors. The Association may solicit bids by direct contact (mail, email, telephone, etc.) or advertisement in the Greene County Record or other local publication chosen by the Board. Companies interested in being considered shall submit written bids to the Association's President or Board of Directors by the deadline for bids set by the Board. The Board may, by resolution, authorize the Association's President, on behalf of the Association, to enter a contract with the Provider for a term not exceeding five (5) years. At least three (3) months prior to the expiration of the term of any such contract, the Association will again solicit bids as provided above to allow interested companies an opportunity to submit bids for the next contract period.

At their own expense, Lot owners shall either (a) use the services of the Provider selected by the Board or (b) dispose of their household waste at the County landfill. Any lot owner who receives trash and recycling collection services from anyone other than the Provider selected by the Board shall inform their existing service provider to end all service immediately. Once the Board has selected a Provider, lot owners shall not be entitled to use the services of any other provider of trash and recycling collection services. No lot owner is obligated to participate in trash and recycling collection services offered by Provider.

## 9. CUTTING OF TREES

Lot owners are strongly encouraged to keep at least two trees (with a minimum of 4' in height) and four shrubs (with a minimum of 2' in height) and to minimize the cutting of trees on their property to preserve the natural beauty of our community.

## 10. PROPERTY MAINTENANCE

Homeowners are responsible for properly maintaining driveways so that no gravel or other debris is washed onto the main road. In the event of heavy storms and washouts, homeowners have 48 hours to remove gravel and/or debris from the roads.

Dumping of trash, leaves, or other debris is prohibited on private lots, empty lots, and common areas.

Homeowners are responsible for keeping their property's culvert pipes and drainage ditches in good shape to allow proper water flow, prevent road damage, and ensure safe driving conditions. Culvert pipes must remain clear and with established inlets and outlets. Drainage ditches must be kept generally clear and well-defined. The Association may require establishing drainage ditches and installing or replacing culvert pipes in cases where significant and repetitive damage or hazardous conditions exist.

Residences and outbuildings must be maintained on a regular basis to prevent deterioration of the structures.

Private basketball hoops and other recreational equipment must be set back from the road to a minimum of six (6) feet, except for cul-de-sacs, where they are permitted along the side of the road, providing that they do not impede traffic flow or driveway access.

No owner may extend their property by mowing or any other means of clearing onto an adjacent property or common areas.

Owners are responsible for removing grass clippings from the road after lawn mowing.

Trees that have started to lean over roads must be safely removed within thirty (30) days.

Owners are required to keep any active stream beds on their lot clear of clogs and debris so as not to impact Twin Lakes' common property or any private property downstream or upstream. No actions can be taken to block or divert a stream bed in any way purposefully.

## 11. DESTRUCTION OF PROPERTY BY CALAMITY

Any dwelling or accessory building on any lot which may be destroyed in whole or in part by fire, windstorm, or for any other cause or act of God must be rebuilt or all debris removed and the lot restored to a sightly, clean condition in compliance with this regulation with reasonable promptness; provided, however, that in no event shall such debris remain longer than six (6) months. If not removed within six (6) months by the owner, it may be removed by the Association at the owner's expense, subject to the Notice of Violation and Hearings provision, Section 4, D. of Bylaws, and the costs for which shall be deemed an assessment obligation and continuing lien on the lot and personal obligation of the Owner.

## 12. NUISANCE

No Lot Owner shall conduct, cause, or permit to be conducted any noxious or offensive trade or activity or activity constituting a nuisance on their lot or on, over, or across any portion of the common areas. Such nuisance shall include excessive noise or odors created by or as a result of the owners or other occupants, or their guests, including but not limited to music, machinery, vehicles, animals, or any other apparatus under the control of the owner, occupant or guest(s) as may be further defined in the Rules and Regulations. Any dispute concerning whether an existing or proposed trade or activity violates this provision shall be resolved by the Board, whose decision shall be final and binding upon the Association and all owners.

The discharging of firearms is strictly prohibited.

## 13. NUISANCE ANIMALS

All Federal, State, and County regulations and laws pertaining to the prohibitions of domestic animals and the control of livestock will apply within the Twin Lakes Subdivision. The laws and regulations referred to above will be enforced, along with the additional prohibitions listed below, by the Board of Directors and any and all County, State, and Federal agencies applicable.

Public Nuisance Animal: Shall mean any animal or animals that unreasonably annoy(s) humans, endanger(s) the life or health of other animals or humans, or substantially interfere(s) with the rights of citizens other than their owners to the enjoyment of life or property. The term "public nuisance animal" shall mean and include, but is not limited to, any animal that:

is repeatedly found at large;

damages the property of anyone other than its owner;

chases vehicles;

excessively makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored; causes fouling of the air by odor and thereby creates unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored;

causes unsanitary conditions in enclosures or surroundings where the animal is kept or harbored, or attacks other domestic animals.

Owners are allowed to keep six (6) chickens, but NO ROOSTERS. No other farm animals are permitted, including but not limited to sheep, horses, pigs, and goats.

#### 14. HOME-BASED BUSINESS

No home-based businesses, including daycare operations, shall be permitted in the Twin Lakes community except as approved in writing by the Board of Directors. No approval shall be required if the business is of a nature that is not detectible by sight, smell, and/or sound from the exterior of the dwelling, and so long as the business does not result in any vehicular traffic or visitations to the Lot.

#### 15. ASSESSMENT PAYMENT SCHEDULE

Each Member shall pay a quarterly assessment, the amount of which will be set by the Board of Directors, that will be due on the first day of each quarter of the year. The assessment for each Member will be determined according to the number of lots owned.

Members can pay any assessment ahead of time (for example, for the entire year at once).

Once an assessment payment is 30 days past due, a late fee not to exceed 7.5% shall be added to the account and again for each quarter that it remains unpaid. At the Board's discretion, a lien may be placed on all lots for which the Member account is delinquent after a period of time to be set by the Board. Subsequent and further legal actions, such as a warrant-in-debt, income garnishing, and foreclosure, may also be employed by the Board if deemed necessary and prudent after a further period of time sufficient to allow the Member a reasonable opportunity to bring their account current.

#### 16. PRIVACY

Association members will always respect the privacy of other residents. While observing your community and neighbors is natural- especially in a high-density neighborhood such as Twin Lakes- surveillance is not. Use of optical/digital/audio technology of any kind to surveil and/or record activity on properties other than your own without the permission of the owner is prohibited. This includes but is not limited to, telescopes, binoculars, scopes, thermal imaging devices, cameras, video recorders of any kind (including smart devices), microphones, and any and all use of drones (whether equipped with surveillance technology or not), even in common areas (unless Board permission has been granted, for special events, etc.).

The only exceptions to this rule that the Board will consider (at its discretion) are photographs/recordings made to provide evidence of the commission of crimes or association rule & bylaw violations.

Any lighting installed on a property (including watch lights, yard lights, flood lights, etc.) and any light emanating from the headlights or other spotlights of parked vehicles must be directed onto the owner's property only. Omni-directional pole lights that illuminate further than the owner's property line are prohibited. Shining light onto another's property without their permission is prohibited.

## 17. USE OF COMMON LOTS

The common lots are for the use of Twin Lakes residents, guests, or other authorized persons only. Non-authorized persons will be charged with trespassing unless accompanied by an Association member.

## 18. NON-CONFORMING USE, VIOLATIONS, AND APPEALS

### a) Pre-Existing Structure

Any pre-existing structure built prior to January 1990 which does not conform to these Rules and Regulations may be continued as a non-conforming structure until the owner desires to improve, replace, change, and/or make modifications to the structure. At this time, the improvements, replacements, changes, and/or modifications must conform to the Rules and Regulations contained herein.

### b) Violations

Violation of or failure to comply with any of these Rules and Regulations by any member, or their family members, tenants, guests, or other invitees, may result in legal action taken against such member by the Board of Directors on behalf of the Twin Lakes Owners' Association. These Rules and Regulations may be enforced by any method normally available to the owner of private property in Virginia, including, but not limited to, application for injunctive relief or damages, during which the court may award to the Association court costs and reasonable attorney's fees as provided in Va. Code Section 55-513, as amended.

### c) Sanctions for Violations

In the event that any member, or their family members, tenants, guests, or other invitees, shall violate or fail to comply with these Rules and Regulations, such member shall be liable for the following described charges and subject to the following described suspension of such member's right to use facilities provided that such member shall have been sent prior written notification of the violation as provided in paragraph D below. The amount of any charges so assessed shall not be limited to the expense or damage to the Association caused by the violation but shall not exceed \$50.00 for a single offense or \$10.00 per day for any offence of a continuing nature and shall be treated as an assessment against the member's lot for the purposes of Va. Code Section 55-516, as amended. However, the total charge for any offense of a continuing nature shall not be assessed for a period exceeding ninety (90) days. If a lawsuit is filed challenging any such charges, no additional charges shall accrue after the date of such filing. If the court rules in favor of the Association, it shall be entitled to collect such charges from the date the action was filed, as well as all other charges assessed pursuant to these Rules and Regulations against the lot owner prior to the action.

A member's right to use facilities or services, including utility services, provided directly through the Association, shall be suspended if such member has failed to pay any assessments and such assessments are more than sixty (60) days past due.

However, a member's access to their lot through the common areas shall not be precluded, and such suspension shall not endanger the health, safety, or property of any lot owner, tenant, or occupant.

d) Notice of Violation and Hearing

The Association, or its agent, employee, or attorney, shall deliver written notice of a member's violation by mail (and email if possible) to the member at the member's lot address or the member's last known address on file with the Association. Notices will be sent out at a time interval based on the severity of the violation and include instructions on how to resolve the issue. The member is permitted to request a hearing, at which time the member has the opportunity to be heard and represented by counsel before the Board of Directors prior to the imposition of any charges or punitive actions. Hearings are carried out at the end of each monthly Board meeting and must be requested in advance at least fourteen (14) days prior to the meeting. Written notice of the hearing result shall be mailed within three (3) days of the hearing to the member at the lot address or the member's last known address on file with the Association.

e) Appeals

The property owner has the right to appeal decisions rendered by the Board pertaining to rule violations. Appeals must be made directly to the DPOR (Virginia Department of Professional and Occupational Regulation) within thirty (30) days from the date of the disapproval notice. The DPOR will attempt to handle the request and work with the Board and member to seek a resolution.

f) Invalidation

The invalidation by judgment or court order of any one or more of the Rules and Regulations contained herein shall in no way affect the validity and enforceability of the remaining provisions hereof.