

Cascade Falls Home Owners Association Association Rules and Regulations

Objective of the Rules Committee

The social success of as a residential community depends, in large part, on the rules, regulations that govern how residents are expected to conduct themselves. Typically, the declaration subjects all home owners to general covenants, while the bylaws and house rules and regulations provide specific guides for day to day living. The objective is that Cascade Falls is always a desirable place to live where all homeowners can enjoy their life and property in peace without disturbance and that property values are enhanced.

The Board of Directors of Cascade Falls HOA has adopted the following "Association Rules and Regulations" hereinafter referred to as "rules and regulations" to enhance the enjoyment and tranquility of all persons living in Cascade Falls.

ENFORCEMENT OF RULES AND REGULATIONS

In order to enforce the Covenants, Bylaws, Articles of Incorporation and Rules and Regulations, the Board of Directors may levy, assess, and collect reasonable fines and costs as established by the Board of Directors. The fines will be assessed against the Homeowner for violations by the Homeowner, members of his or her family, invitees, licensee, tenants or lessees of such Owners. (Whenever the word "Owner" is used in this document, the word "tenant" shall also apply.)

Obligations of members; remedies at law or in equity; levy of fines and suspension of use rights.

1. Schedule Of Notices

- A. First Offense: Warning Letter to Owner
- B. Second Offense: Hearing Letter to Owner, Possible Fine
- C. Third Offense: Hearing Called By Board of Directors plus Fine
- D. Reoccurring Offenses: Enforcement In Accordance With the Determination Of the Board at the Hearing.

2. Schedule Of Costs

The association may levy reasonable fines. A fine may not exceed \$100 per violation.

- A. First Violation --- First Notice \$00.00
- B. First Violation --- Second Notice \$50.00
- C. First Violation --- Third Notice \$100.00
- D. First Violation --- Additional Notice \$100.00
- E. Fines - Subsequent Violations by Previous Offenders.

A fine may be levied by the board for each day of a continuing violation, with a single notice and opportunity for hearing, except that the fine may not exceed \$1,000 in the aggregate. A fine of less than \$1,000 may not become a lien against a parcel.

A fine or suspension may not be imposed by the board of administration without at least 14 days' notice to the person sought to be fined or suspended and an opportunity for a hearing before a committee of at least three members appointed by the board who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. If the committee, by majority vote, does not approve a proposed fine or suspension, it may not be imposed.

1. The list above is not intended to be all-inclusive. Additions may be made as required. Fines etc. may vary and may increase depending upon the circumstances. Fines etc. may be at the discretion of the Board of Directors; the amounts shall be predicated upon the severity of the violation and may include legal action. A clerical fee may also be assessed in addition to the fine for processing the violation notice.
2. Homeowners are responsible for damage caused to the common area.
3. All legal fees or costs incurred by the Association to enforce violations or collect fines will be the responsibility of the home Owner.
4. It is each Owner's sole responsibility to inform their tenants of all Rules and Regulations. The Owner is also responsible for any and all damage caused by their tenants.
5. Anyone wishing to report an alleged violation of the Rules and Regulations or Covenants may do so by contacting the management company. Violations should be reported in writing. The identity of the person reporting the violation will not be disclosed to the Owner involved.
6. Failure to pay the fines in the time as set forth herein may result in the filing of appropriate legal action. In addition, voting rights and the right to use the pool may be suspended.

CASCADE FALLS COVENANT

All property owners have committed to abiding by the covenant covering Cascade Falls. The sections covering the obligations of owners are included here. Enforcement action will be taken against property owners so if the property is rented out owners have to ensure their tenants meet these obligations.

Article VIII Nuisances

No noxious or offensive activity shall be carried out on any Lot, nor shall anything be done thereon which may be or may become any annoyance or nuisance to the neighborhood.

Article IX Signs

No sign of any kind shall be displayed to the public view on any lot except one sign of not more than four square feet to advertise the property for sale or lease.

Article X Livestock and Poultry

No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot except that dogs, cats or other household pets may be kept, provided they are not kept, bred or maintained for any commercial purpose.

Article XI Recreational Vehicles and Activities

No boat, trailer, motorcycle, motor home, camper, plane, recreational vehicle nor commercial van or truck may be parked nor stored on any street nor any lot except within an enclosed garage. The pursuit of hobbies or other activities, including, but not limited to work on vehicles or other mechanical devices and woodworking, which tend to result in disorderly, unsightly or unkempt condition, shall not be pursued nor undertaken except within an enclosed garage.

Article XII Mail Boxes

No mail box or paper box or other receptacle of any kind for use in the delivery of mail, newspaper, magazines or similar materials shall be erected or located on the properties unless and until the size, location and type of material for said boxes or receptacles shall have been approved by the Architectural Committee.

Article XIII Architectural Control

No building, fence, wall or other structure shall be commenced, erected or maintained upon the properties, nor shall any exterior addition to ore change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to materials, external design, internal design, and location by the Board of Directors of the Association, or by an architectural committee composed of three (3) or more representatives appointed by the Board.

CASCADE FALLS HOA RULES

In addition to the requirements of the Covenant this section includes rules that have been developed in response to the needs of the Cascade Falls community. They are designed to enhance the desirability of the area and to ensure the community lives in harmony with each other.

Pet Policies

In addition to Article X Cascade Falls HOA Rules state that all dogs must be on a leash at all times unless they are confined in a fenced in yard. Dog owners must ensure that they have plastic bags to cleanup after their dogs when out in public.

The Gadsden County Leash Law applies to all dogs in Cascade Falls. The law states that: "Dog owners or persons responsible for the care, custody, or control of any dog may not allow their dog to go on any public street, road, park or other public property if the dog is not under the direct control of the owner or person responsible for the dog. Direct control means the immediate, continuous physical control of a dog at all times by means of a secure fence, leash, cord or chain, or other means of sufficient strength to restrain the dog and the dog is controlled by a person capable of restraining the dog. Or, the dog is safely and humanely secured within a vehicle".

Home-based business

A home based business is permitted if it takes place within the home and does not involve visitors or trucks arriving at the property or other disturbance. Outside business or commercial activity is not permitted as it is unsightly and detracts from the quality of life of other residents. This rule primarily reinforces the commitments made by property owners in Article VIII, Article XI

Parking

See Article XI . In addition Cascade Falls HOA rules state that cars should be parked on the driveway of the property and not on the grass, lawns or the road. Out-of-commission vehicles should be removed from the property.

Unsightly Activities and Items

Property owners should ensure that no unsightly items are left out in plain view. This includes things such as tires, toys, lawn equipment, hose pipes, chairs. They should be kept in the garage when not in use. Working on vehicles in plain view is not permitted as described in Article XI of the Covenant.

Trash Cans

Trash cans should be put on the street for pick up after 5PM the day before pick-up. Trash cans should be returned to the garage or side of the house the following evening and no later than 24 hours after pick up.

Lawn Maintenance

Property owners must ensure that lawns, either in front or to the rear of their property, do not become overgrown. Rules on pesticides, mulch or other lawn care solutions also may be listed in HOA rules.

Maintenance

Homeowners' association rules list which maintenance repairs are the responsibility of the association. From pest problems and leaking roofs to appliance problems, HOA rules try to eliminate confusion about homeowners' responsibilities.

Home Modifications

Whether they're painting the exterior of a home or adding a pool, building signage on the front lawn or adding shutters, homeowners covered by HOA rules typically have regulations and guidelines to follow. With the intent of preserving a uniform appearance throughout the community, some associations don't allow members to make unapproved modifications to the exterior of their properties.

Fines

See the Enforcement of Rules and Regulations Section.