

Adopted February 8, 2021

Bay Cove Homeowners' Association

Rules and Regulations

INTRODUCTION

The Bylaws of Bay Cove provide that all unit owners, tenants, employees of owners and tenants, or any other persons that might use the townhome or any of the facilities thereof, in any manner, are subject to all terms and conditions of the Bylaws and Rules and Regulations of the community.

The Bylaws authorize the Bay Cove Board of Directors, representing the unit owners (Association), to adopt the Rules and Regulations deemed necessary for the benefit and enjoyment of the community, provided they are not in conflict with the Virginia Property Owners' Association Act. Acting under this authority, the Board of Directors has adopted these Rules and Regulations, which supersede all published Rules and Regulations adopted previously governing the use, maintenance and alteration of the townhouses, the common elements and the limited common elements. Common elements are anything not being within the boundaries of the unit or being classified as a limited common element; common elements include, but are not limited to, such things as the pool area, parking lot and driveways, sidewalks, flower beds and grassy areas, etc.

To initiate a request for approval of any item under the Rules and Regulations, or to initiate a variation from them, residents must contact the Bay Cove property manager, Landmark Property Services, P.O. Box 18033, Richmond, VA 23226. All requests received by the property manager will be forwarded onto the Board of Directors for review.

Correcting violations of the Bay Cove Bylaws and Rules and Regulations, or repairing any damage to common elements or limited common elements caused by unit owners or tenants is the responsibility of the unit owner. All costs for such repairs, if any, will be incurred by the owner involved.

In accordance with the provisions of the Virginia Property Owners' Association Act, violations of the Bylaws or the Rules and Regulations may result in additional assessments.

These Rules and Regulations were revised and approved by the Bay Cove Association Board of Directors on February 8, 2021.

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- GENERAL INFORMATION
 - These Rules and Regulations are supplemental to the Bylaws of the Bay Cove Homeowners Association, Inc. (the “Bylaws”). Any conflicts between these Rules and Regulations and the Bylaws shall be resolved in favor of the Bylaws.
 - By adoption of these Rules and Regulations by the Board of Directors, all prior rules and regulations of Bay Cove are hereby repealed.
 - Management of Bay Cove is provided by the Board of Directors of the Bay Cove Homeowners Association, Inc. The Board of Directors is authorized to hire a management company to provide assistance in management. Various committees are appointed by the Board, to include ad hoc committees.

- SALE OR LEASE OF A UNIT
 - Required Disclosure- Virginia law requires that certain pertinent information about the Association, and its financial condition, be furnished by a selling Unit Owner to a prospective buyer. A fee is charged to the selling Unit Owner for preparation of the required statements and disclosure documents. To obtain the necessary disclosure documents, please contact the managing agent. Please note, a separate disclosure package is required for Wilde Lake Association.
 - Leasing- Leasing is allowed within the community subject to the Bylaws. All leases must be for a minimum term of twelve (12) months. Each owner shall provide a certificate of confirmation stating the tenants' names and that they have received a copy of Bay Cove’s Declaration, and Association Documents and shall abide by them. The Rules and Regulations shall be a part of all leases. It is the homeowners' responsibility to ensure that the tenants abide by such documents. If the tenants do not abide by the documents, the Association may insist that the lease be terminated at the owner's expense within thirty (30) days.
 - Realtor Signs- Realtors’ signs (indicating that a unit is for sale, for rent or indicating an open house) are prohibited in Bay Cove other than directly in front of the home to be placed within the mulched area. Any homeowner who employs a realtor must notify such realtor of this rule.

- AUTOMOBILES AND PARKING

- The speed limit within the community is 13 mph.
- Parking is not allowed at any time along the curbs, fire lanes or behind another vehicle. Any vehicle parked in these areas may be towed, at the expense of the owner, without notice.
- Residents must use their two assigned spaces first and will not be allowed to leave their spaces open by parking in visitor spaces. Vehicles may not be parked in such a way that they take up any portion of another space.
- All residents who possess more than two vehicles are required to utilize visitor parking spaces if on a temporary basis (up to seven days). Vehicles in excess of two per household must park on Wilde Lake Drive or elsewhere outside the community.
- Boats, jet skis, trailers or recreational vehicles are not allowed within the community for any timeframe in excess of 48 hours. They must also fit into one parking space and not impede or encroach any other space.
- Car covers are allowed but must be in good condition, neat and clean in appearance and neutral in color.
- All vehicles within the community must have current and valid state tags and inspection. Any vehicle not displaying up to date tags and inspection may be towed at the expense of the owner, without notice. All vehicles parked within the community must be in operable condition, excluding emergencies; not to exceed 12 hours.
- Vehicles may not leak any fluid onto the parking lot as damage to the asphalt can occur and also the water quality of Wilde Lake may be impacted.
- No mechanical work, excluding emergency circumstances, is to be performed on any vehicle within the community. Any such work is not to exceed 12 hours in duration.

Residents are not allowed to have vehicles towed from visitor spaces. Vehicles in violation of the above policy or in question should be reported to the managing agent.

- GROUND AND LANDSCAPING
 - Except as provided for in this section, all modifications to landscaping require prior approval of the Board.
 - All residents may plant and maintain flowers around their home in the mulched area without approval of the Board. No planting is allowed outside the mulched area or along sidewalks. All annual plantings must be removed at the end of the blooming season.
 - Plants that produce fruits or vegetables and herbs may only be planted in containers located on the rear patio or deck. Such plants may not be planted anywhere else on the property, to include the lot or the common areas.
 - Homeowners are allowed to place flowering pots on their wooden steps or in the mulch area directly in front of their unit. However, all pots must be well maintained and contain healthy plant material. Any pot containing weeds or any unsightly growth, is in disrepair, or is empty must be removed. The Board maintains sole discretion on this matter.
 - Homeowners are allowed to place decorative flags directly in front of their unit. No item may be placed in the turf area on the front, rear or side of the home. No item may be placed in any area that may interfere with grounds maintenance or **trash** removal services. However, the Board reserves sole discretion on the appropriateness of such decorations and may require immediate removal of some or all items.
 - The Board retains the right to require the removal of any plant, pot, decoration or any other item placed anywhere on the grounds. It is required that any homeowner wishing to alter the grounds request the Board's approval prior to the commencement of such work. The number of items/decorations, to include flower pots, which may be placed in front of any home may not exceed three (3).
 - Solar ground lighting is not allowed without prior Board approval.
 - Borders, of any type, may not be installed without prior Board approval.
 - Bicycles, toys, water hoses, chairs/tables, tents/canopies or other personal property may not be left in any grassy or mulched area overnight.

- PETS

- Domestic pets- Cats or dogs may be kept at Bay Cove and owners must accept their responsibilities in upholding Bay Cove guidelines concerning pets. The Rottweiler and Pit Bull breeds of dogs may not be kept at Bay Cove. This rule is effective as of September 8, 2008 and does not apply to pets residing in the community prior to this date. A maximum of 2 dogs may be kept per household.
- The Board may require any unit owner or resident who owns a pet that disturbs or causes discomfort or harm, that damages property or otherwise becomes a nuisance, to remove such pet from Bay Cove.
- Pursuant to Henrico County Ordinance, cats and dogs must be leashed at all times. At no time are pets, including cats, allowed to run free or to be outdoors without the owner or sitter in attendance. Pets may not be tethered or left outdoors unattended for any amount of time. Leashed pets must be under control of the person in attendance at all times.
- Pets may not be housed out doors and pet food may not be left outside. Pets are not to be fed in front of homes. Dog houses and shelters are not allowed.
- Pet owners will hold the Bay Cove Association and each of its members free and harmless against any loss, claim or liability arising from keeping or maintaining pets within Bay Cove.
- Pet owners are responsible for picking up pet waste and proper disposal at all times. Dog waste should not be placed, contained or left on the grounds around any home. Dog waste should not be discarded in the receptacle of any neighbor.
- Dogs are not to be curbed in the front yard of any home, including your own.
- Livestock, domesticated animals and any animal required to live outside may not be housed on Bay Cove premises.
- Pets must be licensed and inoculated as required by law.

- STRUCTURAL CHANGES
 - ANY STRUCTURAL OR EXTERIOR ALTERATION **REQUIRES PRIOR BOARD APPROVAL.** HOMEOWNERS MUST MAINTAIN ANY APPROVED EXTERIOR ALTERATION.
- GENERAL
 - No item (other than a flag) may be attached, placed or displayed on the siding, trim, windows, windowsills, roofs or other parts of the exterior dwelling which are visible from the street.
 - Structural changes including, but not limited to, changes to patios, windows, doors, outside of front or back of units must be approved, in advance of any modification, by the Board. To request approval for any change, please contact the property manager for a copy of the form required to initiate the process for review and approval.
 - In any case where alterations are made without prior written consent, an assessment of up to \$900.00 may be levied for each occurrence/component.
 - The Association maintains the authority to have any structural change removed and the area returned to the original and compliant condition at the sole expense of the homeowner. Copies of request forms and the Associations final disposition become a part of the permanent file for each unit.
 - External Protrusions- Television or radio antennas, air-conditioning units, fans, or other objects may not be installed on, or protrude through, the exterior walls, roof, windows or doors of the townhouse. Satellite dishes may be installed with prior approval of size and location by the Board of Directors.
 - Window Treatments- Windows and patio doors must have suitable, well maintained treatments in good working order, i.e., blinds, shutters, drapes, curtains or shades. All shades, drapery linings and other window treatments visible from the exterior of a structure on any window or door shall be white, off white or silver-gray **or a** match to the exterior siding color. Aluminum, foil, cardboard, newspapers, posters, blankets, towels, sheets, or flags may not be used as window treatments, curtains, shades or decorations.
 - Front Doors- The front door of each unit must comply with the 8 panel door throughout the community. All doors are to be painted black with the exception of the doors in the Moss Creek vinyl section which are painted Layfeyette Green.
 - Storm Doors- Owners may install, or replace, storm doors with prior approval of the Board of Directors. Only allowed style options and colors may be installed.

- Shed/Storage & Shed/Storage Doors- Sheds, storage closets and related doors are the responsibility of the homeowner and must be painted the same color as the exterior siding. Any alteration of an existing shed or addition of a new shed requires prior approval by the Board of Directors.
- Replacement Windows/Trim- Window replacements are the responsibility of the unit owner and must be approved prior to the installation by the Board of Directors. Applications must contain a color picture or brochure (or a website clearly identifying the model number) of the intended replacement component.
- Sliding glass doors on the rear of the unit may be replaced in keeping with the architectural styles of the community and require prior approval of the Board of Directors. Applications must contain a color picture or brochure (or a website clearly identifying the model number) of the intended replacement component.
- Railings- Maintenance and installation of front step railings are the responsibility of the unit owner. Any addition or removal must be approved in advance by the Board of Directors.
- Front Wooden Lead Walks/Steps/Stoops & Rear Decks- Front wooden walks/steps/stoops and rear decks are the responsibility of the unit owner and may be protected with a clear finish. All changes must be approved by the Board of Directors prior to the commencement of any work, to include the application of any protective product containing color.
- Front wooden walkways, stoops, stairs and rear decks must be maintained as frequently as required to preserve structural integrity and acceptable standards of appearance at all times. It is required that these components be coated in conjunction with each painting cycle of the home.
- Knee Walls- All alterations to knee walls, including the addition of a gate or opening, must be approved by the Board of Directors prior to the commencement of any work.
- House Number Lighting- House number lighting on the front of the home is the responsibility of the Association and may not be altered by residents.
- Front/Rear Porch Lighting- Front and rear porch lighting is the responsibility of the unit owner. Any replacement or additional fixture installation or increase in illumination output requires prior Board approval.
- Awnings- The installation or replacement of any awning must have prior approval of the Board of Directors.

- SWIMMING POOL
 - All residents must have acceptable proof of identification verifying Bay Cove residency when using the Bay Cove pool. Keys are to be transferred with ownership; replacement key cost is \$35.00.

- MISCELLANEOUS
 - Temporary Storage Containers- Temporary storage containers are allowed on Bay Cove premises for a period not to exceed two (2) weeks. Such containers must be placed within a marked parking space belonging to the unit owner. Prior to placement of such containers, the property manager must be notified of the dates when such containers will be delivered to and removed from Bay Cove.
 - Materials- Construction equipment and materials cannot be placed in a parking space for longer than 48 hours without prior permission from the property manager or Board of Directors. In addition, construction equipment and materials may not be left anywhere on the yard, deck, porch, patio or in any common area.
 - Solicitation- Solicitation and panhandling is prohibited in Bay Cove by both residents and non-residents.
 - Exterior Decorations- Holiday decorations may only be placed within the mulch bed immediately in front of the home and may not extend beyond five (5) feet from the unit's foundation. Holiday decorations may not be displayed prior to November 15 and must be removed no later than January 15 of the following year. The Board of Directors, at its sole discretion, reserves the right to order the removal of any holiday decoration being displayed on Bay Cove premises.
 - Trash Collection- Any trash which will not fit into the trash can allowing the lid to close securely may not be placed outside and must be taken outside of the community for disposal. All receptacles must be stored in the front shed or on the front stoop of the stucco homes and in the rear of the vinyl homes on the concrete patio. Trash receptacles are to be stored out of sight from the street view.
 - Skateboards/Bicycles- Skateboarding is not allowed within the community. All children riding bicycles within the community must be accompanied by an adult. Bikes may not impede traffic flow or be used in any method which may cause damage to common or private property or surfaces. Ramps or jumps may not be erected; trick riding or practicing is not allowed.

- Radio Controlled Items- Radio controlled cars or toys may not be used in the parking lot or drive lanes.
- Storage of Boats, Canoes, Kayaks- All boats, canoes, kayaks or other water vessel must be registered with the Board via the property manager prior to storing the boat on the storage racks provided by the Association. The Association is not responsible for any boat placed on the racks. The Board retains the right to remove and dispose of any unregistered boat stored on or by the storage racks. No boats may be stored on the ground in the vicinity of the racks or anywhere within the community. Boats not stored on the racks may not be kept in any common area or on any lot but may be stored on the rear patio or deck. No boat, canoe or kayak may be chained to the dock overnight or placed on the dock for any amount of time.
- Rules & Regulations- Owners must provide all current renters with a copy of these Rules and Regulations. All renters must abide by the Rules & Regulations.
- Feeding of wildlife, to include but not limited to ducks, geese, and squirrels, is prohibited within the community as per the governing documents and Virginia Department of Game and Inland Fisheries. Wildlife is not to be fed anywhere on the grounds of the community, to include the shoreline.
- Each homeowner is responsible for protecting his/her townhouse against termite infestation. The Association is not responsible for any inspection or treatment for termite control or infestation or for any damage caused by termites.