



# Aspen Meadows Condominium Association

## Rules and Regulations

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Revised May 18, 2022

***Bold italics represent changes***

### Introduction:

This document is intended to summarize the most significant sections contained in our official condominium Bylaws; supporting rules and regulations (as provided for by Article I and Article VI, Section 11 of said Bylaws) are a further guide for general conduct for homeowners, residents and guests.

**This document is not intended to replace or supersede any of the formal legal documents of the Aspen Meadows Site Condominium Association (Consolidated Master Deed and Bylaws and the Michigan Condominium Act), and any additional clarification should be obtained from those documents.**

The Association Rules and Regulations are subject to periodic review and modification as the needs of the community change. They were developed to help maintain a pleasant, well-groomed and desirable community to live in, which in turn will enhance property value in the future years. Please keep in mind that what is pleasing and/or acceptable to one person, may not be pleasing and/or acceptable to another. The Association must consider the good for the many vs the wants of a few when enforcing rules and regulations and the Bylaws they support. The Association is further guided by various local White Lake Township Ordinances where applicable. We appreciate your support and cooperation in achieving those objectives.

This document is distributed via hard copy to all homeowners periodically, but at a minimum of once a year at the annual HOA meeting. It can also be obtained by visiting the community website [www.aspenmeadows.info](http://www.aspenmeadows.info) or by contacting the Association email at [aspenmeadowsmi@gmail.com](mailto:aspenmeadowsmi@gmail.com).

- Standing Rules and Regulations are rules that relate to the details of the administration of a society and which can be adopted or changed the same way as any other act of the deliberative assembly.
- Standing Rules and Regulations can be added and/or amended by a vote of the Board of Directors.
- Standing Rules and Regulations are subject to the Bylaws and the Deed Restrictions of the Association.
- Standing Rules and Regulations may clarify Bylaws.
- The Association was turned over to the homeowners in 2007 and any reference in the Bylaws to "The Developer decision/approval," must be approved by the board.

### **I. POOLS (Page 28 of Bylaws)**

The Bylaws state "no above ground pools." White Lake Township rules allow for above ground pools but the Aspen Meadows Bylaws do not. **NO above ground/on ground pools are permitted.**

## **II. PERMANENT STRUCTURES**

Per the Bylaws, no permanent structures are to be erected. As of August 25, 2009, the Board, through its authority given by the Bylaws, has approved a policy that only allows for detached structures to be raised for no more than 15 days. Sheds built prior to August 25, 2009, will be allowed to remain, but not replaced or rebuilt.

## **III. TEMPORARY STRUCTURES** (Page 29 of Bylaws)

Temporary detached structures (party tents, etc.) may be raised for no more than 7 days.

## **IV. VEHICLES** (Page 32 of Bylaws)

As described on page 32, section 9 of the Bylaws (Vehicles), any additional vehicles are hereby defined as a noncommercial car or truck. No vehicle may be parked or stored in the yard which is ordinarily considered for landscaping. All vehicles parked outside of a garage must be license plated with current registration. ***Vehicles must be parked in garage or driveway, not on the street on a regular basis.***

A commercial vehicle would include vehicles or trucks with a curb weight of more than 10,000 pounds, overall length in excess of 19 feet, or with more than two axles. Vehicles with commercial license plates, vehicles with any commercial markings or advertising appearing on the exterior, vehicles not intended for personal transportation, or any vehicles either modified or equipped with attachments, equipment or implements of a commercial trade is not allowed. This commercial vehicle regulation does not apply to vehicles making deliveries to residents in the normal course of business.

**All non-compliance fines will be assessed with each violation/occurrence and accrue from year to year.**

## **V. RECREATIONAL VEHICLES**

RV's, campers, boats and trailers can be parked in the homeowner's driveway for a period of up to 24 hours on the front end of a trip and up to 24 hours on the return from a trip. Both times cannot exceed 48 hours total. No RV's or campers, boats or trailers can be parked on the street. ***Construction dumpsters/trailers are permissible on the driveway while doing demolition construction for the homeowner. The board must be notified prior to parking dumpster/trailers on driveway. All non-compliance fines will be assessed with each violation/occurrence and accrue from year to year.***

## **VI. POLITICAL SIGNS**

Political signs may not be displayed sooner than ninety (90) days prior to a scheduled election and must be removed within ten (10) days following that election. Political signs may be no larger than 3' X 3' and may not be placed in street easements.

## **VII. GARAGE SALES**

Limited to 2 sales per homeowner, per year. Items for sale may be on display for a maximum of 3 days.

## **VIII. GARBAGE/RECYCLE/REFUSE STORAGE**

Garbage, recycle, lawn refuse bags and trash bins, must not be visible from the street or from neighboring properties, aside from designated pickup times. Trash containers are to be placed on driveway at curb, not street for pickup. The containers are allowed to be curbside from 6:00 PM the night prior to pickup and 6:00 AM post pickup. **All non-compliance fines will be assessed with each violation/occurrence and accrue from year to year.**

## **IX. LANDSCAPING, DECORATION, AND MAINTENANCE OF HOMEOWNER PROPERTY** (Page 33 of Bylaws)

Current Homeowners may, and without specific approval from the Board of Directors, plant and maintain lawns, flowers, shrubs and trees on their property provided the same does not change any existing grade of the areas in question. This applies to existing homes that have original approved landscape plans. In the event any co-owner fails to adequately maintain such landscaping performed by co-owner, the Association shall have the right to maintain such landscaping and charge all costs associated with such upkeep back to the homeowner along with any fines associated with such activity.

Per page 29, (c) Construction Activities (new homes), item 3: All landscaping must be completed within ninety (90) days after initial occupancy of the dwelling or, in the case of speculative or unsold homes, within ninety (90) days after the exterior of the dwelling has been (or with due diligence should have been) substantially complete. **Plans should be submitted to board for approval.** Additionally, erosion control is not to be removed by the homeowner and/or builder until yard is established to sufficiently control run off/erosion.

***Landscaping should be any combination of planted shrubs, bushes, trees, flowers, plants, etc.***

***No trees are to be removed which have a diameter of 6 inches or more measured at the ground without prior written approval of the board.***

The following items must be maintained during the summer months of the year:

- Lawn cutting as needed.
- Lawns should be watered and/or fertilized as needed and kept reasonably free of weeds.
- All grass clippings are to be removed from the streets and driveways upon cutting.
- All crack and driveway weeds are to be treated as needed.
- All flower/mulch beds are to be weeded as needed.
- All bushes/shrubs are to be trimmed as needed.
- All tree suckers are to be removed as needed.
- Heaving, unsightly edging around brick pavers and landscaping beds, must be repaired as needed.

- Landscape fabric shall be maintained so as not to become unsightly.

- Landscape lighting shall not be damaged (lying on the ground) or have exposed wiring.

The following items must be maintained during the winter months of the year:

- Homeowners are not permitted to push any snow into the street/onto any other homeowner's property.
- Exterior holiday decorations and lighting must be removed as soon as weather permits after the holiday but no later than March 30.

**All non-compliance fines will be assessed with each violation/occurrence and accrue from year to year.**

#### **X. Yard Area** (Page 31 of Bylaws)

***Underground sprinkler system: The phrases "underground sprinkler system" and "sprinkler system" as used in Article VI Restrictions, Section 4. Yard Areas (page 31 of the Bylaws) is synonymous and interchangeable and shall be interpreted and defined as follows:***

***An underground (1) sprinkler system (2) must include but is not limited to: main water line, located inside your home, electrical programmable multi zoned sprinkler control box, with timer, with a backflow preventer, water meter, control valves, valve box that is underground, shut-off valve, pop-up style sprinkler heads (3), and underground pipes which are uniformly connected throughout the entirety of the lawn. Any system that connects to outdoor faucet does not meet requirements. The underground sprinkler system is a fixture, meaning it is attached to the land and/or dwelling and is regarded as an irremovable part of the real party and an interest arises under real party and an interest arises under real property law. See Uniform Commercial Code 89-102(a)(41). Risers are optional.***

***(1) Underground defined as 8-12 inches beneath the surface of the soil***

***(2) System defined as an assembly of mechanical and electronic components that function together.***

***(3) Pop-up style sprinkler head defined as sprinkler head that hides underneath or at grade level and rises above grade when zone activated.***

#### **XI. ASSESSMENTS**

Dues will be prorated on newly built homes sold as of the date of closing through March 31 of that same year.

#### **XII. PETS** (Page 31 of Bylaws)

Per the Bylaws, no animal is permitted to run loose at any time upon the Common Elements and shall at all times be leashed and attended by responsible person while in the Common Elements

- Each co-owner shall be responsible for collection and disposition of all fecal matter deposited by any pet maintained by such co-owner.

- Any dog which barks, and can be heard on a frequent or continuing basis, is not allowed. As of August 31, 2020, invisible electric dog fences can only come as far forward up to the front part of

house, not the front yard. In case of houses on corner, it cannot be any closer than the setback of their house from the street.

- ***If board receives three complaints regarding abuse of the front yard fencing, board reserves the right to request the owner to remove the fencing in the front yard.***
- All pets when leashed or tethered in the front yard, cannot be any closer than 10 feet of the street.

**All non-compliance fines will be assessed with each violation/occurrence and accrue from year to year.**

As the neighborhood has no sidewalks and our streets are used for walking, those using the street have the right to safety. Any dog bite or dog attack to human or another pet, should be reported to the White Lake Public Safety office immediately.

### **XIII. NEW HOME CONSTRUCTION**

Any home built after September 1, 2019, will have an attached three car garage, similar in style to the majority of existing homes within the subdivision.

### **VIOLATION TIMELINE AND FINE STRUCTURE**

**Violations for late and/or non-payment of annual homeowner association dues:**

***1<sup>st</sup> Violation letter: Late charge of \$25.00 assessed after due date of March 31***

***2<sup>nd</sup> Violation letter: Additional late charge of \$50.00 assessed 30 days after due date of March 31***

***3<sup>rd</sup> Violation letter: Additional late charge of \$100.00 assessed 60 days after due date of March 31***

***4<sup>th</sup> Violation letter will result in notification of collections, lien and/or small claims filing (7 days from postmark of 4<sup>th</sup> letter)***

**Violations for all other Bylaw and R&R infractions:**

***1<sup>st</sup> Violation letter (warning): sent at time of infraction – no fine***

***2<sup>nd</sup> Violation letter: 7 days from postmark of 1<sup>st</sup> letter - \$25.00 fine***

***3<sup>rd</sup> Violation letter: 7 days from postmark of 2<sup>nd</sup> letter - \$50.00 fine***

***4<sup>th</sup> Violation letter: 7 days from postmark of 3<sup>rd</sup> letter - \$100.00 fine for 4<sup>th</sup> and subsequent violations***

***5<sup>th</sup> Violation letter: notification of collections, lien and/or small claims court filing (7 days from postmark of 4<sup>th</sup> letter).***

**All non-compliance fines will be assessed with each violation/occurrence and accrue from year to year.**