

Architectural Committee of the Board of Directors of Twin Lakes Owners' Association

Rules and Regulations

A: FINES

As of June __ 2017, in addition to those regulations marked with a dollar symbol, all rules and regulations listed under this committee shall also carry a fine when violated.

B: BUILDING REQUIREMENTS FOR ALL LOTS AND NEW CONSTRUCTION

(From Bylaws)

1. In the event construction is not started within six (6) months following approval of plans and specifications, such approval shall become null and void thereafter. If construction cannot be started within six (6) months a request for an extension of time shall be submitted to the Committee for consideration.
2. The exterior of all buildings or other structures must be completed within SIX (6) months after construction has started, except where such completion is impossible or would result in great hardship to the owner or builder due to strikes, fires, national emergencies or natural calamities. If not so completed, the unfinished structure, or any uncompleted portion of a structure may be deemed a nuisance and forthwith may be removed by the Association at the cost of the owner, and the exterior completed at the owner's expense.
3. No grading, excavation, clearing, fence, wall, building, or other structure or improvement and/or alteration to an existing structure shall be started, erected, or maintained, temporarily or permanently, without prior written approval of the Committee. In effect, the natural environment of any lot may not be disturbed in any manner until plans for its use have been reviewed and approved by the Committee.

(Specific Committee Rules and Regulations)

4. All homes must have a minimum 4/12 pitch roof design, must have more than four sides and/or more than one roof line, and overhang at gable ends, unless specifically approved by the Committee.
5. Changes in grade or drainage patterns must not adversely affect adjacent properties.
6. New home construction is prohibited in floodplains.
7. New home construction must have basements that do not exceed four feet above the natural lay of the land.

8. If an undeveloped lot contains a creek or other natural drainage of surface water, these creek beds or natural water channels may not be altered in any way.

9. All debris and brush from new construction must be hauled away. Burning of brush and debris is strictly prohibited.

10. New home construction should minimize any tree removal.

11. All site excavation must be contained by the owner or builder by the erection of a silt fence, placement of straw bales, or an earth berm in order to: a) prevent erosion of disturbed soils, b) control runoff to adjoining properties, and c) to control siltation into streams and lakes.

12. No grading, excavation, clearing, fence, wall, building, or other structure or improvement and/or alteration to an existing structure shall be started, erected, or maintained, temporarily or permanently, without prior written approval of the Committee. In effect, the natural environment of any lot may not be disturbed in any manner until plans for its use have been reviewed and approved by the Committee.

C: FENCES

(From Bylaws)

1. No fence of any kind or size shall be built or permitted to remain on any part of any lot except as approved by the Committee as to location, height, materials, design, color, and other pertinent visible characteristics.

(Specific Committee Rules and Regulations)

2. Fences are not permitted in the front yard, except if no space exists at the rear or side of the house.

2. No privacy fences over 6' in height.

3. No fences within 15' of lakeshore.

4. Fence design shall be consistent and compatible with other approved fences in the neighborhood.

5. Fencing shall be composed of wood, composition, vinyl, or chain-link material.

6. Temporary fencing structures are prohibited.

D: ROOF

1. No black roofs.

E: ALTERNATIVE SEPTIC SYSTEMS

(Specific Committee Rules and Regulations)

1. Homeowners are responsible for keeping their septic systems in good repair.
2. Alternative Septic System installation within the Twin Lakes subdivision is prohibited without prior written approval from the Board, which the Board is not obligated to provide. If approved, each Owner shall keep the septic system on the Lot in good repair and working condition and shall prevent offensive odors emanating therefrom. The following criteria, and other information and documentation requested pursuant to the Rules and Regulations, will be requested, submitted, and reviewed prior to Board consideration of installation of septic systems falling into this category:

(From Bylaws)

- a) Copy of certification and/or licensure of individual installing septic system will be provided to TLOA and only this individual will be approved for installation of specified system.
- b) Any and all paperwork describing specified system to be submitted to Architectural Chairperson including, but not limited to, manufacturer, warrantee/guarantee description, and contact person for questions pertaining to specified system.
- c) Copy of guarantee/warrantee on specified system for system itself by manufacturer and from contractor for system and installation of same.
- d) References to areas already using new systems for visual inspection, personal inquiry regarding performance/success/failure of same available upon request.
- e) Upon inspection of county health department, copy of documentation from same depicting acceptance/failure of specified system to be submitted to Architectural Chairperson.
- f) Upon sale of property where system has been installed, first-time homeowner to sign acknowledgment of receipt of instructional booklet for specific system, to be provided by TLOA. Copy to be submitted to TLOA.

F: UNAUTHORIZED STRUCTURES

(From Bylaws)

1. No structure other than an approved dwelling shall be placed upon any unimproved lot at any time, providing, however, that this prohibition shall not apply to temporary shelters used by a Contractor during construction, it being clearly understood that these latter temporary structures may not, at any time, be used as residences or permitted to remain on the lot after completion of Construction, and further provided that the size, shape, color, exterior materials, and location are submitted to and approved by the Committee.

(Specific Committee Rules and Regulations)

2. The committee will consider requests from property owners for the construction and/or placement of storage sheds. All sheds require Committee approval. Homeowners are required to submit proper architectural approval forms to include dimensions, location, materials and color of proposed shed. Guidelines for shed approval include:
 - a) Storage sheds must be located so as to minimize their impact on neighboring properties, roadways, and common areas. The location should take advantage of screening provided by existing or proposed structures, fences, and/or vegetation. Wherever possible, built-in sheds should be integrated into the architecture of the house, walls, or fencing.
 - b) Whenever possible, storage sheds shall be located in the rear of the yard.
 - c) Shed color must closely match the exterior color of the residence.
 - d) Size of shed is generally limited to no larger than 120 square feet, and quantity as to number of sheds allowed on one lot is limited to two.

G. NON-CONFORMING USE, VIOLATIONS, AND APPEALS

(From Bylaws)

A. PRE-EXISTING STRUCTURE

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 his or her 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 his 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 offense 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 without limitation utility services, provided directly through the Association shall be suspended if such member shall have failed to pay any assessments and such assessments are more than sixty (60) days past due. However, a member's access to his or her 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 hand deliver or mail written notice of a member's violation by registered or certified mail return receipt requested to the member at the member's lot address or the member's last known address on file with the Association. Included in such notice shall be the place, date, and time for a hearing at which the member has the opportunity to be heard and to be represented by counsel before the Board of Directors prior to the imposition of any charges or suspension. This notice must be provided to member at least fourteen (14) days prior to the hearing. Written notice of the hearing result shall be hand delivered or mailed by registered or certified mail return receipt requested 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 Committee pertaining to his/her request. Appeals shall be made in person to the Committee within thirty (30) days from the date of the disapproval letter at a regularly scheduled meeting of the Committee. In the event that the appeal is denied, the property owner shall have the right to appeal to the Board of Directors.

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.

