

Rules List

Pursuant to its authority under the Declaration of Covenants and Restrictions for the Cedar Day Community, the Board of Directors and Design Review Board, of the Cedar Day Homeowners Association, hereby issue the following Standards and Guidelines for interpretation of that Declaration. These Standards and Guidelines are supplemental to the existing Declaration, and are not inclusive of all items upon which the Cedar Day Board of Directors or Design Review Board may act. Decisions are made on a case-by-case basis, and although a change may have been approved for one homeowner, this does not guarantee that a similar change will be approved for a different homeowner. Consideration will be given as to the impact the improvement will have on the harmonious relationship among existing or proposed structures, the natural vegetation and topography of the community or any adverse impact on property values in the vicinity of the improvement.

I. GENERAL APPEARANCE RULES

- A. The storage of unsightly materials, of any kind, is prohibited if they are visible from the street or neighboring yards.
- B. The parking of commercial vehicles:(conforms to Harford County Code governing commercial vehicles, Chapter 267, ZONING, Part 1, Standards, General Provisions, 267-4 Definitions.) ("A Commercial Vehicle has a gross vehicle weight or a gross combination weight in excess of 10,000 pounds, as recorded on the vehicle's registration certificate, or as recorded by the manufacturer on the certificate of origin if no specific weight is recorded on the registration certificate"), Boats, trailers, or recreational vehicles upon any lot is prohibited, unless placed in a garage and thereby not visible. See Section VII Trailers and boats for further clarification.
- C. Unsightly or wrecked vehicles or similar items are not allowed outside an enclosed structure.

Harford County Code. §267-27, Section D, Accessory uses in agricultural and residential districts: The following accessory uses shall be permitted in agricultural and residential districts upon issuance of a zoning certificate, unless otherwise specified, in accordance with the following:

(10) One inoperative or untagged motor vehicle may be parked or stored for a continuous period of no more than 6 months on any lot of less than 2 acres. Two inoperative or untagged motor vehicles may be parked or stored for a continuous period of no more than 6 months on any lot of 2 acres or more. This requirement does not apply to bona fide agricultural equipment or vehicles stored within a completely enclosed building.

- D. Weeds, vegetation, rubbish, debris, garbage, or waste materials accumulated or dumped on any lot or common area is prohibited. Compost piles are permitted if they are not visible from the front of the house unless they are rendered as unsanitary or offensive.

II. PETS:

All pets should be kept under their owner's control at all times and not be a nuisance to neighbors, in compliance with local animal ordinances.

- A. All dogs should be leashed when off of the owner's property.
- B. Owners are responsible for cleaning up any mess that a pet creates in the Common Areas, on public rights-of-way, or on any private property.

- C. Pets are not permitted on other people's private property.
- D. Owners are responsible for their animals' actions and may be liable for any damages.

III. MAINTENANCE:

Homeowners are responsible for maintaining the exterior of their dwellings and any other approved structures on their lots, including decks, fences and children's play equipment as well as lawns and other landscaping. The following situations represent examples of conditions that would be considered violations:

- A. Peeling paint or damage to exterior siding or trim of the house and/or garage.
- B. Fences leaning or with broken, rotting, or missing parts.
- C. Decks sagging or leaning or with broken or missing railings, decking, or in need of general repair. Concrete in need of resurfacing or repair.
- D. Concrete in need of resurfacing or repair.
- E. Soil erosion or blocked storm drains that may cause erosion problems. Any landscaping change that hinders the natural drainage from adjoining properties.
- F. Grass and weeds over 6 inches. Grass left on sidewalks and streets after mowing.

IV. SATELLITE DISHES, CANDIDAATE OR PROPOSITION SIGNS, CHILDREN'S PLAY EQUIPMENT, GAZEBOS, FENCES AND TREE REMOVAL:

- A. Satellite Dishes: Conform to F.C.C. Rule (47 C.F.R. Section 1.4000) that prohibits restrictions that impair the installation, maintenance or use of antennas used to receive video programming. The rule applies to video antennas including direct-to-home satellite dishes that are less than one meter (39.37") in diameter, TV antennas, and wireless cable antennas. The rule prohibits most restrictions that: (1) unreasonably delay or prevent installation, and maintenance or use; (2) unreasonably increase the cost of installation, maintenance or use; or (3) preclude reception of an acceptable quality signal.
- B. Political Signs: Conform to the Annotated Code of Maryland, Title 11B Maryland Homeowners Association Act, 11B-111.2. (b) Except as provided in subsection (c) of this section, a recorded covenant or restriction, a provision in a declaration, or a provision in the bylaws or rules of a homeowner's association may not restrict or prohibit the display of: (1) a candidate sign; or (2) a sign that advertises the support or defeat of any question submitted to the voters in accordance with the Election law Article. (c) A recorded covenant or restriction, a provision in a declaration, or a provision in the bylaws or rules of a homeowner's association may restrict or prohibit the display of a candidate sign or a sign that advertises the support or defeat of any proposition: (1) In common areas; (2) In accordance with provisions of federal, State, and local law; or (3) If a limitation to the time period during which signs may be displayed is not specified by a law of the jurisdiction in which the homeowner's association is located, to a time period not less than: (i) 30 days before the primary election, general election, or vote on the proposition; and (ii) 7 days after the primary election, general election, or vote on the proposition.
- C. Children's Play Equipment: The Covenants clearly state that "no structure shall be erected, altered, placed or permitted on any lot, other than one detached single-family dwelling with an attached private garage". The Design Review Board

recognizes that homeowners may desire to have children's play equipment for their children. Therefore, the following rules have been developed for this instance. Children's play equipment shall include but is not limited to, playhouses, swing sets, and trampolines which shall be erected to the rear of the house and are subject to DRB approval. Basketball hoops are the exception to the rear of the house requirement but are still subject to approval. Finally, any approved children's play equipment which has been allowed to deteriorate, in violation of Section III Maintenance, or is found to violate any rules of this subsection, is subject to the remedies stated in Section VIII below.

1. Playhouses:

- (a) All plans for a playhouse, whether pre-fabricated or self built, must be submitted to the DRB for approval.
- (b) All playhouses are to be installed as a non-permanent structure.
- (c) The exterior space is to measure no more than 6ft X 6ft.
- (d) The roof is to be a pitched (gable) roof with the center ridge no higher than 6 feet.
- (e) All playhouses are for the exclusive use of children and shall not be used for storage of household goods or yard equipment.
- (f) Only one door, no wider than 24 inches and no higher than 4 feet, shall be installed on any side of the playhouse.
- (g) At least one window, whether open to the elements, or enclosed with glass or plastic, shall also be included in the construction.

2. Swing Sets: The size of swing sets shall not be any larger than 12 feet in height by 20 feet in width; by 16 feet in depth. Approval will be governed by lot size, proximity to neighboring yards and the street. The actual size approved, may be less based on these conditions.

3. Basketball hoops cannot be attached to the dwelling.

D. Gazebos:

- 1. No permanent solid shutters will be permitted. Screens, curtains etc. will be allowed.
- 2. The size and location of a gazebo will be subject to DRB review. Approval will be determined case by case, based on lot size and location of lot.
- 3. Gazebos shall not be used for storage of household or yard goods, except for furnishings or equipment used in the enjoyment of the gazebo.

E. Fences:

- 1. No fence shall exceed four (4) feet in height.
- 2. No chain link fence.
- 3. No fence shall extend in front of the rear building line of any dwelling.
- 4. All fences must be approved by the DRB and will be approved on a case-by-case basis. The committee will consider not just the type of fence but also its placement and the surrounding environment.

F. Tree Removal:

1. Removal of trees, limbs or topping of trees requires DRB approval.
2. Requests for tree removal, limb removal or topping of trees should include a diagram indicating where the trees are located, on the property, and include the reason for the removal, such as the tree or limbs are dying, trees or limbs are encroaching on the house creating unsafe conditions.
3. Trees removed, from the front and sides of the property, requires complete removal of the stump.
4. Trees removed, from the rear of the property, require that stumps be cleared to ground level.

V. **SWIMMING POOLS:**

Only one private, in-ground, noncommercial swimming pool may be constructed or maintained on any lot provided the plans, specifications and location thereof have first been submitted to and approved in writing by the Design Review Board, except that such pool, including fences, hedges, perimeter tilling or paving and other ornamental or functional appurtenances thereto shall be constructed in the rear of the dwelling unit on the site.

VI. **Spas, Hot Tubs, and Swim Spas**

Hot tubs, spas and swim spas are allowed when incorporated as part of an approved attached deck, or a patio that abuts to the rear of the house and meets the following criteria as defined in the Maryland Code of Regulations.

Section 10.17.01.05- Definitions of the Maryland Code of Regulations.

(25) "Spa" means a pool, hot tub, or whirlpool that is:

- (a) Primarily designed for relaxation or therapeutic use and not for swimming;
- (b) Not more than 4 feet in depth;
- (c) Equipped with built-in seats or benches; and
- (d) Usually equipped with hydrotherapy jets, heated water, an air injection system, or some combination of these features.

VII. **RECREATIONAL VEHICLES - (RV's) :**

The Covenants clearly states that RVs are not permitted. The Design Review Board recognizes that there are some occasions when it may be permissible for RV's to be parked temporarily on a Cedarday property. These are:

- A. A visiting guest with an RV
- B. Preparing or stocking an RV for a trip or unloading after a trip
- C. Cleaning, repairing or modifying an RV.

- D. A stay of less than 24 hours shall not be viewed as a violation. Under no circumstance will an RV be permitted to remain on a Cedarday property for more than 48 hours. Such brief stays shall not be permitted for more than once every 30 days.

VIII. TRAILERS AND BOATS:

The Covenants clearly state that trailers are not permitted. The Design Review Board recognizes that there are some occasions when it may be permissible for trailers and boats to be parked temporarily on a Cedarday property. These are:

E. Loading and unloading materials or supplies

F. Cleaning, repairing or modifying

G. A stay of less than 24 hours shall not be viewed as a violation. Under no circumstance will a boat or trailer be permitted to remain on a Cedarday property for more than 48 hours. Such brief stays shall not be permitted more than once every 30 days.

H. The covenants do make one exception to the storage of a boat. It states; "However a boat may be stored on the rear yard of a lot if it is screened sufficiently to conceal all parts of the boat except its mast from view of persons standing on any street or road, or on an adjacent Lot at ground level." In order to clarify this statement and in keeping with the covenants the following guidelines are established:

1. "A Boat" is considered to mean one boat which may be stored on a single axle trailer.

2. Screening

(a) If a fence is requested to meet the screening requirement it must meet the criteria set forth in the covenants and section IV. E of the Rules List.

(b) If trees or shrubbery are requested as screening, the screening must be sufficient as of the day of planting to meet the screening requirements outlined above. Screening must be approved and installed before any boat and trailer is allowed to be stored on the property. In addition, as with all outside changes to a property, the impact on surrounding properties will be taken into consideration when reviewing the request. Screening which would interfere with the harmonious relationship among existing or proposed structures, the natural vegetation and topography of the community or which adversely affects property values in the vicinity of the improvement, will not be approved.

IX REMEDIES:

I. In instances when an alleged violation or a maintenance problem is reported, the owner will be notified in writing, by the Design Review Board of the problem.

J. If an owner fails to respond to the violation notice or fails to correct the violation, the Design Review Board will, after a Final Violation Notice is mailed, recommend to the Association Board that the violation issue be handled by the Association Attorney.

K. The Association may exercise all rights and remedies provided it by law, and the homeowner shall pay all reasonable attorney fees and expenses which the Association may incur as a result or in consequence of a violation of the Declaration or supplemental Declaration.

X. AUTHORITY:

Refer to the Declaration of Covenants and Restrictions for Cedar Day for further information on the powers and responsibilities of the Association. If any inconsistencies exist between the Declaration and these Guidelines, the Declaration shall have precedence.