

**RULES AND REGULATIONS**  
**SPRING ARBOR CONDOMINIUM ASSOCIATION, INC.**  
Revised 9/27/2022

**Introduction:**

It is important to understand Spring Arbor is a condominium community and as such is governed by rules and regulations specified in the following documents:

- Kentucky Revised Statutes 381.805 – 381.910, known as Kentucky Horizontal Law.
- Spring Arbor Master Deed.
- Spring Arbor Articles of Incorporation.
- Spring Arbor by Laws.
- Spring Arbor Rules and Regulations.

It is equally important that you read and become familiar with these documents as they form the basis for the administration of the Spring Arbor Condominium Community which is vastly different from the single-family home ownership experience. Perhaps the single most difficult difference for many people to understand is that with ownership of a condominium unit you only own those *interior* areas of the unit beginning with the paint on the drywall. Ownership *does not* include the unit's exterior, adjacent shrubs or lawn areas, for example. These are *common areas, known as general common elements*, that are owned, maintained and controlled by the Spring Arbor Condominium Association and are for use by all Unit Owners. There are also *limited common areas know as limited common elements* which are areas reserved for the use of a particular Unit or group of Units. Examples include stairways, patios, porches, etc. The Community is governed by an elected Board of Directors, which can hire a management company to assist it in the administration of Community matters within the guidelines specified in the above documents.

You will note in these Rules and Regulations that reference is made to “Prior written approval of the Board of Directors” where a deviation from a Rule or Regulation is being requested. When requesting such a deviation your request should be in succinct written form accompanied with a drawing, if applicable.

It is acknowledged that there have been instances in the past where the Rules and Regulations have been violated and those violations, for whatever reason, have been allowed to stand. From the date of this revision forward all Rules and Regulations will be subject to strict enforcement. Further, none of those past violations that have been allowed to stand are to be considered as having established a precedent.

Finally, the Board of Directors has the authority and responsibility under Article IX.A.1 of the By Laws and Section G.4 of the Master Deed to order corrective actions, levy fines and take legal action, if necessary, against Unit Owners who fail to adhere to the Rules and Regulations set forth by the Board of Directors.

Please keep these points in mind as you read the following Rules and Regulations. They are essential to preserve our community, assure it remains an attractive and desirable location and protect the property values of all Unit Owners. Contact a member of the Board of Directors or our management company if you have questions or need further clarification.

## 1. **Signs:**

- a. No sign of any kind may be created, maintained or displayed in any of Common or Limited Common Elements, or on any improvements erected within Spring Arbor without the prior written approval of the Board of Directors, with the following exceptions:
  - i. A single "For Sale" sign will be allowed on the Common Area adjacent to the Owner's Unit being offered for sale. A single "Open House" sign will also be permitted on the day(s) that an open house is being conducted. The sign cannot be erected until the day prior to the scheduled "Open House" and must be removed within two hours after the "Open House" end time.
  - ii. Security service signs, not exceeding 12" x 12" in size, plus ground stakes, will be permitted
  - iii. A single American flag, the Stars and Stripes, may be flown without restriction but must not exceed 3' x 5' in size.
  - iv. School and sports flags are not permitted.
  - v. Garden type flags are permitted within current beds. They may be changed during the year according to the season.
  - vi. Holiday-type flags are permitted within current beds but may be displayed only during the specific holiday period.
- b. Signs and flags found in violation of these rules will be issued a warning and may then be removed.

## 2. **Exterior Attachments and Improvements:**

- a. No fence, awning, canopy, patio enclosure, storm window, storm door, shutter, decorative wall hanging or new or replacement lighting fixture, or window air conditioner or other window protrusions may be affixed to the exterior of any unit or placed upon any Common or Limited Common Area without the prior written approval of the Board of Directors. Any request to do so must be in writing and be accompanied with a detailed description and drawings of the project being proposed.
- b. Fence requests are limited to enclosing the concrete patio areas only and must be of a Shadow Box design constructed of cedar or similar material, be a minimum of four feet and maximum of six feet in height and not obstruct access to utility meters or components.
- c. Fences must be coated with an approved stain color after the recommended curing period and maintained with this stain thereafter. Stain color choices are limited and are available from the management company. The costs of erecting and maintaining these fences are that of the Unit Owner.
- d. Tasteful ornamental yard objects will be allowed within the current shrub and tree beds adjacent to the Owner's Unit. The owner is responsible for keeping them maintained, such as painting or cleaning.
- e. Exterior building and trim colors shall be uniform for all buildings in the Spring Arbor Community and color choice will be determined only by the Board of Directors.
- f. Unit front doors must be of solid six raised panel design and may be painted black, white, forest green or natural stain. Contact the management company for specific paint chip numbers. Half-moon glass in the top panel of the door is permitted with prior written approval of the Board of Directors.

- g. No solar panels or skylights may be installed or other changes made to the existing roof of a Unit without the prior written approval of the Board of Directors.
- h. Exterior hot tubs are permitted with prior written approval of the Board of Directors. However, they must be enclosed with fencing, locked when not in use and be located within the existing patio area. A detailed description and drawings must accompany hot tub permission requests.
- i. Unit Owners, with prior Board of Directors approval, may have in-ground automatic watering systems installed in the General Common Element immediately adjacent to their Unit. The Board of Directors highly recommends automatic watering systems be set to run three times per week, 10-15 minutes per zone. The ideal time to run the system is between 4:00 a.m. and 8:00 a.m. Increases in the number of days and times for the zones may be increased when the National Weather Service indicates we are in a drought condition.
- j. Satellite dishes are permitted. However, the exterior location of the dish must receive prior written approval of the Board of Directors and must be located in the alcove area at the rear of the unit, including roofs of the unit which drain toward the alcove. Exterior antennas for radio, television and other sending or receiving devices are not permitted.
- k. Installation, maintenance and repair costs associated with any added exterior attachment or improvement listed in this Section 2 are the responsibility of the individual Unit Owner and such responsibility will pass on to subsequent Owners of that property. The Association assumes no responsibility for these added items. This provision applies to existing as well as future installations.

### **3. Trees, Shrubbery and Plantings:**

- a. The Landscaping Committee, appointed by the Board of Directors, is responsible for the selection, care and trimming of exterior trees and shrubs. The Committee may establish minimum and maximum heights for shrubbery based on recommendations made by the Association's Arborist and to maintain uniformity within the Spring Arbor Community.
- b. Unit Owners may elect to do the trimming of shrubbery on the exterior of their Unit, but it must be within the guidelines established by the Landscaping Committee.
- c. Unit Owners shall not undertake any plantings in the General Common Elements at the exterior of their Unit, in other General Common Elements or easement areas without the prior written approval of the Landscaping Committee and the Board of Directors. However, the planting of ornamental flowers in established flower or shrub beds adjacent to an Owner's Unit will be permitted without prior approval.
- d. Unit Owner's granted permission to plant a tree(s) in General Common Elements will accept full financial responsibility for the purchase, planting, maintenance and if necessary, removal of that tree(s). Further, said Owner agrees to follow the direction of the Landscaping Committee on the care and maintenance of the tree(s).

### **4. Pets:**

- a. Domestic dogs and cats are permitted but Owners must observe "Leash Laws" and all other animal control ordinances issued by the governing jurisdiction of which the Spring Arbor Community is a part. No other animal species are permitted without the prior written approval of the Board of Directors.
- b. Pets deemed a danger to residents by Animal Control or law enforcement officials must be

removed immediately from the Community by its Owner.

c. It is the responsibility of every pet Owner to immediately clean up their pet's waste from the General Common and Limited Common Elements of the Community.

d. Pet Owners are fully responsible for all personal injuries and/or property damage caused by their pet and must respect other residents by not allowing their pet to bark or whine excessively or otherwise create a nuisance. Failure to do so will result in the revocation of the right to maintain a pet.

## **5. Vehicles/Parking:**

a. All resident motor vehicles must be in an operable condition and fully licensed for operation on public highways. No motor vehicle may be disassembled, nor major repairs made on Association property. Under no circumstances may vehicles be left unattended on jacks or blocks.

b. All motor vehicles belonging to a Unit Owner shall be parked in the Unit Owner's garage or driveway area, including motor vehicles of guests and business invitees of the Unit Owner. The driveway leading to the garage of each Unit is for the exclusive use of that Unit Owner and may be used by the Owner's guests for temporary parking.

c. Additional motor vehicles not parked in the Unit Owner's garage or driveway should be parked in dead end areas specifically designated for parking. Limited additional guest parking is also available in these areas. These parking areas are General Common Elements and are not for the exclusive use of any particular resident. All personal property placed in any portion of the Common Elements shall be at the sole risk of the owner.

d. No motor vehicle shall be parked in such a manner as to impede or prevent traffic flow, especially emergency vehicle access, garages, driveways or other Common Elements. Short-term street parking, less than 24 (twenty-four) hour, is discouraged but permitted. Long-term street parking is prohibited.

e. Non-resident commercial vehicles, trailers, recreational vehicles, mobile homes, boats or motorcycles may park on paved General Common or Limited Common Elements for a period not to exceed 24 (twenty-four) hours without the prior written approval of the Board of Directors. Vehicles involved in authorized Spring Arbor maintenance and repair duties are not subject to this provision.

## **6. Housekeeping:**

a. All garbage and refuse disposal must be through services contracted for by the Board of Directors or offered and controlled by the Jefferson County Metro Government. Garbage and refuse containers must be kept in the Unit Owner's garage or otherwise concealed from the view of neighboring Units and from General Common and Limited Common Elements except on the evening preceding the actual day of pickup.

b. No clothes, sheets, blankets, laundry items or other articles shall be hung out or be otherwise exposed on any part of the General Common or Limited Common Elements visible to neighboring Units and passersby.

c. There shall be no obstruction of the General Common Elements nor shall anything be stored in the General Common Elements without the prior written approval of the Board of Directors. Further, both the General Common and Limited Common Elements are to be kept free and clear of rubbish, debris and other unsightly materials.

- d. All personal property such as strollers, bicycles, wagons, children's toys and other items not designed or intended for permanent exterior use must be placed inside the Owner's Unit in the evening. Patio furniture and other related items are exempted from this provision.
- e. The backing of drapery visible from the window(s) of a Unit must be of an "off white" color.
- f. Each Unit Owner is responsible for the maintenance and replacement of window and door glass, and in keeping the patio area of the Unit in good and clean order.
- g. Garage doors are to be kept closed except for vehicle entrance and exit, those times when an activity has been undertaken that requires frequent exterior access to the garage or an activity in the garage that requires an open door for ventilation.
- h. Whenever snow depth exceeds two inches, the area in front of the mailboxes will be cleared. Whenever the snow depth exceeds three inches, the streets will be plowed as well as the cul-de-sacs up to the dividers. Whenever snow depth exceeds six inches, the streets will be cleared as well as the cul-de-sacs up to the garage doors. Ice removal will be addressed on an "as-needed" basis.

**7. Condominium Unit Use Limitations:**

- a. No industry, business, trade, occupation or profession of any kind which will cause an increase in vehicular traffic, be visible to neighboring Units or be visible from General Common or Limited Common Elements, shall be conducted by a Unit Owner(s) either from their Unit or elsewhere in the General Common or Limited Common Elements of the Spring Arbor Community.
- b. No noxious or offensive activity shall be carried on in any Unit or the General Common or Limited Common Elements, either willfully or negligently, which may cause or will cause an annoyance or nuisance to other Unit Owners or cause waste at Common Law.
- c. Nothing shall be done or kept in any Unit or in the General Common or Limited Common Elements which would cause an increase in the Association's or any Unit Owner's property or liability insurance or cancellation of that insurance, or be in violation of any federal, state or local law or ordinance.
- d. A Unit is for the occupancy only by its Owner or immediate family and may not be rented or leased. Any Unit currently being rented or leased may continue in that state only until its current rental/lease period expires. Upon that expiration, the Unit can no longer be rented or leased.
- e. No auction, estate or garage sale, or other type of sale, whether public or private, may be conducted within the Spring Arbor Community without the prior written approval of the Board of Directors.

**8. Safety:**

- a. The speed limit on the roads within the Spring Arbor Community is 15 mph (miles per hour). All residents and guests are expected to observe that speed limit. It is incumbent upon drivers to be vigilant for children and pedestrians also occupying the roadways as there are no sidewalks for foot traffic.
- b. Drivers should approach intersecting streets with caution as there are no STOP signs within the Community, and the issue of right-of-way may be questionable.

- c. Due to the lack of streetlights within the Spring Arbor Community, Unit Owners are requested to leave their porch and patio lights on at night. This not only aids in night-time illumination but also increases security.
- d. It is the Unit Owner's responsibility to replace light bulbs in exterior light fixtures. Energy saving long life fluorescent or LED bulbs are recommended. It is the Association's responsibility to replace garage light sensor units as well as the lights at the Spring Arbor Community entrance.
- e. Due to safety and liability concerns, skateboarding throughout the Community is prohibited. The Spring Arbor Condominium Association will not consider itself liable for the costs related to any injuries while skateboarding on its property/streets.

9. **Financial Considerations:**

- a. Monthly maintenance fees are due in the office of the Spring Arbor management company on the first day of each month. Special assessments will be due on the date specified in the assessment.
- b. Any fees or assessments not paid within 10 days of its due date will be deemed delinquent and will be assessed a late fee of 10% of the amount due. Fees or assessments remaining unpaid for 30 days after such due date will be subject to the provisions of Article L of the Master Deed and Declaration of Condominium Property Regime.
- c. Damage to the General Common or Limited Common Elements caused by the action of the Unit Owner or the actions of his/her children, pets, guests or tenants shall be repaired at the expense of the Unit Owner.

**These Rules and Regulations may be amended, modified or revised from time to time by the Board of Directors. However, no such amendment, modification or revision shall affect written approvals issued by the Board of Directors prior to the enactment of such changes.**