

Community Rules and Regulations

PROMENADE AT JOHN TYLER, A CONDOMINIUM

Welcome to Promenade at John Tyler, A Condominium, Inc.

Promenade at John Tyler is a condominium development within James City, established under the laws of the Commonwealth of Virginia. This Association Handbook is designed to introduce you to Promenade at John Tyler and the facilities available. In order to get the most out of your surroundings, it is imperative that certain rules and regulations are observed. This Handbook is not intended to supersede or replace the recorded Declaration or By-Laws. If this Handbook conflicts with the recorded Declaration and By-Laws, then the latter will prevail.

Please read this Handbook carefully and enjoy condominium-living to the fullest. If you have any questions, please contact the Association Office.

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Promenade at John Tyler consists of:

- 19 Acres
- 1 Swimming Pool
- 1 Clubhouse

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Please read this Handbook carefully. If you have any questions, the Association will welcome them.

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This Handbook is not intended to supersede or replace the recorded Declaration. The Board of Director reserves the right to amend the Rules and Regulations when necessary.

YOUR CONDOMINIUM PROPERTY

The condominium concept of real estate ownership had its origin in the laws of ancient Rome, and has been made a part of modern living by laws enacted by the State Legislature.

Condominiums generally consist of two separate elements:

- Common Elements – These include practically everything outside your door, i.e. the grass, roadways and sidewalks, and recreational facilities.
- Limited Common Elements – These include your assigned parking spaces and your patio. Although technically common elements, these are limited to your specific use.

BOARD OF DIRECTORS

The affairs of the Association are governed by a Board of Directors consisting of no less than three (3) nor more than five (5) members elected in accordance with your Declaration and By-Laws. The Declaration and By-Laws and such Rules and Regulations guide the Directors in their administration of the Association as they may promulgate.

THE ADMINISTERING ASSOCIATION

Your Condominium Association is administered, supervised and managed by _____ Property Management, whose office is at _____, _____. The members of the Association elect a board of Directors in accordance with the Declaration and By-Laws after the initial period of Declarant control. The Board of Directors is vested with the rights, powers and privileges necessary to fulfill the obligations set forth in the Master Deed, By-Laws and Rules and Regulations adopted by the Association and in accordance with the Condominium Act of the Commonwealth of Virginia.

RESIDENT OWNER

A Resident Owner (RO) is an owner of record of a unit who permanently resides in that unit. A visiting member of the family is not considered a resident, but is a guest subject to all the rules applicable to guests.

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NON-RESIDENT OWNER

A Non-Resident Owner (NRO) is an owner of record of a unit who does not reside in the unit. A NRO may serve on the Board of Directors or any of the various committees and retains the privilege of voting at elections, but cannot make use of any of the Association's recreation amenities.

RESIDENT TENANT

A Resident Tenant (RT) is a tenant in a unit and as such is entitled to the use of all of the amenities of the Association. A RT may not serve on the Board of Directors, but may serve on any of the various committees. A tenant may not vote unless given a proxy to do so by the NRO. A Non-Resident-Owner is responsible for the actions of their resident Tenant and to make sure that they receive a copy of and abide by the Rules and Regulations of the Association.

RENTAL RESTRICTIONS OF UNITS

The Declaration and By-Laws provide that units may not be rented for less than one hundred and eighty although the FHA guidelines provide that there shall be no transient leasing of units (defined as 30 days or less). A unit owner is obligated to advise the Association when a unit is rented and must provide the Association with a copy of the Rental Agreement or Lease.

RESALE OF UNITS

It is the obligation of the seller to notify the Association of the pending sale of a unit and to obtain the necessary documents as required by the Commonwealth of Virginia.

ACCESS TO UNITS

The Declaration and By-Laws give an irrevocable right, to be exercised by the Board of Directors or the Managing Agent, to have access to any unit from time to time during reasonable hours as maybe necessary for the maintenance, repair or replacement of any of the common elements or to another unit or units. Notice will be given to the unit owner or resident whenever possible.

MAINTENANCE FEE

The following is a list of the items your monthly maintenance fee pays for:

- Maintenance of recreational Facilities
- Maintenance of the exterior of all buildings
- Maintenance of Common Areas
- Electricity for Common Area lights
- Electricity and gas for the Clubhouse
- Snow Removal
- Landscaping
- Association Insurance
- Legal and Accounting Services

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- Reserve replacement Fund
- Professional Management Services

Below is a list of unit owner responsibilities versus Association responsibilities.

HOMEOWNER RESPONSIBILITIES

Interior Plumbing	Interior Electric
Interior Maintenance	Homeowner's Insurance
Air Conditioning System	Heating System
Cleaning of Deck	Windows
Cleaning of Windows	Appliances
Cleaning of All Vents	Locks
Interior Exterminating	Doors
Interior Painting	Real Estate Taxes
Mailbox Lock Repair and/or Replacement	

ASSOCIATION RESPONSIBILITIES

Clubhouse Maintenance	Exterior Building Maintenance
Tennis Court Maintenance	Pool Maintenance &
Management Exterior Electric	Community Roads –
Pavement	
Exterior Exterminating	Common Area Insurance
Exterior Painting	Landscaping & Snow
Removal Garbage & Recycling Center Maintenance	

For All Maintenance Issues, Please Contact the Management Office at (757) 111-1111.

COMMITTEES

It must be remembered that all Board and Committee members of the association are residents who volunteer their time and efforts to serve the community. All should appreciate the general giving of their time and knowledge for the betterment of your community. PLEASE REMEMBER THAT THEY ARE ALL VOLUNTEERS AND SERVE WITHOUT COMPENSATION.

The Board of Directors will establish an Advisory Committee as soon as an adequate number of residents have moved in to the community. Additional Committees in accordance with the Declaration and the Bylaws will be appointed at a future date.

RULES & REGULATIONS

COMPLAINTS

All complaints should be registered through the Association Office and must be in writing.

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LAWN & SPRINKLERS

The Association is responsible for lawn maintenance and foundation plantings installed by the Developer. There will be no irrigation or sprinkler system installed nor may any homeowner water the grounds.

SNOW REMOVAL

The Association contracts for snow removal for streets, sidewalks and driveways. Normally a homeowner, usually a Board or Committee member, is designated as a liaison with the contractor as whom to come on site to commence the removal of snow, when deemed appropriate.. This is normally done when snow has accumulated to a depth of 2 inches and it is not anticipated that a quick melt will occur.

Snow removal from sidewalks will not normally commence until the snowfall has ended. Individual entrances and driveways will not be cleared and are the responsibility of the homeowner.

No use of any salt products on the sidewalks or entranceways is permitted. Homeowners are permitted to use calcium chloride, if necessary. Salt will destroy the cement and the surrounding lawn areas and will discolor brick pavers. Do not use "ice chippers" anywhere. Homeowners are not permitted to use ice chippers. They will cause cracks in the concrete and brick pavers.

STREET AND COMMON AREA LIGHTING

The Association is responsible for the common area lighting, such as the streets. Most streetlights have a number on them, if one in your areas is out, please call the Association Office and give them the light number.

NOISE

As a matter of neighborly courtesy, the operation of washer, dryers, loud radios, television and similar disturbances is discouraged after 10 pm. No offensive noise shall be allowed in/on any of the common limited elements, or in any unit.

MONTHLY MAINTENANCE FEE

The Association via mail will bill unit owners bi-monthly for water. Unit Owners are required to notify the Association, in writing, in the event that their mailing address and phone numbers change.

LATE FEE POLICY

The monthly maintenance fee is due by the 1st of each month, however, there is a seven day grace period without penalty. Maintenance payments received after the 7th of the month will be assessed a late fee. Maintenance payments still not received by the 30th of the month will be assessed an additional late fee.

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RESIDENT ABSENCE

Residents who are going to be absent from their units for a period of seventy-two (72) hours or more are encouraged to notify the Association Office, leaving an address or telephone number where they can be reached in the event of an emergency.

SOLICITATION

Solicitation without prior approval of the Board of Directors is prohibited. This includes the posting of any type of signs outside of any unit.

TRASH REMOVAL AND RECYCLING

1. The Association provides weekly trash removal as well as recycling opportunities. The exact schedule will be provided each owner at closing.
2. Recycling is strongly encouraged.
3. INSERT DETAILS OF PLAN PROVIDED BY CONTRACTOR

NOTE: *No trash, garbage pails or recycling bins are to be kept on decks, balconies, in driveways or outside your front door.*

TV ANTENNAS AND CABLE TV

Each unit is pre-wired for cable TV reception. Connection to the cable system is the responsibility and expense of each individual unit owner and must be arranged directly with the cable TV company. No antenna of any type is permitted on the roof of any building. Unit Owners who would like to install satellite dishes must submit a Satellite Dish Request Form to the Management Office prior to installation for approval.

Unit Owners are not permitted to run wires on the exterior of the building or put holes in the side of the building to install wires, without written permission from the Association. Unit owners who do so may be fined per day until they are compliant with the Association Rules and Regulations.

ANIMAL CONTROL

1. All pets must be kept on a leash at all times and are not allowed to run free.
2. Cats should be kept indoors at all times.
3. Pets are not allowed to be fed outside of a unit on common grounds or left unattended on porches, patios or at the main entrance of a unit.
4. No resident shall keep or maintain any animal that habitually bathes or cries so as to disturb the public peace.
5. No animals are allowed in the Clubhouse or in any of the

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- recreational area.
6. Owners must carry a pooper scooper or other means of picking up their pet waste and dispose of the waste in either their household trash or in the trash compactor at the Recycling Center.
 7. Disposing of pet waste down a storm drain or disposing of cat-litter down a toilet is prohibited and a health hazard. Please be considerate of fellow residents when walking your pets.
 8. Unit owners are prohibited to hang birdhouses, birdseed bags or toss/leave bread or any food on the ground to feed animals, birds, ducks and geese. The Association will remove birdhouses and birdseed bags and the unit owner will be charged for the removal.
 9. The Association will provide a "Bark Park" with rules to be established.

It is prohibited to walk a pet to relieve itself on the lawns, sidewalks, roadways, parking areas, or common grounds in the immediate, front, rear or side of any unit.

OUTDOOR GRILLS

1. Residents are not permitted to use barbecue grills of any type or description, except those powered by electricity.
2. The use of propane or charcoal grills is prohibited, as is the storage of propane in any form.

If the Association received a violation for the storage of propane as the result of a Unit Owner, the Unit Owner will be responsible to remove the propane and to pay the fine imposed.

WINDOW AIR CONDITIONERS AND WINDOW FANS

The use of window or wall air conditioners and window fans is strictly prohibited.

ARCHITECTURAL MODIFICATIONS

No architectural modification can be made without the expressed written approval of the Association before any work is begun.

INSTALLATION OF STORM DOORS

Storm door installation is permitted, however, the following model has been approved as the standard door for the community and is the only one allowed:

Model: TBD

GUESTS

Resident members are fully responsible for the conduct of their guest(s). Members must sign guest(s) in at all recreational facilities and shall be responsible for payment of appropriate fees, if any.

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LAUNDRY

Hanging of laundry outdoors on a clothesline or dryer rack is prohibited. No laundry may be hung from any patios or balconies where it might be visible to the public.

RADIOS

Residents are not permitted to play radios/boom boxes outside of their units so as to disturb their neighbors. Residents are also required to turn their vehicle radios down upon entering and driving through the complex so as not to disturb fellow residents.

OUTDOOR FURNITURE

1. Outdoor furniture may not be placed other than on your deck or patio.
2. Lawn ornaments, birdbaths and decorations are prohibited.

The Association and/or the landscape contractor are not responsible for damage to Unit Owners outdoor furniture that is left on the common grounds.

PLANTING GUIDELINES - - COMMON AREA PLANTING BEDS

1. No trees, flowers, fruits or vegetables may be planted in common planting beds.
2. No decorative rocks, sea shells, pine bark, marble chips or any other mulch may be added to the common areas.
3. No birdbaths, wind ornaments, statues, signs or artificial plants (plastic or wood) of any kind may be placed on the common area.
4. No fencing or edging of any kind may be installed.
5. Living plant material placed by the Developer or the Association may not be removed or relocated without prior approval of the Association

PLANTS & DECORATIONS ON STAIRS, DECKS, FENCES & LANDINGS

The rules with respect to plants and other decorations on stairs, decks, fences and landings have been instituted for safety reasons. No exceptions will be allowed and no modification requests will be considered except as required by law.

1. No plants or any other decorations may be placed on outdoor stairs.
2. No flower box or hanging plant may be hung in such a way that it extends directly over any Common Element. Flower boxes and hanging plants may be hung over limited common elements with exception that they may not be hung over another unit owner's limited common elements or over any driveway.
3. Wind chimes are not permitted.

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STORAGE

Storage of baby strollers, bicycles, trunks, lawn furniture, water bottles, garbage cans, recycling cans, cooking grills, any personal items, etc., is prohibited to be stored on or under stairwells, on balconies or front entrances, or driveways. All such items must be placed in the storage closet or garage.

TRAFFIC & PARKING

RADIOS

Residents and their guests are required to turn their vehicle radios down upon entering and driving through the complex so as not to disturb fellow residents.

SPEED LIMIT

The speed limit throughout the site is 15 MPH. State and local police will be authorized to issue summonses to violators.

VEHICLE MAINTENANCE

With the exception of changing a flat tire, or washing and waxing a vehicle, no other type of vehicle maintenance is permitted within the Association property.

PARKING

1. No street parking is allowed on any street in the Association, whether posted or not. This includes any dead ends or parking in any way that blocks a driveway. (Note: Under Virginia Law, it is illegal to park blocking any driveway, even to ones' own home).
2. The regular use of unassigned parking spaces instead of one's driveway, garage or assigned parking space is prohibited.
3. No homeowner or guest may park in someone else's parking area without permission of the owner.
4. All vehicles parked in Promenade at John Tyler must be kept in an operable condition and have current plates, inspection stickers and registration.
5. No vehicle may utilize more than one parking space.
6. Only private passenger-type cars, station wagons, vans and two wheeled, motorized vehicles are allowed to park overnight. Motorcycles should have a board or other device under the kickstand so as to prevent damage to the parking surface.
7. No recreational vehicles (campers, house trailers, motor homes, etc.) or commercial vehicles will be allowed to park overnight without special permission of the Association. When such permission is granted, the vehicle must be parked in a pre-designated area and shall not be used as living quarters.

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8. During snow removal times, residents must cooperate with the contractors by moving their vehicles when requested to do so.

Vehicles that are illegally parked will be towed without notice at the vehicle-owner's expense.

BICYCLES – RULES & STORAGE

1. All bicycles must obey Virginia Bicycle Laws. This includes, but not limited to:
 - A. Stopping at all posted stop signs
 - B. Anyone under 14 years of age must wear a safety helmet.
2. Bicycle riding on lawns or through planting beds is prohibited
3. No bicycle may be left in the street or on any walkway. Storage of bicycles must be in the garage only except in designated bike racks.
4. No bicycles may be stored on any balcony or deck, and may not be locked to any railing or lamppost. Bicycles may not be left in any planting bed or on the grass.

Note: In Virginia, a bicyclist must obey all State and Local Automobile Laws. Parents may be held legally responsible if their child becomes involved in an accident while bicycling after dark without a lighted headlamp and rear light. A parent may also be held responsible for any damage caused by the child's violation of any other traffic laws.

RECREATIONAL FACILITIES

USE OF CLUBHOUSE DURING OFFICE HOURS

1. The Clubhouse is open for the use of residents of the Association during all hours, subject to the limitations below. The Clubhouse will be open at all other times except for Association activities and private functions.
2. The principal use of the Clubhouse is as a community center with a focus on recreation, fitness and small work spaces.
3. Appropriate attire is required.
4. Children under 16 must be accompanied and supervised by an adult resident at all times.
5. The Clubhouse may be used for business meetings or for other business purposes.

POOL RULES AND REGULATIONS

1. Children under 12 years must be accompanied by an adult (at least 18 years old).
2. No food is permitted in the pool area. Non-alcoholic beverages are

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- permitted. However, glass containers are not permitted. Alcoholic beverages are prohibited.
3. Tables, chairs and lounges cannot be reserved. Residents may bring their own chairs and lounges. These items cannot be left in the pool area overnight.
 4. Cutoffs and T-shirts are not considered bathing suits and are not permitted. Children wearing diapers must wear pants over the diapers.
 5. No flotation devices, balls, Frisbees, etc. are permitted in the pool area, except as approved by the lifeguard on duty.
 6. No diving or jumping into the pool, no running, roller-skating, skateboarding, scooters or bike riding around the deck. No horseplay or unnecessary splashing will be permitted in the pool area. Expectoration, roughness or other conduct affecting the safety and comfort of others shall not be permitted.
 7. No pets, except seeing eye dogs shall be permitted.
 8. All persons shall shower before entering the water (shower off most of the tanning lotions).
 9. Any person showing evidence of skin disease, sore or inflamed eyes, cold, nasal, or ear discharges or any communicable disease shall be denied admission to the pool area.
 10. Persons with excessive sunburn, open blisters, cuts, or bandages shall be refused admission to the water at the discretion of the lifeguard on duty.
 11. Persons suspected of being under the influence of drugs or alcohol shall not be permitted to enter the pool area.
 12. Swimming shall be prohibited during an electrical storm and the pool will be closed. In the event of inclement weather, the lifeguard on duty will make the final decision as to when the pool will be closed.
 13. Under normal circumstances the following schedule will prevail. Hours: 10am to 8pm daily. In the event the pool is closed to inclement weather or repair and cannot be reopened by 4pm, the pool will remain closed for the day.
 14. Shoulder length hair and long hair must be tied back, clipped up or you may wear a bathing cap.
 15. No person shall bring soap or shampoo to the pool showers.
 16. Audible radios and stereos are not permitted. Audio devices with earphones are permitted. However, remember it is for your own enjoyment and you must be considerate of your neighbors.
 17. Guests must be accompanied to the pool by the Unit Owner/Resident they re visiting. Only two (2) guests per household are permitted and the Unit Owner must have guest passes on file.
 18. The pool is not guarded and swimming is at your own risk.
 19. All guests at the pool will be required to have the proper method of access.

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PENALTIES FOR VIOLATIONS

The Board has the authority to fine Residents for violating the Rules and Regulations. The fines are as follows:

First Violation –
Warning

Second Violation and
thereafter in
accordance with the
Virginia Condominium
Act

SUMMARY

These Rules and regulations are published for the benefit of all who reside in and visit your community. Condominium living may be new to many of you and will require considerable adjustment, sacrifice, indulgence and cooperation by all. As homeowners are elected to the Board of Directors and to the many committees, they may well see fit to change or modify this booklet. Your input into all of this is vital to the successful administration and future growth of your Association.