



*The Village of*  
**Mount**  
*Airy*

# **Mount Air Conservancy**

**ARCHITECTURAL**

**RULES AND REGULATIONS**

February 23, 2021

## PREFACE AND ACTION RECORD

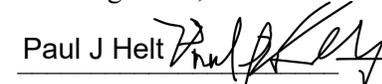
This document is based on the following authorities:

- Section 55.1-1819 of the Virginia Property Owners’ Association Act empower the Board of Directors to establish, adopt, and enforce rules and regulations with respect to use of the common areas and with respect to such other areas of responsibility assigned to the association by the declaration and to assess certain remedies, including monetary charges and suspension of privileges, against Members of the Association who are responsible for violating the Association’s Governing Documents; and
- The Association’s Articles of Incorporation define the purpose and powers of the corporation to be vested in the directors; and
- Article VI, Section 5 of the Declaration provide the ability to adopt rules and regulations for architectural control for the Association; and
- Article VI, Section 10 of the Declaration authorizes the board of directors to adopt “house rules” or other community rules and regulations.

As such, the Board of Directors adopt the following Architectural Rules and Regulations. These rules and regulations may be revised, adopted, and published from time to time as appropriate by the Board of Directors.

Duly adopted at a meeting of the Board of Directors held on February 23, 2021.

Motion by: Abigail Green      Seconded by: Sam Zaghmout

|   | VOTE: |    |         |        |
|---|-------|----|---------|--------|
|   | YES   | NO | ABSTAIN | ABSENT |
| <br>Andrew Heyman, President       | X__   | __ | __      | __     |
| <br>Sam Zaghmout, Vice President   | X__   | __ | __      | __     |
| <br>Paul Helt, Secretary/Treasurer | X__   | __ | __      | __     |
| <br>Abigail Green, Director        | X__   | __ | __      | __     |

ATTEST:  
  
 Paul Helt, Secretary

3 Mar 21  
Date

**These Rules and Regulations are effective as of date of adoption and supersede any previously approved Architectural rule, regulations, or guidelines.**

## MOUNT AIRCONSERVANCY

### POLICY RESOLUTION NO. 2021- 01 ARCHITECTURAL AND GROUNDS RULES AND REGULATIONS

In a townhouse development, any change to the exterior of one's home and property has a direct affect on neighboring homes as well as on the community as a whole. As homeowners seek to enhance their investment in their homes and community, maintaining compatibility with the integrity and original design of the community is essential. These Rules and Regulations are provided in an effort to conserve the natural beauty of the subdivided property, to ensure its best use and most appropriate development, and to prevent the erection of poorly designed or constructed improvements. These Rules and Regulations expand upon and specify the protective and Restrictive Covenants of Article VI of the Conservancy Bylaws.

#### 1. AUTHORITY

- a. These Rules and Regulations have been reviewed and approved by the Mount Air Conservancy Board of Directors in accordance with the Association's By-Laws.
- b. Residents are reminded that the Protective and Restrictive Covenants of Article VI are legally enforceable. The wording, which follows in bold print, is quoted from the Covenants for your reference.

**ARTICLE VI, SECTION 5. THE ARCHITECTURAL CONTROL COMMITTEE MAY FROM TIME TO TIME ADOPT AND PROMULGATE SUCH RULES AND REGULATIONS REGARDING THE FORM AND CONTENT OF PLANS AND SPECIFICATIONS TO BE SUBMITTED FOR APPROVAL AND MAY PUBLISH AND RECORD SUCH STATEMENTS OF POLICY, RULES AND REGULATIONS, GUIDELINES AND ESTABLISH SUCH CRITERIA RELATIVE TO ARCHITECTURAL STYLES OR DETAILS, FENCES, COLORS, SETBACKS, MATERIALS OR OTHER MATTERS RELATIVE TO ARCHITECTURAL CONTROL AND THE PROTECTION OF THE ENVIRONMENT, AS IT MAY CONSIDER NECESSARY OR APPROPRIATE. NO SUCH RULES, REGULATIONS, STATEMENTS, CRITERIA OR THE LIKE SHALL BE CONSTRUED AS A WAIVER OF THE REQUIREMENT OF THIS DECLARATION.**

#### 2. PURPOSE

The purpose of these Rules and Regulations is to:

- a. Establish and enforce Rules and Regulations governing additions/modifications to homes and grounds within the community.
- b. Prescribe procedures governing applications for the approval of additions/modifications to homes and grounds within the community.
- c. Establish and enforce Rules and Regulations governing the use and general repair/appearance of homes and grounds within the community.

### 3. PROJECT REQUEST/APPROVAL PROCEDURES

**ARTICLE VI, SECTION 1. NO BUILDING, FENCE, WALL OR OTHER IMPROVEMENTS OR STRUCTURES SHALL BE COMMENCED, DIRECTED, PLACED, MOVED, ALTERED OR MAINTAINED UPON THE PROPERTY, NOR SHALL ANY EXTERIOR ADDITION TO OR CHANGE (INCLUDING ANY CHANGE OF COLOR) OR OTHER ALTERATION THEREUPON BE MADE UNTIL THE COMPLETE PLANS AND SPECIFICATIONS SHOWING THE LOCATION, NATURE, SHAPE, HEIGHT, MATERIAL, COLOR, TYPE OF CONSTRUCTIONS AND OTHER PROPOSED FORM OF CHANGE (INCLUDING, WITHOUT LIMITATION, ANY OTHER INFORMATION SPECIFIED BY THE ARCHITECTURAL CONTROL COMMITTEE) SHALL HAVE BEEN SUBMITTED TO AND APPROVED IN WRITING AS TO SAFETY, HARMONY OF EXTERNAL DESIGN, COLOR AND LOCATION IN RELATION TO SURROUNDING STRUCTURES AND TOPOGRAPHY AND CONFORMITY WITH THE DESIGN CONCEPT FOR THE COMMUNITY BY AN ARCHITECTURAL CONTROL COMMITTEE DESIGNATED BY THE BOARD OF DIRECTORS.**

- a. All visible alterations and improvements to your home and property must be approved by the Architectural Control Committee (ACC) prior to starting any project. The ACC shall consider only written architectural change requests. Oral requests will not be considered. One copy of the application must be delivered to the Management Agent who will then submit them to the ACC. Written notification will be provided of the ACC's review (i.e. approval, disapproval or request for additional information).
- b. Should a project have been started or completed without approval by the ACC, it is each homeowner's responsibility to submit to the ACC a post facto application detailing each of these projects.
- c. All changes must conform to the Fairfax County regulations, and a homeowner must have the necessary building permit, zoning verification, and other pertinent documents. In additions, homeowners should contact utility companies to prevent damage to buried utility lines. These should be located prior to construction. **CONTACT MISS UTILITY** at VA811.com before construction. Some projects will also require that consideration be given to drainage, so those neighboring yards are not adversely affected. It is the homeowner's responsibility to comply with County and State regulations. Approval by the ACC does not relieve the homeowner of this responsibility. Approval by the ACC is related solely to compliance with Mount Air Conservancy Declarations and Rules and Regulations. ACC approval of an addition/modification in no way constitutes approval with regard to state or local building codes.
- d. Homeowners will submit, in advance, a written project request, which contains detailed pertinent information on the proposed addition or modification. See Exhibit A. The request will include:
  1. Street address, lot number and telephone number(s).
  2. Detailed drawing to scale.
  3. Pictures, if available.
  4. Dimensions, including height, width, size and shape.
  5. Color, if applicable.
  6. Location.

7. Materials to be used.
  8. Scheduled start and completion date.
  9. Photographs and/or sketches of similar completed projects in the community, if applicable.
  10. Copy of plat for fences, decks and major landscaping showing proposed location in relation to property boundaries.
- e. Extraordinary request shall be subject to consultation with neighbors who would be immediately affected by the addition or modifications.

**ARTICLE VI, SECTION 3. UPON APPROVAL BY THE ARCHITECTURAL CONTROL COMMITTEE OF ANY PLANS AND SPECIFICATIONS SUBMITTED PURSUANT TO THE PROVISIONS OF THIS ARTICLE, A COPY OF SUCH PLANS AND SPECIFICATIONS, AS APPROVED, SHALL BE DEPOSITED AMONG THE PERMANENT RECORDS OF SUCH COMMITTEE AND A COPY OF SUCH PLANS AND SPECIFICATIONS BEARING SUCH APPROVAL, IN WRITING, SHALL BE RETURNED TO THE APPLICANT SUBMITTING THE SAME.**

- f. If an incomplete application is submitted, the application shall be considered disapproved until the additional information is furnished. When the complete application, with supporting information and documentation as outlined in 3.d above, is resubmitted with the new information, a new thirty (30) day review cycle begins.

**ARTICLE VI, SECTION 2. IN THE EVENT THE COMMITTEE FAILS TO APPROVE OR DISAPPROVE ANY PLANS AND SPECIFICATIONS WHICH MAY BE SUBMITTED TO IT PURSUANT TO THE PROVISIONS OF THIS ARTICLE WITHIN SIXTY (60) DAYS AFTER SUCH PLANS AND SPECIFICATIONS (AND ALL OTHER MATERIALS AND INFORMATION REQUIRED BY THE ARCHITECTURAL CONTROL COMMITTEE) HAVE BEEN SUBMITTED TO IT IN WRITING, THEIR APPROVAL WILL NOT BE REQUIRED AND THIS ARTICLE WILL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.**

- g. No response from the ACC within sixty (60) days, as specified above, shall constitute approval of the proposed modification.

**ARTICLE VI, SECTION 4. CONSTRUCTION OR ALTERATIONS IN ACCORDANCE WITH PLANS AND SPECIFICATIONS APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE PURSUANT TO THE PROVISIONS OF THIS ARTICLE SHALL BE COMMENCED WITHIN SIX (6) MONTHS FOLLOWING THE DATE UPON WHICH THE SAME ARE APPROVED BY THE COMMITTEE (WHETHER BY AFFIRMATIVE ACTION OR BY FORBEARANCE FROM ACTION, AS IN SECTION II OF THIS ARTICLE PROVIDED), AND SHALL BE SUBSTANTIALLY COMPLETED WITHIN TWELVE (12) MONTHS FOLLOWING THE DATE OF COMMENCEMENT, OR WITHIN SUCH OTHER PERIOD AS THE COMMITTEE SHALL SPECIFY IN ITS APPROVAL. IN THE EVENT CONSTRUCTION IS NOT COMMENCED WITHIN THE PERIOD AFORESAID, THEN APPROVAL OF THE PLANS AND SPECIFICATION BY THE COMMITTEE SHALL BE CONCLUSIVELY DEEMED TO HAVE LAPSED AND**

**COMPLIANCE WITH THE PROVISIONS OF THIS ARTICLE SHALL AGAIN BE REQUIRED. THERE SHALL BE NO DEVIATION FROM THE PLANS AND SPECIFICATION OR DESIGN APPROVED BY THE COMMITTEE WITHOUT PRIOR CONSENT IN WRITING OF THE COMMITTEE. APPROVAL OF ANY PARTICULAR PLANS AND SPECIFICATIONS OR DESIGN SHALL NOT BE CONSTRUED AS A WAIVER OF THE RIGHT OF THE COMMITTEE TO DISAPPROVE SUCH PLANS AND SPECIFIC ACTIONS, OR ANY ELEMENTS OF FEATURESTHEREOF, IN THE EVENT SUCH PLANS AND SPECIFIC ACTIONS ARE SUBSEQUENTLY SUBMITTED FOR USE IN ANY OTHER INSTANCE.**

- h. Construction of a homeowner's project shall commence within six (6) months of the ACC approval date and shall be substantially completed within twelve (12) months or within such other period as the ACC designates. Homeowners shall re-submit their plans and specifications to the ACC for approval should construction not commence within the approval period. A new application is required if a homeowner makes any modification to the approved plans and specifications.

#### **4. PROJECT DISAPPROVAL**

**ARTICLE VI, SECTIONS. THE DECISIONS OF THE ARCHITECTURAL CONTROL COMMITTEE SHALL BE FINAL EXCEPT THAT ANY MEMBER WHO IS AGGRIEVED BY AN ACTION OR FORBEARANCE FROM ACTION BY THE COMMITTEE (OR BY ANY POLICY, STANDARD, OR GUIDELINES ESTABLISHED BY THE COMMITTEE) MAY APPEAL THE DECISION OF THE ARCHITECTURAL CONTROL COMMITTEE TO THE BOARD OF DIRECTORS AND, UPON THE REQUEST OF SUCH MEMBER, SHALL BE ENTITLED TO A HEARING BEFORE THE BOARD OF DIRECTORS OF THE ASSOCIATION.**

- a. If a project is disapproved, the homeowner is free to request that the ACC reconsider its position. The homeowner should present new or additional information which clarifies the request or demonstrates its acceptability, in the event the ACC and the homeowner cannot come to agreement on the proposed modification, the homeowner may appeal to the Board of Directors.
- b. A variance may be granted in unusual circumstances. A variance is in exception to the specific Rules and Regulations in paragraph seven (7) which may be granted due to unusual shape, exceptional topographic conditions, or other extraordinary situations or conditions, or other extraordinary situations or conditions in connection with a specific piece of property when the literal enforcement of these Rules and Regulations would involve practical difficulties and cause undue hardship unnecessary to carrying out the spirit and intent of these Rules and Regulations, no variance shall be granted for projects undertaken without prior ACC approval.
- c. Enforcement procedures as outlined in paragraph five (5) shall become effective if the homeowner proceeds with a project after notification that the project was disapproved by the ACC.

## **5. ENFORCEMENT**

- a. The ACC reserves the right to inspect the modification/addition to ensure full compliance with the approved plans.
- b. When the ACC becomes aware of a violation of the architectural or grounds Rules and Regulations and covenants, the homeowner will be notified in writing and asked to correct the violation within a period of time specified by the ACC.
- c. If there is no response to the initial notice, and the violation has not been corrected, the homeowner will be sent a hearing notice by certified mail, return receipt requested. For more details on the enforcement process, refer to the Association's Due Process Policy Resolution.

## **6. APPEALS**

- a. Homeowners may appeal an ACC decision in writing, to the Board of Directors and ask for an appeals hearing. Appeals should be submitted within fifteen (15) days of the initial notice of violation.
- b. Both the homeowner and their representative from the ACC must be present at the hearing. Each will submit written material concerning the disapproved addition or modification for the Board members to review prior to the appeals hearing.
- c. A majority vote of the Board of Directors is required to overturn a decision made by the ACC.
- d. The Board of Directors will notify the homeowner and the ACC of their final decision in writing.

## **7. SPECIFIC RULES AND REGULATIONS**

The following is a partial list of the Architectural Rules and Regulations approved by the Board of Directors to preserve the aesthetic qualities of the community and to keep the community in good repair and well maintained. These Rules and Regulations will also assist homeowners in submitting requests for architectural changes to their homes and property. These Rules and Regulations may be modified or changed from time to time whenever sufficient evidence is presented to the Board of Directors that warrants a re-evaluation or when experience gained demonstrates the necessity to reconsider a previously established Rule. Nothing contained in these Rules and Regulations relieves the homeowner from first obtaining specific approval for the project from the ACC as described in paragraph three (3). Also included are Rules and Regulations for maintenance of homes and grounds and of common areas.

- a. Decks and patios
  1. Pressure treated southern yellow pine or other wood that conforms to Fairfax County Code (subject to approval of the ACC) shall be used for all wood components. Composite materials may be considered on a case-by-case basis.
  2. No painting of deck components is permitted.
  3. Pigmented stain or preservatives on wood components and composite wood colors may be considered on a case-by-case basis. A list of approvable stains are in Attachment B and updates will be made available by the Association on their website. Clear preservatives, water or oil based, are acceptable and do not

require ACC approval.

4. All deck designs will be considered on a case-by-case basis.
5. All construction shall be in compliance with Fairfax County Code.
6. All deck designs and location of decks and patios must not create water run off problems on neighboring lots or common areas.
7. No items shall be suspended from decks for the purpose of storage.
8. Top floor/third story decks will not be approved.
9. Decks, above the fence level, may be added to the backside of the townhouse only, and for end units, shall not be extended laterally beyond the side face nor forward of the back face of the building.
10. Enclosing the area below the deck is not allowed.
11. Applicant must notify the two adjacent homeowners and request written acknowledgement and comments about the pending construction of decks or patios.

b. Front Doors/Storm Doors/Screens/Security Doors

1. Storm doors must be a Full view design.
2. Storm doors must be of wood, vinyl, or aluminum with white gloss or semi-gloss finish.
3. Security doors with bars are not allowed.
4. Replacement front doors must be consistent with the original design (i.e., four panels with clear upper window lights or 6 panels)

c. Sheds/Storage Units

1. Must complete an Architectural Application for shed approval.
2. Must indicate location of shed within property. Shed must be positioned adjacent to home structure or fence.
3. Large "Barn Style" and Gable Style Sheds are Prohibited.
4. Maximum Shed Dimensions: 5ft x 8ft x 6ft-7 inches in Height. Slightly larger sheds will ONLY be considered on a case-by-case basis.
5. May not be attached in any manner to a house or fence.
6. May not extend above or beyond an existing privacy fence without prior written approval and will be considered on a case-by-case basis.
7. Must be weather resistant wood, man-made materials, or metal.
8. Painted, or Pigmented stains preservatives will not be used without prior written approval. Clear water sealer preservatives are acceptable and do not require ACC approval.
9. Water run-off from shed roof must not be directed onto neighbor's yard or common ground..
10. All sheds will be maintained in good condition and repair.
11. No items are to be stored on top of sheds.
12. One shed or storage structure per lot.

d. Hot tubs/Jacuzzis

1. These items must be installed within the homeowner's rear fenced lot and be at ground level.
2. Installation must meet all applicable County and National electrical codes.
3. Electrical connections should be made by a licensed electrician.

e. Fences and Gates

1. Front yard fences are not permitted.
2. Rear yard fences are to match existing fence in design and timber sizes and are not to extend beyond property lines nor further forward than the back face of the townhouse.
3. Approved material includes, pressure treated pine, cedar or redwood; horizontal runners (2x4's). Hardware will be either galvanized or stainless steel.
4. Fences must not exceed 6 feet in height from interior level.
5. No paint is allowed. Pigmented stain or preservatives shall be considered on a case-by-case basis. If allowed, a list of approvable stains are in Attachment B and updates will be made available by the Association on their website. Clear preservatives, water or oil based are acceptable and do not require ACC approval.
6. Gates must be the same as existing design and material as the fence and wood allowed in paragraph 7.e.3.
7. Only wood privacy fencing is allowed. No chain link, split rail, wire, metal, expanded metal, vinyl, plastic, etc. will be approved.
8. Fences and gates shall be maintained in good repair (i.e., no gates off their hinges, no broken boards, no leaning fences or posts). If vines are permitted to grow on fences, they should be trimmed in such a manner that they do not protrude outside fencing, especially back or side fences exposed to common areas.
9. Pressure treated lattice material, timber or lumber may be used to extend the bottom of back yard fences to the ground where topography creates gaps because ground is not level. Other materials are not permitted to extend the bottom of back yard fences.
10. Vertical privacy fencing is the allowed style (also known as stockade). All fences must be designed to have a top rail which eliminates dog eared boards, picket, mount Vernon dip, scalloped or French gothic points as fence boards.

f. Exterior Painting

1. Painting or repainting must conform to existing colors and pattern of house unless a color change has been submitted and approved by the ACC. Only those areas that are painted may be repainted.
2. Must be done in a professional manner.
3. Masonry walls and concrete steps shall be considered on a case-by-case basis.

If allowed, a list of acceptable finishes will be made available by the Association.

4. Bay window caps are the homeowner's responsibility and must be repainted in an approved metallic copper color.
5. Only exterior Colonial Williamsburg colors are acceptable for front doors, shutters, and painted trim. Variation in shade shall be considered on a case-by-case basis. Paint color samples should be submitted with application to the ACC. A current list of original approved colors is in Attachment A.
6. Iron railings and house numbers shall be repainted in semi-gloss black.
7. Paint on the exterior fixtures of the home (i.e., front doors, garages, shutters, associated trim, handrails, etc.) Shall be maintained in a uniform and good repair (with no peeling, chipping or stains).

g. Exterior Maintenance

1. Replacement gutters and down spouts shall be the same color as originally installed by the builder.
2. It is the responsibility of each homeowner to maintain the exterior portion of his home and property. Exteriors must be in good repair, clean of dirt, debris and algae. Faded, chipped, flaking, rotted, or damaged areas must be repaired or replaced and not coated over. All exterior repairs and replacements must be consistent with the HOA's rules and regulations relating to the existing color, material and style, including but not limited to siding, brick, gutters, roof shingles, wood trim, fencing, windows, shutters, steps, stoops and sidewalks.
3. No baby carriages, bicycles, or other articles of personal property shall be deposited nor allowed to remain overnight on any lot except on the enclosed rear yard.
4. Front or back yards shall not be used as open storage areas.
5. Properties shall be kept free of debris, trash and offensive organic matter.
6. Hoses and sprinklers used for watering front lawns and flower beds may be left in the front area of units if stored neatly and unobtrusively. Use of hose rack and retractable hoses is encouraged.
7. All light fixtures must be black, white or brass. Light fixtures attached to the townhouse must be maintained in good repair. Light bulbs and fixtures shall produce white light and must be covered, i.e., no bare bulbs. No colored light bulbs. Flood lights will not be allowed in the front.
8. Missing house number signs must be replaced. House number signs must be in clear view above the front door and must be properly maintained. Homes with a garage may request house number signs centered over the garage door. Stick on (applique) numbers are not allowable.
9. A list of approvable concrete finishes is included in Attachment B. All updates will be made available on the Association website. Submission of an application is REQUIRED for use of these finishes.

g. Antenna/Satellite Dish

Refer to Mt. Air's Policy Resolution No. 5 Relating to Satellite Dishes and Antenna. Any waiver to the requirements in that Resolution will be considered on a case-by-case basis. All cables leading from antenna/dish must be anchored or concealed. Cables on

exterior of property line must be buried to prevent trip hazards.

i. Landscaping

1. Major landscaping work and plantings require the approval of the ACC. Major landscaping is considered to be anything that would change the character of the yard from its original form (i.e., increasing mulched area, adding or removing shrubs or trees).
2. Lawns shall be a uniform ground cover of green grass and present an acceptable appearance. Yards must be well maintained, i.e., pruned shrubs, no dead or partially dead plants, no bare ground and no weeds. Grass shall not exceed six inches in height. Loose trash and leaves must be picked up and not allowed to accumulate.
3. Trees, shrubs, lawns, hedges, vines, and ground cover shall be planted so that they will not interfere with or protrude in any manner on a neighbor's property or common ground and shall be kept neatly trimmed. Shrubs or other plants that form barriers between individual properties or common areas are not permitted,
4. Dead shrubs and trees on private property must be removed including the stump. Any tree removed must be replaced. Dwarf/semi-dwarf trees are encouraged as a replacement to the original trees (i.e., Japanese maples, crepe myrtle, dogwood, etc.) Shrubs and trees shall not be removed from common grounds.
5. Landscape materials:
  - a. Crushed aggregate (gravel style stones) shall not be used outside fenced back yards.
  - b. Front yard edging or border material shall be pressure treated wood timbers Red clay or white clay solid rectangular bricks which must be properly installed and maintained. Other landscape border materials must be approved.
  - c. No sculptures, fountains, water features or ornaments are permitted outside fenced backyards. This does not prohibit display of seasonal decorations.
6. Vegetable gardens are not permitted outside of fenced backyards and may not exceed 50% of the back yard or extend above the height of the fence.
7. NOTHING SHALL BE PLANTED IN OR REMOVED FROM COMMON GROUNDS WITHOUT PRIOR APPROVAL FROM THE BOARD OF DIRECTORS.

j. Roof Exhaust Units/Attic Fans

1. Mechanical or Electromechanical roof/attic exhaust devices shall be installed on the rear of the roof, below the crown, so they are not visible from the front of the house. Replacement ridge vents will be similar to those originally installed by the developer. Alternative replacement ridge vents must be approved prior to installation.
2. Exhaust devices and their installation must conform to current national and local codes. Electrical wiring will generally require a permit from Fairfax County; therefore, any installation should be performed by a licensed contractor.
3. Applications submitted for approval must include a drawing showing location of

exhaust device and a brochure of other detailed description of exhaust device.

k. Poles/Towers/Wires

1. No poles, towers or wires for the transmission or reception of electrical, telephone, or radio messages and the like shall be installed.
2. No permanent poles, ropes or wire structures for the purpose of hanging clothes to dry shall be placed or maintained in yards or on decks. Temporary lines shall be permitted below fence lines.

l. Shutters/Window/Screens

1. All exterior windows, shutters, and screens shall be the same style; size and color as originally installed by the builder.
2. The aluminum frames of the windows and screens shall have a white, baked enamel finish.
3. Polar windows (similar to the style of existing windows) and atrium doors may be approved as upgrades to existing window and patio doors on the backside only.
4. Bars on ground level window only will be considered.
5. Missing or damaged screens and shutters must be replaced. All shutters must match in style, color and dimension, to the window that they frame.

m. Chimneys/Woodstoves/New Fireplaces

1. Detailed drawings must be submitted to the ACC for approval.
2. All fireplaces and woodstove flues must be covered to match the existing outside wall of the townhouse unit.
3. Installation of woodstoves, inserts, and new fireplaces must comply with state and local fire safety regulations.

n. Playground Equipment

Exterior playground equipment may only be placed in the rear yard and may not extend above the fence or onto common property without prior approval of the ACC.

o. Trash

1. No property shall be used or maintained as a dumping ground for rubbish.
2. Garbage or other waste shall be kept in covered sanitary containers or heavy-duty trash bags within rear yards. Neither trash containers nor recycling containers are to be kept in front or side yards.
3. Garbage containers should be placed on front curb no earlier than the night before pickup (after daylight hours). Containers should be removed the same day as pickup.

p. Vehicle Repair

1. Automotive repair and extraordinary maintenance work shall not be performed

on Mt. Air Common grounds. This includes parking areas or grassy areas. Minor repairs (flat tire, dead battery) which can be completed within 24 hours are permitted (See Policy Resolution No. 3; Parking and Towing for additional information).

2. Residents in violation of any of these rules are subject to having their vehicle towed at their own expense and risk. In addition, residents will be billed for any grounds repair costs resulting from vehicle repair work.

q. Miscellaneous

1. Awnings are not permitted.
2. Approval is required for ornamental trees, hanging planters, flower boxes or other decorative additions located on the exterior of the house. Approval for these items shall be granted if they are determined to conform to the overall architectural harmony and appearance of the community.
3. Exterior lighting shall not be directed in such a manner as to create annoyance to neighboring units. A location plan must be submitted to the ACC for approval, no additional exterior lighting in the front yard is permitted without ACC approval. Additional lighting in the backyard requires approval if it is visible above the fence.
4. Motorized vehicles or sleds with runners are not allowed on grassy common areas.
5. Building materials or wood for fireplaces as well as all other private property, must be stored within the fenced enclosure of each homeowner's lot, below the fence line, and stacked neatly in an area not visible from public streets or sidewalks. Chopping of wood should only be done within the homeowner's enclosed backyard.
6. Occupants shall not install newspaper or mailboxes.
7. Damage to common areas caused by a homeowner's action will be repaired at the homeowner's expense.
8. Holiday decorations and lights must be removed within two (2) calendar weeks after the holiday. The decorations shall not extend into a neighbor's property or common ground.
9. No sign of any kind exceeding six square foot area shall be displayed for public view on any lot, except for one temporary sign advertising the lot for sale or rent. The latter will be removed immediately upon sale or rental of the advertised townhouse. Real estate signs at the entrance to the Village of Mount Air are only allowed on weekends. Other signs require approval.
10. Electronic insect traps shall be regulated based on the same criteria as for exterior lighting. No device shall be installed or maintained in such a way as to cause discomfort to adjacent owners from noise and may only be operated during those times when the immediate area protected by the trap is occupied by the owner or his/her guests.
11. Replacement of roofing material shall be roofing shingles only of similar size, weight, and color of that originally installed by the builder.