

THE  
VILLAGE  GRANDE®  
AT ENGLISH MILL

# **Architectural and Rules and Regulations**

**Revised: May 1,2024**

## **I. INTRODUCTION**

The Board of Trustees is empowered to promulgate, adopt, publish, and enforce such Rules and Regulations as may be necessary to carry out the intent of restrictions established in The Declaration of Covenants and Restrictions and the By-Laws (Governing Documents), specifically Articles 9.01 to 9.04 of the Declaration of Covenants. The Board has established an Architectural Control Committee (ACC) in order to assure that the Property shall always be maintained in a manner:

- Providing for architectural consistency, visual and aesthetic harmony, and soundness of repair.
- Avoiding activities deleterious to the aesthetic or property values of the Community.
- Furthering the comfort of the Owners, their guests, invitees, and lessees; and
- Promoting the general welfare and safety of the Property.

The ACC as empowered by the Board of Trustees has established Rules and Regulations to preserve the character of Village Grande at English Mill as a high quality, planned adult community. These Rules and Regulations, restrictions, and conditions incorporate and clarify those contained in the Governing Documents.

The duties, powers, and authority of the ACC are detailed in Article IX of the Declaration of Covenants and Restrictions and are legally binding upon every Owner and Occupant in the community. The ACC's powers include rights to issue Cease and Desist orders and levy fines for violations of the Rules and Regulations.

It is the Owner(s) and Occupant(s) responsibility to be familiar with the contents of the Governing Documents and this booklet. No Owner or Occupant shall have the right to paint, decorate, or otherwise change the appearance of the exterior of the home, property, or any portion of the Common Property, without the prior written consent of the ACC.

The Rules and Regulations contained herein are not all-inclusive and are subject to periodic amendments and revisions.

The Board has further designated the ACC to review, evaluate, and approve or deny all modification, improvement, and exterior change requests. All modification, improvement, and exterior change requests require the expressed written approval of the ACC prior to starting a project. Changes to previously approved work also must be submitted in writing prior to proceeding.

The community manager will be doing monthly exterior inspections from April to September. Homeowners and the Board will be notified of repairs or maintenance required to conform to the ACC Rules and Regulations.

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Application forms are available at the Clubhouse and through the Community Portal. Completed application forms must be submitted to the Community Manager who will record the request and forward it to the ACC. Most applications must include a plot survey, explicit design details and specifications, and to-scale drawings. All applications are considered on an individual basis utilizing, but not limited to, lot size, the model of the home, and the location of swales. The ACC reserves the right to apply limitations or restrictions as they deem necessary.

Failure to obtain written approval of any modification, improvement or exterior change will result in a fine of \$50.00 per day, per Policy 12 – Violations and Fines.

## II. APPLICATION PROCESS

- A. Applications are submitted to the Community Manager by the Owner of the property. The Manager may review the application for required documents and information and may return the application to the homeowner for clarification.
- B. All applications are then provided to the ACC for review.
- C. The ACC meets twice a month from March through October on a schedule determined by the sitting Committee Members. This schedule may be modified regarding proposals referencing ADA or Fair Housing consideration.
- D. Any project application that affects or involves the HOA's common irrigation system, will only be reviewed when the system is active (usually from April to October).
- E. The Community Manager may be given certain authority to review minor or standard projects as determined by the Committee, including during the period that the ACC does not hold regular meetings.
- F. The ACC may conduct a site visit prior to approval.
- G. A project may only commence when the Owner has received a written approval letter. Owner will receive written notification of the application status from the Community Manager within 75 days of submission.
- H. The owner must obtain a project permit which must be conspicuously displayed in a front window and remain until project is completed and the post inspection is finalized.
- I. Approvals are good for one year from the date of written communication.
- J. The Homeowner must obtain all permits required by any Township, County, State or Federal government entity prior to starting construction or demolition.
- K. The ACC may conduct progress inspections during the project.
- L. Owner must inform Manager within fifteen days of project completion.
- M. The ACC will do a final site visit to ensure compliance with the detail stated on the application. Once post inspection is finalized and approved, owner may remove the project permit.
- N. Should a homeowner's application not be approved by the ACC Committee, the homeowner may appeal the ACC decision to the Board for their review.

### III. GENERAL RESTRICTIONS

1. Applications to improve or modify the Common Property are subject to the Rules and Regulations adopted by the ACC and the same protective provisions contained within, including Articles 9.03 and 9.05.
2. Improvements or modifications may only be made to Common Property adjacent to the Homeowners property and if approved, maintenance of any improvement or modification becomes the sole responsibility of the Homeowner, his heirs or designees and shall be bound in perpetuity to the lot regardless of title transfer. The Common Property itself remains the property of the Village Grande of English Mill irrespective of any approval to improve or modify same.
3. The Association reserves the right to require the removal or modification of any project at the expense of the owner.

A. **AWNINGS** – Retractable fabric self-storing awnings are permitted on the rear of the home over the existing patio. Color, size, and quality of the awning must be pre-approved in writing. Stripes are allowed, provided they are limited to two or three colors and complement the trim and siding colors of the home. A material swatch must be submitted with the application.

**B. DOORS AND SHUTTERS –**

1. Replacement doors must be compatible in scale, color, and material with the original specifications of the community.
2. Approved paint colors are White, Black, Tuxedo Gray, Marooned, Blue Blazer or Jasper. Sample colors are available with the Community Manager.
3. Front or rear storm doors must be white or match the color of the front entry door. Front storm doors must be full view and have clear glass. Rear storm doors may be full view or half-panel clear glass.
4. Sliding or French doors may only be installed on the rear of the home.
5. Window shutters may be replaced or added but must be comparable in scale, color, and material with the original specifications of the community.
6. Door and shutter color must be the same.
7. No application or approval is needed to repaint exterior features the same color as part of routine maintenance.
8. Pet doors are prohibited.

**C. DRIVEWAYS –** Applications to replace a driveway must be submitted to the ACC for approval.

1. Driveways may be constructed of either concrete or pavers; asphalt is not permitted.
2. Only pavers are permitted to expand driveway width.
3. Owner accepts responsibility for the care and maintenance of any paver installation and understands that if anyone falls due to the installation of pavers, the HOA is not responsible.
4. Association is not responsible for damage to pavers caused by landscape or snow operations.

**D. ELECTRIC VEHICLE (EV) CHARGING STATIONS**

1. EV Charging Stations are permitted in the interior of the resident's garage or on the exterior of the home. If installing an EV charging station inside the garage, no application is required. It is, however, recommended that the homeowners notify the Community Manager for record purposes only.
2. If installing on the exterior of the home, the unit must be located out of view and on the side of the home nearest the other utility connections. An ACC application to include a detailed drawing showing the location of the EV Charging Station must be submitted when installed on the exterior of the home.
3. When not in use the electrical cable must be returned to the garage or when located on the side of the home, it must be coiled and out of view so not to hinder landscape and/or snow removal operations.
4. The homeowner, his/her tenant, or lessee must engage a licensed contractor and/or a licensed electrician to install the unit. All connection must follow all Federal, State, and local electrical code as specified.

**E. GARAGE DOORS AND WINDOWS –**

1. Short-panel window inserts may replace the solid upper panel of garage doors upon prior written request to the ACC. Only garage door's first (upper) panel may be approved for replacement with window panels. Application must include window style to be installed and is restricted to the five styles shown below.
2. Window selection must be compatible with style of windows in the Home.
3. Pet doors may not be installed on any garage door.



SP 20 – Stockton



SP 21 - Prairie



SP 23 - Cascade



SP 27 – Sunray



SP C – CL

**F. GENERATORS –**

1. Natural gas-powered generators are permitted on restricted portions of lots but require prior written approval of the ACC. Installation may not be possible on all lots due to location of swales and irrigation system as well as lot size and configuration.
2. Applications are available at the Clubhouse and must include scaled construction drawings showing location, size and rating efficiency of the generator and exterior system components. Deviation from approved specifications will result in fines and orders to remove non-conforming construction at the Owner's expense.
3. ACC approval is required to obtain the necessary Egg Harbor Township Zoning, Construction, Electrical, Plumbing and Fire Protection permits. To avoid unnecessary expense, homeowners should not apply for the five Township permits until the application is reviewed and approved by the ACC. Completed installation is subject to approval of Township inspectors. Copy of all permits and inspection certificates must be filed with the ACC via the Community Manager.
4. All connections must comply with the National Electric Code. If connected directly to the Home's main circuit panel, Homeowner, his tenant, or lessee must hire a licensed electrician to install a UL-listed interlocking plate, a double-pole breaker sized to the generator's output, and a twist-lock 4-prong receptacle. An improperly connected generator can result in dangerous back feed of electricity.
5. Homeowner must indemnify the Association and its members from any personal injury, liability, property loss, or damage caused by installation, maintenance or use of an emergency power generator. Owner or Occupant must provide for the generator's safety, maintenance, or replacement to the Association's satisfaction.
6. Portable gasoline-powered generators are prohibited from operating inside a garage to avoid poisonous carbon monoxide exhaust gas from infiltrating the house even with the garage doors open.
7. Portable gasoline-powered generators are not meant to be used 24 hours a day for 2 or 3 days but are designed for contractors' use for limited periods of time when on a job site.
8. Portable gasoline-powered generators should not be operated while sleeping, unless required by critical medical equipment, and must never be left operating while a resident is away from the house.
9. Portable gasoline-powered generators must be operated at least 5 feet from a house and 3 feet from any sparking device, unless greater distances are required by the manufacturer's operating manual or Egg Harbor Township Ordinance, if applicable.



**G. LIGHTING** – No Owner shall install or change any lights or floodlights (fixtures) on the exterior of a Home, patio, or flower bed without prior written consent of the ACC.

1. Fixtures must be compatible in scale, character, and material with the original specifications of the community.
2. Fixtures may not exceed 21 inches in height from ascending tip to descending tip.
3. Fixtures must be either brass, white, black, or bronze patina in color. See samples below.



4. Fixtures may not disturb or cause any concern to other homeowners. Replacement fixtures may contain a motion sensor, or dusk to dawn attachment. A picture of the proposed replacement fixture and detailed dimensions must accompany the application for approval. Lights must be aimed toward the homeowner's home.
  5. Low Voltage Accent Lighting/Solar Lights are permitted in the front landscape beds only.
  6. Spotlights or floods lights may be installed on the back of the home. Motion sensor flood lights may be installed on the sides of the home with sensors set at thirty (30) to sixty (60) seconds. Security motion sensor flood lights may be installed above the garage doors. Care should be taken when installing lights that don't shine into neighbor's windows. Spotlights, flood lights, and/or motion detected flood lights shall not disturb or interfere with the comfort of the neighbors' living space, nor be aimed at adjacent properties.
- H. PAINT COLORS** –
1. Approved paint colors are white, black, Tuxedo Gray, Marooned, Blue Blazer or Jasper (Sherwin Williams paint brand). See samples from Community Manager.
  2. Door color and shutter color must be the same.
  3. Application is required to change the paint color of exterior features; however, no application or approval is needed to repaint exterior features the same color as part of routine maintenance.

- I. **ROOF** – An approved application is required for installation of a new roof and the application must include the style of shingle and a color sample. The new roof is limited to only asphalt shingles (3-Tab, architectural). Color sample palettes are available in the office for review. If you received a sample palette from your contractor, please bring that to the office along with the application prior to starting the installation.
- J. **SATELLITE DISHES** – No Owner or occupant shall erect or maintain an exterior antenna or satellite dish any home unless approved by the ACC. Satellite dishes are permitted if no larger than 39 inches in diameter or diagonal measurement. Every effort should be made to install the satellite dish on the rear of the home below the roof line. Location of the satellite dish must not interfere with the enjoyment of adjoining property Owners. Owner must indemnify the Association from any personal injury and property loss, or damage caused by the installation, maintenance, or use of a satellite dish.
- K. **SOLAR PANEL SYSTEMS** - A roof-mounted Solar Photovoltaic (PV) System (a.k.a. solar panels) is permitted but requires prior written approval of the ACC. Installation other than on the Homeowner's roof is strictly prohibited.
  1. Applications are available at the Clubhouse and must include detailed scaled construction drawings showing location, size, color, and rating efficiency of solar electric modules, exterior conduits, and other exterior system components. Once approved, deviation from construction drawing specifications will result in fines and orders to remove non-conforming construction at the Owner's expense.
  2. Capability of the roof structure to support the Solar PV System load and lift must be certified by a licensed architect or structural engineer. System must be designed and installed by a professional, licensed contractor. Photographs, manufacturer's description of the system and color selections must accompany the application.
  3. Solar PV System's array must be flush mounted, and all components must integrate with the Home's exterior design. Color of the system components should conform to the roof shingle color to the extent practical (i.e., black frames on dark colored shingles, silver frames on light colored shingles).
  4. Exterior conduits must be hidden from sight, either in the attic, garage, basement or under eaves, and color-coded to match roof shingles, eaves, or siding where not reasonably possible to conceal them. The DC/AC disconnect boxes, inverter, main electrical panel alterations and other exterior components (excluding solar panels) must be concealed/color-coded to blend with the structure.

5. Homeowner must indemnify the Association and its members from any personal injury, liability, property loss or damage caused by the installation, maintenance or use of a solar energy system. The Owner also must provide for the safety, maintenance, repair, or replacement of the solar system to the satisfaction of the Association. The Owner, his tenants or lessees must keep solar panels free of dried leaves and combustible debris.
  6. Prior ACC approval is required to obtain an Egg Harbor Township building permit. Installation is subject to approval of a Township inspector. To avoid unnecessary expense, Homeowners should not apply for a permit until application is approved by the ACC.
- L. **STRUCTURAL CHANGES** - Nothing shall be done in or to any Home or on, in or to the Common Property, that will impair the structural integrity of any Home or which will structurally change any Home.

#### **IV. LANDSCAPING, IRRIGATION, AND HARDSCAPING**

The maintenance, watering, and weeding of all landscape beds, plants, and trees on the owner's property is owner's responsibility. The replacement or addition of shrubs, bushes, and flowers inside existing beds with plants of similar size and growth habit shall not require approval of the ACC. The use of invasive plants such as zoysia grass and bamboo are prohibited.

- A. ARBORS, LATTICE AND TRELIS are prohibited.
- B. ARTIFICIAL FLOWERS OR ARTIFICIAL PLANTS are prohibited.
- C. BIRD FEEDERS, BIRDHOUSES AND BIRDBATHS – Bird feeders and birdhouses are permitted only in the rear of the home, providing they do not create a nuisance. Bird feeders and birdhouses may not be ATTACHED TO or HUNG FROM the Home or the street tree. Ground feeding of any species of bird or animal is prohibited.
- D. DEAD PLANTS must be removed from pots and hanging baskets and empty pots or hanging baskets should not be left out.
- E. FRUIT AND VEGETABLE plants and gardening is prohibited.
- F. GARDEN DÉCOR, ORNAMENTS AND SHEPHERD HOOKS are restricted to within the landscape, mulch, or stone beds and limited to a maximum of two within a single bed.
- G. HANGING BASKETS - Hanging Flower Baskets may be hung from overhead structures, under eaves of the house or porch, or on shepherd's hooks, with a maximum of three per home.
- H. **HARDSCAPING** (bricks, pavers, concrete, and other impervious materials) -
  - 1. Owners may install hardscaping and additional impervious materials adjacent to walkways and driveways so as not to exceed 180 square feet in total excluding the square footage of the existing driveway and walkway.
  - 2. Width of pavers along a driveway may not exceed 24" on the side that extends past the footprint of the house. On the other side, the hardscaping must taper down to a maximum width of 36" where it meets the sidewalk.
  - 3. Brick or stone landscape bed borders may be installed (see item J.)
  - 4. All applications shall be limited by lot size and configuration, location of swales and sprinklers, mowing requirements, and snow removal and shall be considered on an individual basis.
  - 5. Hardscaping projects including driveway and walkway expansions may require adjustments or changes to the Association's Common Irrigation System and must be specifically approved in advance. Adjustments or changes to the Common Irrigation System may only be performed by a licensed and insured irrigation contractor.

I. **IRRIGATION –**

1. **Common Irrigation System** – The Common Irrigation System is designed and adjusted to water grass or turf areas only. Common irrigation heads must be located outside of landscape beds, mulch beds, and stone beds. Only a licensed and insured irrigation contractor may perform adjustments or changes to the system as required by an approved landscape modification application. Concerns with the Common Irrigation System should be addressed with the Manager. Any damages done to the common irrigation system as a result of the homeowner or their contractor is the responsibility of the homeowner.
2. **Private Irrigation Systems** – Owner’s may install a private irrigation system on their property. Applications to install private irrigation systems or drip lines must be submitted in writing for approval to the ACC prior to installation. Irrigation installations must meet all laws and regulations and may not cause adverse effects on the common or private lawns, common irrigation system, or storm water management including rear and side swales. Homeowners will be responsible for any damage that may occur during installation or as a result of installation. Private irrigation systems must **not** connect to or interfere with the Common Irrigation System.

J. **LANDSCAPE BEDS, MULCH BEDS, AND STONE BEDS –**

1. No Owner, occupant or contractor shall change the size, composition, and configuration of any bed, nor erect landscape walls or borders without prior written approval by the ACC.
2. Failure to obtain approval prior to the start of construction will result in fines and orders to demolish and remove all non-conforming construction at Owner’s expense.
3. Size of landscape beds, mulch beds, and stone beds shall be limited by lot size and configuration, location of swales and sprinklers, mowing requirements, and snow removal services. Planting or construction is prohibited within 2 feet of a swale center.
4. Landscape walls and borders near an irrigation head may not be higher than 6 inches and may not block any irrigation head or impede irrigation coverage.
5. Landscape walls not located near an irrigation head shall be limited to 12 inches in height, including the cap, and must be of maintenance-free material. Use of wood is prohibited.

6. Owners should be aware that the planting beds established by the developer cannot automatically be used as the outline for landscape walls.
7. Landscape beds, mulch beds, and stone beds must be maintained and weed-free at all times.
8. Landscape beds, mulch beds, and stone beds act as a buffer to protect the home during mowing and other landscape operations. Homeowners that do not maintain their beds on the sides of their homes risk having their siding damaged. Action may not be taken against the landscaper in such situations.

K. **MULCH** –

1. Mulch may be shredded hardwood or cedar. Rubber mulch is not permitted.
2. Mulch must be maintained to a thickness of 2” to eliminate unsightly soil erosion or weed invasion.
3. Mulch beds must be replenished and weed –free by June 1st of each year.
4. Bags of mulch may not be left outside and should be stored in the garage.

L. **PATIOS** – Applications for patio expansions must be submitted in writing for approval prior to construction. Patio expansions must meet all laws and regulations. The construction of decks is prohibited. Further regulations for the use or expansion of a patio include:

1. Must meet all setback requirements (20 feet from rear property line, 5 feet from side property lines)
2. May not cause adverse effects on the common or private lawns or irrigation systems. Homeowners will be responsible for any damage that may occur during construction or as a result of construction.
3. May not cause adverse impact on storm water management including rear and side swales. Homeowners will be responsible for any damage that may occur during construction or as a result of construction.
4. Must be contained within the “footprint” of the home. The constructed patio may not extend beyond the side boundaries of the Home’s building envelope.
5. Total patio size may not exceed 300 square feet.
6. Patios may not be constructed from wood.
7. Each patio expansion application will be reviewed on a case-by-case basis to ensure all provisions are met.

8. Existing patios that do not conform to the rules above are grandfathered in; however, such patios shall not set a precedent for any future patio expansion application.
  9. Patio walls (not to be confused with landscape walls) shall not exceed 18 inches in height from the floor of the patio. Columns and/or lighting fixtures utilized separately or in combination may not exceed 48 inches in height. Pictures of all components used in the patio walls must be included with the application (i.e., pavers, walls, columns, light fixtures, etc.)
  10. Landscape beds, mulch beds, and stone beds are permitted around the patio but must be shown on the application for approval. Loose stone borders require plastic, brick, or stone edging.
  11. Patio alterations may require adjustments to the irrigation system. Only a licensed and insured irrigation contractor may perform this work. A Certificate of Insurance naming the HOA as additional insured must be submitted with your application.
- M. **PATIO PERGOLAS** - Construction of a pergola on the patio shall require the prior written approval of the ACC and is subject to the following restrictions:
1. Pergola may only be installed over the patio.
  2. Pergola must be self-supporting and may not be enclosed on any side.
  3. Pergola may have a manually retractable, professionally installed shade under the crossbeams. Shade color must be specified. Stripes are allowed, provided they are limited to two or three colors and complement the trim and siding colors of the home. A material swatch must be submitted with the application.
  4. Pergola color must match the home's exterior trim color. Application must specify the Pergola color and exterior trim color.
  5. No attachments of any kind may be placed on the pergola including, but not limited to, climbing plants, vines, hanging baskets, lighting systems of any kind, fans, or lattice or lattice-like structures.
- N. **STONE** - Homeowners may replace mulch with stone (commonly called river rock) or install a stone bed only if an application is submitted to the ACC and approved.
1. Stones or river rock must be 1" to 6" in diameter and contained by a border with a minimum height of 6". Borders may not be composed of metal.
  2. Stone beds must be weed free at all times.
  3. Bags of stone may not be left outside and should be stored in the garage.

O. **TREES -**

1. Replacement or removal of trees shall require the prior written approval of the community manager. If an owner is approved to remove a tree, including curb trees, the stump and mulch must also be removed. Once removed, it is required that a replacement tree must be planted, or the area must be seeded or sodded.
2. Replacement trees should be selected from species whose root systems and mature size do not endanger the structural integrity of any home, underground utilities, or irrigation system.

**Back yard tree suggestions:**

- Sargenti Dwarf Hemlock 10-15' - medium growth - full to partial sun - NJ Native
- Laciniata Staghorn Sumac 15-20' - fast growing - full sun - NJ native
- Sweetbay Magnolia 10-20' - medium growth - full sun - NJ native
- Thundercloud flowering Plum 15-20' - fast growing - full sun
- Cardinal Crabapple 15-20' - medium growth - full sun
- Winter King Hawthorn 20' - medium growth - full sun
- Japanese Flowering Crabapple 15-20' - medium growth - full sun
- Red Beauty Flowering Dogwood 15-20' - medium growth - full to partial sun
- Redbud 20' - medium growth - full sun - North America Native
- Lamark Servicberry 15-20' - fast growing - full to partial sun
- Red Buckeye 10-20' - medium growth - full to partial sun - North American Native
- Bloodgood Japanese Maple 15-20' - medium growth - full sun
- Franklinia-Franklin Tree 15-20' - slow growth – full to partial sun

**Front yard tree and shrub suggestions:**

- Fernleaf Fullmoon Maple 8-10' - very slow growth - partial sun
- Royal Star Magnolia 10-12' - slow growth - full to partial
- Jane Magnolia 8-10' - fast growth - full sun
- Red Jade Crab 10-15' - medium growth - full sun
- Snow Fountain Cherry 8-10' - medium growth - full sun
- Glossy Abelia-(shrub) 6-10' - fast growing - full to partial sun
- Brilliantissima Chokeberry Shrub 6-10' - fast growth - full sun - NJ native
- Japanese Clethra large shrub or small tree - 12' - medium growth - full to partial sun - NJ native
- Winter Red Winterberry 8-9' - medium growth - full sun - NJ native
- Harvest Red Holly shrub or prune to a tree - 8-10' - full sun.
- Zuni Crape Myrtle 6-12' - fast growing - full sun
- Erie Viburnum 8-10' - medium growth - full to partial sun - NJ native.
- Harry Lauder's Walking Stick 10' - medium growth - full to partial sun



3. The circumference of shrubs and evergreen trees in lawn areas may not exceed 6 feet in diameter at maturity. Expansion of any type beyond 36" from a foundation is discouraged due to the need to maintain proper water drainage.
4. It is recommended that a mulched tree ring is maintained around all in-turf trees. Damage to in-turf trees from landscape operations will not be the responsibility of the contractor if there is not a mulched tree ring around the tree.
5. In-turf trees and curb trees should be limbed seven feet up from the ground so as not to interfere with landscape operations, pedestrian traffic, or mail delivery.
6. Curb tree planting and borders are prohibited.
7. The maintenance of all trees on an owner's lot, including curb trees, is the homeowner's responsibility. This includes the trimming/ pruning around the trunk and at the base of the trees and ensuring limbs are no lower than 7 feet from the ground.

P. **UTILITY VAULT BUFFERS** - Homeowners may plant around any utility vaults and boxes on their property, however, N.J. State regulations give Utility Companies the right to remove any plantings that interfere with the operation and safety of their equipment or impede access to service their equipment and underground lines without compensation to homeowners. A landscaping application is required by the ACC to ensure that the proposed planting conforms to other landscaping requirements and will leave access to the equipment. Plants that remain low and are tolerant to foot traffic must be selected, since the utility workers may clear or trample plants when performing maintenance. Homeowners or their contractors must be extremely careful that their plantings do not affect any underground utility equipment.

**V. GENERAL PROVISIONS**

A. **CONFLICT** – In the event that any provision of the Architectural Control Committee’s Rules and Regulations conflicts with any mandatory provision of any applicable Federal, State, County or Township statute, regulation, resolution, Ordinance or other judicial, legislative, or executive “law,” the terms of such statute, regulation, Ordinance, or other law shall govern.

In the event that any terms and conditions set forth in the foregoing Architectural Control Committee’s Rules and Regulations differ from those set forth in the Declaration of Covenants & Restrictions and Bylaws, the Declaration of Covenants & Restrictions and Bylaws shall govern, in that order.

B. **FINES** - The Architectural Control Committee or the Board of Trustees, whichever is applicable, shall have the right to levy fines for violations of the Governing Documents and the regulations set forth in this booklet. No fine shall be levied for more than \$50.00 for any one violation, however each day a violation continues after notice shall be considered a separate offense subject to an additional fine. Violations and Fines are assessed in accordance with Policy 12 – Violations and Fines.

C. **VALIDITY** - The invalidity of any provision of the Architectural Control Committee Rules and Regulations or By-Laws of the Association shall not be deemed to impair or affect the validity or enforceability of the remainder of the Rules and Regulations or By-Laws and all other provisions of these Rules and Regulations and By-Laws shall continue in full force as if such invalid provisions had never been included.

D. **WAIVER** - No provision contained in the Architectural Control Committee’s Rules and Regulations shall be deemed to have been abrogated or waived by reason of any failure to enforce same, irrespective of the number of violations or breaches which may occur.

