

## **RULES AND REGULATIONS OF THE BROAD RUN RIDGE HOMEOWNERS ASSOCIATION (2024)**

And now, this 24<sup>th</sup> day of September 2024, in accordance with the Amended and Restated Declaration of Broad Run Ridge (the "Declaration") and the Bylaws of Broad Run Ridge Homeowners Association (the "Bylaws"), the following rules and regulations shall be in effect and binding on all homes and properties that are part of Broad Run Ridge Homeowners' Association. It is not the intent to replicate every deed restriction set forth in the Declaration, which remains in full force and effect. These Rules and Regulations shall be subject to enforcement in accordance with the terms of the Declaration and the Bylaws.

### **TITLE I: ARCHITECTURAL AND AESTHETIC STANDARDS**

**1. Purpose:** The intent of these standards is to ensure that all structures, lots and open space in Broad Run Ridge be maintained in a manner that enhances the aesthetics and property values in the community.

**2. Property maintenance and appearance:** It is the responsibility of the homeowner to prevent the development of any unclean, unhealthy, unsightly or unkempt condition on his lot or on or about his dwelling, including but not limited to rotting windows, doors, garage doors, decks, fascia or other elements of the dwelling; damaged roofs, walls or chimneys, or damaged driveways. Each homeowner shall conduct all necessary maintenance, repairs and replacements to the exterior of the dwelling.

**3. Landscaping maintenance:** Each owner is responsible for maintaining the lawn, shrubbery, landscaping and trees on his lot in a neat condition. Overgrown lawns, shrubbery, landscaping, dead trees, severely diseased trees or trees which could pose a danger to persons or property, and the existence of noxious plants (for example, poison ivy) shall be considered a violation of these Rules and Regulations.

**4. Debris and trash accumulation:** No debris, lumber, metals, bulk materials, refuse or trash may be accumulated or stored on the premises, except firewood stacked in a neat pile.

**5. Mailbox appearance and maintenance:** To preserve a common look to our community, the only mailbox and mailbox support structure allowed will be that which identical to the original provided by Wilkinson Builders. These mailboxes are metal, size extra-large (24.8" deep X 11.7" wide X 15" high). The box and the supporting structure shall be painted to match the body of the home. Mailboxes shall be kept neat in appearance, upright and level. A schematic of the required support structure is attached as exhibit "A".

**6. Approval required for external appearance changes; standards; process:** The Board shall consider the following standards in its consideration of a request by a homeowner to make external appearance changes. Requests for appearance changes shall be filed

with The Board using the form prescribed by the Board (and attached to these Regulations as Exhibit "B")

The Board is permitted to utilize other standards and may permit deviations from the standards set forth below.

- a. **Materials of Construction:** All material used must be in harmony and character with Broad Run Ridge. Siding, fascia, windows, window trim, doors, decking and deck stairs may consist of natural wood, stone, stucco, cedar or pressure treated lumber or high quality composite, fiberglass, metal or other materials that are consistent with the look of their natural counterparts. Pressure treated lumber or stone (including stone composites with the look of natural stone) are required for landscape borders and/or retaining walls.
- b. **Paint:** All exterior color and texture changes need to be approved by the Broad Run Ridge HOA. The intent is to maintain colors and textures that are in harmony and character with Broad Run Ridge. Use of natural earth colors, such as light gray, light green and light tan, is encouraged and will generally be permitted.
  - i. The body of the house must be of a uniform color in the earth tone family described above. Use of high gloss paint on these surfaces is prohibited.
  - ii. Fascia boards, shutters and window/door trim may be a contrasting color from within the earth tone family described above. Use of high gloss paint on these surfaces is prohibited.
  - iii. Windows and gutters are to be the same color as the body or the trim, or within the earth tone family described above. Stain or paint may be used on the windows themselves. The choice depends on the desired appearance by the homeowner and consideration for providing the best protection for wood windows. Use of high gloss paint on these surfaces is prohibited.
  - iv. Front door and side lights may be treated in a unique stain or color with the approval of the Broad Run Ridge HOA.
  - v. Wood decks may be left natural, protected with a water repellent treatment which is either clear or has a natural wood shade in it, or painted in a color in harmony and character with Broad Run Ridge.
  - vi. Roof shingles may be composed of hand-split cedar shakes unless otherwise approved, which approval may be granted for other high quality, dimensional (a/k/a architectural) shingles of fiberglass or other synthetic material(s) which suitably simulate natural, wood shingle materials and which otherwise harmoniously blend with the appearance, character and quality of surrounding and other dwellings in the community. Wood shingle roofs may be left natural or protected with a water repellent treatment which is either clear or has a shade/tint. If a shaded repellent is used, it must be approved by the Association.

**c. Exterior additions:** Exterior additions, including but not limited to decks, screened porches and patios, that are (1) attached to and (2) increase the size or shape of an existing home or garage, may be permitted with prior approval and the submission of detailed plans, but only if all of the following conditions are met:

- i. All approved additions must be built in compliance with all applicable governmental regulations, including permitting, septic requirements and all other building requirements;
- ii. All approved additions must be built in compliance with all applicable provisions of the Amended and Restated Declaration of Broad Run Ridge;
- iii. All approved additions must be built in compliance with all applicable set back requirements, including any government requirements and any requirements set forth in the Amended and Restated Declaration of Broad Run Ridge;
- iv. No addition shall be approved if it impinges on another homeowner's site line, view, use or enjoyment of their property in the discretion of the Board;
- v. Any homeowner embarking upon an approved exterior addition shall use best efforts to ensure that construction occurs in a manner that is as expeditious as possible and minimizes the impact on other residents;
- vi. Any such approved addition shall be in harmony and character with Broad Run Ridge in the discretion of the Board;
- vii. Nothing in this section changes or amends the prohibition on non-attached outbuildings set forth in 7.03 of the Amended and Restated Declaration of Broad Run Ridge.
- viii. Outdoor storage of appliances, lumber, wood or building materials or other materials or objects shall not be permitted except during the active construction of a Home or other permitted improvement.

**d. Lot elevation changes; water runoff; approval required:** Any landscaping that changes lot elevation or may reasonably be anticipated to risk a change in water runoff must be submitted to The Board for approval, in which case the Board may also seek input from any neighboring unit owners who could potentially be impacted.

**e. Replacement and Repair; approval not required:** Maintenance and upkeep which involves replacement of existing materials with like kind does not require Association approval. Examples are repairing, maintaining and/or replacing exterior materials such as siding, roofing, doors and windows with like materials so as not to alter external appearance, and landscaping which does not change lot elevation or water runoff.

## **TITLE II. OPEN SPACE USE**

1. **Liability for damage:** If any damage is done to the Open Space by vehicles or other equipment contracted by a homeowner, or as the result of any other activities

conducted by a homeowner or otherwise arising from a homeowner's property, that homeowner shall be responsible for repairing the damage. Alternatively, the Board may have the damage repaired and may bill the homeowner for all costs incurred.

2. **Vehicles:** The operation of vehicles on the Open Space is prohibited except for those required to provide maintenance to the pond, septic systems and rear yards of the residential properties. No motorcycles, all-terrain vehicles, snowmobiles or other forms of recreational vehicles are permitted in the Open Space.
3. **Pond use:** No motor boating, swimming or ice skating in or on the pond shall be permitted. Fishing activities shall be conducted in such a way to avoid disturbance or damage to pond maintenance equipment. The pond's natural surroundings and wildlife habitat shall not be disturbed. All areas accessed for fishing shall be left clean of any debris.
4. **Disposal of waste:** No trash or waste shall be disposed of in the Open Space or the pond.
5. **Pets:** All pets must be on a leash or otherwise under the control of their owners at all times when in the Open Space. Anyone taking a pet into the Open Space shall clean up any waste left by the pet and properly dispose of such waste.
6. **Use of Open Space for event; prior approval:** In order to avoid conflicts and to allow for community comment, any Unit Owner wishing to utilize the Open Space for an event shall require prior approval from the Board. A minimum of thirty (30) days' notice shall be provided.
7. **Grounds for removal or barring of access:** The Board reserves the right to remove any person from the Open Space at any time and for any reason so long as in their reasonable judgment such removal is in the best interest of the Association. Continual or repeated violations of the Rules and Regulations shall be the basis for barring any person from use and enjoyment of the Open Space and the pond. Use of the Open Space may be denied to any member who is delinquent in payment of assessments or other charges of the association.
8. **Limited Common Elements; use of Common Area for sewage disposal and absorption fields:** No storage tank or septic tank, and no sewage drainage or absorption field components may be newly installed on or in the Common Area unless otherwise approved by the Association on the basis of strict necessity.
  - a. **Permits to be obtained:** Prior to entry upon the Common Area for purposes of (1) installation of an approved tank or drainage or absorption field, or (2) maintenance, repair or testing of pre-existing tanks or sewage disposal systems,

Unit Owners proposing to utilize the Common Area for any such purpose must provide the Association with all necessary permits and licenses required by the Chester County Health Department and any other local and/or state agencies which regulate sewage systems.

**b. Costs:** The cost of permitting, installation, repair, replacement, maintenance and restoration for each sewage system and connecting lines shall be borne solely by the Unit Owner whose lot is serviced by the sewage disposal system.

**c. Indemnification of Association:** Unit Owners who install, repair, maintain and/or test sewage disposal systems or any component thereof in the Common Area and their successors and assigns shall indemnify and hold harmless the Association, its successor and assigns, from and against any claims, damages, losses, liabilities, penalties, fines or expenses which may be incurred as a result of the exercise by the Unit Owner of any of the rights or privileges herein granted or the failure of the Unit Owner, at all times, to maintain the sewage disposal system of any component thereof located within the Common Area in a properly functioning condition and in compliance with all applicable governmental rules and regulations.

**d. Restoration of disturbed areas:** The Unit Owner whose lot is serviced by the sewage disposal system shall promptly restore (including regrading and reestablishing ground cover) any ground within the Common Area which is disturbed during the installation, repair, replacement, maintenance and/or restoration of the sewage disposal system.

**e. Easement required:** Prior to the approved installation of a sewage disposal system within the Common Area, the Unit Owner must enter into an Easement Agreement in form and content acceptable to the Association to which must be attached a survey plan and a legal description of the proposed location of the sewage disposal system (prepared by a licensed engineer or professional land surveyor). The costs of preparing the necessary survey description and agreement (including attorney fees and engineering fees) will be borne by the Unit Owner.

**f. Maintenance:** Unit Owners whose lots are serviced by the sewage disposal system shall take whatever actions are necessary to keep and maintain in good working order, at their sole expense, the sewage disposal system located within or on the Common Area.

### **TITLE III: OPEN SPACE MAINTENANCE**

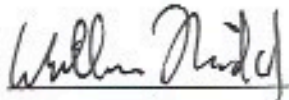
- 1. Open Space Maintenance Plan:** Maintenance of the Open Space is the sole responsibility of the Association. From time to time, the Board may prepare an "Open Space Maintenance Plan" which shall be attached hereto as Exhibit "C".

The Open Space Maintenance Plan may be updated as necessary at the discretion of the Board.

The following elements shall be considered in all Open Space Maintenance Plans:

- a. The grass in the Open Space shall be regularly cut and maintained; alternatively portions of the Open Space may be harvested for hay.
- b. An eight-foot vehicle access to the Open Space shall be maintained from White Clay Drive.
- c. The pond will be maintained to minimize algae and to provide a pleasant view.
- d. The structural integrity and safety of the pond shall be regularly reviewed and maintained.


PRESIDENT, BROAD RUN RIDGE HOA



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DATE: 9/26/24

SECRETARY, BROAD RUN RIDGE HOA



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DATE: 9/26/24