

Hadley Farms Handbook  
and  
Rules and Enforcement Policy  
of  
Hadley Farms Community Association

Revision April 2003

This replaces all prior editions. There are many revisions in this Hand Book to earlier Hand Books, the regulations in this edition supercedes those provisions.

If you rent your property in Hadley Farms, State Law requires that your tenants be provided a copy of the rules and regulations of the Association.

Frequently called telephone numbers:

**FIRE, POLICE, AMBULANCE AND RESCUE - EMERGENCIES**

911

Abaris Realty (Property Managers)-----	(301) 468-8919
Bell Atlantic Telephone (local services,	
Changes in service)-----	(301) 954-6260
Repairs/Buried Cable-----	(800) 275-2355
Billing Information-----	(888) 780-3962
Hearing Impaired TTY-----	(888) 663-0363
Carpool/Vanpool-----	(301) 770-POOL
Fire Department (non-emergency)-----	(301) 217-4644
Maryland Rail Commuter (MARC)-----	(800) 325-7245
Metrorail-----	(202) 637-7000
Miss Utility (buried utility lines)-----	(800) 257-7777
Montgomery County Crisis Center (24-hour number)-----	(310) 217-8500
Montgomery County Police Department (non-emergency)-----	(301) 279-8000
PEPCO (Billing, service)-----	(202) 833-7500
(Electric outages)-----	1-877-737-2662
(Downed power lines)-----	(202) 872-3432
(Spanish speaking operator)-----	(202) 872-4641
(Hearing impaired TTY)-----	(202) 872-2369
Poison Information-----	(800) 492-2414
Ride-On Bus Information-----	(301) 217-RIDE
Snow Removal (all streets are County Responsibility)-----	(240) 777-7623
Street Lights (all street lights are County responsibility)-----	(240) 777-2190

Trash Removal (Wednesdays and Saturdays, see page 5 D for rules governing trash pick up). If you have special items for pick up or have had a missed pick up, you may call 1-800-932-7299. You will be charged separately. There is an annual bulk pick up provided by the community. The dates of the pick up will be advertised.

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Architectural Form for Requesting Exterior Modification is the end of this handbook

## Hadley Farms Community Association

### General Information

The Board of Directors of the Hadley Farms Community Association meets on a monthly basis, presently on the fourth Tuesday of each month in the Community Center, 7420 Hadley Farms Drive, at 7:30 p.m.. The Architectural Control Committee presently meets at 7:00 p.m. on the same day and place as the Board. The date, location and time of all meetings is subject to change. It is advised that if you wish to attend any meeting, you check with the Community Management Agent or any member of the Board of Directors. All meetings are open and everyone is encouraged to attend.

The Community holds its Annual Meeting in October of each year. At the Annual Meeting directors to the Board are elected. The terms of the directors are staggered. Official notices of the meeting are sent out approximately thirty days in advance of the meeting. If you wish to be a candidate for the Board, please submit a letter of interest to the Community Manager or any member of the Board, no later than the second week in September. A letter of interest may contain, number years you have owned within the community, experiences which would assist the Board and any other information which you feel would be of interest to the community. Depending on the response, brief candidate information may be provided in the Annual Meeting notices. Nominations are also taken from the floor at the Annual Meeting.

### ACC INSPECTIONS OF THE HADLEY FARMS COMMUNITY

On an annual basis in early Spring, members of the community inspect the community for violations of these Architectural Guidelines. The inspections are made from a vantage point on public property or common ground. This is done to maintain compliance with the Architectural Control Guidelines (Appendix A). Any reports of non-compliance shall be investigated in conjunction with the HFCA Rules and Enforcement Policy.

Letters are sent to give an opportunity for the property owner to attend the next Board of Directors meeting to dispute the alleged violation(s). Sixty days is provided to the property owner to correct cited violations. The Enforcement Policy below is implemented when compliance is not made.

The ACC has the principal duty of reviewing homeowner applications for additions, modifications and alterations to the exterior part of homeowner property as covered in Article V of the HFCA Covenants to ensure conformance to the provisions of HFCA Rules and Enforcement Policy, Appendix A, Architectural Guidelines. The purpose of these guidelines shall be to provide community standards for architectural integrity in the Hadley Farms development.

**Please note the Association is not responsible for any of the streets or street lights within the community. This includes street repair and SNOW REMOVAL. If any resident has concerns as to street repair or snow removal the Montgomery County number to call is 240-777-7623. Report of street lights out must be directed to 240-777-2190.**

**Please review the General Rules on Trash and Garbage, letter D) on page 5. Presently trash pick-up is Wednesday and Saturday, Recycling (through the County) on Fridays.**

The community has professional management with Abaris Realty, Inc., 12009 Nebel Street, Rockville, Maryland, 20852. They can be reached at 301-468-8919.

## Rules And Enforcement Policy

### Introduction:

For our mutual enjoyment of life in the Hadley Farms community, common sense “rules for living together” are essential. The following rules and regulations have been developed over time from the community’s experience. They represent the Hadley Farms Community Association (HFCA) Board of Directors’ (BoD) best effort to ensure a neighborly environment with a minimum of clear, enforceable rules.

The goal of the Hadley Farms Community Association is to maintain Hadley Farms Community as a clean, safe, well managed community. In addition, the HFCA seeks to maintain the value and integrity of the community. The BoD is dedicated to these goals.

The Rules and Enforcement Policy (R&EP) supplement the Bylaws and Declaration of Covenants, Conditions and Restrictions (CC&Rs) by providing clarification and implementation guidance. In case of a conflict between the Rules and Enforcement Policy and the governing documents, the Bylaws and the CC&R shall control.

The authority to develop and enforce the provisions of the Rules and Enforcement Policy is from Article VII Section 1 of the Bylaws that reads:

“The Board of Directors shall have power to:

adopt and publish rules and regulations governing the use of the Common Area and their facilities, and personal conduct of their members and their guests thereon, and establish penalties for infraction thereof.”

In addition, Article VII, Section 1 of the CC&Rs requires, each member shall at his/her own expense maintain their lot, together with any and all improvements, in good order, condition and repair, and in clean and sanitary condition, and shall do and perform all maintenance that is necessary to maintain the good appearance of his/her lot and dwelling.

## ENFORCEMENT

The Rules and Enforcement Policy establishes a formal procedure for the enforcement of the HFCA Bylaws and CC&Rs as well as rules established by the BoD.

Table 1, below, lists the infraction categories and the associated fines. The BoD may, at its discretion, impose a non-monetary sanction for non-compliance with of these Rules and Policies.

In addition to the infractions explicitly identified in this document, all rules, requirement, and corrective actions (including physically correcting the non conformance or permitted legal actions at the owners expense) defined in the Community Bylaws remain in effect. If a homeowner is in violation of a provision of a governing document not explicitly identified in this document, the BoD may impose an infraction fine at the Category E.

In addition, to the infraction fines, homeowners are financially responsible for any damage to common property caused by home occupants, tenants and guests.

**TABLE 1: INFRACTON CATEGORIES AND FINES**

<u>INFRACTON CATEGORIES</u>	<u>MAXIMUM FINE FOR FIRST INFRACTION</u>	<u>MAXIMUM FINE FOR EACH SUBSEQUENT INFRACTION</u>
A	Non-Monetary	Non-Monetary
B	\$25.00	\$50.00
C	\$50.00	\$100.00
D	\$75.00	\$150.00
E	\$100.00	\$200.00
F	\$10.00 per day	\$10.00 per day

### A) Responsible Individuals

I) The property owner is ultimately held responsible for fines and sanctions imposed on home occupants, including family members, tenants and guests.

II) The imposition of, and subsequent payment of, a fine does not relieve the property owner or occupant from the obligation to correct the infraction, when appropriate.

III) The fine will be charged to the HFCA member's account. If the fine assessment is not paid by the identified due date, the infraction assessment will be considered unpaid, and become part of the quarterly assessment and will be considered for late charges at some rate as any other quarterly assessment and a non-payment penalty will be imposed each quarter until the fine assessment and all penalties are paid.

## **ENFORCEMENT PROCEDURE:**

The BoD shall make the determination of Rules and Enforcement Policy infractions in accordance with the following procedure:

- A) An alleged rules and enforcement policy infraction is submitted to the BoD or its management agent in writing and bearing the signature of the individual or other entity making the claim. The requirement of placing the alleged infraction in writing is waived if made by a Board member or the Management Agent.
- B) The BoD shall make a determination if there is sufficient evidence to notify the property owner of the Rules and Enforcement Policy infraction. If sufficient evidence is provided, the BoD shall direct the Management Agent to notify the property owner.
- C) The Management Agent will then notify the property owner by letter of the alleged Rules and Enforcement Policy infraction. A blind copy of the letter will be sent to the complainant. This notification shall include:
  - i) A description of the alleged infraction, in citing authority.
  - ii) The necessary action to correct the situation, if appropriate.
  - iii) The date by which the infraction shall be corrected or corrective action(s) initiated, if possible. The BoD shall determine an appropriate period for the correction; identify the infraction category with fine, as well as noting the penalty of the fine.
  - iv) A hearing date will be identified and scheduled by the BoD, if appropriate. The hearing may be canceled, by the BoD, if the corrective action is completed to the BoD's satisfaction prior to the date of the infraction hearing. This determination shall be made upon property inspection or other means, as appropriate.
- D) Within fifteen (15) days of the hearing notification letter date, the property owner may petition the BoD (BoD Officer or Management Agent) in writing for a change of hearing date.
- E) The hearing shall be held in an executive session (a closed session) of the BoD, and shall afford the property owner an opportunity to express his/her views. The minutes of the hearing shall contain a written statement of the results of the hearing as well as a description of the alleged infraction. The property owner shall be notified, in writing, of the BoD decision and the levying of any Section 2 (Enforcement) infraction fine.
- F) The decision of the BoD may be appealed to the Montgomery County Commission on Common Ownership Communities, and then to the courts of proper jurisdiction. Legal fees incurred by the BoD in pursuit of the due process noted in this document, if the BoD is successful, shall be borne by the homeowner contesting the BoD decision. If the BoD is not successful, the homeowner will not incur the legal fees accrued by the BoD.
- G) If the infraction continues or is repeated after the first hearing, additional hearings will be held by the BoD in accordance with Section 3 (Enforcement Procedure) of this document. Repeated infractions may result in additional Section 2 (Enforcement) infraction fines or sanctions.

## **General Rules Governing Hadley Farms Community Association**

The following are the HFCA rules and policies which are requirements of HFCA membership.

The BoD, accordance with Sections 2 and 3 has the authority to impose a penalty for an infraction of any provision of these rules and policies. The letter in parentheses identified in Section 4 (Rules) and the referenced appendices identify the infraction classes corresponding to Table 1

### **A. ARCHITECTURAL GUIDELINES**

Appendix A contains the HFCA's architectural guidelines. An infraction of the HFCA architectural guidelines occurs when a home owner; 1) fails to submit the required application and/or obtain prior approval from the architectural committee, as defined by Appendix A; or 2) failure to maintain his/her lot, including any improvements constructed on the lot, in good order, condition and repair and in a clean and sanitary condition; 3) fails to perform any maintenance that is necessary to maintain a acceptable appearance of his/her lot and dwelling; Classified as level E or F infractions.

### **B) DISTURBING NOISES AND PRACTICES**

No resident shall make any disturbance that will annoy other residents, or permits anything to be done which will interfere with the rights, comfort, or convenience of other residents. (Category C)

### **C) SIGNS**

Signs, notices, or advertisements, shall not be placed, inscribed, or exposed on any window, door, other exterior parts of houses, or any common area. Specifically excluded from this regulation are seasonal decorations, security alarms signs and decals, "For Sale" and "For Rent" signs, yard sale signs, political signs and signs\_or notices approved by the BoD. Allowed signs shall not exceed 24 by 36 inches. All signs are to be removed by the homeowner within 48 hours after conclusion of the event or promotion. (Category C)

### **D) TRASH AND GARBAGE**

Refuse must be placed in sealed plastic bags and deposited in trash cans, with secure lids, as required by Montgomery County Code. Trash cans, (newspapers, yard waste in) recycle bins must be placed at a curb side area in front of the home to facilitate collection on the respective collection day for each type of refuse. Neither trash nor recycling be placed out prior to the evening before their pick up. Under no circumstances should trash, trash cans or recycling containers be stored on common areas or in front of the home. Trash cans and recycle bins shall be removed from the front of the home or curb side as soon after collection as practicable or by LATEST noon the next day. (Category C)



## **E) PLAY AREAS**

Play is permitted in common areas provided that such play is not of a nature that would be destructive or potentially destructive of property, to cause injury or cause unreasonable disturbance to neighboring residents (i.e. outside of day light hours, foul language, etc). It is obligatory upon parents with minor children in a residence to inform their children of this "courtesy to others" and to supervise the play of their minor children. (Category E)

## **F) RENTAL PROPERTY**

All owners who rent their homes shall include in the lease or rental agreement a provision that the tenant has been given a copy of the Bylaws, CC&R and this document (R&EP). The owner shall require the tenant to sign a statement that they have read, understand, and agree to abide by the HFCA Rules and Enforcement Policy. The lease or rental agreement shall include a clause stating that violations of these R&EP by the tenant may be considered as their agreement that violation is a possible cause for termination of the lease or rental agreement by the property owner. It is understood, regardless of the lease or other agreements, the owner is responsible for the actions of their tenant(s). (Category C, against the property owner)

## **G) PET RULES**

Pet owners must comply with all applicable State and County laws and regulations governing pet control, registration vaccination, and other related subjects. Violations of the State or Country laws and regulations shall be deemed a violation of the HFCA's rules and regulations. Violation of State or County laws is a Category E infraction, unless noted otherwise in this Section.

In addition to the County laws and regulations, the R&EP requires

### **i) NATURE OF PETS**

The boarding or raising of any kind of animal, livestock, or poultry, regardless of number is prohibited. This shall not prohibit the keeping of domestic pets (dogs, cats or caged birds) provided they are not kept, bred or maintained for commercial or illegal purposes. No poisonous or wild animals shall be maintained on owner's property. Category E

### **ii) PET CONDUCT**

- a) Dogs must be under control (carried, leashed or other method) when on common areas. (Category C)
- b) Pet owners walking their pets shall immediately clean up and dispose of, in a sanitary manner, all fecal matter from their pets. (Category C)
- c) Pets must be constrained from creating undue disturbance to others by means of excessive noise (barking, etc.), injuring persons, damaging property or reasonably inflicting fear of bodily harm to persons. (Category D)

## **H) SWIMMING POOL RULES**

Appendix D contains the HFCA's swimming pool rules. Persistent or serious non-compliance with the pool rules is a Category C level infraction.

## **I) VEHICLE AND PARKING RULES**

Appendix B contains the HFCA's parking policy. All violations of the vehicle and parking rules are a Category E level infraction, plus the Community's right to tow.

## **J) HFCA COLLECTION POLICY**

Appendix C provides the HFCA dues collection policy. Fines and fees associated with the late payment of HFCA dues shall be collected in accordance with Appendix C.

## **K) COMMON AREAS**

Common areas are provided for the use and enjoyment of the HFCA members. Destruction or vandalism of common property, including, but not limited to, trees, shrubs, flowers, grass, playground equipment is prohibited. Storage of personal property on common grounds is also prohibited. Category E level infraction.

**IMPORTANT NOTICE, THIS WAS ORIGINALLY WRITTEN TO ALL PROPERTY OWNERS OF RECORD AS OF JUNE 6, 1999. THE SUBJECT IS STILL OF GREAT CONCERN. PLEASE TAKE NOTE AND COMPLY WITH ITS PROVISIONS.**

Re: Encroachment on to common Areas

Your Board of Directors has become aware of problems relating to the use of the common areas of the community by individual property owners by their extension of the boundaries of their property. These problems are throughout the Association wherever homeowner property adjoins common property. These concerns may have been as the result of your actions or the actions of prior owners of your home. Specifically, the problem is that community land is being used by individuals for the storage of their personal property and/or plantings. This has resulted in the disturbance of the natural growth.

During 1999, as the result of a phone complaint, this office and your Board of Directors became aware that the storm water which crossed some common property was no longer staying within the channel it was intended to run within. After much investigation and competitive bidding, your Board of Directors has been forced to spend almost **\$30,000** of community funds to attempt to correct this problem. Again, most of the problem was caused by actions taken by past or present homeowners (tenants) adjoining the common area. This condition is not unique to this one area. Besides the legal ramifications, which are discussed below, the removal of natural growth encourages erosion and other unwanted environmental problems arise.

The Declaration of Covenants, Conditions and Restrictions, Article I, Section 4, defines the "Common Area" as being owned by the Association "for the common use and enjoyment of the owners." **THIS MEANS ALL OWNERS COLLECTIVELY.** Article II, Section 1 notes that every owner has (these rights are transferable to family members and tenants (Section 2) the right and easement of enjoyment in the Common Area. By individuals taking the common area for their own use, the rights of the remaining owners has been reduced. Also it is noted, that by disturbing the natural environment, the common areas are changed, thereby resulting in possibly large costs to the entire community being unnecessarily incurred to repair the resulting conditions.

The Rules and **Enforcement Policy of the Hadley Farms Community** Association, under Rule K, Common Areas, notes a fine of up to \$100 for a first infraction and an additional fine of up to \$200 for subsequent violations for destruction or vandalism of the common area property including trees, shrubs, flowers, grass clippings and common structures.

Specifically, if you are encroaching on community land (you may have to check your land boundary markers) you must allow all areas which are part of the common areas to revert back to their natural state. That means that personal property or personal plantings may not be kept on the common areas, that property owners may not mow, clear, plant or otherwise maintain these areas. The common area behind the homes must be left alone and if it has been disturbed, to go back to its natural state. Personal wood piles, play equipment, landscape debris (logs, sticks, brush), plantings, etc. must be immediately removed.

Fines and costs could be assessed if any resident (owner) violates the rules of the community by not removing the present offending items or by continuing the encroaching on the common property

APPENDIX A  
HADLEY FARMS COMMUNITY ASSOCIATION  
ARCHITECTURAL CONTROL GUIDELINES

## HADLEY FARMS COMMUNITY ASSOCIATION ARCHITECTURAL CONTROL GUIDELINES

This appendix establishes the Hadley Farms Community Association (HFCA) Architectural Control Guidelines as authorized by the HFCA Covenants Article V, "Architectural Control." This provision states that:

No building, fence, wall or other structure shall be commenced, erected, or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made (including change in color) until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding concept for the community of Hadley Farms by the Board of Directors of the Association, or by an architectural committee composed of three (3) or more representatives.

### ARTICLE I ACC APPLICATION PROCESS

All homeowners shall submit an Architectural Control Application form for external property design modifications as stated in Article V of the HFCA Covenants, such that the properly completed application can be reviewed by the ACC and a decision made within the required thirty days. For the purpose of the 30 day requirement and that the Committee meets on the same day monthly, all applications are considered received when that certain monthly date passes. Forms shall be made available to homeowners through the ACC, or from the Property Management Company, as well as on the community website [www.HadleyFarms.org](http://www.HadleyFarms.org).

Applications must be submitted in writing with the required number of copies, to the ACC. No verbal applications will be accepted. Each individual alteration, modification, or addition requires individual approval, even if a similar or substantially identical alteration has been previously approved for any lot in the association. Prior ACC approval of a modification does not necessarily constitute a precedent.

On the form, a graphic description such as a site plan (plot plan), building plans, elevations, types of materials to be used, color description, and drawings or photos will be required for proper consideration. Also required will be a final location plat of survey depicting location of said modifications. If a homeowner fails to provide the necessary information in order for the ACC to review the application, then the application will be returned to the homeowner for the additional information. In such an instance, the 30 (thirty) day review period for a decision will begin when the ACC deems the application returned and complete. The application is considered received when it is reviewed by the ACC at a regularly scheduled meeting.

If the homeowner requests, an ACC member or the management agent will review the application process with the homeowner to ensure that the form is properly filled out

The Architectural Control Application form must be signed by all immediate home owners whose property is adjacent to the proposed external design modification. Adjacent home owners must also initial each page attached to the application (plat, diagrams, pictures, etc.) as evidence that they have seen these. These signatures and initials are intended to constitute as evidence that the adjacent home owners have been informed of the change. These signatures and initials do not represent the adjacent home owner's approval of the project. Adjacent home owners wishing to express concern regarding the proposed external modification may do so in writing to the ACC or the management agent or in person at the next scheduled ACC meeting.

ARTICLE II  
ACC APPLICATION REVIEW/APEAL PROCESS

All applications will be reviewed by the ACC during regularly-scheduled ARC meetings or may be reviewed in special session as required to process the applications. The ACC has the option of having committee members conduct a preliminary site review, if deemed necessary. Adjacent home owners may also be asked to comment on the proposed project. Homeowners are encouraged to attend the ACC meeting to comment on the proposed modifications. **All modifications which require County or other governmental approval (permits) are also subject to ACC Approval. All ACC approvals require all necessary permits to be obtained before or after ACC approval has been obtained.**

During the review process and vote on Architectural Control Applications, the ACC shall be guided by this Appendix to determine if the proposed project shall be approved. Any application not falling within the guidelines or missing required information shall be disapproved, and either returned to the homeowner for the necessary information or turned over to the Board of Directors with the ACC's recommendation that a special exception be granted.

Within 10 (ten) days of the ACC meeting, the applicant will be informed in writing of the ACC's decision on the application. The Property Manager or ACC Chairperson shall sign the notification letter.

All approved external design modifications must be completed within I (one) year from the date of the ACC approval. If the change is not completed within this time, the homeowner must submit a new application, as, outlined in Article IV, Section 2 of the Covenants.

All homeowners for which applications have been denied will be notified by the ACC and will be sent an explanation of the denial and how to appeal the denial. The homeowner may appeal the ACC action to the Board of Directors to overturn the ACC decision. However, the 30 (thirty) day limit shall no longer be in force, since action was taken on the original application by the ACC. The Board of Directors is the highest HFCA appeal authority. Decisions of the Board acting on an appeal, maybe appealed to the Commission on Common Ownership Communities which is part of the Montgomery County's Department of Consumer Affairs. An appeal of the BoD may be appealed to the courts of appropriate jurisdiction.

ARTICLE III

NON-COMPLIANCE THE ARCHITECTURAL CONTROL GUIDELINES

Section I

All alleged cases of non-compliance with these Architectural Control Guidelines shall be processed per the requirements of the HFCA Rules and Enforcement Policy.

ARTICLE IV  
ARCHITECTURAL CONTROL GUIDELINES

Section I

The ACC evaluates all Architectural Control Applications for external design modification on individual merit. The primary considerations are the individual site, the characteristics of the housing type, and the following criteria:

**1. Design Compatibility**

The proposed change will be consistent (harmonious in architectural style) with the architectural characteristics of the applicant's house and the neighborhood settings. Materials, colors, proportions and construction details must be compatible with the appearance of the local area.

**2. Location**

The proposed change will relate favorably to the landscape, the existing structures, and the neighborhood. The primary concerns are access, drainage, view, sunlight, ventilation, and safety. The proposed change must also be located within the property boundaries.

**3. Scale**

The size of the proposed change will relate well to the existing structures and the neighborhood

**4. Color (also see number 20 below)**

The color of the proposed change must be harmonious with existing structure and other structures within the community. Any changes to existing colors must be submitted to the ACC for prior approval.

**5. Materials**

All materials used will be of equal or better value than existing structures. Only the exterior materials existing on the present structure or compatible the architectural design character of the community will be approved.

**6. Workmanship**

The quality of work will be equal or better than that of the surrounding area.

**7. Safety**

The project must fully comply with the building code of the Montgomery County Board of Environmental Protection, if such code is applicable. It must be constructed so that it does not pose any risk to the homeowner, guests, or neighbors.

The following are specific guidelines for the external design modifications, that are most common and for which the ACC approval will **usually** be granted unless specifically stated otherwise. Unless noted otherwise, submission of an architectural modification is always required. These are guidelines only, the ACC may deviate at their discretion.

## 1. Fences

A. In cases where the main entry to the home is on the side of the unit (rather than front facing street or walk) the fence may not be installed forward of the main entry door (Elioak Section).

B. Gates must not deny access to any utility company employees.

C. A photo or drawing of the proposed fencing style, along with the plat of your property showing the proposed location for the fence, must be submitted with the application. The ACC reserves the right to reject an application to construct any fence, which is not in architectural harmony with the neighborhood, neighbor's house and with the applicant's house.

Prior approval is required before any fence can be constructed. The following rules are for general guidance:

D. a. No fencing of any sort shall be permitted to surround the front yard areas. Fencing shall not extend beyond the front corners of the house. Additionally, if your house sits forward of the house on either side, the fence may not extend forward of the front corner of the adjoining house(s) on its lot. Exceptions may be granted for corner lots where this restriction is found to be inappropriate.

b. Chain link fencing of any kind is not permitted.

c. Privacy or board-on-board fence styles will be restricted to use to the following: (a) they may be installed by the owners of townhouses and in Cinnabar and Filbert sections or by (b) the owners of single-family houses that back up to other communities, Hadley Farms Drive or Woodfield Road. (c) Where permitted, privacy fences must be constructed of pressure-treated pine or naturally insect and weather-resistant wood such as cedar, redwood, cypress, teak or locust, (synthetic materials maybe used where approved by the ACC) with a maximum height of 6 feet between posts. The finished side of the fence must face away from the house. *Fences may be stained, but only with colorless or natural wood colors. If a colored stain is to be used it must have prior approval from the Committee.* (revision 7/04) Fences must not interfere with vehicular safety.

d. Fences for single-family detached homes may be constructed in a variety of styles, including split rail, estate, picket, post and board and cross buck styles. These fence styles may not exceed a height of four (4) feet between posts. Fences must be constructed of pressure- treated pine or naturally insect and weather-resistant wood such as cedar, redwood, cypress, teak or locust. Only the posts must be insect resistant. Rails may be constructed of spruce wood. Galvanized wire mesh may be installed on the inside of the fence, as long as the mesh does not overpower the wooden portion of the fence. Wire fencing unsupported by a wooden fence is not permitted. Ornamental iron gates and brick piers will be considered on a case-by-case basis.

e. (Elioak, Tygart, Filbert, Mayhill and Mattingly sections only) In cases where rear divider fencing is being extended beyond the original developer installed fencing; the fencing must match as closely as possible in style. This does not apply to the back property line fences.



**2. Divider Fences Between Town Houses and The Homes in the Filbert Section**

The cost to repair and replace the length of the originally provided sections of fence included in the section shall be shared equally between the two properties sharing the fence. The end units are solely responsible for the sections of fence which is not shared. The ACC shall act as arbitrator should one property owner not fulfill their obligation under this section. The Board of Directors shall have the authority to order the repair/replacement and charge back the owner or owners who would have been responsible..

**3. Decks/Patios (see Porches number 22 below)**

Decks must be constructed of pressure treated or naturally weather-insect resistant types of wood, such as cedar, redwood or teak (**synthetic** materials maybe used when approved by the ACC). Only colorless wood preservatives may be applied unless a colored preservative/stain or paint is specifically approved by the ACC. Addition of lattice screening either below or above an existing deck may be added with the approval of the ACC. Decks and patios may not interfere with proper drainage. All such structures must be within the boundaries of the lot.

**4. Patios**

Patios require ACC approval. They must not interfere with proper drainage and must be located in the rear yard.

**5. Sidewalks and Railings**

Sidewalk and walkway additions or changes to builder-provided styles require ACC approval. Gravel walkways are strictly prohibited except where the gravel is used as a base/fill between stones. In these cases, the gravel color must blend with the architecture of the neighborhood. Railing styles require ACC approval.

**6. Storm Doors**

Storm doors must be the color of the front door or house trim, or may be white or black or brown. Unpainted wood or aluminum is not permitted. As long as these guidelines are followed, ACC approval for storm doors is not required.

**7. Sheds**

Sheds must be unobtrusive, generally located in the back yards and in no instance may it come forward of the front corner of the adjoining neighbors' houses. Sheds must conform to the color, material and code restrictions, if applicable. The color of the shed shall match the color of the trim or siding of the applicant's house. The maximum height of the shed shall not exceed eight (8) feet. No more than one shed per address.

**8. Chimneys**

Chimneys will be faced with brick, stone or the same siding as the applicant's house.

## 9. Retaining Walls

Any retaining wall lower than 3 feet in height, which merely levels off the foundation planting area, does not require ACC approval. However, the construction material must be landscape timbers, railroad ties, stacked stone, or faced with brick or stone. Exposed cinder blocks may not be used as a retaining wall. Retaining walls not fitting the above description require ACC approval before installation. Retaining walls which divert ground water onto adjoining properties or which otherwise substantially change the existing drainage patterns will not be permitted.

## 10. Play Equipment

Any children's play equipment which does not require concrete footings, such as sandboxes, playhouses, swing sets, tents, or tree houses does not require the approval of the ACC provided that such equipment is located in the rear yard and is in good repair. Height of such play equipment may not exceed 8 feet. The ACC discourages the use of metal play equipment due to rusting.

**Any play equipment which requires installation upon concrete footings must be approved, by the ACC prior to installation.**

## 11. Exterior Lighting

Exterior Lighting shall not be directed in such manner as to create an annoyance to the neighbors. ACC approval is not necessary for low-voltage landscape lighting. The installation of high-voltage security lights does require ACC approval, since the placement of these can interfere with traffic flow at night and/or be obtrusive to neighbors.

## 12. Awnings

Awnings are not considered as enhancing the aesthetic qualities of the community and are therefore not allowed on the front of the home. Metal awnings of any type are not allowed. Awnings may be placed in the rear of a property if they are of a fabric that coordinates with the exterior of the home. ACC approved is required, samples of fabric must be included with the application.

## 13. Landscaping,

Landscaping work and planting in general does not require ACC approval. However, lawns, landscaping work and planting general hedges and shrubs must be well maintained, must not interfere with the ability to safely view vehicular traffic or proper drainage. Yard maintenance must comply with Article VII, Section I of the Covenants of Hadley Farms, which we here cite, with wit:

"...each Owner shall keep each lot owned by him and all improvements therein or thereon, in good order and repair and free of debris, including but not limited to the seeding, watering and mowing of all lawns, the pruning and cutting of all trees a shrubbery ... all in a manner consistent and with such frequency as is consistent with good property management. In the event an Owner of any Lot in the Properties shall fail to maintain the Lot and the improvements situated thereon, the Association, as provided in the Bylaws and with the approval of the Board of Directors, shall have the right to enter upon said Lot to correct drainage and to repair, maintain, and restore the lot ... All costs related to such corrections, repair or restoration shall become a lien upon such Lot..."

Homeowners are asked to exercise caution and not plant any sort of extremely invasive vegetation which may become uncontrollable. Homeowners are also asked not to plant any tree, shrub hedge, etc which would adversely affect their neighbors.

#### 14. Exterior Antennas

The Architectural Control Committee approved the following guidelines, effective May 1, 1997. The FCC's implementation of Section 207 of the Telecommunications Act of 1996, has preempted ARTICLE IV, Section 1, Paragraph 13 of the Architectural Control Guidelines and ARTICLE VI of the Declaration of Covenants, Conditions and Restrictions for the Hadley Farms Community Association to allow homeowners to install antennas on their property. The term antenna includes instruments used to accept signal reception such as satellite dishes and televisions broadcast antennas. Still prohibited are shortwave and other types of non-video antennas.

Prior to installation of an antenna, homeowners must submit notification to the ACC including "type of antenna, site of installation (house location survey), whether any guidelines are being violation; If so, include an explanation of why the antenna/dish must be situated in this area or manner, and provide documentation from the installer to support such claims. In addition, describe the method and manner of installation. All installations must be on the homeowner's property.

The types of antennas that can be installed are: 1) direct broadcast satellite (DBS) dishes one meter (39.37 inches) in diameter or less, 2) multi-channel, multi-point distribution systems (MMDS) antennas less than one meter in diameter with masts not exceeding twelve feet above the roof line. Homeowners may not install more than one of the same service provider's antennas on their property.

Providing that acceptable reception can be received, homeowners must install any satellite dish in the rear of the house or the rear portion of the roof. For other than backyard installations, homeowners must make a reasonable attempt to have the satellite dish blend with the color of the roof or wall.

As long as reception is not impaired, television broadcast antennas must be installed in the homeowner's attic. If signal reception is impaired (as certified by an independent expert in the related field) the homeowner must submit the aforementioned notification to the ACC. Outdoor installation of an antenna should be located in the backyard or attached to the rear of the dwelling or roof. If adequate reception can be received with antenna installation on the ground, rooftop installation is prohibited.

The FCC preemption does not place any obligation on the association to make architectural or landscaping changes, such as trimming or removing trees located on common property, to permit a homeowner to receive an acceptable signal. Homeowners may not cut down any trees on common property. Homeowners must submit a request detailing the extent of the need of trimming to the ACC for permission to trim the trees that are blocking the reception of an adequate signal, at the homeowner's expense.

Antennas must be maintained in properly working condition, allowing for normal wear. A damaged antenna must be immediately repaired or removed.

Received \_\_\_\_\_

**HADLEY FARMS COMMUNITY ASSOCIATION**  
7420 Hadley Farms Drive  
Gaithersburg, NM 20879  
**Notification of Antenna and/or Satellite Dish Installation**

Property Owner(s) Name: \_\_\_\_\_

Address: \_\_\_\_\_

Day Phone: \_\_\_\_\_

Evening Phone: \_\_\_\_\_

The following must be included:

Type of antenna, site of installation, whether any guidelines are being violated, and if so, explain why the antenna/dish must be situated in this area or manner. (A site inspection can be scheduled and a meeting to discuss installation manners to conform to guidelines.) Provide documentation from the installer to support unacceptable reception claims. Also, describe the method and manner of installation.

**Please Be Advised of the Following Restrictions**

The types of antennas that can be installed are: 1) direct broadcast satellite (DBS) dishes on meter (39.37 inches) in diameter or less, 2) multi-channel, multi-point distributions systems (MMDS) antennas less than one meter in diameter with masts not exceeding 12 feet above the roof line or 3) television broadcast antennas (designed to receive local broadcast stations), any size. A homeowner may not install more than one of the same service provider's antennas on his/her property. Shortwave and other types of non-video antennas are prohibited.

Providing that acceptable reception can be received, the homeowner is to install any satellite dish in the rear of the house, attached to the rear of the house or the rear portion of the roof. For other than backyard installation, the homeowner must make a reasonable attempt to have the satellite dish blend with the color of the roof or wall.

As long as reception is not impaired, television broadcast antennas must be installed in the homeowner's attic. If signal reception is impaired, the homeowner must submit the aforementioned notification to the ACC. Outdoor installation of an antenna should be in the backyard or attached to the rear of the dwelling or roof. If adequate reception can be received with antenna installation on the ground, rooftop installation is prohibited.

The FCC preemption does not place any obligation on the Association to make architectural or landscape changes, such as trimming or removing trees located on common property, to permit a homeowner to receive an acceptable signal. **Homeowners may not cut down any trees on common property.** Homeowners must submit a request detailing the extent of the need of trimming to the ACC for permission to trim the trees that are blocking the reception of an adequate signal at the homeowner's expense.

Antennas must be maintained in proper working condition, allowing for normal wear. A damaged antenna must be repaired or removed.

Owner's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Co-Owner's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## 15. Swimming Pools, Hot Tubs and Ponds

Temporary children's wading pools, having a depth of less than 24 inches, are allowed in the rear or side yards only. Spas and hot tubs are allowed, however the application must indicate that an approved safety cover will be installed- An approved safety cover is one which is not easily removed by a child, and which can support the weight of a child (in case a child falls on top of the cover). Approvals for hot tubs/spas will be granted only after consideration of the effect a tub will have on surrounding lots. Ponds are considered landscaping elements, and do not require approval.

- a. Neighborhoods #1 through #6 (Cinnabar, Filbert, Mayhill, Elioak, Tygart, and Mattingly): Permanent back-yard swimming pools are not allowed.
- b. Neighborhood #7 (Parkside only): Hot Tubs and Spas, children's temporary pools, and ponds are allowed with the same regulation as above. County permits are required. Approvals for permanent backyard swimming pools will be considered on a case-by-case basis only under the following circumstances:
  - Only in-ground pools are allowed.
  - Pool must be fully located within the building restriction lines of the plot. Safety covers must be installed, and kept closed during all periods of prolonged non-use.
  - No diving boards are permitted.
  - No swimming pools will be allowed on lots, which in the opinion of the ACC, will cause undo disturbance to adjoining lots. Pools may not be placed on lots in areas of congestion.

No pool will be permitted if the pool is not in proportion to the lot. The pool may not dominate or overwhelm the lot in the ACC's opinion

Lot must be surrounded by a 6 foot fence.

## 16. French Doors

French Doors to replace existing windows or garage doors shall be allowed, but must be approved by the ACC. Colors of such doors must be compatible with the exterior color of the house.

## 17. Patio Doors

Patio swing doors to replace existing sliding glass doors or windows shall be allowed, but require ACC approval. They must be constructed of metal or wood and must be compatible with the style of home. The color must be compatible with the exterior color of the house.

## 18. Basketball Standards

Basketball backboards or hoops affixed to the area above the garage door require ACC approval. Freestanding basketball standards must be located in such a place as to assure possible overthrows will not intrude on other lots. Basketball back-boards, hoops and standards must be maintained in good repair.

Townhouse units in Elioak and Tygart may not install basketball backboards, or hoops, due to lot size.

19. **Porch Railings and Exterior Trim**

Porch railings, decorative fascia board or exterior trims may be added with the approval of the ACC. The modification must be architecturally compatible with the design of the house and blend with other houses in the same section. Colors must match the current exterior trim color.

20. **Changing The Color Of The House**

Changes in existing house color will be considered, if the proposed change is compatible with the other houses in the same section of the Hadley Farms Community. **Changes in color require ACC approval.** Rearranging the same colors on the house (for example, changing the shutters to match the door) does not require ACC approval. Restrictions may be imposed as to color changes which duplicate the colors of the houses directly adjacent or directly across the street.

Repainting the previously painted exterior surfaces with the same exact colors does not require ACC approval. In repainting, the homeowner must make a good-faith attempt to exactly duplicate the original exterior colors, the same with replacement of siding. **It is better to gain the Committee's approval, if there is a doubt as to complying with this section.**

21. **Major House Additions**

Major additions to houses require ACC approval and will be considered on an individual basis. No additions will be permitted for townhouses because of their relatively small lot size. All construction must match the original design concept of the house. The homeowner must include architectural plans in addition to the normal submission requirements. The review and approval process may need to be extended so that the ACC may fully consider the plans for the addition.

22. **Addition of front or back porch (see Decks number 2 above)**

Addition of a porch requires ACC approval. For front porches, the construction materials and colors must match the existing materials and colors on the house and the design must be consistent with that of the house. In the case of rear porches (covered decks) the roofing matching the existing roofing material. Addition of any porch or deck may not interfere with proper drainage.

23. **Clotheslines**

Exterior clotheslines, of any sort, temporary or permanent are not permitted. They are specifically prohibited.

24. **Basement Window Replacement**

Replacing the existing basement window with glass block does not require ACC approval.

25. **Window air conditioner units**

Window air conditioning units are not acceptable, except in instances of medical necessity which are supported by documentation from a physician. Approved window units must be removed during the cold seasons when the unit is not needed.

## 26. Logs and Timber (Firewood)

All firewood must be kept in the rear or side yards. Leaving firewood in the front yard or on the driveway for extended periods of time (may be left there only a reasonable period after delivery) is not permitted.

### Section 3

Approval of any project by the ACC does not waive the necessity of obtaining the required permits from the Montgomery County Department of Environmental Protection or from the Maryland Capital Area Park and Planning Commission. Obtaining a local permit does not waive the necessity of obtaining ACC approval. The ACC is not responsible for approval of a project that may violate the local building or zoning codes.

### Section 4

Home improvement project or exterior design modifications not specifically mentioned in this document shall follow the approval process provided in this Guideline.

APPENDIX B  
HADLEY FARMS COMMUNITY ASSOCIATION  
VEHICLE AND PARKING REGULATIONS



## **Hadley Farms Community Association Vehicle and Parking Rules**

The Hadley Farms Community requires uniform parking rules and enforcement. These rules were created to serve the best interests of the residents of the Hadley Farms Community Association (HFCA).

Where the term "property owner" is used, it shall mean, the owner of a lot or lots within the HFCA. A "property owner" is responsible for the acts of their family members, tenants and guests. Therefore, if a penalty is assessed for the actions of a family member, tenant of the owner or a guest of any, the property owner is responsible for the payment of the penalty. "Property" shall be defined as that area within the Hadley Farms Community Association and within the jurisdiction of HFCA.

Montgomery County is responsible for the enforcement of all traffic and parking regulations on County roads within the Association. These include County designated "No Parking" and "Fire Lanes". They also enforce "Handicapped Parking" even on community property when enforcement is requested by a rightful user of the handicapped parking spaces (when such spaces have been designated). (Note: presently there is a \$250.00 County fine for parking in a fire lane or for parking in a handicapped parking space).

Cars found in violation of the following parking rules are subject to immediate towing prior to a hearing in accordance with the provisions of the HFCA Rules and Enforcement Policy. Towing will be at the expense of the vehicle owner(s). Any damage done to the community property will be repaired and charged to the "property owner" in addition to any fine assessed by the Board of Directors.

### **PARKING RULES:**

Violations of any of the following rules are a Category E infraction in addition to the other actions stated below.

Parking and/or driving is not permitted on unpaved areas of the common grounds, on sidewalks or lawns. In addition to a possible community penalty, costs incurred by the HFCA as a result of damage done to any common property by such action will be assessed against the "property owner". This includes any towing charges to remove such vehicle.

2. Only properly licensed and registered automobiles, vans, small trucks (with a rated capacity of 3/4 ton or less) and motorcycles owned by residents or their guests are permitted to be parked within the community. An exception is made for temporary parking for vehicles required for proper business reasons while work is in progress (plumbers, contractors, moving trucks, etc.).

3. The following vehicles are prohibited from parking on or within "Property" and subject to being towed:

Vehicles on which current registration is not displayed;

- Non-operational vehicles
- Trucks larger than 3/4 ton rated capacity;

- Trailers, campers, camper trucks, or home trailers;
- Boats, boat trailers;
- Vehicles in storage (in one location for more than 14 days); or
- Any vehicle which may present a hazard.

4. Any vehicle stationary for more than fourteen (14) days in the same parking area will be subject to removal (towing) unless the Board of Directors has received prior notification in writing and has granted permission in writing for the vehicle to be stored on the property. Any vehicle not having been granted permission will be considered as being stored and as such will be posted by a notice upon the vehicle. This notice will state the Board's intention of removing the vehicle from the community within a period not to be less than five (5) days after posting. The owner of the offending vehicle will be responsible for any cost incurred in removing the vehicle from the community, in addition to any penalty which maybe imposed by the Board. Neither the Board of Directors nor its agents are responsible for any damages which may result from the vehicle being towed.

5. Any vehicle parked on community property and not currently licensed or operable will be ticketed by the Association and towed after a 72 hour period, if not removed or made to be in compliance to these rules by the vehicle's owner, without further notice and at the owners risk and expense.

6. No major repairs, as maybe determined by the Board of Directors or its agents may be performed, on any vehicle within the community. Vehicles shall not be left overnight in a state of disrepair (open hood, tires removed, etc.). Minor repair work is permitted provided that all materials are property disposed of and no damage is done to the common property.

7. All vehicles are permitted to be parked within designated and marked parking lanes. Fines and/or towing could result for violation. If towed it is at the risk and expense of the vehicle owner. Parking on lawns, sidewalks and other non-paved areas is strictly prohibited.

8. Parking in lawfully designated handicapped spaces without proper credentials is prohibited and fineable by Montgomery County (presently \$250.00).

9) Due to the limited number of parking spaces within the Elioak Section (two per unit are assigned), there is a limit of two cars per household allowed to be parked with the Elioak Section. All additional cars must be parked outside of the Elioak Section.

10. Within Tygart Court, for those who have a garage, your driveway and garage are considered two (2) parking spaces and must be used as such if you have more than two (2) vehicles. Please note there are a limited number of on-street parking places for your occasional use. "Visitor" spaces are for parking by visitors and guests of residents. These "Visitor" spaces are not for parking by residents. These spaces are also not for storage. (See rules 3 and 4 above)

APPENDIX C  
HADLEY FARMS COMMUNITY ASSOCIATION  
ASSESSMENT AND COLLECTION POLICY

## HFCA ASSESSMENT COLLECTION POLICY

The Hadley Farms Community Association, Inc. (HFCA) is legally responsible for the payment of expenses related to the common areas and facilities, including grounds maintenance and upkeep of the facilities (Community Center, basketball court, tennis court, tot lots, etc.) In order to meet this obligation, HFCA must levy and collect assessments from all community home owners.

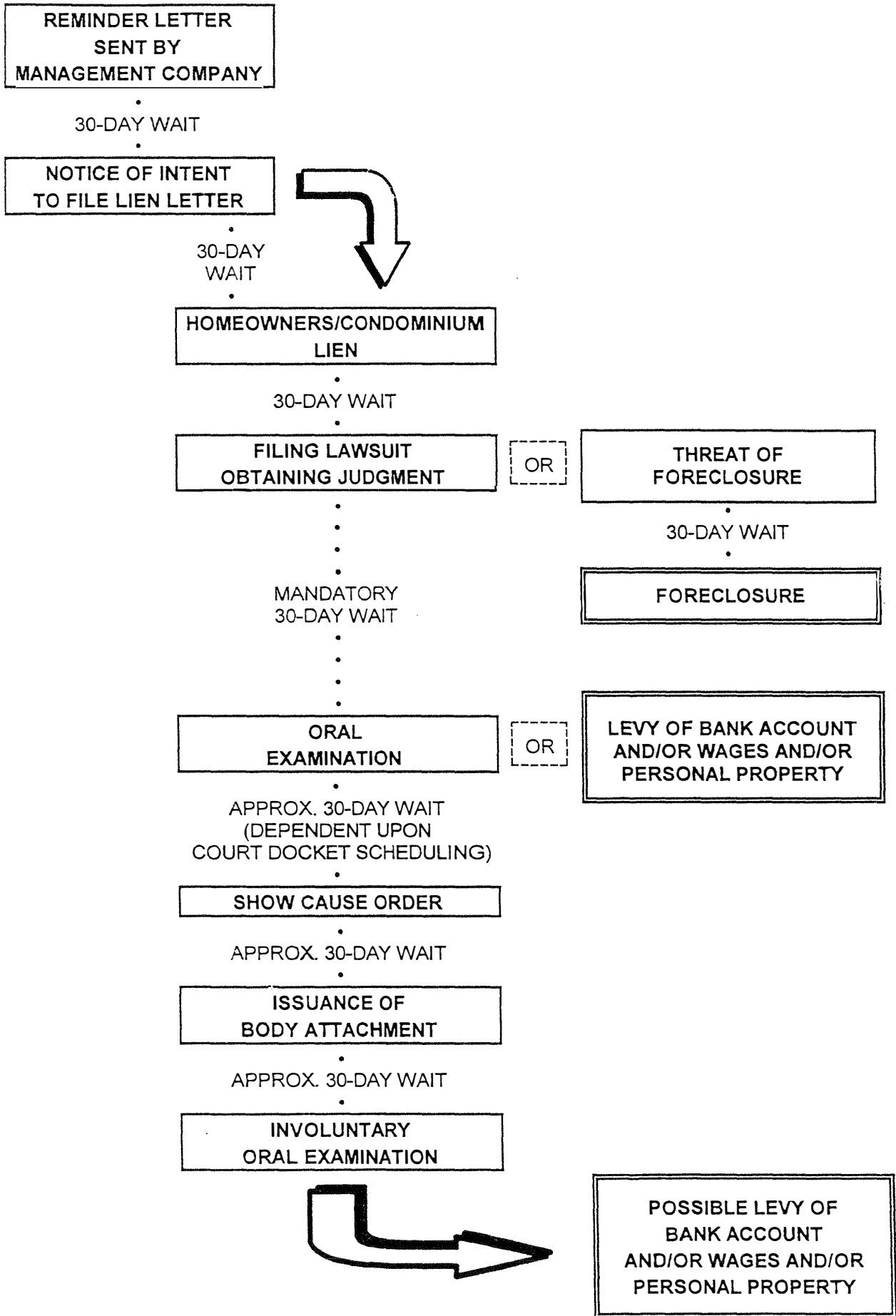
Article IV, Section I of the Declaration of Covenants, Conditions and Restrictions for HCFA provides for creation of a lien and personal obligation for annual maintenance assessments upon each member of the Association. Article VII, Section 2(c)(3) of the HCFA Bylaws establishes the duty of the Board of Directors to bring an action against homeowners for assessments which are not paid within thirty (30) days after the due date. Article IV, Section 8 of the Declaration of Covenants and Restrictions for the HFCA provides that any assessment not paid within thirty (30) days after the due date shall bear interest from the due date at the rate of six percent (6) per annum and the Association may bring any action at law necessary for the collection of any unpaid assessment.

Article VII, Section I of the HFCA Bylaws empowers the Board of Directors to promulgate procedures for the collection of assessments. The following procedures have been established for the collection of assessments. It is in concert with the HFCA governing documents and applicable Maryland laws.

- A. All homeowners are responsible for timely payment of their assessments regardless of a lack of an assessment notice.
- B. The annual assessment shall be due on a quarterly basis (typically January I, April I, July I, and October I). Each payment shall be considered late thirty (30) days after the invoice date.
- C. When payment is late by thirty (30) days after the invoice date, a fee is assessed to the homeowner ( as provided under State Law). HFCA or its authorized agent shall send a letter to the property owner notifying them of their delinquency and that the late fee has been assessed. This late fee will appear on the bill and continue to accrue on each quarterly assessment next assessment billing invoice. This late fee billing that the homeowners are in arrears. The unpaid balance also bears interest from the due date at the rate of six percent (6%) per annum, as provided in the governing documents..
- D. Any assessment which remains unpaid on the sixtieth (60th) day after the invoice date shall be considered extremely delinquent. HFCA or its authorized legal agent shall send a "Notice of Intent to Create a Lien" (via certified mail) as provided by the Maryland law.
- E. For any homeowner whose account has an unpaid balance for a period exceeding ninety (90) days. HFCA will instruct legal counsel to file a lien against their property. Should the homeowner not bring their account current within an additional thirty (30) days, HFCA shall initiate court procedures, and/or foreclose on the property.

**PLEASE NOTE, DELINQUENT HOMEOWNERS WILL BE RESPONSIBLE FOR ALL COSTS (ATTORNEY fees, INTEREST, LIEN FILING FEES, COURT COSTS, ETC.) UNDER TAKEN IN THE PURSUIT OF PAYMENT.**

# SAMPLE OF COLLECTION PROCESS



## APPENDIX D

### HADLEY FARMS COMMUNITY ASSOCIATION COMMUNITY POOL RULES AND REGULATIONS

The swimming pool facility is open to all owners and residents, there is a separate  
membership fee

To join, contact the Community's Management Agent

## HADLEY FARMS COMMUNITY POOL RULES AND REGULATIONS

The pool rules have been established for the protection and benefit of all pool members, their guests, and the protection of the Hadley Farms Community Association. These rules were established to assure the safe and sanitary operation of the pool facilities. To ensure adherence and safety for all present at the pool, parents are requested to discuss the pool rules with their children. All pool members must be current in their Association's Assessments.

All individuals are required to obey the pool's lifeguards instruction at all times whether or not the instructions are listed in the following rules.

Any failure to comply with these rules is sufficient cause for the pool manager and his/her assistants, at their discretion, to expel the violators from the pool. Persistent or serious non compliance of rules will be referred to the BOD by the Pool Committee for consideration, beyond the immediate action of the pool management, as formal infractions of the Rules and Enforcement Policy. Rule violation referred to the BOD will be evaluated as a Category "C" infraction.

The pool season begins the Saturday of the Memorial Day weekend and ends on Labor Day. Pool hours of operation may vary from year to year. The current year pool schedule will be available prior to that year's pool season.

No one may enter the pool unless a lifeguard is on duty. All swimmers are expected to know these pool rules. These rules are for everyone's own safety and to make the swim facility a safe and pleasant experience.

### POOL RULES

#### **I. SPECIAL AUTHORITY OF THE POOL MANAGEMENT**

- A. The pool manager and assistants, as employed by a pool management company under contract to HFCA, are in charge of the pool operations.
- B. The pool may be closed at any time due to safety considerations or operational difficulties at the discretion of the pool manager or any other designated authority.

#### **II. ADMISSION RULES (MEMBER AND NON-MEMBER):**

- A. All persons using the pool will be required to produce a pool pass, unless they are the guest of a member. When entering the pool all persons must sign in at the life guard's office.
- B. Members, 16 and older, may bring **guests** to the pool who **do not live within Hadley Farms**. Guest passes may be purchased, \$15 for 5 passes. Passes can be purchased from the Pool Committee Members by check, made payable to Hadley Farms Pool.
  - 1. Cash will not be accepted.
  - 2. Guests will be required to sign in at the pool.
  - 3. Proof of non-residency in the Community will be required.
  - 4. Guests must always be accompanied by a pool member. Members will be responsible for their guests behavior at all times.

- C. Children 9 years of age and under must be accompanied by an adult for admission to the pool area
- D. Children ages 10-12 will not be permitted to use the main pool without being accompanied by an adult, until they can comply with the minimum standard for water safety as determined by the lifeguards.
  - 1. All those between 10 and 14 who wish to be admitted alone, must have a parent's written permission, phone number to contact in case of an emergency.
- E. The wading pool for children 5 years of age and under **ONLY**.
  - 1. **THE WADING POOL IS NOT GUARDED.**
  - 2. Children in the wading pool must be under constant supervision by a parent or guardian who is in the wading pool area with them.
  - 3. All non-toilet-trained children **MUST** wear rubber pants when in the pools. Non-toilet-trained children will be permitted in the main pool only when accompanied by a parent or adult over 18 years of age. The child must be under constant supervision.
  - 4. **There is to be no diaper changing allowed on the pool deck areas. Please use a diaper changing table which is provided in the bathrooms of the pool house.**
- F. During a 15 minute rest period each hour all children under 16 must exit the pool for a rest period. During these rest periods, lane 6 will be reserved for lap swimming by adults.
- G. Admission shall be refused to all persons having
  - 1. An infectious disease,
  - 2. Inflamed eyes, colds, nasal or ear discharge
  - 3. Any communicable disease of any kind.
  - 4. Excessive sunburn
  - 5. Open sores or bandages of any kind.

A doctor's certificate that a skin disorder is not communicable will permit entrance to the pool.

### **III. ACTIVITY AND BEHAVIOR RULES:**

- A. All users must shower before entering the pool.
- B. Running, pushing, wrestling, ball playing, causing a disturbance in or about the pool, or violation of other posted rules will not be tolerated.
- C. Boisterous or rough play including running dives from the deck, are prohibited.
- D. No life preservers, inner-tubes or play equipment can be used in the main pool at any time.
  - 1. This does not preclude instructional devices used in conjunction with training under the direction of a qualified pool attendant.
  - 2. Young children may use floatation devices (noodles, kickboards, etc.) provided an adult is in the pool with the child, **within arm's length**, and keeping an eye on the child. **In no instance may a child be left alone in the pool with a floatation device.**
- E. Pets are not allowed in the pool area.



- F. Spitting of water and similar non- hygienic actions are not permitted in the pool area.
- G. Abusive or profane language or breach of the peace is not permitted.
  - 3. Abusive language is grounds for rescinding the member's pool pass.
- H. Intoxicants may not be brought into the pool area.
- I. Food may be consumed within the designated areas only.

**Litter must be deposited in the appropriate trash receptacles.**

- 1. Small snacks may be consumed on the pool deck within the designated areas. Tables are provided outside of the pool deck for larger meals.
- 2. Beverages are permitted, if they are in plastic thermos, plastic cups or cans.

**Glass containers (of any type) are not permitted at any time in the bath house or the pool area under any circumstances.**

- J. Litter must be deposited in the appropriate trash receptacles.
- K. Personal pool type chairs may be brought into the pool area, but must be taken home the same day.
- L. Appropriate attire is required in the pool area.
- M. Shorts or cut offs are not acceptable substitutes for swimming suits in the pool.
- N. Those using the fenced in grass area MUST rinse their feet using the foot sprayers provided, before re-entering the pool deck area.

**IV. RESPONSIBILITES:**

- A. All persons using the pool or pool area do so at their own risk and sole responsibility. The user of the pool and pool area agrees to save and hold harmless, the HFCA and its agents including the pool management company growing out of the use the pool and pool area. This includes personal injury or loss of property.
- B. Users will be held responsible for all actions of their guests.
- C. Property damage caused by pool members or their guests is the financial responsibility of the pool member.
- D. HFCA or its agent is not to be responsible for loss or damage to any property.
  - 1. Lost articles must be claimed by the second and fourth Fridays of each month.
  - 2. Any articles not claimed will be donated to local charities or disposed of appropriately.

All questions relating to the pool and pool operations should be directed to Abaris Realty, as Management Agent for the HFCA or a message can be left at the Community Center answering machine 301-869-8985 mailbox #2