

# SUTHERLAND COMMUNITY ASSOCIATION

## RULES AND REGULATIONS

These rules and regulations have been adopted by the Board of Directors of the Sutherland Community Association, Inc. It is anticipated that they may be amended from time to time. Additions or alterations will be published in the newsletter.

### 1. MEMBERSHIP

- 1.1 Sutherland Community Association Membership in the Community Association is set forth in the Declaration of Covenants, Conditions, and Restrictions for Sutherland and is limited to Sutherland property owners and their eligible family members, their tenants or contract purchasers who reside on the property. Subject to the Declaration of Restrictions and these rules and regulations, Community Association members in good standing shall be entitled to the use and enjoyment of any common property owned by the Community Association and any facilities located on that property.
- 1.2 The amount, payment schedule, and annual payment date of Association assessments shall be determined by the Board of Directors. Presently, Homeowners' dues are assessed on January 1<sup>st</sup>. They are due no later than January 31<sup>st</sup>. After January 31<sup>st</sup>, late fees accrue at 1½% monthly. Liens will be placed on properties with additional attorney's fees assessed on balances not paid within 90 days of the due date.
- 1.3 For the purposes of these rules and regulations, a member shall be any person who is eligible to be included in the membership. Membership may include all members of the family who reside full-time at the membership address and dependent children of that family. A membership shall include at least one adult.

### 2. RESPONSIBILITY AND LIABILITY

- 2.1 The Association assumes no responsibility for the personal property of any member or guest.
- 2.2 The Association assumes no responsibility for any accident or injury resulting from the use of Association facilities.
- 2.3 A member is responsible for the conduct, dress, and charges of his or her guest(s).
- 2.4 A member is liable for any damage or loss caused to Association property by the member or the member's guest(s).

### 3. GUESTS FOR POOL, TENNIS, AND CLUBHOUSE

- 3.1 Guests are welcome to use the same facilities to which the host member is privileged when accompanied by the member who has paid his/her annual

Homeowner Association fees, subject to the rules and regulations, and unless the facility is reserved for a member-only function.

- 3.2 A babysitter/nanny is not considered a guest for member households that use a babysitter/nanny to accompany their children to the pool.
- 3.3 Each member shall sign in with his/her name, address, phone number, number in the group, and number of guests before entering the pool area.
- 3.4 Any parties must be scheduled and approved by the board or pool chairman. There is a charge for an additional lifeguard.

#### 4. MISCELLANEOUS

##### 4.1 Signs

(a) Signs, posters, and notices shall not be posted on any Association property or be nailed or affixed in any way to trees, buildings, walls, fences, streetlights, or existing signs.

(b) No sign for advertising or for any other purpose shall be displayed on any lot or on a building or structure on any lot, except one neat and attractive sign, no larger than nine square feet, for advertising the sale or lease of the property. Political signs are exempt from this rule, except that they shall not be displayed prior to two weeks before the election and shall be removed within seven days after the election.

##### 4.2 Pets

Pets, except as specifically restricted in other sections of these rules and regulations, are permitted on the common property owned by the Association only when on a lease and under the control of the owner. It is the responsibility of the pet owner to remove any excrement left by their pet in common or easement areas. Invisible fencing for pets must keep a pet a minimum of 10 feet from the edge of the sidewalk closest to the residence.

##### 4.3 Trash

Trash, rubbish, landscape debris, and similar material shall not be placed on or near common property nor in or near a lake, stream, or drainage easement. All litter should be properly disposed.

##### 4.4 Vehicles

(a) Vehicles shall be parked only in the designated parking areas.

(b) Automobiles, motorcycles, mini-bikes, and bicycles may enter Association premises only by way of paved streets and Association driveways, and must park in the Association parking lots. Operating licensed or unlicensed motorcycles, "all-terrain" vehicles, or mini-bikes elsewhere on Association property is prohibited.

(c) No automobile shall be continuously or habitually parked on any street or public right-of-way in the subdivision. No bus, mobile home, motor home, trailer, truck, motorcycle, commercial vehicle, camper trailer, camping unit, camping vehicle or boat may be parked or kept on any lot in Sutherland at any time unless housed in a closed garage or basement. Any vehicle determined to be objectionable or unsightly by the Sutherland Community Association Board of Directors must, upon notice, be kept in a closed garage or basement or removed from Sutherland.

4.5 Firearms, Hunting, or Trapping

(a) Firearms, air rifles, bows and arrows, and any other weapons shall not be brought onto Association property.

(b) Hunting and trapping are prohibited on Association property.

4.6 Advertisements

No articles or tickets of any kind shall be offered for sale, no subscription lists or petitions shall be circulated, or advertisements displayed anywhere on Association property.

4.7 Sale of Merchandise

Persons other than those contracted or approved by the Association may not engage in the sale of merchandise or services on Association property.

4.8 Conduct

Loud, quarrelsome, or obscene conduct and profanity are prohibited on Association premises.

4.9 Vandalism

Vandalism, willful defacing, or destruction of Association property is prohibited.

4.10 Mailboxes

All mailboxes in Sutherland are the standard box currently available through the Management Company. If a mailbox is damaged, the homeowner is responsible to Sutherland Community Association for any repairs or replacement, and for obtaining reimbursement from the party responsible for the damage (if known). Please call our Management Company at (502) 618-5900 regarding current cost or installation.

4.11 Lawn Maintenance

It is the duty of each homeowner to keep the grass on their lot properly cut, to keep it free from weeds, waste, and trash, and to keep it otherwise neat and attractive in appearance.

4.12 Nuisances

No noxious or offensive trade or activity shall be conducted on any lot, nor shall anything be done which may become an annoyance or nuisance to the neighborhood.

4.13 Yard Sales

Yard sales are not allowed within the subdivision unless sponsored by the Homeowners' Association.

4.14 Animals

No animals, including reptiles, livestock or poultry of any kind, shall be raised, bred or kept on any lot, except dogs, cats or other household pets (meaning the domestic pets traditionally recognized as household pets in this geographical area) may be kept, provided they are not kept, bred or maintained for any commercial or breeding purposes.

4.15 Clotheslines and Tennis Court Fences

(a) No outside clotheslines shall be erected or placed on any lot.

(b) No tennis court fence shall be erected on any lot in the subdivision unless the fencing has a green or black coating. The plans for the fence need to be approved by the Architectural Committee in writing.

4.16 Rules for Common Areas

The Community Association is authorized to adopt rules for the use of common areas and such rules shall be furnished in writing to the lot owners.

4.17 Approval of Construction and Landscape Plans

(a) No lot shall be used except for private single family residential purposes. No structure shall be erected, placed or altered or permitted to remain on any lot except one single family dwelling designed for the occupancy of one family (including domestic servants living on the premises), not to exceed two and one-half stories in height and containing a garage for the sole use of the owner and occupants of the lot.

(b) No structure may be erected, placed or altered on any lot until the construction plans and building specifications and a plan showing (i) the location of improvements on the lot; (ii) views of the house (front, rear and side elevations); (iii) the relationship of the finished grade of the front or side yard to the top of the curb; (iv) the type or exterior material (including delivery to the Association of a sample thereof, if requested); (v) the color of paint or stain to be applied to any exterior surfaces (including delivery to the Association a sample thereof, if requested); and (vi) the location and size of the driveway (which, unless otherwise approved by the Association, shall be constructed of exposed aggregate concrete), shall have been approved in writing by the Architectural Committee.

(c) In addition to the plans referred to in the previous paragraph, a landscape plan shall be submitted to the Association for its approval in writing.

4.18 Duty to Repair or Rebuild

(a) Lot owners shall, at their sole cost and expense, repair their residence, keeping it in a condition comparable to that at the time of its initial construction, excepting only normal wear and tear.

(b) If all or any portion of a residence is damaged or destroyed by fire or other casualty, then the owner shall, with all due diligence, promptly rebuild, repair or reconstruct such residence in a manner which will substantially restore it to its apparent condition immediately prior to the casualty.

4.19 Business or Home Occupation

No trade or business of any kind shall be conducted on any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood

The Association's Board of Directors have full authority to enforce these rules and regulations. Violations are to be drawn to the attention of the member and reported to the Board of Directors for appropriate action. Any person whose conduct is unbecoming or who knowingly breaks an Association rule may be denied service and/or requested to leave the pre-failure of a member or a member's guest to adhere to these rules and regulations may result in the suspension of the member's privileges, expulsion and/or additional assessment fees.

5. CLUBHOUSE

5.1 Use of any Association facilities or entering Association property during times other than the normal hours of operation or special, announced hours, or at any time by persons who are not entitled to use the facilities, shall be considered trespassing and shall be treated accordingly.

5.2 Swimming attire is not permitted in the Clubhouse. Exercise attire is permitted in the Clubhouse only if a dry warm-up suit or jogging suit is worn over the exercise clothing.

5.3 Food or beverages may not be brought into the Clubhouse from off the Association's premises except as authorized for special functions.

5.4 Pets are not permitted in the Clubhouse.

5.5 No property or furniture shall be moved from the room in which it is placed, and no article belonging to the Association shall be removed from the premises without the approval of the Clubhouse Coordinator.

5.6 Arrangements for private functions may be made through the Association at fees prescribed by the Board of Directors. All party decorations must be approved by the Clubhouse Coordinator.

## 6. POOL

- 6.1 **HOURS OF OPERATION Open Daily 10:00 A.M. - 8:00 P.M.**
- 6.2 Pool hours may vary due to inclement weather, maintenance, special functions, or when school is in session.
- 6.3 A 10-minute break may be called by the lifeguard on the hour, during which time the only persons permitted in the pool shall be persons age 18 and older and children age 4 and under who are in the water with an adult.
- 6.4 No one may enter the pool areas during closed hours or when an Association employed lifeguard is not on duty.
- 6.5 In the event of lightning or thunder, the pool and pool area shall be cleared, and no one shall re-enter the areas until 20 minutes after the last occurrence.
- 6.6 Food brought from off the Association's premises must be kept and consumed on decks or the lawn area, and all litter must be disposed of properly.
- 6.7 Swimmers shall wear appropriate swimwear. Cut-offs shall not be permitted in the pools.
- 6.8 All children under 10 years of age must be accompanied by an adult who will be responsible for their conduct and safety.

## 7. HEALTH DEPARTMENT REGULATIONS

- 7.1 All persons using the swimming pools shall take a cleansing shower before entering the pool.
- 7.2 Any person having any skin disease, sore, or inflamed eyes, nasal or ear discharge, or any communicable disease shall be excluded from the pool. Persons wearing bandages shall not be allowed in the pool. Persons with open blisters, cuts, etc. shall be advised not to use the pool.
- 7.3 Spitting, spouting, blowing the nose, etc. in the pool shall be strictly prohibited.
- 7.4 Running, throwing objects, pushing or dunking others in the pool, and similar boisterous or rough play shall not be permitted in or around the pool or in the restrooms.
- 7.5 Diving shall not be permitted.
- 7.6 No glass containers shall be permitted on the pool deck.
- 7.7 No food, beverages, or smoking shall be permitted within six feet of the edge of the pool. All refuse must be deposited in appropriate receptacles.

- 7.8 Pets shall be excluded from the pool areas.
- 7.9 Any object brought into the pool area is subject to the approval of the lifeguard. Skateboards, roller skates, roller blades, and the like, including bicycles, shall not be permitted in the pool area. Rafts are permitted in the pool except in cases of overcrowding.
- 7.10 The pool area may be rented for parties up to 3 hours in length with no more than 20 participants with prior approval. This approval must be secured 2 weeks prior to the requested date. A party will not be scheduled when the clubhouse is rented out, or during weekends, and holidays. Fees will be charged for additional lifeguards as needed per pool party contract. Please reach out to Mulloy Properties for additional information.
- 7.11 Lifeguards have complete authority to enforce pool rules and regulations. The pool staff, lifeguards, Board Member, or Property Manager may expel anyone from the pool area who acts improperly or fails to cooperate in maintaining safety or observing pool rules.

## 8. TENNIS AND PICKLEBALL COURTS

- 8.1 **HOURS OF OPERATION 7:00 A.M. - 9:00 P.M. daily**, weather permitting. The Management Company can be contacted for replacement keys to turn on the lights for after-dark play. The cost is \$25 and the check is made out to Sutherland.
- 8.2 The courts are for the use and enjoyment of Sutherland members and their guests **ONLY**. Guests must be accompanied by a member **AT THE COURTS**.
- 8.3 Food and alcoholic beverages may not be brought from off the Association's premises into the tennis court area.
- 8.4 Attire  
Players must wear clothing appropriate to the tennis courts. Shirts must be always worn. Swimwear is not permitted on the tennis courts. Only soft soled shoes shall be permitted on the tennis courts.
- 8.5 Reservation and Walk-on Time  
(a) Reservations are made through Court Reserve at <https://app.courtreserve.com>. Court Reserve is a web-based reservation site where homeowners must get approval to reserve courts.
- (b) The system allows reservations to be made one (1) week in advance.
- (c) Each member may reserve for a **MAXIMUM** of 2 hours per day.
- (d) A reservation shall be held 10 minutes past the reserved starting time. After that, the court is available for walk-on play.

(e) Guests are allowed on the courts ONLY when accompanied by a resident. Each resident may have up to three (3) guests on one court. Additional guests must be approved in advance by the Sutherland Pool and Tennis Committee.

(f) All rules of tennis etiquette shall be always adhered to. Profanity will not be tolerated. Jumping on or over nets is prohibited.

(g) Use of courts is limited to tennis and pickleball. No bicycles, skateboards, roller skates and the like, or games other than tennis are permitted on the courts.

(h) Spectators and children who are not playing tennis shall remain outside the court fencing.

8.6 RESIDENTS, THE BOARD OF DIRECTORS, AND MANAGEMENT have full authority to request proof of membership from any person using the courts, and to request non-members to leave the courts.

## 9. LAKES

9.1. No docks, piers, or permanent rafts shall be installed on either lake, except for any structures installed by the Association.

9.2 No person, watercraft or vehicle of any description shall be permitted in or upon the lakes, except for maintenance or safety purposes as determined by the Board of Directors.

9.3 Ice skating or walking on the frozen surface of the lakes is not permitted.

9.4 Fishing by members and their guests is permitted subject to state laws. Guests must be accompanied by a member of the Sutherland Community Association.

9.5 Feeding the waterfowl is not allowed.