



KIMBERLY WOODS VILLAGE ASSOCIATION, INC.  
P. O. BOX 275 ARNOLD, MARYLAND 21012

October 30, 2004

ALL COMMUNITY MEMBERS

Re: Amendment to KWVA Rules and Regulations

1. The KWVA Board of Directors, in response to numerous parking violation complaints, met on October 30, 2004 to approve amendments to the Rules and Regulations. These amendments 1) allow residents to file complaints via mail or e-mail, 2) delete the requirement for two written complaints, 3) clarifies the community parking rules, and 4) add a provision for the Board of Directors to address abandoned or inoperable vehicles.

2. In accordance with ARTICLE VII of the By Laws, the Kimberly Woods Board of Directors amends the Rules and Regulations dated October 24, 2003 as follows:

a. Section 3

(1) Change paragraph 1 to read:

Reports of an offense to a Rule or Regulation should be sent by mail to Kimberly Woods Village Association, Inc., P.O. Box 275, Arnold, MD 21012, or by e-mail to [kwvaboard@kimberlywoods.com](mailto:kwvaboard@kimberlywoods.com) , using the form provided in Attachment 2 of this document.

(2) Change paragraph 2 to read:

All complaints shall be verified by the management Agent or designated Board member. If the complaint is valid, the Board of Directors may implement sanctions in accordance with Section 4. If no action is deemed necessary, it shall be noted by the Board member or in the Agents monthly report to the Board and filed without further action.

(3) Delete paragraph 3.

b. Attachment 1, RULES

(1) Change Rule 3 to read: Each unit is allotted ONE reserved parking space in their court. Each unit is also allowed to park ONE additional vehicle in their court on a space-available basis regardless of the number of residents in their unit. Residents may not park additional vehicles in any other court. Members may report violations of this rule to the Board via mail or e-mail. Violators of this rule will be sanctioned a minimum of \$25.00 per vehicle and may have their vehicle towed at the owners risk and expense.

(2) Add as Rule 21. Inoperable or Abandoned Vehicles. Inoperable or abandoned vehicles include wrecked, dismantled, unlicensed, or vehicles that have not been moved in over 30 days. Community members may notify the Board of Directors of a suspected abandoned or inoperable vehicle via e-mail or mail. The Board of Directors will attempt to contact the owner of the vehicle or place a written notice on the vehicle giving the owner ten days to take appropriate action or contact the Board. If the vehicle is not moved, repaired, and/or properly registered within ten days, the Board may tow the vehicle at the owner's risk and expense.

3. The amended Rules and Regulations are effective and enforceable immediately.

//SIGNED//

Gary S. Ream  
President

//SIGNED//

Edward J. Rocksvold  
Secretary

KIMBERLY WOODS VILLAGE ASSOCIATION, INC.

P. O. BOX 275

ARNOLD, MARYLAND 21012

October 24, 2003

RULES AND REGULATIONS

Section 1. General. The Board of Directors of Kimberly Woods Village Association, Inc., in accordance with the Master Deed Article II, Section 1 (b, d, e): Article VII, Section 12; and the By-Laws Article VII, Section 1 (a,b) and Section 2 (c,iii): adopts the Master Deed and the By-Laws and all applicable changes thereto as the "Rules and Regulations of Kimberly Woods Village Association, Inc." The Board of Directors may Add to, delete from, or modify these rules and regulations as it deems necessary.

Section 2. Rules. The specific association rules are listed in Attachment 1 of this document.

Section 3. Handling Offenses.

1. Reports of an offense to a Rule or Regulation should be directed, in writing, to Kimberly Woods Village Association, Inc., P.O. Box 275, Arnold, MD 21012 using the form provided in Attachment 2 of this document.

2. There must be signed complaints from two (2) separate, unrelated unit owners of Association property. Owners of more than one unit may submit only one complaint for the same offense. A single complaint shall be reviewed by the management Agent or designated Board member, and if no action is deemed necessary without an additional complaint, it shall be noted in the Agents monthly report to the Board and filed without further action.

3. When two (2) complaints for the same violation are received by the Agent (or the Board); the Board may implement sanctions against the offender.

Section 4. Implementing Sanctions.

1. If a unit owner/tenant is determined in violation of a given rule(s) or regulation(s), a warning letter will be issued for a first offense. This letter will also indicate the penalty for further offenses of the same rule(s) or regulation(s).

2. Second offenses of the same rule(s) or regulation(s) (within a one year period), will be subject to a sanction of an amount not less than \$25.00 per offense, nor more than \$100.00 per offense, depending upon the nature and seriousness of the violation.

3. Third offenses of the same rule(s) or regulation(s) will be subject to a sanction three times the amount of the second sanction,,

4. For subsequent offenses, sanctions will continue to triple in the amount of the previous sanction for the same offense.

5. Sanctions will be included as part of the Association fee.

6. When Association fees are not paid, legal action will be taken in the form of liens on the property and/or foreclosure to collect the amount of the lien.

#### Section 5. Procedure of Sanctions.

1. This procedure requires a written demand to the violator to cease and desist the actions causing the alleged violation. This demand sets forth the alleged violation, the action required to abate the violation, and a time frame (during which the violation may be abated without further sanction) if the violation is a continuing one. It may also set forth a statement that any further violation of the same rule may result in the imposition of a sanction after notice and hearing if the violation is not a continuing one.

2. Within twelve months of the prior demand, if the violation continues beyond the period allowed in the demand letter for abatement or if the same rule is violated again, the Board must serve the violator with written notice of a hearing to be held by the Board in session no less than ten days from the date of notification. This notice must include:

- a. The nature of the violation.
- b. The time and place of the hearing.
- c. An invitation to the violator to attend the hearing and produce any statements, evidence, and witnesses on his or her behalf.
- d. A statement of the proposed sanction.

3. A hearing will then take place, and the violator has the right to be present, to present evidence, and to cross-examine witnesses. The hearing must be held in executive session pursuant to the notice of the Board. Before any sanction may be imposed, proof of notice and the invitation to the violator must be placed in the minutes of the meeting. This shall be satisfied by a copy of the notice, together with a statement of the date and manner of delivery of the notice, entered by the officer or director who delivered the notice. If the violator appears at the meeting, this is sufficient. The meeting must then have minutes that set forth a written statement of the results of the hearing and any sanction that is imposed. The violator then has a right to appeal the decision to a court.

#### Section 6. Architectural Committee.

1. The Architectural Committee, in accordance with the guidelines of the Declaration of Covenants, Conditions, and Restrictions of Kimberly Woods Village is responsible for:

- a. Establishing and maintaining community Architectural standards.
- b. Reviewing Architectural Requests to ensure compliance with the Covenants.

2. The Architectural Committee is not responsible for the inspection of properties in order to enforce proper upkeep and maintenance. That job is the responsibility of the Board of Directors and the property management company if the community hires one.

3. The Architectural Committee shall be made up of no more than five (5) but no less than three (3) elected members from the Association. If at least three (3) members cannot be elected, the Board of Directors shall serve as the Architectural Committee. The guidelines of the committee are as follows:

- a. The committee shall meet at least monthly in order to review requests from residents.
- b. A minimum of three members shall be involved in the review of each request.
- c. In order to review each request, an inspection of the property shall be made to gain better understanding of the request being made.
- d. A Chairman shall be elected and will be responsible for the following:
  - 1) Coordinate the meetings and inspections.
  - 2) Insure that the secretarial work is completed within the time limits described in the covenants.
  - 3) Act as liaison with the Board of Directors Maintain all records and files of the committee.
- e. A Secretary shall be elected and will be responsible for the following:
  - 1) Recording the decisions and minutes of each committee meeting.
  - 2) Writing of all correspondence.

#### Section 7. Architectural Standards.

1. Architectural Requests. Fences, walls, exterior additions to or changes (including changing external paint, paneling, and the like) should not be made until the plans and specifications showing the nature, kind, shape, height, materials, exterior color, and location have been submitted to and approved by the Association or the Architectural Committee.

2. Fences. Back yard fences are mainly for purposes of privacy and barriers. The two types of fences for back yards and side yards shall be alternate board or stockade. Fences shall be restricted to heights of no more then 6' (six feet), and no less then 4' (four feet). The material shall be pressure treated or preserved wood, and shall remain the natural color of the wood. All fences shall also meet the requirements of the Anne Arundel County Code. A homeowner may submit a request in writing to install another style of fence. The request must contain the full design, including the specifications, finish and material, and the name of the installer. Upon receipt of the request, the committee will make an appointment with the homeowner to review the request. Front yard fences shall be for property division purposes only, and shall be either a split wall, three (3) rail-high fence; or black wrought iron rails for front steps and porches that are over 24" high.

3. Sheds. The members of the committee will approve all sheds on an individual basis. Placement of the shed will be considered along with the size, style, and material.

4. Decks. All decks will be constructed of pressure treated lumber, and must meet with the requirements as established with Anne Arundel County Code. The committee has agreed with the style of the two types of decks already in existence, and Photographs will be taken for lack of words to describe the style. The material, design, size, and dimensions must be reviewed on an individual basis, and are to be included as information in the homeowner's request.

5. Patios. All patios will be constructed of either pressure treated lumber, concrete, or brick and must meet with the requirements as established with Anne Arundel County Code. Photographs will be taken for lack of words to describe the style. The material, design, size, and dimensions must be reviewed on an individual basis, and are to be included as information in the homeowner's request.

6. Exterior Maintenance. In order to maintain the community design as established by the original builder, the appearance of the exterior of the units shall be kept as close to the original design as possible.

a. Paint. Exterior paint will match as closely as possible the colors used by the original builder. The Architectural Committee or Board of Directors will provide paint numbers and samples on request.

b. Siding. Vertical vinyl or aluminum siding may be used ONLY on the rear and sides of all units provided it is in accordance with the Association color scheme and the trim pattern is maintained. Alternate materials may be used to repair or replace the front of the units as long as the use of the material does not alter the original builder's design, appearance, and/or color of the unit.

c. Fireplaces and chimneys. All fireplaces and chimneys must meet with the Anne Arundel County Code for the protection of all members of the community. All chimneys shall conform to the exterior of the house, with the same color and style paneling or siding being placed over either a firebrick or stainless steel flue.

d. Exterior Doors. Exterior doors cannot detract from the appearance of the unit or the community.

e. Windows. Windows shall be vertical pane with a brown exterior frame.

f. Lawn care. Homeowners shall keep their lawns and shrubbery cut and/or trimmed. Homeowners are encouraged to engage in landscaping projects to enhance the appearance of their homes and the community.

IN WITNESS WHEREOF, we, being all of the directors of Kimberly Woods Village Association, have hereunto set our hands this 24 day of OCTOBER, 2003.

Gary S. Ream  
Gary S. Ream President

Nancy K. Barton  
Nancy K. Barton (NKB) Vice President  
pal

Robert L. Jones  
Robert L. Jones Secretary

## RULES

1. All owners and occupants shall abide by the By-Laws and any Rules and Regulations adopted by the Association. (Art. VII Sec. 12)
2. No motor vehicle, including but not limited to a moped, recreation vehicle, camper, motorcycle, go-cart, or car, shall be operated off the streets or parking areas when operated on Association Property.
3. Only two vehicles per house are allowed to park on KWVA courts at any given time. Please park all other vehicles on Kimwood Road. If the Board receives two written complaints from homeowners regarding more than two vehicles parked on a court by a homeowner, written notification will be sent to the homeowner of said vehicle. If nothing is done about the vehicle within ten days, the vehicle(s) will be towed at the owner's risk and expense and the owner will be subject to a sanction.
4. Motor vehicles shall be parked only in areas designated for parking on Association Property. No vehicles shall be parked at the top of any court. This proves to be a hazard for any emergency vehicles that need to get into the courts. Vehicles parked in designated no-parking areas may be towed at the owner's risk and expense and the owner will be subject to a sanction.
5. No repair of a motor vehicle shall be permitted on Association property that would not be completed within six (6) hours. Do not leave vehicles on jacks unattended. Oil and grease should be disposed of in proper containers. Care should be taken not to spill oil, or its by-product on the ground, asphalt, or cement. (it breaks down asphalt, stains cement, and kills grass). In case of a spill, clean up ALL spilled material immediately in accordance with county, state and/or federal guidelines.
6. All motor vehicles, bicycles, and skateboards when operated on Association property, shall be operated in a manner that would not cause a disturbance of the peace or endanger the residents or property of the Association.
7. No boat, recreation vehicle, camper, or truck (excluding automobile size vans or pickup trucks without camper) shall be parked on Association property or an owner's lot.
8. Any violation of Association Rules and Regulations that is committed by a guest, non-owner resident, or their visitor is the responsibility of the unit owner.
9. Any loud noise emanating from any unit that causes an annoyance, a disturbance of the peace, or is a general nuisance to other residents shall not be permitted.
10. Any damage to Association property by a resident, their guest, or their visitor shall not be permitted, and the cost of repairing any such damage to Association property is the responsibility of the unit owner.
11. Pet feces shall not be permitted to remain or accumulate on unit owners' property in excess of one (1) day.
12. \*Owners shall have their pets on a leash when the pet is outside the house. No unleashed animals (including cats) are permitted on Association property.

13. Pet owners shall restrict pet elimination of waste to areas of the Association, as determined by the Association from time to time, not commonly, or routinely used by Association residents. Pet owner's MUST immediately pick up and properly dispose of their pet's feces from Association property.

14. No more than four (4) warm-blooded pets are permitted in any one unit.

15. Clotheslines, woodpiles, and storage areas shall be prohibited on any lot, unless obscured from view of adjoining lots and streets by a fence or screen approved by the Association or Architectural Committee. Trash cans may be placed in front of a unit provided they are kept in Anne Arundel County approved covered plastic container(s) and obscured from view of the streets by shrubbery or a structure approved by the Association or Architectural Committee. (Art. VII Sec. 8)

16. Trash shall not be placed on Association property prior to 7 p.m. on the night before pick-up nor after pick-up has been completed for the court on that day.

17. All wood stored on the owner's property shall be stacked not less than twelve (12) inches above ground level and must be free standing.

18. Trash shall be permitted to remain on Association property only in containers approved by Anne Arundel County (plastic cans with lid).

19. Personal property shall not be allowed to remain on the Association property in excess of one (1) day.

20. No radio, television receiving, or transmitting device or external apparatus exceeding 10 ft in height above the highest point of the dwelling shall be installed on any lot. No freestanding antenna, tower, or the like shall be permitted on any lot. (Art. VII Sec. 9)

\*Anne Arundel County Law

KIMBERLY WOODS VILLAGE ASSOCIATION, INC.  
RULES AND REGULATIONS OFFENSE REPORT

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

Name of petitioner:

Address:

Phone number:

Name of respondent if known:

Address or place where offense  
occurred:

Phone number:

Date and time of offense:

Statement of offense:

Signature Of petitioner:

\_\_\_\_\_  
Name and address of witnesses:

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Please note that the "Petitioner" is the person reporting the offense, and the "Respondent" is the person being complained against. The Board of Directors cannot take action on any complaint until offense reports are received for the same incident from two different homes (units). The person filing the offense report will be required to appear at any subsequent hearing determined appropriate by the Board of Directors.

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY that on this *24<sup>th</sup>* day of *October* 2003, before me, a Notary Public of the State of Maryland, personally appeared Gary S. Ream, Robert Jones, Nancy Barton, and ~~Margaret Ann Lay~~ *pah [signature]*, who acknowledged themselves to be the Board of Directors of Kimberly Woods Village Association, Inc., and executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

*Samela A. Hill*  
\_\_\_\_\_  
Notary Public

My commission expires: *7/1/2006*



CERTIFICATION

I, the undersigned, do hereby certify:

THAT I am the duly elected and acting secretary of Kimberly Woods Village Association, Inc., a Maryland corporation, and

THAT the foregoing Rules and Regulations constitute the original Rules and Regulations of Said Association, as duly adopted at a meeting of the Board of Directors thereof, held on the *24<sup>th</sup>* day of *OCTOBER*, 2003.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Association this *24<sup>th</sup>* day of *OCTOBER*, 2003.



*Robert L. Jones*  
\_\_\_\_\_  
Secretary