



## HOA GUIDEBOOK

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## INTRODUCTION

The purpose of the Foxchase Marlboro Homeowners Association (HOA) Guidebook (Guidebook) is to assist homeowners in establishing and maintaining a standard of life in the community by preserving the value of their real property. The authority for maintaining the quality of design in the community is founded in the Declaration of Covenants, Conditions and Restrictions (Declaration) which are a part of the deed to every property. Copies of the Declaration are provided to each homeowner at time of settlement. The Declaration establishes an HOA, HOA Board of Directors (Board), and the Architectural Review Committee (ARC). The Declaration is binding on all homeowners; current and future; and should be fully understood by each homeowner.

Homeowners have the right to improve their property to preserve and/or increase the value of their property. Unless otherwise stated in this Guidebook, homeowners are allowed to make any changes or improvements to their home that are allowed by Prince George's County or the State of Maryland. Homeowners must obtain approval for certain external projects by the ARC prior to starting the projects. Projects determined to need ARC review cannot start until official approval is granted.

## OBJECTIVES

The overall objective of this document is to serve as a guide for all homeowners in maintaining and enhancing their home and community in accordance with all appropriate laws. These guidelines and standards address improvements which homeowners will most often submit applications for approval to the ARC. They are not intended to be all inclusive or exclusive, but rather serve as a guide to what improvements may be made in the community. It is also advisable to check with county government standards officials to ensure that your projects are within code standards.

The specific objectives of this handbook are:

- Not intended to be all inclusive or exclusive but rather serve as a guide.
- To assist homeowners in preparing an acceptable application to the ARC.
- To increase homeowner's awareness and understanding of the Declaration.
- To provide uniform guidelines to be used by all (e.g. the ARC, homeowners) in preparing and reviewing architectural applications in accordance with Maryland and Prince George's County regulations, the founding documents of the Foxchase Marlboro HOA, and the rulings set forth by the Board.

## ENFORCEMENT PROCEDURES & HOMEOWNERS' RE COURSE

The following procedures will be taken by the Board and the ARC to enforce the rules and regulations as set forth in these guidelines:

1. All homeowners and residents shall comply with all the provisions of this Guidebook, the Articles of Incorporation, the Declaration, the By-laws and all Board rulings/regulations. Failure to comply with the aforementioned shall be grounds for action to recover damages or injunctive relief, suspension of voting rights, foreclosure of liens and any other legal or equitable relief deemed appropriate. In the event any rule or regulation is violated, the

homeowner shall be notified of the violation by certified mail, return receipt requested. Notice shall be sent to the address shown on the HOA records. If the homeowner is a non-resident, a copy of the violation notice shall also be sent to the tenant at the unit address by first class mail.

2. The homeowner shall have the right to appeal any violation citation. The appeal request must be submitted in writing and received by the Board within 5 days of receipt of the violation notice.
3. In any instance where the violation presents a health or safety hazard, the Board may take immediate action, at the homeowner's expense, to correct the violation. Please note that Prince George's County shall be notified of the violation and may also take direction action. Notification to the homeowner of the action taken and the costs incurred will be made by certified mail, return receipt requested.
4. In the event the homeowner does not bring the violation into compliance within a reasonable amount of time or submit an appeal request within 5 days of the date receipt of the violation, the Board may proceed with enforcement procedures as indicated in the Declaration.
5. Please note that failure of the ARC, the property management contractor or Board to enforce any provision, covenant restriction, or rule and regulation shall in no way be deemed a waiver of the right to do so.

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### **RIGHT OF ENTRY**

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As stated in the Declaration, is hereby granted a blanket easement to the HOA, its directors, officers, agents and employees, to any manager employed by or on behalf of the HOA, and to all police, fire, ambulance personnel and all similar persons to enter upon the property in the exercise of the functions provided by the Declaration and the Articles, Bylaws and rules of the HOA in the event of emergencies and in performance of governmental functions. Except in cases of emergency, the HOA Board or its management agent will make an attempt to secure the owner's permission prior to exercising the right of entry.

### **ARCHITECTURAL MODIFICATIONS PROCESS**

All temporary or permanent exterior improvements, additions, or alterations to the front of the home and some in the back of the home require the approval of the ARC. This includes all improvements, alterations, repairs, changes of paint color, excavations, changes in grade and other work which in any way alters the exterior of any lot (permanently or temporarily). Once a plan is approved, it must be adhered to as submitted. Any modification to the approved plan must be resubmitted to the ARC at once for approval unless otherwise outlined in the original approved document.

Each application and modification is reviewed on an individual basis. There are no automatic approvals, unless provided for specifically in these guidelines.

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### **SUBMISSIONS**

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Architectural Modification Requests (AMRs) must be submitted to the ARC using the form available on the homeowner's portal of the [HOALife website](#). The following items must be a part

of every application:

1. **Site Plan:** This is most easily prepared by submitting a copy of the house location plat. Proposed changes must be indicated including dimensions and distances from property lines.
2. **Material & Color:** Specify materials and provide samples of the colors to be used as well as an indication of the existing materials and colors. Where materials and/or colors are compatible but different from those of existing structures, samples of color chips must be submitted for clarity.
3. **Drawings & Photographs:** A graphic description should be provided and may be in the form of manufacturer's literature or photographs as well as freehand or mechanical drawings. The amount of detail should be consistent with the complexity of the proposal. If appropriate, plans or provisions for landscaping or grading should be shown as they affect the applicant's house and lot and, in the case of adjacent houses and lots, as they relate to those adjacent houses and lots. The sketch or photograph should be accompanied by a written description. Remember, the more information provided, the easier it will be for the ARC to understand the project for approval.

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## ARCHITECTURAL REVIEW

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### PROCEDURE

All applications for addition, alteration, or improvement (permanent or temporary) must be submitted to the ARC for review. Applications can be submitted on the HOA Life website, by emailing them to the HOA email address, mailing them to the HOA address, or dropping them off in the HOA box on Sutherland Circle. The application will be reviewed for completeness. If the application is complete, the review process will begin as soon as possible. If the application is incomplete, it will be returned to the homeowner for additional information.

The ARC has **45 DAYS** to review a completed application. Failure of the ARC to act upon any request within 45 days from the date received by the HOA board shall not be deemed as an automatic approval. The ARC will meet as necessary to review applications within the 45 day time frame and will send a written response to all requests. The decision of the ARC will be sent to the applicant in the same format it was received (email or mail).

### CRITERIA

The ARC evaluates all submissions on the individual merits of each application. The characteristics of the house type and the individual site are taken into account when evaluating the particular design proposal.

The following criteria represent more specifically the general standards that will be used in reviewing and evaluating each application and design:

1. **Validity of Concept:** The basic idea must be sound and appropriate to its surroundings.
2. **Design Compatibility:** The proposed improvement, alteration or addition must be compatible with the architectural characteristics of the applicant's house, adjacent homes, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.
3. **Visibility, Location & Impact on Neighbors:** The proposed alteration, improvement, or

addition should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns are restrictions to access, blocking of existing views and sunlight and changes to ventilation and drainage patterns.

4. **Scale:** The size of the proposed alteration, improvement or addition should relate well to adjacent structures and its surroundings.
5. **Materials:** Continuity must be established using the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house.
6. **Workmanship:** Workmanship is a standard which is applied to all exterior alterations, additions or improvements. The quality of work should be equal to or better than that of the original. Poor workmanship can be visually objectionable to others, a potential county violation and could create safety hazards.
7. **Timing:** Projects are to be completed within 3 months from date they start; otherwise it could become a nuisance and/or safety hazard for neighbors and subject to review by the county.
8. **Storage:** Construction materials must be stored so that the impact on neighboring properties is minimized. Excess material should be immediately removed after completion of construction. Material should not be stored on the HOA's Common Areas. If damage occurs to the community's Common Areas or neighbor's property as a result of improperly stored materials, the homeowner responsible for the project shall be responsible for any incurred repairs and/or fines.

#### **DECISION APPEAL**

In the event that a homeowner disagrees with the ARC's decision of denial, they may appeal the decision.

To initiate the appeal procedure, the applicant or other affected resident must submit a written request for an appeal within 5 days of the applicant receiving the ARC's decision. The appeal should be sent to the HOA board for review and final decision. A written copy of the final decision will be sent to the homeowner within 30 days of receipt of the appeal. As with the initial application, appeals can be submitted by email or mail.

#### **ARCHITECTURAL GUIDELINES**

It is the homeowner's responsibility to secure proper building permits and to ensure that plans conform to county guidelines/regulations.

The guidelines which follow address a broad range of exterior alterations, additions, or improvements for which homeowners frequently submit an application. It would be impossible to address each specific design condition. As a result, these guidelines present the principle factors which should be considered when developing a design. More specifically, these guidelines define the limits to size, quality of construction, location, materials and color based on the intended use and relationship to adjoining properties rather than focusing on a particular construction detail or a specific design alternative.

If the homeowner's dwelling was damaged or destroyed due to fire, tornado, flood or other natural disaster, the homeowner shall have up to 1 year from the date of the damage to repair

said damage to their property. The Prince George's County government may have requirements that address homeowner responsibilities when restoring real property after a natural "declared" disaster. If the repairs should require additional time, the homeowner must request an extension from the Board in writing. Failure to do so shall result in a fine of \$5.00 a day until the repairs are completed or until an extension is granted by the Board.

The individual merits of each application will always be considered by the ARC. The use of these guidelines should assist the homeowner in gaining timely ARC review.

*Please note that "Miss Utility" should be contacted for the location of underground utilities, cable lines and/or drainage pipe work prior to ANY digging.*

These guidelines should not restrict the homeowner in the design of a well thought out and suitable project.

The ARC will try to conduct an annual evaluation to determine if the guidelines need to be amended. It is anticipated that any changes would be primarily additive and would not involve substantive changes of the existing guidelines.

## **ARC REVIEW – MANDATORY**

The guidelines below describe those architectural items which always require an application to the ARC prior to alteration, addition, or installation.

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### **ANTENNAS & SATELLITE DISHES**

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Exterior antennas and satellite dishes require ARC review. Homeowners should note that approval for satellite dishes are routinely granted only if they are installed on the side, the roof or in the backyard of the home.

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### **EXTERIOR PAINTING**

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All color changes must be approved by the ARC. Repainting or staining a specific object to match its original color need not be submitted for ARC review. Color changes apply not only to the house siding, but also to the doors, shutters, trim, roofing, and other appurtenant structures.

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### **FENCES**

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#### **Style**

Fences must be the same style as the builder has initiated using pressure-treated wood or appropriate COTS products. *Chain link or wire fencing of any kind is not allowed.* Fencing should be compatible with the applicant's house, but it should also be appropriate for its intended purpose.

#### **Location**

Fences must follow the property line. Side yard fencing will be permitted on end unit yards; however, the fence may be installed no further forward than the midway point of the unit. Unless previously installed by the builder as part of overall community landscaping.

Please note that one homeowner may not adjoin to his neighbor's existing fencing unless both parties have a written agreement covering ownership, benefit of use and any compensation

terms and conditions.

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## **IN-HOME BUSINESS**

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Prince George's County and the Declaration regulate in-home businesses. In addition to county control the HOA is concerned about the impact of in-home business on the residential character of the neighborhood and on adjacent neighbors. No lot within this Subdivision shall be used to conduct any business, nor shall anything be done on any of the said Lots which will constitute a nuisance. However, at the sole discretion of the homeowner as evidenced by written approval, professional offices in conjunction with residential use, as permitted by the local Zoning Regulations, may be allowed. Nothing contained herein shall be constructed as prohibiting such business activities as may be required for the development of the Lots, construction of the residences and the sale or resale of residences erected upon the Lots. No building, structure, or other improvement whose plans and specifications have been approved initially by the Board shall be used for any purpose other than that for which such building, structure or other improvement was originally designed, without the approval of the Board.

For home based businesses, the following special requirements must be met:

1. Permit obtained from Prince George's County
2. Copy of permit on file with the HOA.
3. No sign or other advertising device shall be placed upon any lot or Common Area.
4. No exterior storage of business-related materials in the front of the home is allowed.

Although the Association does not prohibit in-home day care services, the above requirements should be met. Care should be taken so that this service does not cause any annoyance to neighbors or interfere with the rights of other homeowners relating to the "quiet enjoyment" of their property.

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## **MAJOR EXTERIOR CHANGES**

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Major alterations are generally considered to be those which substantially alter the existing structure either by subtraction and/or addition. Major building alterations include, but are not limited to, construction of porches, greenhouses, rooms, fireplaces, chimneys, other additions to a home, etc.

### ***Style***

The design of major alterations should be compatible in scale, materials and color with the applicant's house and adjacent houses. Pitched roofs must match the slope of the roof on the applicant's house. New windows and doors should match the type used in the applicant's house and should be located in a manner which will relate well to the location of exterior openings in the existing house.

### ***Location***

The location of major alterations should not impair the views, or amount of sunlight and natural ventilation on adjacent properties. If changes in grade or other conditions which will affect drainage are anticipated, they must be indicated on the ARC application. Approval will be denied if adjoining properties are adversely affected by changes in drainage.

Homeowners must obtain the appropriate county permits prior to construction and copies of

those approved documents must be submitted along with the ARC application.

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## **STORM & SCREEN DOORS/WINDOWS**

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### ***Style***

No plastic covering will be permitted on any exterior doors or windows.

Front storm doors must be full view or modified full view. Storm or screen doors must be painted the same color as the framed entryway trim or front door.

Storm and screen window frames must match the trim of the house or be white.

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## **SUN CONTROL DEVICES/AWNINGs**

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Sun control devices or awnings which are permanently attached to the homeowners dwelling are permitted but must be approved by the ARC before installation, regardless of being located in the front or rear of the home.

## **ARC REVIEW – CONDITIONAL**

The items below only require ARC review in certain circumstances.

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## **CLOTHESLINES**

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### ***ARC Review***

Clotheslines are behind a privacy fence and below the fence line do not require ARC review.

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## **DECKS & PATIOS**

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### ***Style***

When patio or deck schemes include other exterior changes, such as fencing, lights, plantings, etc., other appropriate sections of these guidelines should be consulted prior to the submission of an application. All decks are to be constructed of pressure treated wood or appropriate COTS material.

Lattice or privacy screening on decks may be installed as a free standing wall for privacy but not as fencing. It must be installed with framing and incorporated as a part of the overall deck design and connected to the unit. Lattice work or privacy screening may not be installed in place of deck railing. In general, anything of this nature requires ARC review. No solid screening is allowed.

### ***Location***

Side yard decks or patios will be evaluated on their individual merits. Second floor decks are permitted but shall only be constructed at the rear of houses.

### ***ARC Review***

Decks or patios located in the rear of the home do not require ARC review unless the height makes it visible to neighbors or from the front of the home (e.g., the sides of the deck or patio will be over the fence line, it is a second floor deck, there is lattice or privacy screening).

Applications must include a site plan showing size of deck, location as it relates to applicant's house, and a description of the details of railings, trellises, posts, stairs, steps, benches, etc. as

required to clearly describing the proposal. Please include the height of deck off the ground. Homeowners must obtain the appropriate permits prior to construction from the county and shall submit a copy of the county approved documents with the ARC application. *No exceptions.*

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## **DOG HOUSES, CHAIN LINK PENS, & RUNS**

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### ***Style***

If visible to neighboring lots or from the road, dog houses, chain link pens, and runs must be compatible with the applicant's house in color and material or match a natural wood or white fence. If not visible to neighboring lots or from the road, dog houses must still maintain an appearance in harmony with the neighborhood.

### ***Location***

All dog houses, chain link pens, and dog runs must be placed in rear yards.

### ***ARC Review***

Dog houses, chain link pens, and runs is visible to neighboring lots or from the road require ARC review.

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## **ELECTRONIC LIGHTING & INSECT TRAPS**

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Exterior electronic lighting should be chosen so as not to light up any area beyond that of the applicant's property.

Exterior electronic insect traps should be installed or maintained in such a way as to not cause discomfort to adjacent homeowners from noise and may only be operated during those times when the immediate area protected by the trap is occupied by the homeowner and/or guests.

### ***ARC Review***

An application to the ARC is not required for lighting installed in the rear of the home or exterior electronic insect traps located in the rear or front of the home. However, any affected homeowners may submit a complaint to the Board if exterior lighting or insect traps cause any discomfort.

Lighting installed in the front of the home require ARC review.

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## **EXTERIOR DECORATIVE OBJECTS**

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Large exterior decorative objects including but not limited to wagon wheels, sculptures, fountains, ponds, stumps, driftwood piles, and free-standing poles of all types are permitted only in rear yards and under cover of a fence line. Some small exterior decorative objects, such as garden sculptures under 12 inches and bird baths, may be placed in front yards. If neighboring properties object to the homeowner's design, it must be resolved by the ARC.

### ***ARC Review***

Any exterior decorative objects placed in rear yards that will be viewable over a fence line require ARC review.

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## **EXTERIOR UNIT AIR CONDITIONERS**

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Air conditioning units from windows in the front of the home are prohibited.

Exterior ground units may be added to or relocated only when they do not interfere visually with neighbors. Exterior ground units shall be positioned so that they do not discharge hot air or excessive noise to neighbors.

#### ***ARC Review***

In cases where room an air conditioning unit from a window is required as a result of medical or other special conditions, a written request stating the reasons for requesting an exemption require ARC review.

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## **FLAGPOLES**

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#### ***ARC Review***

Flagpole staffs which do not exceed 6 feet in length and are attached at an incline to the front wall or pillar of the house or dwelling unit do not need not ARC review. Any flagpole staffs in excess of 6 feet in length or free-standing require ARC review.

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## **GUTTERS & DOWNSPOUTS**

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#### ***Style***

Gutters and downspouts must match the existing color and design and must not adversely affect drainage on adjacent properties.

#### ***ARC Review***

Gutters and downspouts installed in the side or front of the home require ARC review.

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## **LANDSCAPING & VEGETABLE GARDENS**

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Care should be exercised in the planting and maintenance of trees and shrubs on your lot to prevent obstruction of sight lines required for vehicular traffic. It is the responsibility of the homeowner to ensure that their lot is mowed and all gardens must be neatly maintained throughout the growing season. This includes removal of all unused stakes, trellises, dead growth, etc.

Consideration should also be given to the type of trees to be planted, specifically with regard to size of mature trees, and how the roots will affect water lines and underground cables, etc. If such plantings result in complaints by neighbors, the ARC will take appropriate measures to resolve the problem. It is also recommended that homeowners prioritize native plants when planning landscaping.

Applications, when required, should include a description of the types and sizes of shrubs to be planted and a site plan showing the relationship of plantings to the house and adjacent dwellings.

#### ***ARC Review***

An ARC application IS NOT REQUIRED for landscaping and vegetable gardens which meet all of the following criteria:

1. Located at the rear of the unit.
2. Does not damage property through the flow of water or root growth onto adjacent property.
3. Foundation landscaping (within 4 feet of the base of the unit) which meets all of the

following conditions:

- a. Restricted to natural landscaping (i.e. live plants, shrubs and trees).
- b. Railroad ties, garden timbers or other materials used to construct a border or retaining wall that do not exceed 18 inches in height.
- c. Rock gardens or rocks that do not exceed 24 inches in any direction and are left their natural color.

An ARC application IS REQUIRED for:

1. Hedges not in the rear of the unit and more than 2 feet high and/or 8 feet long, or other features which in effect become structures, fences or screens and a part of other applications where required.
2. Rock gardens or rocks that either exceed 24 inches in any direction or are not left their natural color.
3. Railroad ties or garden timbers which form a wall over 18 inches high or 10 feet long and are not in the rear of the unit. Include a site plan with the location of ties or timber drawn in, and information on landscaping plans and any grading changes.
4. Any other landscaping or gardens that are not covered in the paragraphs above and located in the front of the home.

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## RECREATION & PLAY EQUIPMENT

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Homeowners often express interest in swing sets, basketball backboards, playhouses, etc. Most equipment of this sort is commercially available but is often less than pleasing in appearance. Creatively designed equipment is encouraged. The guidelines listed below are provided in an effort to reconcile the need for play equipment with the goal of minimizing its visual impact.

Because the community does not have recreational areas in the common areas, homeowners may utilize portable basketball stands and other recreational equipment in driveways or directly in front of their residence. However, all portable recreational equipment must be removed from the street and placed on the homeowner's property after use and/or by sunset. This guideline is in accordance with Prince George's County ordinance. Failure to adhere to the aforementioned will result in a fine from the HOA as well as the county government.

### *Style*

The general rule is to require rear yard fencing to screen the equipment from view of neighboring property owners. This policy may be waived by the ARC for those who have written consent from the neighbors whose property lines are contiguous with the applicant, that the equipment will not be objectionable.

All exterior play equipment must be well maintained. No peeling, rusting, falling apart, or extreme fading is permitted. Consideration must be given to lot size, equipment design and size, amount of visual screening, etc.

### *Location*

In general, all exterior play equipment must be placed in rear yards and should minimize the negative visual and physical impact to the community.

#### ***ARC Review***

Play equipment does not have to be approved by the ARC unless there is an objection by neighboring property owners.

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### **ROOF-MOUNTED DEVICES**

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Attic ventilators or other mechanical devices requiring penetration of the roof should be as small in size as functionally possible and should match the roof or be mill finish.

#### ***ARC Review***

Attic ventilators or other mechanical devices located on the back side of the roof and which do not extend above the ridge line do not need ARC review.

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### **SHEDS**

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#### ***Style***

Storage sheds should be compatible with both the architecture and landscape surrounding the house. The shed should be designed to appear as part of the house/landscaping/fence theme and may be part of a deck. Building materials must correspond to design theme, including the color. The shed must be designed to respect the "visual rights" and aesthetic interests of neighborhood properties.

#### ***Location***

Sheds shall be located in the rear of homes.

#### ***ARC Review***

ARC review is required for sheds that will be visible over the fence line or located anywhere other than the rear of the home.

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### **SOLAR PANELS**

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#### ***ARC Review***

Solar panels installed on the front of the home must be approved by the ARC.

### **ARC REVIEW – OPTIONAL**

The guidelines below include the preferred location, style, and other recommendations for items that generally do not require ARC review. Homeowners may submit an application out of an abundance of caution if preferred. Any homeowners negatively affected by a alteration, addition, or improvement are encouraged to submit a complaint to the Board.

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### **BARBECUE GRILLS**

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Barbecue grills should be placed in the rear of the house and as far as practical from the adjacent property lines. Grills should also be placed away from any structures to ameliorate the possibility of structure damage.

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### **COMPOST PILES**

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Compost piles are only allowed when contained in a device designed for this purpose.

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## **FIREWOOD**

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Firewood shall be kept neatly stacked and located in rear yard of the house. It must be kept within the boundaries of the homeowner's property. Under no circumstances is firewood to be stacked in the Common Area.

Firewood piles must not exceed 4 feet in height for safety.

The location of firewood should be in such a manner as to minimize visual or physical impact to neighbors. In certain cases, the homeowner may want to consider screening.

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## **HOT TUBS & POOLS**

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Plans for in-ground or above-ground hot tubs and pools do not need to be submitted to the ARC. Consider adding trellises, privacy screening, etc. for privacy and personal enjoyment.

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## **REAL ESTATE SALES/RENT & MISCELLANEOUS SIGNS**

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Real estate signs must meet county regulations with respect to size, content and removal. Signs may only be placed in the front yard of the property for sale. Homeowners will be limited to one sign per property.

Real estate for sale signs will be permitted on common property at the entrances only between Saturday 9:00 AM and Sunday 5:00 PM. Any sign standing beyond approved hours will be removed at the homeowner's expense.

All miscellaneous signs, including but not limited to yard sales, etc. must be put up no sooner than forty-eight (48) hours prior to and taken down no later than twenty-four (24) hours after the event.

Election campaign sign must be removed not later than 48 hours after the campaign ends. Exceptions to this guideline are home security signs, which have no time limits.

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## **TRASH, RECYCLE & YARD WASTE**

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Containers shall not be placed at curbside for pickup prior to 7:30 PM on the evening prior to the scheduled pickup day. Current pickup days are: *Mondays (grass & yard waste only) and Thursdays (recyclable items & household trash only)*. Contact the Prince George's Waste Management Group (301-883-5969) for specific county guidelines or environment.mypgc.us.

Trash must be in secured trash containers or approved county containers and must be placed at curbside, *but not in the street*. At all other times **ALL WASTE CONTAINERS** shall be kept on the side of the house or in the rear yard, as inconspicuous as possible. If you need a county issued trash or recycle container, please contact CountyClick 3-1- 1.

## **GENERAL MAINTENANCE GUIDELINES**

Property ownership includes the responsibility for maintenance of all structures and grounds which are a part of the property. This includes but is not limited to items such as mowing grass, removal of trash and structural maintenance. Planted beds must be kept in a neat and orderly manner. Maintenance affects the visual character and economic values of the property the

neighborhood and community safety.

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## **EROSION CONTROL**

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Each resident is responsible for seeing that their lot is protected from erosion and that storm drain systems are not blocked which would cause additional erosion problems. Contact the county at once if you see a clogged storm drain.

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## **EXTERIOR APPEARANCE**

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Residents are responsible for maintaining the exterior of their dwellings and any other structures on their lots, such as decks, fences, sheds, and playground type of equipment.

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## **LAWN & GARDEN FERTILIZATION**

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Homeowners should consider testing soil before fertilizer is added; especially in areas where drainage will flow into ponds and storm drains. Special care should be taken not to over-fertilize or to fertilize lawns and gardens where there is the least chance of runoff.

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## **MOWING**

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Turf areas must be mowed at regular intervals, maintaining a maximum height of 6 inches and in accordance with Prince George's County regulations.

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## **PESTICIDES AND HERBICIDES**

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Pesticides and herbicides may be applied according to their labeled instructions. Emphasis should be placed on organic/biodegradable materials in order to reduce the harm to the environment. Care in its application is extremely important to you and pets. Read the labels carefully or use a licensed contractor.

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## **TRASH REMOVAL**

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All residents are responsible for picking up litter on their property and preventing windblown debris from collecting on their property and their neighbors.

At no time is the HOA's Common Areas considered a dumping ground for any debris. Organic debris such as leaves, grass clippings and branches may not be dumped on HOA's Common Area property. Violators shall be prosecuted by the HOA as well as Prince George's County as applicable.

Removal of trash and debris from all HOA Common Areas accumulating from resident usage will be completed as necessary. Remember that the removal of trash costs the HOA money and could require increases in your annual HOA Assessment. Residents are asked to consider picking up trash when they see it to help maintain the areas and to controls costs.

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## **PET CONTROL**

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As stated in the Declaration, no horse, pony, cow, chicken, pig, hog, sheep, goat or other domestic or wild animal shall be kept or maintained on any Lot. However, companion animals as defined

by the Prince George's County Animal Control Regulations may be kept or maintained, provided that they are not kept, bred or maintained for commercial purposes and do not create a nuisance or annoyance to surrounding Lots or neighborhood and are in compliance with all [Prince George's County Animal Control Regulations](#).

Prince George's County rules and regulations governing pets have been adopted by the Board. A summary follows:

1. The Board has extended permission to the Prince George's County Animal Management Division to enforce all applicable portions of the county ordinance in regard to all animals and pets within the Common Areas.
2. Owners and all other persons who are owners and/or custodians of pets shall not allow their pets to run at large in the community. A dog or cat shall be deemed to run at large while roaming. Running or self-hunting or when not restrained by a dependable leash and controlled by a responsible person as defined by county ordinance.
3. All pets must have appropriate shots, licenses and tags.
4. Pet owners shall be responsible for immediate clean-up and proper disposal of pet wastes deposited. All pet waste shall be disposed of in a tightly sealed plastic bag and placed at curbside on normal trash collection days or, when walking pets in common areas, their waste may be placed in the waste bins placed along the sidewalk.
5. Residents or guests who own pets shall ensure that their pets do not become a nuisance to other residents in the community. Actions which may constitute a nuisance include, but are not limited to: barking, crying, scratching or being hygienically offensive.
6. Pets shall not be chained or leashed on any HOA Common Area.
7. Pet owners shall incur any and all costs for repairing damage to HOA Common Areas caused by their uncontrolled pet(s).
8. Pet owners must respect the private property of others. Pets are not allowed to trespass on private lawns and should be walked on common property only.
9. Residents should report any violations of the above items to the Prince George's County Animal Management Division.
10. Any other violations should be reported, in writing to the Board with specific information as to name and address of violator, time and date, and description of alleged animal violation.

## VEHICLE CONTROL

Rules and regulations regarding vehicles have been adopted by the Board. For the purposes of this section, "Public Streets/Areas" refer to the Prince George's County maintained streets within the community. They are as follows:

1. No unlicensed vehicles, including but not limited to motorized bicycles, motorcycles, mini-bikes, go-karts, etc., shall be operated on or parked upon any public street/area of the community.
2. Minor repairs begun on vehicles by an owner or assigned agent, while in any public street/area must be completed within 48 hours from the starting time of the repair. Major repairs (including but not limited to engine transmission, rear end overhaul, etc.) are prohibited on public street/area.

3. Dumping, disposal of fuel, engine oil, car engine oil leaks, grease or any other hazardous chemical, residual substances or any substance of particles from holding tanks of vehicles of any type (as a result of repair, maintenance, storage or owner carelessness) is not permitted on any public street/area. Disposal of hazardous chemicals of any sort shall conform to federal, state, and Prince George's County government environmental regulations or the homeowner shall be subject to a fine or prosecution.
4. The dumping of motor oil and other petroleum products into the storm sewers is a direct violation of the State Water Control Law and may lead to civil penalties and clean-up costs for the responsible parties.
5. Motor vehicles shall not exceed the speed limit of 15 miles per hour while operated on Foxchase Marlboro public streets.
6. All licensed motor vehicles (including motorcycles) shall be operated on public streets only and no exceptions. Parking in designated fire lanes is prohibited.
7. Vehicles owners will be held liable for all costs to repair damages to public street/area caused by negligence, repair operations on vehicles or storage of any combustible, dangerous or hazardous material on public street/areas (regardless of the type of container).
8. The parking of commercial motor vehicles or vehicles used for profit, except when parked in the owners driveway, are prohibited in the community. Trucks greater than 3/4 of a ton in size are prohibited from parking overnight in the community.
9. Any unlicensed person is prohibited from operating any motor vehicle in public streets/areas.
10. All persons operating licensed motor vehicles in the public street/areas shall conform to all traffic control signs posted in the community and in accordance with the provisions of the traffic ordinances of Prince George's County and the State of Maryland.
11. Operation of any motor vehicle in violation of the laws of the State of Maryland and Prince George's County, as amended, is prohibited. Consent is hereby given by the Board to all appropriate law enforcement officers who are hereby empowered to enforce all motor vehicle laws in the public street/areas of the community.
12. Vehicles parked on public street/areas shall be in compliance with the State of Maryland and Prince George's County laws. Violations of these laws shall result in the posting of a notice on the vehicle directing removal of the vehicle or correction of the violation within 5 days. All actions shall be coordinated with the Prince George's County Police Department or other county ticketing authority, in accordance with the applicable requirements of Maryland law.
13. All vehicles parked on public street/areas must be maintained in an acceptable state of repair to meet the following conditions.
14. Powered vehicles must be maintained in an operative condition.
15. Tires supporting vehicles on public street/areas must be inflated at all times in order that the vehicle can be moved in the event of an emergency.
16. The Board has the authority to have vehicles that are in violation of the aforementioned regulations and Prince George's County and Maryland State Law, as amended, removed from the public street/areas at the owner's expense, provided that proper written notification was given to the owner.

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## **RECREATIONAL VEHICLES**

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Recreational vehicles (i.e. motor homes, boats, travel or camping trailers, jet skis, etc.) shall not be kept on public street/areas or HOA Common Areas. Recreational vehicles must be kept on the homeowners' property (driveway or rear yard) or public storage facility.

## **ESTOPPEL CERTIFICATE**

An Estoppel Certificate, (i.e. disclosure statement) is required by the Board and Maryland law to be completed and issued to your settlement attorney prior to the closing of the sale of your home. This certificate provides information on the current status of assessment payments and on the existence of any architectural violations. The Estoppel Certificate helps to protect the future buyer against unknown problems with past owners' architectural changes or past-due assessments. If everything is in order, it also protects the seller from potential lawsuits involving violations of the Covenants by subsequent owners.

## **ALTERNATIVE DISPUTE RESOLUTION PROCESS**

At times, homeowners may have difficulty resolving property issues among themselves. Resolving these matters is very expensive when soliciting legal counsel for a resolution. If homeowners should find themselves in this predicament, they have the option of bringing this matter to the Board who shall establish a special Hearing Board to preside over the preceding. The prime consideration for using this process is that all parties involved in the dispute must agree to abide by the decision of the Hearing Board.

At the preceding, homeowners may present any and all information pertinent to the case. Once both sides have presented their case, the Hearing Board will issue a decision. Homeowners will have the right to appeal the decision and must file for Reconsideration within 5 days of the initial decision. During the appeal process, the homeowner must present any new information which was not presented at the first hearing. Once the Hearing Board has made a decision under the Reconsideration Process, the decision is binding.