

# Orangewood Homes

## Standards for Home Maintenance

*Adopted by the Board of Directors on May 24, 2024*

### **I. General**

#### **A. Objective**

The objective of these Standards for Home Maintenance (“Standards” or “Rules”) is to set forth and clarify the expectations and standards for home maintenance and how they will be applied and enforced by the Orangewood Homes Association, Inc. (the Association).

#### **B. Authority**

These Rules are authorized by Orangewood Homes Association, Inc. Articles of Incorporation and the Declaration of Covenants and Restrictions Recorded in Volume 12948, Page 407 in the records of the Cuyahoga County Fiscal Officer.

#### **C. Internal Operating Procedures**

To facilitate the implementation of these Rules, the Association’s Executive Director or his/her appointee shall be responsible for monitoring compliance with these standards and managing the Association’s internal operations regarding these standards as required by the Association’s Board of Directors (Board) .

#### **D. Applicable Laws**

All compliance standards of the Association are subordinate to the regulations of Federal, State and local laws; however, Association Rules may be more restrictive than legal requirements and will be applied unless the Association’s more restrictive Rules conflict with legal requirements.

#### **E. Standards of Home Maintenance Committee**

The Board, under its authority provided in the Code of Responsibilities (COR), may amend this Standards of Home Maintenance (SHM) by a majority of the Board members present at a virtual or in person meeting of the Board.

The Home Maintenance Committee (Committee) shall be appointed by the Board of Directors of the Orangewood Homes Association (Association) from among the up to date, dues paying property owners of the Association (members).

This committee shall consist of three individuals. Complaints from any member, including from the Board and other committees, shall be submitted, in writing, to the Committee. The information to be submitted will include detailed completion of a complaint form to be developed by this Committee.

Within 14 days of the submission, the Committee will gather any additional information (including from the subject property owner) that it feels is necessary to properly determine the action to be taken under this SHM. Within another 14 days, the Committee shall send a written (including via email) decision of action or non-action to the complainant, the property owner/member and to the Board.

If the decision is to cite the property owner for a violation under this SHM, the property owner will have an

additional 28 days to submit a written and detailed appeal to the Board. During those same 28 days, the property owner will have an opportunity to meet with the majority of the Board members to discuss the cited violation.

Finally, the Board will provide its written (including via email) decision to the property owner, complainant and the Committee. The Executive Director of the Board, or their appointee, shall proceed under the authority of Section IC, to pursue any fines or other remedies provided for in this SHM.

When a violation of these standards occurs that is also a violation of the law, the Association reserves the right to report this to the appropriate authorities.

## **II. Standards of Other Standing Committees**

**A.** In addition to the Home Maintenance Committee, the Architectural Review Committee is a standing committee that has authority delegated to it by the Board for developing and enforcing certain rules of the Association.

The Architectural Review Committee develops and enforces its rules regarding its application process, as well as its decisions regarding construction materials and related issues for permanent structures and hardscape.

*NOTICE: Before proceeding with repairs and/or material replacement for areas covered by the rules of the Home Maintenance Committee, the Member also may be required to obtain approval of the Architectural Review Committee. The thirty day period starts after the Architectural Committee approves submitted proposal.*

### **B. Enforcement Actions**

The procedures for the Board enforcing its standards are provided in section L.

### **C. Complying with Procedures**

Failure of the Board to comply with section L in each instance does not preclude the Board from making enforceable decisions and taking prescribed actions in other circumstances, as each case shall be considered on its own facts and merit.

### **D. Fines**

Fines for violations may be assessed pursuant to schedules or appendices adopted by the Board.

## **III. Home Maintenance Rules**

### **A. Hazardous or Unsafe Conditions**

Any violations of these Rules by any act or omission that creates or contributes to create a hazardous or unsafe conditions must be remedied by the Member immediately after receipt of written notice from the Board.

### **B. Dwellings and Structures**

#### **1. General Maintenance**

All external parts of dwellings and ancillary structures, which includes, but is not limited to, windows, screens, awnings, doors, siding, elevated landings, porches, decks, arbors, sheds, play structures, flag

poles, chimneys, railings, mailboxes, and stairs, are subject to the following requirements:

- a. Dwellings and other structures must not exhibit deterioration, disrepair or damage.
- b. Paint, stain, and other external treatments must be uniform in color and without cracking, peeling or fading and be in good condition.
- c. Masonry must be maintained in good condition and damaged masonry must be promptly repaired or replaced.
- d. Rotten wood, broken or missing boards, and damaged siding, shingles or shakes must be promptly repaired or replaced.

## **2. Roofs**

Roofs, which include, but is not limited to, rafters, soffits, fascia, downspouts, chimneys and gutters, and other related components, are subject to the following requirements:

- a. Roofs that are damaged, deteriorated or in disrepair must be promptly repaired.
- b. Roofs must be clean and free of debris.
- c. Gutters and downspouts must be kept clear of growths, debris and blockages and in good repair.

## **3. Driveways**

Driveways, which include pathways adjacent to the house, parking pads and bays, and other parking areas that are visible from the street, are subject to the following requirements:

- a. Driveways must be substantially clean and free of weeds, accumulated leaf debris, and moss and algae.
- b. Driveways that are damaged, deteriorated or in disrepair must be promptly repaired or replaced.

## **4. Fences**

- a. Fences must be clean, upright and not broken.
- b. Dilapidated fences must be promptly replaced or removed.
- c. Rotten wood and damaged or missing fencing material must be promptly repaired or replaced.
- d. Fencing material must be uniform in color, without cracking, peeling or fading.

## **5. Exterior Water Amenities**

Swimming pools, ponds, hot tubs, spas, rainwater collection systems, other water-related facilities and water features, including waterfalls and fountains, must be properly maintained to avoid nuisance conditions. Nuisance conditions include, for example, improper water storage resulting in uncontrolled runoff and overflow, stagnant water with algae growth or insect breeding, and the presence of odors or debris.

## **C. Landscape**

## **1. Planting Areas Generally**

Planting areas, which include all areas in a landscape planted with vegetation or suitable for growing vegetation, are subject to the following requirements:

- a. Planting areas must present a neat and well-tended appearance year-round.
- b. Planting areas must be substantially free of weeds and debris, including dead plants and trash.
- c. Wildflowers are permitted as part of landscapes but must not be the predominant feature of the landscape.
- d. Ground cover must be neatly trimmed and must not encroach on streets, neighbors' properties or common property.
- e. Mulch or bark dust or rocks or stone is acceptable as ground cover, except when used as the predominant feature in the landscape.

## **2. Lawns**

- a. Lawns must be kept watered, mowed, well-kept and substantially weed free and maintained.
- b. Lawns along Association trails and other paved areas must be neatly edged.
- c. Lawns must be free of debris, including leaf litter, dead plants, and trash.

## **3. Weeds, Brush and Noxious Vegetation**

- a. Weeds and dead vegetation must be removed from landscapes and around hard surface areas and must be promptly collected for disposal as yard debris.

## **4. Trees, Shrubs and Bushes**

- a. Street trees along the adjacent right-of-way are the Member's responsibility and must be properly maintained.
- b. Shrubs and bushes must be pruned as needed to maintain a neat, well-kept appearance.
- c. Dead trees, branches, stumps, and other dead vegetation must be promptly removed.

## **5. Yard Debris**

- a. Yard debris, such as fallen leaves, needles, cones, branches, grass and plant clippings, and vegetation, must be promptly collected for proper disposal.
- b. Efforts must be made to prevent yard debris from blowing into streets, storm drains, common areas or neighbors' properties.

## **6. Vegetable and Fruit Gardens**

- a. Vegetable and fruit gardens must be well-tended and must be devoid of rotting fruits and vegetation, unless the decaying vegetation is being properly composted.
- b. Vegetable gardens, if located in the front of the house, are not permitted to be the predominant feature of the landscape.

## **7. Exterior Flower Pots and Hanging Planters**

Flower pots and hanging planters containing flowers or other vegetation that are visible from the street or common areas are permitted if they are well-tended.

## **8. Yard Equipment**

The operation of power equipment, such as leaf blowers, lawn mowers, and power washers, is not permitted before 8 am or after 8 pm daily. Snow blowers do not have any time restrictions.

# **D. Unoccupied and/or Unkept Properties**

## **1. General**

If homes within the Association are unoccupied or abandoned and/or the grounds are unkept and not maintained to the standards established for properties in the Association, the Association may maintain the grounds. This includes but is not limited to: removing debris, weeds, invasive plants, or other waste material; trimming or removing dead or damaged vegetation; and cultivating or maintaining hedges, trees, shrubs, plants or lawns.

## **2. Costs**

In addition to any fines, the particular property owner will be charged for the costs incurred by the Association to perform maintenance in addition to a 10% surcharge for the HOA's involvement in remediation of the violation listed in the standards established for the Association.

# **E. Outdoor Storage**

## **1. Outdoor Storage Generally**

Garden supplies, equipment and tools, such as lawn mowers, ladders, landscape tools, bags of seed, fertilizer and mulch, must not be stored where they are visible from the street or common areas. Tarps may be used outdoors for up to 14 days to cover mulch/top soil prior to it being spread.

## **2. Exterior Sports Equipment**

Free-standing, exterior sports equipment must be stored in a location that reduces, as much as possible, its visibility from the street when not in use. Storage in or near the street or on the trail is prohibited.

# **F. Construction and Demolition**

## **1. Building Materials, Equipment and Debris**

- a. During construction or demolition, materials, debris, equipment and vehicles must not interfere with the use of streets and trails by pedestrians or other vehicles.
- b. Construction or demolition equipment, materials and debris must not be stored on the property longer than 72 hours if left in an area visible from the street or common property, except construction debris may be stored in a dumpster, without prior permission from the board.

## **2. Dumpsters**

Dumpsters are not permitted on private property for more than 30 days within a 12-month period unless approved by the Board.

## **G. Garbage and Recycling**

### **1. Storage of Containers**

- a. Garbage and recycling containers must be stored in the garage or stored away from public view.
- b. If containers cannot be stored in the garage, they must be screened from public view by shrubbery, foliage, or an approved structure.

## **H. Home-Based Businesses**

### **1. Prohibition**

- a. A home-based business is not permitted if the business creates excessive traffic or noise.

## **I. Vehicles**

### **1. Vehicle Parking and Storage Generally**

- a. Vehicles must only be parked in the garage or on driveways, or on the street as permitted by Orange Village ordinances.
- b. Detached truck canopies and trailers used for hauling must not be stored for more than 72 hours where they are visible from the street or common areas.

### **2. Recreational Vehicles**

- a. Recreation vehicles are not permitted to be parked on driveways or in the street for a period in excess of 72 hours per month.
- b. Recreational vehicles include, but are not limited to, motor homes, travel trailers and boats.

### **3. Inoperable and Unsightly Vehicles**

- a. Inoperable vehicles and vehicles having an unsightly appearance because they are dilapidated, damaged, or in disrepair must be parked in garages.

## **J. Signage and Advertisements**

### **1. Signage in General**

- a. Signs that are 24x36 inches or less in size are permitted on private property.
- b. Signs must be placed on the homeowner's property only.
- c. Commercial signs, advertisement and display material other than signs covered by sections 2,3 or 4 below may only be displayed during the time the work is being performed.
- d. Property owners must remove any prohibited signs.
- e. No signs on common property except for Association purposes

### **2. Real Estate Marketing Signs**

- a. Real estate signs must have their own stakes or supporting devices in front yards.

- b. Real Estate signs are limited to one sign per private property being offered for sale.
- c. No real estate marketing signs are permitted on houses or structures or in their windows.
- d. All signs must be removed when the sale is closed.

**3. Garage and Moving Sale Signs**

- a. Garage and moving sale signs are permitted to be displayed no more than 7 days before a sale begins and must be removed as soon as the sale day has ended.
- b. No garage or moving sale signs are permitted on the house or on any ancillary structures or in their windows.
- c. Not subject to J1E

**4. Open House and Estate Sale Signs**

- a. Open house and estate sale signs, including directional signs and A-boards, are permitted, but the signs must be displayed only during the hours of the open house or estate sale.
- b. A-boards must not be larger than 32 inches wide and 44 inches high.
- c. Not subject to J1E

**K. Miscellaneous Issues**

**1. Flags**

- a. Flags, including U.S., national, seasonal and decorative varieties, suspended from an attachment fixed to the house are permitted. Flags must be no larger than four (4) feet by six (6) feet.
- b. Flags that would threaten or contain profanity are prohibited.
- c. Flags must be in good condition. Faded, tattered, and torn flags must be removed.

**2. Pets**

- a. Pets are limited to dogs and cats unless they are confined to the inside of the home at all times.
- b. The keeping of livestock, defined to include domesticated animals generally raised in an agricultural setting in order to provide labor and/or produce diversified products for consumption such as meat, eggs, milk, fur, leather, and wool, are prohibited.
- c. Pets that exhibit aggressive, menacing, or threatening behavior to neighbors or other pets must be confined to areas that protect the neighbors and pets from being subjected to offensive behavior.
- d. Pet feces must be promptly collected and disposed of properly.
- e. Pets must not be allowed to damage or destroy a neighbor's or Association property.
- f. As per Orange Village regulations, all dogs must be leashed when not on home owner's property.

**3. Yard Decorations**

- a. Yard decorations that are visible from the street must be in good repair and well maintained. Yard decorations include, for example, statutes, fountains, gnomes, flower pots and planters, and other decorative appurtenances.

- b. Yard decorations that are visible from the street must not be so excessive that they create a cluttered impression or diminish the curb appeal of houses in the neighborhood.
- 4. **Exterior Sports Equipment; Playgrounds; Toys**
  - a. If visible from the street, sports equipment must be in good repair, clean and free of moss and algae.
  - b. Portable sports equipment, playgrounds, toys and similar equipment must not be left in the front yards for an extended period of time.
- 5. **Exterior Holiday Decorations**
  - a. Exterior displays of holiday decorations are permitted to begin before the holiday and must be removed 30 days after the holiday.
- 6. **Garage and Yard Sales**
  - a. Unless sponsored by the Association or Orange Village, garage and yard sales are not permitted to occur on any property more than three (3) times within a 12-month period.
  - b. Advertisements for garage and yard sales must comply with the Association's signage requirements.

## **L. Compliance Procedures**

### **1. Resolution of Compliance Problems**

Ensuring compliance with the Rules and Standards of the Association is the responsibility of the Board and its committees.

### **2. Timelines**

Violation of the above requirements must be remedied promptly but no more than 30 days following the issuance of written notice of a violation, except for hazardous or unsafe conditions must be remedied immediately. The Board may take into consideration specific facts and/or factors that may prohibit or limit the homeowner's ability to timely remedy the violation and can extend deadlines.

### **3. Reporting Committee Actions**

Whenever there has been an action by the Home Maintenance Committee regarding any notice of violation, there will be a report presented within 30 days to the Board of Directors.

### **4. Effective Date**

The effective date of these standards and procedures is May 24, 2024. These standards and procedures apply to all violations pending on the effective date after reasonable notice is provided to any affected Members.



## **APPENDIX A**

### **FINES SCHEDULE**

#### **I. Standard Fines**

For purposes of determining what constitutes an “offense” under this schedule, an offense is defined as an act or omission that violates the Associations Rules. The Association will maintain a current list of fines that can be changed by the Board at any time at its discretion. The current schedule for offense is as follows:

\$100 first offense;  
\$200 for second offense;  
\$400 for each subsequent offense.

In the event that a particular offense occurs independently on more than one occasion within a two-year period, these repeat offenses will be treated as the second, third or subsequent offense and the fines schedule prescribes a higher fine. The two-year limitation on higher fines for subsequent, repeat violations runs from the date of the first offense. Repeat offenses are different from an offense that is "on- going " as described in Sections II and IV of this Appendix.

#### **II. Legal Action**

The Association has the power to seek legal remedies at any time to enforce its Rules. When a violation is on-going and uncorrected or the total amount of fines unpaid is \$1,000, the Association may pursue appropriate and available legal actions against the Member and shall be entitled to be awarded and paid for its legal fees and costs incurred.

#### **III. Reasons for Mitigating the Standard Fine**

A Member may have the standard fine eliminated or reduced for good cause by the Board at its sole discretion. For potential elimination or mitigation of the fine for good cause, the Member must show the violation occurred because of unavoidable or excusable circumstances that were reasonably beyond the violator’s control. Examples of good cause may include prolonged illness or hospitalization or other substantial reasons that reasonably prevented the violator from timely correcting the violation.

The fine may also be mitigated or eliminated if the Member corrects the violation prior to the Association’s decision regarding the notice of violation.

Members may also request from the Board an exception to a particular Standard. This written request to the Board is to be made no less than 15 days prior to the situation for which the exception is needed. This will provide time for the gathering of all relevant information and for a possible hearing and a Board decision.

#### **IV. Reasons for Aggravating the Standard Fine**

Additional fines may be assessed for on-going violations that are not corrected by the responsible Member as required by the Rules. Fines may be assessed every 30 days, with notice and opportunity for hearing, until an on-going violation is corrected. If violation is a first offense, then can be fined \$100 every 30 days. If violation is a second offense, then can be fined \$200 every 30 days.

#### **V. All fines go to the general fund**