

POLICY AND PROCEDURES FOR BRAESIDE PARK HOA

BRAESIDE PARK HOMEOWNERS ASSOCIATION

Revised January 2016

The following policies and procedures have been formulated to provide guidelines to all residents of Braeside Park to ensure consistency in all decisions which pertain to the members. If clarification is needed on any of the following information, contact the property management company. New policies and procedures will be updated as needed. We hope this manual will be of assistance to you.

1. ANNUAL DUES

- A. **Payment of Dues:** BPHA annual dues are expected to be paid in full each year by all residents. Notices are sent out in June of each year with payment due by July 31st. By contacting the property management company, special arrangements can be made for payment of annual dues provided the resident understands they will be responsible for any late fees which accumulate. **Payments can be pre-paid on a monthly, quarterly, etc. basis prior to the June billing.** Refer to the Bylaws and Covenants for additional information.
- B. **Non-Payment of Dues:** A lien will be filed against the property of any homeowner whose dues are not paid in full 90 days after the due date (October 1st). For the protection of BPHA members, late charges will accrue on unpaid balances from July 31st till the date dues are paid in full. At that time, the lien will be released. Special arrangements can be made with BPHA provided the resident understands that late fees will apply.
- C. **Attorney Fees & Court Costs:** All attorney fees and court costs will be paid by the delinquent homeowner as well as lien filings and releases.

II. SPECIAL ASSESSMENTS

Special assessments are necessary from time to time. Special assessments are valid for 1 year only (i.e., roof replacement). Refer to your Covenants and Bylaws for additional information.

III. TRASH PICK-UP

Residents are responsible for arranging and paying for their own trash pick-up. Trash set at the curb for pick-up should be in direct line with your front door. Trash cans must be removed from the curb the same day of trash pickup.

IV. COMMON AREA

The Common Area belongs to everyone but is monitored and maintained by Braeside Park Homeowners Association. BPHA has the legal right to be in charge of the common area, driveways, parking lots, and patios. The common area, parking lots, driveways, and patios are for the use of all residents under the rules set by BPHA board. The common area is owned by BPHA. Remember that any building and maintenance improvements cannot extend out into the common area. When possible, please practice walking on sidewalks and/or stepping stones and not on the grass.

V. RESTRICTIONS:

- A. **Violation of Rights:** No noxious, offensive trade, business or unsafe act or activity shall be carried on upon any lot or tract in the complex, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. Any resident has the right to contact the Lees Summit Police Department if another resident is disruptive. The resident that calls the Police must be willing to sign a complaint form. The officer cannot enforce without a signed complaint. The officer will, however, talk with the disturbing resident and issue a verbal warning. Sometimes communication with your neighbor directly can resolve the problem.

- B. **Outbuildings:** No outbuilding or detached garage, temporary or permanent, shall be permitted on any ground or tract in the complex.
- C. **Signage:** The construction or maintenance of signs, billboards or advertising structures of any kind on any lot is prohibited except the following: One sign advertising the rental or sale of the property shown on the recorded plat is permitted, provided it does not exceed six (6) square feet in size and has a professional appearance. Any variances would have to be approved by and authorized by the Architectural Control Committee or the Board of Directors.
- D. **Storing of Hazardous Material:** No tank for the storage of oil, gasoline or other fluids may be maintained on any of the lots or tracts.
- E. **Trash:** No trash, ashes or other refuse may be thrown or dumped on any lot or tract in the complex.
- F. **Animals:** No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided that they are not kept or bred or maintained for any commercial or illegal purpose.
- G. **Pets:** Domestic animals must be kept on leashes at all times when outside. Dogs not kept on leashes should be reported to the management company. Dogs are not to be tied up in the front of units or to trees on the common ground. Owners who have been warned will have their animal reported to the Lees Summit Animal Control. Keep in mind that pets kept on leashes for an extended period of time can be disruptive to your neighbors. Dog runs or lines are not permitted to be attached to the handrail, building or other common ground features. Doghouses are not allowed. Per city codes all pets must be current on vaccinations and spayed or neutered.
- H. **Inoperable Vehicles:** Inoperable vehicles, unlicensed or expired tags on cars remaining in the parking lots for more than forty-eight hours will be towed at the owner's expense. The board does realize exceptions to this rule and contact the management company in the event clarification is required.

VI. **GENERAL GUIDELINES**

- A. **Guest Spaces:** Guest spaces are designated with the word "Guest". Instruct your guests to park in these areas rather than another resident's parking space. If all guest spaces are full, instruct your guests to utilize the street for parking.
- B. **Parking Spaces:** All residents are assigned (1) one parking space per unit. Respect your neighbor's parking rights by using your allotted parking space. The board has endorsed a parking violation notice to be placed on vehicles which are parked in the entryways to the common ground parking lots or which are otherwise violating the rights of other residents. Vehicles will be towed at the owner's expense. Boats, trailers, and commercial vehicles are not to be parked in parking lots. Skateboarding, bicycling, basketball, baseball, scooters, etc. are not permitted in the parking lots.
- C. **Parking Lots and Safety:** During the summer months, the number of children playing in the streets, on the sidewalks, driveways and parking lots will increase. The parking lots are strictly to be used for parking vehicles, not to be used as a play area for children. Dog runs or lines are not permitted to be attached to the building or other common ground features.
- D. **Blocked Driveways:** Occasionally, parking lots do get overloaded with both resident and visitor cars. If you are unable to drive to your specified space due to a car parked in one of the guest spaces close to the driveways, do not drive or park in the grass. Damage to the property can be very expensive and in the end, all residents pay for the care of the lawns. The street outside your residence would be more appropriate. When parking in the street, make sure to keep tires on curbs and not on grass. If the problem continues, contact the management company.

VII. **CONSIDERATION OF NEIGHBORS:**

- A. **Music:** During the summer months when windows are open, remember that your neighbor may not be as fond of your music as you are. Loud music will not be permitted and necessary steps will be taken to ensure other residents' rights are not violated. If a verbal warning does not resolve the situation, the Lees Summit Police Department will be notified.
- B. **Children:** Talk with your children regarding consideration of other residents' property. The steps below will be followed when children cause destruction to BPHA property:
- 1) The parents of the child will be visited by either a BPHA board member or a representative from the management company regarding the complaint;
 - 2) The parents of the child will be sent a written letter if destruction continues and parents will be charged for any repairs needed due to any destruction caused;
 - 3) The parents and/or children will be reported to the proper authorities.

Children are welcome in the common ground areas. Since sidewalks are available, children are not permitted to ride bicycles, skateboards, roller blades, etc. on the lawns, driveways, or steps. The above steps will be enforced, if necessary.

VIII. **BUILDING AND MAINTENANCE:**

Any owner wishing to make exterior improvements to their residence must first contact the management company who will submit to the board of directors for approval.

- A. **Work Orders:** Work orders can be obtained through the management company. Work orders should be used to report any building and maintenance problem, i.e., gutters overflowing, splashblock broken, paint, patio sinking, etc.
- B. **Painting:** 6-8 units or 2-3 buildings are scheduled yearly for painting, when funds permit. The number of units to be painted are determined by: 1) the need, 2) financial status, and 3) the last time the specific unit was painted. Touch up painting will be done as funds permit and/or during the regular painting cycle.
- C. **Privacy Fences:** Privacy fences are an additional landscaping beautification and are encouraged. Keep in mind that not all fencing materials available are authorized by BPHA. All privacy fences must:
- 1) Must be submitted by diagram or blueprint with detailed instructions to board for approval prior to construction
 - 2) Be consistent with the other units surrounding the area
 - 3) Should not extend out from the existing patio more than 12 feet from the patio door to the edge. The sides cannot exceed the width of the unit and the height must be less than 8 feet.
 - 4) Be maintained by the homeowner, not BPHA. The board does reserve the right to request proper maintenance and upkeep on privacy fences on BPHA property.
- D. **Decks:** Decks are another way of adding to the landscaping of the area. Previously, as funds permitted, decks were built due to settling and sinking patios. Due to the rising costs of lumber for the decks, pouring new patios without decks have become the preference of the board. Maintenance costs have dropped significantly since decks are no longer being built over the patios. Decks can be added at the expense of the owner provided that they are in agreement with the following guidelines:
- 1) The decks must be consistent with the other decks in the area.
 - 2) The board of directors must approve the design of the deck prior to installation.
 - 3) The owner understands that maintenance that is required will be at the owner's expense, not BPHA. The board does reserve the right to request proper maintenance and upkeep on all decks on BPHA property.
- E. **Lattice:** Keep in mind that wooden lattice is not authorized as a landscape improvement at BPHA, however, plastic lattice may be used. Grass and weeds growing around patios and under the decks cannot be maintained by lawn personnel appropriately. If you choose to install plastic lattice, keep these areas weed free.

- F. **Patio Repair:**
- 1) Patios are the responsibility of the owner to maintain and repair.
 - 2) Owners wanting to replace or repair their patio will be required to provide a scope and drawing prior to starting the project.
 - 3) Patios may be eligible for a cost shared program if funds are available.

Contact the management company with any questions regarding patio repairs. Patio furniture is to be set up and stored on patio, not in the front of units.

- G. **Stepping Stones:** Stepping stones have been in existence on several of the units since the establishment of the units. Any resident wanting to add stepping stones may do so at their own expense. Keep in mind that board approval is necessary for any exterior improvement, including replacement of stepping stones. The association will not be responsible for replacing existing stepping stones which have been broken or cracked.
- H. **Exterior Water Facets:** Exterior water faucets are the owners responsibility should they break or burst. As a reminder, remember to disconnect your water hose during the winter months to prevent the water pipe from freezing and bursting. Many units have added turn-off valves inside their basements to shut water off during the winter months and to prevent water from freezing inside the pipes. Failure to remove the hoses from the faucets will probably result in a broken water line that you will not discover until Spring. To preserve the hose itself, the homeowner must completely drain the hose of all water and store it inside during the winter months.
- I. **Outside Light Fixtures:** The association is responsible for fixing outside light fixtures should they break or stop working. Each owner is responsible for replacing light bulbs in their outside light fixtures. Contact the management company by filling out a work order to report the problem. Exterior fixtures should be checked periodically for structural soundness.
- J. **Roof Repair or Replacement:** A roof repair/replacement fund has been established for future use. Contact the management company by filling out a work order to report any problems, however, most repairs should be turned in to your homeowners insurance.
- K. **Gutters/Downspouts:** Gutter cleaning is the responsibility of BPHA. Gutters are scheduled for cleaning twice a year, once in fall and once in the spring. Should you have overflowing gutters at anytime in the year, contact the management company by filling out a work order.
- L. **Sump Pumps & Drainage Pipes:** Sump pumps are the individual homeowners responsibility since they are located inside the unit. However, the exterior sump pump drainage pipe is BPHA's responsibility and should be maintained by the association. The parameters of the sump pump exterior piping needs to be approved by the BHOA. This includes normal cracking, breaking and deterioration.
- M. **Windows, Doors and Glass Surfaces:** According to the Bylaws & Covenants, glass is not covered by BPHA. All door replacements must match the existing color scheme of the other resident doors. Contact management company for questions.
- N. **Concrete Repair:** As funds permit, BPHA, at their discretion will repair or replace sinking and cracked driveways and sidewalks. Damage to concrete caused by chemicals used by homeowners or residents is not the responsibility of BPHA. Driveways may be a shared cost project.
- O. **Satellite Dishes:** Satellite dishes have been approved for use at BPHA. The following guidelines must be met prior to installation:
1. Must have board approval
 2. The satellite dish cannot exceed 24-in diameter.
 3. The total height of the pole and satellite dish should not exceed 36-in height unless authorized by BPHA.
 4. The satellite dish may be located within the same perimeters as privacy fences. Guidelines for privacy fences are as follows: Fence must not extend out the existing patio more than 12-in from the sliding glass door and the sides cannot exceed the width of the unit. Therefore, satellite dishes can only be placed on the side of the patio/deck to the end of the unit or extend 2 feet from the edge of the patio/deck. The board does recognize that other circumstances may dictate the above guidelines and will be handled accordingly.
 5. It is the boards recommendation that the satellite dish not be attached to the building or roof since the exterior of the unit is BPHA property.

6. Only one satellite dish is authorized per unit and must be located in the back of the unit.
- P. **Deck Resealing:** Decks should be resealed every year or two during the summer or early fall on an as needed basis and is an owner responsibility. If a tinted sealer is used it should be consistent with the other decks in the complex and prior to starting the sealing process the product to be used should be presented to the board for approval.
- Q. **Foundations:** Foundations are the homeowners responsibility not BPHA. Since exterior maintenance is BPHA's responsibility, fill dirt will be added at various times throughout the year to the outside of foundations where needed. Contact the management company should your unit require additional fill dirt.
- R. **Pest Control:** Pest control is the responsibility of the homeowner. It is the responsibility of each homeowner to have their unit inspected for termites. BPHA is not responsible for damage or repairs that result from termite damage. If you are experiencing problems with termites, you may want to check with your neighbors to see if they are interested in their units being treated at the same time as you. A discount may be available by some pest control companies.
- S. **Christmas Lights:** Christmas lights are encouraged at BPHA. Be careful when installing lights so damage does not occur to the exterior of the building. Lights may be hung in outside trees, placed on decks or used on other exterior items if so desired. All Christmas lights and decorations have to be taken down by February 1.
- T. **Flag Poles:** Feel free to display your United States flag. Be careful when installing flag brackets to the exterior of the building. Poles may also be inserted into the ground.

IX. **LAWN MAINTENANCE**

Lawns at Braeside Park serve a very important purpose in creating an atmosphere of lush beauty. It is the responsibility of all residents to take pride in caring for the lawns at Braeside Park. All residents contribute to the lawn care finances when annual dues are paid. Therefore, it is an investment which benefits all of us.

- A. **Trees & Shrubs:** As funds permit, BPHA will add shrubs and trees as needed at no cost to the homeowner. BPHA will not be responsible for shrubs and trees which have died due to lack of watering. It is the homeowner's responsibility to water all trees and shrubs at their unit during the summer months. Board approval is required for any additional tree or shrub installation. Residents are not allowed to remove shrubs that have been planted by BPHA anywhere on the common ground, particularly in front of the units.
- B. **Flower Beds:** Individual flower beds are permitted at the owner's expense. Flower beds are not to be planted in front of the units. Under normal circumstances, flower beds do not require board approval. However, if you are planning to extend your flower bed, board approval will be required if the extension is on common ground. Landscape blocks or timbers are encouraged to aid in keeping the lawn mowers from damaging your flowers beds.
- C. **Trimming:** Trimming is done throughout the year at specified times depending on the status of the funds at that given time. Homeowners are permitted to trim shrubs if needed, but are asked by the board to be conservative in trimming to ensure no damage to the shrub.
- D. **Tree Removal:** Individual homeowners are not permitted to remove trees from the lawns at Braeside Park. The board will remove trees under the following conditions: 1) they have died by disease, 2) they have died due to lack of water, 3) they have died by acts of nature, or 4) they are endangering the foundation.
- E. **Tree Planting:** BPHA does not allow residents to plant trees. If residents wish to plant shrubs, BPHA must approve and they must follow appropriate perimeters so that they are not planted in areas which could result in damage to the foundation or sidewalks. If residents plant shrubs it is their responsibility to maintain these shrubs, which includes keeping them trimmed.
- F. **Destruction of Property by Lawn Mower:** BPHA will not be responsible for dog leashes, plants, patio furniture or grills damaged by the lawn mowing crew. All of these items should be placed out of the way of the mowers. Barbeque grills should be used and stored on decks or patio, not on common ground.
- G. **Pets & Lawn Care:** For residents with pets, the following courtesies are **required:** 1) be conscious of the noise level of your pet, 2) be mindful of trees & shrubs and continued use of the same place when walking your pet, 3) remember to pick up after your pets

and dispose of waste properly 4) pets must be kept on leashes at all times when outside, and 5) cats need to be kept inside, they have been digging in flowerbeds and tearing open trash bags. Damage incurred to trees from tying or chaining pets will be the responsibility of the homeowner, and cost of replacement will be at their expense. Report any pet problems to management company or contact the Lee's Summit Animal Control.

- H. **Parking on Grass:** Damage to lawns or common grass area incurred by parked cars will be repaired at homeowner's expense, i.e., fill-in dirt, sod replacement. The board has endorsed a parking violation notice to be placed on vehicles which are parked in violation of BPHA rules and regulations. Vehicles will be towed at the owner's expense after the third violation notice.
- I. **Bicycles/Motorcycles:** Since sidewalks are provided at BPHA, bicycles are not permitted on the lawns. Keep all scooters, bicycles, motorcycles, etc. off the lawns as they can also cause extensive damage. The above items may be parked in your appropriate parking space. Do not use guest spaces for these items. Motorcycles are not allowed to be parked on the patios, porches or sidewalks.
- J. **Birdbaths, Statues and Other Lawn Beautifications:** Birdbaths, statues, etc. are authorized for use at BPHA without board approval. Make sure that any lawn beautifications are kept in the areas approved for such improvements, i.e., in the area where your air conditioner is located, between shrubs or bushes or in flower beds. Do not use these items or like items in the Common Areas. If in question, contact management company.
- K. **Birdfeeders and Birdhouses:** Birdfeeders and birdhouses are welcomed at BPHA. Be careful in your placement of these items. As previously stated, the board has the final decision to any outside improvement which may be of question.
- L. **Entranceways to Parking Lots:** The board will be implementing new landscaping ideas in the future for the entranceways to BPHA. Suggestions are always welcome by residents. Contact the management company if any ideas come to mind.
- M. **Hanging Baskets/Plants:** Hanging baskets/plants are encouraged at BPHA. Be careful when hanging trees items so damage will not occur to the building. Flower pots or any other large container that the residents plant flowers in have to be on the decks or patios, not on the common ground.
- N. **Swimming Pools:** Swimming pools are not authorized on the common ground at BPHA. Pools must be on patios or decks.

X. **SNOW REMOVAL:**

- A. Snow removal is a contracted service provided to BPHA each winter. Snow will be removed as quickly as possible under the specific guidelines described in the contract, i.e., after 3 inches of snow has fallen. Contact the management company if you have any questions.
- B. Homeowners may use ice melt products that do not harm the concrete and is environmentally friendly.

XI. **BOARD OF DIRECTORS MEETINGS:**

- A. The Board of Directors meets on the first Monday of each month at 6:30 p.m. at the Mid-Continent Public Library, Oldham location in Lee's Summit. Contact the management company for the current location. All residents are welcome and encouraged to participate in the meetings.

