

## **Dalton Farm Homeowners Association Rules**

The Dalton Farm Homeowners Association is dedicated to preserving the high quality and consistency of Dalton Farm standards. The Board of Directors is responsible for enforcing the Rules and Regulations, and for approving any changes or alterations to Homeowners’ property and monitoring the appearance and maintenance of the area.

**The contents of this document are a summary of many of the rules of Dalton Farm. For details and a comprehensive review please refer to the Initial Offering Plan and/or the Restated Offering Plan (both of which are provided to homeowners at closing) and the Declaration and By Laws (found on the Dalton Farm Homeowners Association website ([www.daltonfarm.info](http://www.daltonfarm.info)) under the ‘Governance’ tab).**

The Rules and Regulations set forth herein can be updated at any time at the discretion of the Board of Directors and homeowners will be notified of all changes. If you are unsure of any of the rules, please contact a member of the Board of Directors or the managing agent.

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### **Animals & Animal Waste**

- Animals may not be kept on the property, except for dogs, cats and other typical household pets belonging to the homeowner or his/her family and which are not for resale.
- Dogs should always be leashed.
- **All pet owners are required to immediately clean up after their animals, and properly dispose of the excrement in the pet owners' own trash. Disposing of or leaving excrement in maintained or unmaintained common areas or on others' personal property is not acceptable. Violation of this rule will result in a \$150.00 fine for each occurrence. Warning letters will not be issued. Pictures and video submitted to the Mgmt. Company, or the Board may be used to enforce this rule but will be kept confidential.**

### **Architectural Review Committee (ARC)**

One of the committees at Dalton Farm is the Architectural Review Committee (ARC). The ARC consists of volunteer representatives from each area. The ARC in partnership with the management company are responsible for reviewing all proposed changes to the exterior of a Homeowner's residence. Meetings are held monthly to review complex submissions. Simple submissions may be approved more quickly. Please review the *Dalton Farm Homeowners Association ARC Rules-Guidelines* and the *Dalton Farms HOA ARC Forms* found on the Dalton Farm Homeowners Association website ([www.daltonfarm.info](http://www.daltonfarm.info)) under the 'ARC' tab for complete details.

### **Basketball Hoops (Portable)**

- The hoop must be in good condition, and of neutral colors (no neon)
- The hoop must be at least 30 feet from road and 15 feet from property line
- Basketballs must be kept in garage when not in use
- The hoop cannot be used after 8:00pm or before 9:00am
- The hoop must be weighted properly according to manufacturer's instructions (no cement blocks or temporary weights)
- Homeowners are responsible for all damages caused by or relating to the use and placement of these hoops
- Permanent basketball hoops are not allowed.

### **Board of Directors/Committees**

#### **A. Board of Directors**

The Board of Directors consists of one member from each Local Area and three At Large members, all of which are elected to varying terms. The Board of Directors then elects each member to an officer or member position. The positions are President, Vice President, Treasurer, and Secretary in addition to five-member positions. The Board of Directors meets regularly once a month and at other times throughout the year as needed.

#### **B. Committees**

There are several committees within the Dalton Farm community, all of which are on a volunteer basis. These committees include the Roosevelt House, Pool, Architectural Review (ARC), Social, and Grounds. Each member of the Board of Directors participates on one or more of the committees. Each committee determines how often it meets and at the Board of Directors' monthly meeting, a status report is given to the board. Please contact the managing agent if you are interested in joining or starting a committee.

### **Decorations (Holiday)**

- Holiday decorations must be removed by January 31.
- Inflatable outdoor decorations are prohibited.

### **Driveways**

- Driveways will be kept free of garden equipment, barbecues, and storage of other articles that are not actively being used.
- Driveways and walks must be cleared of snow or ice and/or sanded to provide safe walking and driving.

### **Drones**

- Drones are prohibited except those registered and approved offering delivery services in accordance with state and federal laws, from the airspace over Dalton Farm property.
- The Board of Directors is not prohibited from using drones to inspect common areas of Dalton Farm to assist the Board for fulfilling its obligations, such as ascertaining the need for maintenance or repair or common areas.
- Dalton Farm Homeowners are not prohibited from using drones to inspect their own private property, within their lot lines whether for recreational purposes or the purpose of surveying their home.
- Residents of Dalton Farm may fly a drone over the great lawn located at the end of East Saw Mill Run for recreational purposes only.
- Flying a drone over the common area airspace over Dalton Farm or over another Homeowner's home or taking photographs of person or property without the express written consent of the person or owner of the property, except by the Board, shall be a violation of the rules of Dalton Farm and is subject to \$100 fine for each violation. Warning letters will not be issued. Such fines will remain on the Homeowner's account until paid in full; failure to pay the fine will subject the homeowner to all the remedies and legal options available to the Board to encourage payment.
- Any person who flies a drone within the airspace over Dalton Farm in violation of the rule will be deemed by so doing to agree to indemnify, defend and hold harmless Dalton Farm and its Board of Directors in the event of a claim is asserted against Dalton Farm and/ or its Board relating to an act or omission involving a such drone

### **Dumpsters, Storage PODs, Portable Bathrooms**

- Homeowners must contact the managing agent in advance of allowing these items to sit on their property. Be prepared to provide dates of delivery and removal. These items may not be placed on common property.
- Failure to contact the managing agent may result in a fine.

#### **Roosevelt House Dumpster**

- The dumpster is only for trash from the Roosevelt House and the pool. There will be a fine of \$100 for private use of the dumpster. Warning letters will not be issued.

### **Firearms**

- Any Homeowner discharging a firearm on any private lot or common area property within the boundaries of the Dalton Farm Homeowners Association will be assessed an immediate \$1,000 fine.

### **Firewood Storage**

- A cord is a neatly stacked pile of wood measuring 4 feet by 8 feet.
- Wood that is visibly rotten and or covered by fungus or mold may not be stored anywhere on homeowner's property.
- A maximum of two cords of neatly stacked firewood may be stored in the rear of the house at any time during the year if it sits within the footprint of the home and on the homeowner's property. Cords should

be stacked next to each other such that the total length does not exceed 8 ft. Only brown colored tarps may be used to cover the wood.

- Up to ½ cord of wood may be stored on the porch from October 1 through April 30 only if the wood sits within an approved firewood rack. **See below for an example.** Contact the Mgmt. Company to ensure compliance with the selection of a rack.
- Firewood may not be stored on the sides of the home.



### **Generators (Exterior)**

The use of exterior generators, for the purpose of providing supplemental electrical service, is permitted under the following circumstances.

1. The use of exterior generators, for the purpose of providing supplemental electrical service, is permitted during a disruption of electrical service as posted on the New York State Gas and Electric Website. Generators may be used uninterrupted for the duration of electrical disruption. The generators are to be located in front or rear and within the footprint of the dwelling. Generators cannot be located on the side of a home.
2. Exterior generators may be used by a homeowner when their power is being disrupted due to repairs or renovations. The homeowner will be required to notify the Management Company of the use of a generator. Please note, each homeowner should review the ARC Guidelines, to be found on the Dalton Farm Web Site, under Governance to determine if an ARC application is required for any of the renovations or repairs.

### **Illegal Substances**

- If any homeowner(s), child of a homeowner(s), or person residing in the house owned by the homeowner(s), or any person using said house, is found guilty of, or pleads guilty to, any crime involving the illegal use, sale or possession of drugs, narcotics or any illegal substance, within the boundaries of Dalton farm, said homeowner will/shall be fined \$1,000 for each such infraction of which said person is found guilty or to which said person pleads guilty. This fine shall apply even if no one resides in the house but had used the house with the permission of the owner(s) or his or her children.

### **Lawns, Trees and Shrubbery**

- Lawns, trees, and shrubbery must be kept trimmed and the yard weeded.
- Lawns may not exceed 6 inches in height.
- Landscaping or maintenance of a common area **MUST** have prior ARC approval.
- No live tree having a caliper more than 3 inches, measured three feet above the ground, shall be removed from any lot beyond the four-foot perimeter without ARC approval. The fine for this violation will be \$1,000 per tree, plus the estimated replacement cost of the tree that was removed.
- Vegetable gardens require ARC approval.

- Gardening equipment including, but not limited to, ladders, wheelbarrows and uncoiled hoses must be stored out of sight when not in use and may not be left outdoors.

### **Mailbox Shed Postings**

Postings are not allowed in the mailbox sheds except those relating to Dalton Farm HOA sponsored community events. For special circumstances please contact managing agent.

### **Noise and Nuisances**

- Homeowners shall not permit the emanation from their lots of unreasonable noises or odors, and shall not permit any nuisance, disorderly, immoral or illegal activity, or any activity which is observable by neighbors and can be reasonably considered annoying or offensive by common standards.
- BB Guns, air rifles, paintball guns or any other projectile weapons are prohibited.

### **Pools (Private)**

- Above ground pools are not allowed.
- Kiddie pools are allowed but must be emptied and stored out of sight when not in use.

### **Roosevelt House Rules**

Each Dalton Farm Homeowner who is current on their HOA dues can use the Roosevelt House for a social event. The event could be a birthday party, communion party, dinner, other. Along with the privilege of having the exclusive use of the Roosevelt House for the event goes some specific homeowner responsibilities. In addition, a Roosevelt House Reservation Form and an Authorization Form must be filled out and sent to the managing agent prior to Roosevelt House use. If a Homeowner's unit owner account is in arrears, they may not rent the Roosevelt House.

### **Signs**

- Signs other than small security signs and professional real estate signs are prohibited.
- Permitted signs may not exceed 28" in height.
- Real estate signs may not be handwritten.
- Signs or advertising may not be placed within a home which are visible from outside the home.
- In accordance with Section 155-57 of the Town of Beekman Zoning Code, only one sign is permitted per lot advertising the sale, lease or rental of the premises and it can only be located on the property for sale or rental.

### **Tag Sales**

- Individual tag sales are not allowed. Community-wide tag sales are held no more than twice a year and are the only tag sales permitted. A \$100 fine will be assessed to any homeowner who violates this rule. Warning letters will not be issued.

### **Trash & Trash Containers**

- Garbage, trash, or refuse shall not be deposited or stored on the property except in closed sanitary containers.
- Trash containers and recycling bins may not be stored or left anywhere that is visible to your neighbors and are best stored in your garage. However, the night before trash is to be collected, the containers may be left at the curb after 4:00pm. On the day the trash is collected, the containers must be returned to the garage by the evening.
- **Violation of the above is subject to a \$25.00 fine for each occurrence. Warning letters will not be issued.**
- Single family homes (not townhomes) have the option of constructing a trash container enclosure. Approval must be attained by the architectural review committee. Please reference the ARC

guidelines found on the Dalton Farm Homeowners Association website ([www.daltonfarm.info](http://www.daltonfarm.info)) under the 'ARC' tab for complete details.

### **Vehicles and Parking**

- Vehicles may not be parked on any private road within Dalton Farm between the hours of 1am and 6am without first informing the managing agent. The managing agent must be informed during regular business hours. **Violation of this rule will result in a \$25.00 fine for each occurrence. Warning letters will not be issued.**
  - All vehicle and parking rules may be found on the Dalton Farm Homeowners Association website ([www.daltonfarm.info](http://www.daltonfarm.info)) under the 'Governance' tab.
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### **Fine Schedule**

Homeowners not adhering to the Rules and Regulations, or Declaration and By-laws will be given a written warning stating the corrective action to be taken within a time frame specified by the Board not to exceed 10 days. Disregarding the warning will result in progressive fines and ultimately, legal action. Sequence of fines other than those specifically listed herein, are as follows:

- First letter: Warning and request to take corrective action within 10 days;
- Second letter: \$25.00 fine per violation per day for 10 days (or less as specified in the letter);
- Third letter: \$50.00 fine per violation per day for 10 days (or less as specified in the letter);
- Fourth letter: \$100.00 fine per violation per day until the issue has been resolved (or less at the discretion of the Board);
- Fifth letter: Legal action (Lien placed on home) and suspension of pool and Roosevelt House privileges for 6 months.

Please note that each day a violation remains uncured shall be deemed to be a separate occurrence or violation (unless the violation cannot be reasonably cured within such time). The Board may reconsider, waive, reduce, or modify the final and total value of fines as well as any suspension of pool and Roosevelt House privileges in its sole discretion, but only after corrective action has been taken.