

# **RULES AND REGULATIONS**

## **INDEPENDENCE PLACE**

### **Homeowners Association**

**July 1, 2000**

**1st Revision - August 9, 2017**

**2nd Revision – August 29, 2022**

**3<sup>rd</sup> Revision – June 28, 2023**

**RULES AND REGULATIONS**  
**INDEPENDENCE PLACE**  
**Homeowners Association**  
State College, PA 16801

This document is to provide guidance and assistance for residents regarding the Rules and Regulations governing the decisions made by the Board of Directors of the Homeowners' Association at Independence Place in State College, Pennsylvania.

## **Table of Contents**

- Purpose of Rules and Regulations
- Common Areas
- Code of Conduct
- Parking Rules
- Property Maintenance and Modification
- Clubhouse
- Pool
- Renting of Property
- Dues
- Pet Rules
- Violation of the Rules and Regulations

## **Purpose of Rules and Regulations**

These rules and regulations are to be used as a tool in order to provide The Board with guidelines and objective measures to make sound decisions in regards to the following areas: Improving the overall value of the Single Family Homes and Condominiums within Independence Place, the maintenance and upkeep of the amenities at IP, use of HOA funds, hiring contractors and/or vendors for the association, limiting nuisance behaviors, and providing as safe of an environment as possible for residents and guests.

Any complaints regarding the rules and regulations or services which the Association provides, shall be submitted in writing for consideration by the property management company, (currently, Continental Real Estate Management Company) and the HOA Board of Directors. There are circumstances for which exceptions can be made for any of these rules. Those exceptions are made by the Board, based on case specific evaluation. Any real or perceived lack of upholding of any of the Rules and Regulations does not constitute the ability to disregard the rule. While The Board strives to remain transparent and consistent, individual circumstances are not "common knowledge" and privacy considerations will be exercised.

## Common Areas

1. The sidewalks, streets, passages, greens, bike paths and other common areas are not to be obstructed.
2. Along all roads and walkways without sidewalks, a 3-foot easement shall be allowed on both sides with exceptions made for mail boxes.
3. Trees and Shrubbery need to be kept trimmed and maintained to allow for at least an 8-foot overhead clearance along any pathway or road.
4. Common area lawns are maintained by the HOA and will be kept between 4 and 6 inches depending on the season and advice of lawn vendors.

## Code of Conduct

1. Residents shall not make or permit any disturbing noises and/or acts in or around the community which will interfere with the rights, comforts, enjoyment or privacy of other residents. Residents shall not cause or permit any objectionable noise or odors or other disturbances to be produced upon or emanate from their home or the common area.
  - a. Per College Township Noise Control Ordinance - Chapter V (Conduct), Section 103 (Unlawful Noise Prohibited). "The community believes that it should rely on the good sense of all residents to respect one another's living and working environments and one another's right to an environment that is free from noise disturbances.
    - i. It shall be unlawful for any person to make or cause to be made any unreasonable noise or to allow any unreasonable noise to be caused or made in or on any real or personal property occupied or controlled by that person.
    - ii. Loading Operations - Only permitted between 7am and 9pm.
2. Appliances, lawn and garden equipment or household power tools in use between the hours of 7am and 9pm.
  - a. Heavy Construction Equipment - May only operate between on weekdays 7am and 7pm, on weekends 9am-7pm.
  - b. Radios, stereos, and musical instruments. The playing of any radio, stereo, television set, amplified or unamplified musical instrument, loudspeaker, tape recorder, compact disc player, or other such electronic sound-producing devices, in such a manner or with volume that is:
    - i. Plainly audible beyond the property line of a single-family dwelling unit from which it is generated or outside of the duplex dwelling unit or individual dwelling unit of the multiple-family dwelling unit from which it is generated.
    - ii. Plainly audible at a distance of 50 feet from the vehicle in which it is generated.
    - iii. Plainly audible at a distance of 50 feet from its location on public property or private property open to the general public.
    - iv. Causing or has caused vibrations with a bass within a dwelling unit or within a vehicle other than the unit or vehicle from which it is/was generated.
3. All home owners, members of their families, their employees, visitors, guests, tenants, and agents will obey all traffic regulations (stop sign, speed limits, etc.) as may be

promulgated by the Board of Directors for the health, safety and welfare of the community.

4. Guests - Guests must be accompanied at all times by a Resident of Independence Place while utilizing the amenities and common areas.

## Parking and Vehicles Rules

1. Short term parking rules.
  - a) No curbside parking and/or lawn parking for any amount of time is permitted on the following streets: Lincoln Ave, Quincy Ave, Constitution Ave and Independence Ave. These streets are narrow and the homes are situated close together. Vehicles parked along the curbs or on any lawn area are subject to towing pending the discretion of the Board of Directors. Note: The area around the bend in the road on Washington Ave and Independence Ave is also included.
  - b) No Overnight parking is permitted on or along any road or on any lawn area within the development. Overnight is defined by parking between the hours of 12:00am - 6:00 am. Vehicles parked on or along any road or on any lawn area during these times are subject to towing pending the discretion of the Board of Directors.
  - c) No Overnight parking (12:00am-6:00am) permitted in the Clubhouse Parking Lot. Note: The Clubhouse Parking Lot is not an extra parking area, it is for residents and their guests who are using the clubhouse with or without a reservation.
  - d) No parking along any street during inclement weather. Snow removal trucks need the clearance to operate.
  - e) Vehicles must be parked in the direction of traffic.
  - f) All State Laws must be abided by in regards to parking and traffic.
2. No vehicle shall be parked in such a manner as to impede or prevent ingress or egress to another's home or parking.
3. No homeowner shall permit an inoperable, unlicensed or uninspected motor vehicle to be parked within the community. Any vehicle which is parked within the community without the proper registration and inspection sticker or in an inoperable condition shall be removed at the owner's expense.
4. All motor vehicles shall be parked in established parking areas only. Vehicles such as motorcycles, motorbikes, mopeds, etc., may not be stored in any home or on the deck and/or patio but only in approved sheds or driveways. A tarp over a vehicle does not constitute proper storage.
  - a) All lawn care equipment such as riding-on mowers, push mowers, weed whackers, gas cans, etc. must be stored inside a garage or storage shed. Leaving said items outside, covered or uncovered, is not acceptable.
5. No boats, campers, motor homes, trailers, or recreational vehicles shall be parked within the community on a temporary or permanent basis. Discretion may be exercised by the Board of Directors pending special circumstances.
6. NO large commercial type vehicles (dump trucks, cement trucks, oil or gas trucks, delivery trucks or any other vehicular equipment mobile or otherwise, deemed to be a nuisance by the Board of Directors), shall be parked anywhere in the community. NO vehicle over one (1) ton shall be parked anywhere within the community. Moving trucks are permitted, however, the duration should not exceed a reasonable amount of time. The Board of Directors reserves the right to determine what a "reasonable amount of time" is pending the circumstances of the owner who is moving.

7. No type of attachable equipment to pick-up trucks such as snow plows, spreaders, etc. shall be stored or placed within the community on a temporary or permanent basis. Any equipment must be attached to the vehicle at all times, if within the community. Exceptions may be made for licensed vendors who are decreasing mobilization costs for use on Independence Place.
8. NO MAJOR VEHICLE REPAIRS PERMITTED WITHIN THE COMMUNITY. Repairs to motor vehicles shall be limited to minor repairs only, repairs which can be accomplished in four (4) hours or less. No vehicle parts including solutions used to work on vehicles such as motor oil and/or antifreeze are to be left on driveways, sidewalks, decks, patios or on lawn areas. All vehicle parts and solutions need to be stored in garages and/or sheds. No vehicle shall be left jacked up and unattended.
9. Repairs which may damage any portion of the common areas (draining radiators or leaking oil) is strictly prohibited. Any damage to common areas resulting from the repair of motor vehicles becomes the financial liability of the homeowner.

Note: Additional parking is available in the Overflow Lots along the streets of Constitution Ave and Independence Ave which intersect with Lincoln Ave and Quincy Ave.

## Property Maintenance and Modification

Note #1: Items #6 Exterior addition, change or alteration, #8 Fences, #10 Solar panels, #19 Storage sheds and #20 Children's play sets pertain only to the single-family homes. These items are not permitted on the condos and in or on the common & limited-common land which the condos have use of.

Note #2: Items #8 Fences, #19 Storage Sheds, #20 Children's Playsets constructed or put in place before January 2013 will be granted a grandfather clause due to developer leniency prior to the HOA being handed to the residents.

1. Air conditioning units in windows must be maintained in working condition and may not emit noises that would be perceived as a nuisance.
2. No Clotheslines may be erected on any property.
3. No permanent tents are permitted on any property.
4. No permanent above or below ground pools are permitted on any Owner's property.
5. No structure for the intent to house any animal for any period of time on any property.
6. NO exterior addition, change or alteration to the original construction of the home may be made until the plans and specifications have been submitted and approved by the HOA Board & signed off by the HOA President or Vice President in his or her absence. The condos are not permitted to perform any exterior modifications except those outlined in the COA Rules and Regulations (decks, awnings, walkways).
7. Property modification forms and township permits are required to erect any structure on any property. Each property Modification must be signed by either the President or Vice President of the HOA, the Vendor or Homeowner conducting the work on the property, any adjacent property owner whose property line will be bordering any modified area.
  - a. Property Modifications must be completed in a timely, stated manner. Typically, one month is allotted to complete a project.
  - b. Property Modifications must represent the plans laid forth on the property modification form. Any deviation from the approved style, design, or materials used may be grounds for construction to halt and changes be made to reflect the previously approved plans.

8. Fences are permitted on homeowners' properties with the exception of chain link fences.
  - a. No fence shall be erected closer to 2 feet from any easement or property line. In regards to roadside construction, a 3-foot easement from any road or walkway must precede the 2 ft requirement, indicating a distance from 5 ft from the road.
  - b. No fence may obstruct the view of vehicle or pedestrian traffic. The HOA reserves the right to determine what indicates a vision obstruction.
  - c. No fence shall exceed 6 feet in height.
  - d. Fences must be maintained and kept in functional working order and kept painted, stained, or otherwise looking aesthetically well. Dilapidated and/or unsafe fences may be removed by the HOA at the property owner's expense.
9. Homes with gas fireplaces shall burn no materials or fuels other than NATURAL GAS.
  - a. No split or unsplit wood, coal or other fuel may be stored outside on any property.
10. Solar panels require property modification forms to be approved by the board. They must be kept in working order.
11. Political advertisements or support signs are not permitted on any property within the community.
12. Each single-family homeowner will purchase and install a standard mailbox and post.
13. Outdoor lighting on individual properties such as lamp posts, address markers, and porch lights must be maintained by each property owner. Holiday lights should be removed within 30 days after said holiday.
14. NO individual yard/garage sales are permitted within the community. Community Yard Sales may be organized by a yard sale committee and approved by the board.
15. No homeowner or any agents, servants, employees, licensees, or visitors, shall at any time bring into or keep in lots any flammable, combustible, or explosive fluid, material, chemical, or substance, except for normal household or lawn care use. Hazardous substances must be properly stored and vented.
16. All garbage and trash must be placed in garbage bags and into a trash container with a secure lid and shall regularly be kept in a location on the lot which is unobtrusive to view from any other portion of the property. No trash is permitted to accumulate on or around the property. Trash containers shall not be placed on any street, sidewalk, parking area or common area, except the day before collection at which time it is to be placed at the end of the driveways, or curbs. Once the trash container has been emptied, the container must be removed from the curb area by the end of the day and returned to the location it is normally stored. No hazardous substances shall be made part of the trash.
17. NO bicycles, scooters, similar vehicles or baby carriages shall be allowed to stand unattended in public passageways, greens, courts, or other public areas of the community. Toys or personal articles shall not be allowed to stand unattended on any part of the common elements. Items found standing unattended on the common areas in excess of twenty-four (24) hours will be removed. Items posing a threat to the health and safety of the residents will be removed immediately.
18. No large items such as grills, lawn tables and chairs, portable fire pits, etc. shall be stored on the lawns or driveways. They must be stored on decks, concrete patios or pavers, or in garages and/or sheds. If the property owner does not own any of these storage areas, they must find other suitable storage arrangements outside of IP.
19. Storage sheds may be erected pending a property modification form. All storage sheds shall be maintained in good aesthetic condition and doors shall be kept closed when not in use. Sheds must follow the same guidelines outlined for fences in regards to easements and distance from easements.
20. Children's play sets, swing sets etc. may be erected pending a property modification form. They must allow for an easement between each property line and home of no less than four feet.

21. No additional permanent walks or paved areas shall be constructed on any lot, and no additional or enlarged flower beds shall be constructed on any lot, without a property modification form.
22. Performance of all necessary maintenance of all landscaping, including the trimming, watering, and fertilization of all grass, groundcover, shrubs, or trees; the removal of dead or waste materials; the replacement of any dead or diseased grass, groundcover, shrubs or trees. Tree limbs and shrubs are not permitted to grow over and into a neighbor's property. All limbs and shrubs growing over a neighbor's fence must be trimmed back.
23. Lawns must be maintained to minimize pests and weed growth. Lawns need to be kept below 6 inches and should be treated seasonally for broadleaf/dandelion growth. Please work with your neighbors to ensure your weeds aren't destroying their expensive investment in their lawn. Grass clippings must be disposed of properly per township regulations and not left along walkways.
24. Properties need to be string trimmed regularly meaning the areas along fences, structures, curbs and walkways need to be trimmed to match the length of the rest of the lawn. High grass left along the edges of a property or up against a home does not look good and is a perfect breeding area for ticks and other pests.
25. All areas of each resident's home including but not limited to siding, roofs, gutters, downspouts, doors, trim and lattice work, decks, porches, concrete stoops and sidewalks must be kept in good condition. If a complaint is filed and areas not remedied within the allotted time, unsafe and/or dilapidated decks, porches, stoops and sidewalks may be repaired or replaced by the HOA with all costs billed to the property owner.
26. Pet feces on the homeowner's property MUST be picked up and disposed of regularly. For properties bordering a walking path or public walkway this is especially important. Unsightly and smelly piles of feces in varied states of decay should not be left to impress upon passersby and potential buyers.

Property Modification Forms must include proof of a permit acquired for the modification OR proof that no permit is required. Most moderate to large changes require a permit. Approval may not be granted until either document is presented with the Property Modification Form. Fulfilling the Property Modification requirements is the property owner's responsibility. Failure to complete all necessary steps may result in the modification to be retroactively denied and thus require corrective action by the property owner. Failure by the property owner to make requested changes may result in corrective action taken at the expense of the property owner.

## Clubhouse/Pool

1. All Reservations for the Clubhouse are made through the HOA Board and are kept on a master calendar. A weekly reservation may be added for up to 4 consecutive weeks.
2. Reservations are for the Clubhouse, exclusive use, only. The pool may never be reserved.
  - a. In the case of a party or event at the Clubhouse, please demonstrate courtesy by entering and exiting through the front and back doors, not the double doors into the clubhouse common area.
3. A Code is required to enter the Clubhouse and Pool area. This code is for Members of the HOA who are in "good standing" as outlined in the dues section only. This code should not be shared with non-members.
4. All Reservation holders must leave the Clubhouse in a clean and orderly fashion, remove all trash bags from trash cans and take home with you when done. The appliances, sink, counter tops, floors, and bathrooms must ALL be cleaned after a reservation.
  - a. Failure to clean up after a reservation may result in a cleaning bill and a fine sent to the person who had the clubhouse reserved. This is in lieu of a deposit required to reserve the clubhouse.
5. Propping the doors should only be done using the orange door stop wedges provided. The front door should not remain propped without direct supervision. Ex. propping the door for a few minutes while unloading your car for an event is okay, however, propping the door so you don't have to open it for your guests is prohibited.
6. Alcohol is permitted responsibly at the Clubhouse and the Pool; however, no Glass Containers may be permitted on the pool deck. Alcoholic beverages may not be left unattended or overnight in the refrigerator. Any Alcoholic Beverage is the sole responsibility of the person it belongs to, not the HOA or COA Board, or the Association.
7. Please keep small toys, water balloons, food items out of the pool. They clog the filter and damage pool equipment.
8. Any pool toys must be taken home at the end of each day. Flotation devices may be stored in the clubhouse office. Any items deemed to be "broken" or "worn to the point of disuse" may be discarded at any time. Members should take any unusable items home and throw them away; they are not to be kept at the pool.
9. The back gate of the pool fence must remain closed and locked at all times except when authorized contractors/maintenance are performing pool/pool deck maintenance.
10. All other safety rules must be followed per any sign posted at the pool or clubhouse.
11. No Lifeguard is on duty so swimming is always at your own risk
12. Small children should be accompanied by an adult at all times.
13. The pool does not have "hours" of operation, however, noise levels after dark must be strongly considered. Adjacent homeowners should not be able to hear any noise coming from the pool after dark. If you turn the pool lights on, remember to turn them off.



## Monthly Assessments (HOA Fees)

1. Checks returned to the Association for any reason shall be subjected to a \$25.00 handling fee. This fee will be assessed against the owner's property fees account.
2. Dues are Assessed at the beginning of each year. A cost-of-living increase may be added each year to offset any long-term savings for reserve spending.
3. A special Assessment may be levied in order to pay for unexpected expenses not budgeted for in the yearly expense or reserve accounts.
4. Good Standing - Defined by no current financial balance for dues or fines owed to the HOA. Utilizing Independence Place amenities while not in Good Standing may result in additional fines levied.

## Renting

1. If a homeowner rents or leases their home, the owner must provide the Association with the lessee's name and duration of the lease and affirm that the lessee has read and has in his/her possession a copy of the Rules and Regulations of Independence Place. A copy of the lease must be provided to the Association. If not provided, there shall be a charge of \$40.00 per month added to the assessment until the lease is provided.
2. Any Fines levied against a renter are levied against the property owner. It is the property owner's responsibility to ensure their renters are following all Independence Place Rules, Regulations, bylaws.
3. Weekend Rentals must be maintained and regulated by a licensed rental or real estate management company. Proper documentation and insurance must be provided upon request of the HOA Board.
4. Condos are only permitted to be Owner Occupied.

## Pet Rules

1. All pets must be leashed per township regulations. Any animal on a leash must be attended by a person. This includes from the residence to the vehicle and back.
2. All pets shall have the appropriate license and current up to date shots. By Pennsylvania Law, all dogs over six (6) months of age must be licensed.
3. Cats are not permitted to roam outside of the home, if a cat gets out by accident, owners must try their best to capture the cat as soon as possible and return it to its home.
4. If any animal becomes disruptive, a nuisance, or threatening to other owners/residents, the pet owner shall correct the problem or, upon written notice by the Board of Directors, will be required to remove the animal, or take such actions as the Board may direct.
5. Pets shall not be allowed to defecate or urinate within five (5) feet of any building, on flower beds, shrubs, sidewalks or parking areas or any other owner property. Common areas are reserved for pet walking.
6. Pet feces must be collected and removed at the time they are expelled.

## Violation of the Rules and Regulations

For the first violation of each Rule and Regulations, the homeowner and/or tenant of record will be contacted by letter and advised of the violation. Any violations have the potential to decrease one's property value which in turn decreases one's neighbor's property value.

1. All corrections, cleanings, repairs, etc., must be completed within 7 days of the date the letter was sent.
2. After the 7 Day warning period, a second letter will be sent along with notice to contact the management company within 5 days of the date of the second letter or a fine of \$25 per incident per day, plus administrative fees will be assessed.
3. If no action is taken to resolve this matter, the Association shall have the right, but not the obligation, to enter upon the Lot in question and to repair, maintain, and restore the Lot; and is authorized to have it reconciled at the expense of the owner of the property together with an interest rate of 12% per annum.
  - a. The Association will have full discretion on the vendor chosen and is not required to seek multiple bids prior to assigning the job.
  - b. All Fines, fees, labor, and materials will be the sole responsibility of the owner of the property in question. The Association will not be responsible for the quality of work done to remedy the situation.
  - c. After 30 days, the matter may be submitted to collections and a lien may be placed on the property until a resolution has been achieved and all expenses paid.
4. Should the owner or tenant of record be convinced that an error has been made in the citations, he/she has the opportunity to address objections in writing within ten (10) days from the date of the letter. All objections should be mailed by US Mail to the property management company. After 10 days following the initial letter date, if no attempt at resolution has been made, the Association will contact a local vendor to complete any work mentioned in the initial letter.

Each subsequent violation of the same Rule and/or Regulation will result in the following cumulative assessment plus costs:

Second Violation - \$25.00 + costs

Third Violation - \$50.00 + costs

Fourth Violation - \$75.00 + costs

Fifth Violation - \$150.00 + costs

All assessments and/or fines, plus costs and interest imposed, must be paid within thirty (30) days from the date of notification. Failure to pay cumulative assessments, plus costs imposed, within the stipulated period will be cause for the Association to take appropriate action before a Justice of the Peace and/or appropriate courts to recover assessments, interest and costs. These assessments constitute a lien on the violator's property.

### **INDEPENDENCE PLACE HOMEOWNER'S ASSOCIATION BOARD MEMBERS**