



Charlesgate Village Association Inc.

RULES

AND

REGULATIONS

CHARLESGATE VILLAGE ASSOCIATION, INC.

- RULES AND REGULATIONS -

Section 5.13 of the Charlesgate Village Association, Inc. ByLaws. Powers and Duties.
The powers, duties and authority of the Board of Directors shall specifically include, but shall not be limited to the following: ... (f) Adopt and publish rules and regulations governing the use of the Property, and the personal conduct of the Unit Owners and other guests thereon, and establish penalties for infractions thereof;...

RULE ONE

Commercial, Recreational and Unlicensed Vehicles. Unless used in connection with the construction or maintenance of the property comprising Charlesgate Village, the following restrictions shall apply:

- a. Unless garaged, no unlicensed motor vehicle, commercial vehicle (including but not limited to (i) any trucks classified by manufacturer as being over one-half ton or more and (ii) vans, trucks or automobiles if they have visible equipment), boats, trailers, campers or recreational vehicles shall remain parked within the area comprising Charlesgate Village.
- b. Commercial vehicles are further defined as:
 - any vehicle, open or enclosed, constructed or specially equipped for the transportation of goods, wares or merchandise such as auto trucks, tow trucks, taxi cabs, delivery cars/trucks or limousines
 - any vehicle equipped with racks for the purpose of carrying glass, ladders, or any type of equipment
 - any vehicle equipped to raise and tow another vehicle behind it
 - any vehicle which has had seats behind a driver removed and a box or rack permanently installed for carrying goods, wares or merchandise
 - any vehicle having more than four tires or exceeding 2.5 ton in gross weight
 - any vehicle bearing lettering or signs used in advertising any type of business
- c. No unlicensed vehicle, snowmobile, "go-kart", or all-terrain type vehicle shall be permitted to operate within the area comprising Charlesgate Village.

RULE TWO

Clothes Lines. No drying or airing of any clothing or bedding shall be permitted outdoors and within the area comprising Charlesgate Village.

RULE THREE

Advertising and Signs. No sign or other advertising device of any nature shall be placed on display to the public view on any lot, except "open house" signs, not more than five feet square in size, advertising the property for sale.

RULE FOUR

Animals, Birds and Insects. No animals, birds or insects shall be kept or maintained on any lot except for domestic purposes. The Committee may, from time to time, impose reasonable regulations setting forth the type and number of animals, birds and insects that may be kept on any lot and may restrict certain types of animals, birds or insects entirely.

RULE FIVE

Trailer and Boat Storage. No boats; boat trailers, house trailers, trailers, canipers, snowmobiles or any similar items shall be permitted to be stored on any lot unless garaged.

RULE SIX

Fences and Walls on the Properties. No fence or wall of any kind shall be erected, begun or permitted to remain upon any portion of the property unless approved by the Committee.

RULE SEVEN

Garbage and Refuse Disposal. No lumber, metals, bulk materials, refuse or trash shall be kept, stored, or allowed to accumulate on any lot. Trash, garbage or other waste shall not be kept except in sanitary containers. If trash or other refuse is to be disposed of by being picked up and carried away on a regularly scheduled basis, containers may be placed in the open, on any day that a pick up is to be made, at such place on the lot so as to provide access to persons making such pick up. At all other times such containers shall be stored in such a manner so that they cannot be seen from adjacent and surrounding property. The Committee may, in its discretion, adopt and promulgate reasonable rules and regulations relating to the size, shape, color and type of containers permitted and the manner of storage of the same on the property.

RULE EIGHT

Noxious or Offensive Activities. No noxious or offensive activity shall be carried upon any portion of the Property, nor shall anything be done thereon that may be or become a nuisance or annoyance to the neighborhood or to the residents therein.

RULE NINE

Residence Not In Dwelling House. No temporary building, trailer, basement, tent, shack, barn, outbuilding, shed, garage or building in the course of construction or other structure not a dwelling house shall be used, temporarily or permanently, as a residence on any lot.

RULE TEN

A. Parking

Parking within Charlesgate Village is only permitted for the residents of Charlesgate Village and their invited guests subject to the restrictions set forth in Rules one and five and those presented herein.

Each unit has two officially assigned parking spaces. If a unit has a garage, that garage is one of the unit's official parking spaces, and should be used for parking rather than only for storage.

Vehicles parked within Charlesgate Village's designated parking areas must be parked perpendicular to, and in a straight line with, a parking bumper.

Parking in a neighbor's assigned space without permission from that neighbor is prohibited.

Parking on any portion of the lawn within Charlesgate, Greenwood Drive, New Road, or Old Oak Post Road is prohibited.

Parking around the perimeter of any of the grassy islands within Charlesgate is prohibited as this inhibits the access of emergency and snow removal vehicles.

Parking in any manner that inhibits the ingress or egress of emergency vehicles, snow plows, of Charlesgate Village residents is prohibited.

Violations of any of these parking rules in Section A will constitute a parking offense subject to the enforcement policy set forth in Section F of Rule 10.

*See Revised Policy

CHARLESGATE VILLAGE ASSOCIATION, INC.

***PLEASE NOTE CHANGES TO "B" PARKING IN FRONT OF GARAGES
EFFECTIVE NOVEMBER 1, 2002**

CHARLESGATE VILLAGE REVISION TO RULE 11 RE: PARKING

A) PARKING:

Parking within Charlesgate Village is only permitted for the residents of Charlesgate Village and their invited guests subject to the restrictions set forth in Rules 1 and 5 and those presented herein.

Each unit has two officially assigned parking spaces. If a unit has a garage, that garage is one of the unit's official parking spaces and should be used for parking rather than only for storage. Vehicles parked within the Charlesgate Village designated parking areas must be parked perpendicular to and in a straight line with a parking bumper.

Parking in a neighbor's assigned space without permission from that neighbor is prohibited.

Parking on any portion of the lawn within Charlesgate, Greenwood Drive, New Road or Old Oak Post is prohibited.

Parking around the perimeter of any of the grassy islands (fire lanes) within Charlesgate is prohibited as this inhibits the access of emergency and snow removal vehicles.

Parking in any manner that inhibits the ingress or egress of emergency vehicles, snowplows or vehicles of Charlesgate Village residents is prohibited.

Violations of any of these parking rules in Section A will constitute a parking offense subject to the enforcement policy set forth in Section F of Rule 11.

***B) PARKING IN FRONT OF GARAGES:**

Parking in front of garages for more than one hour is prohibited except for the following units: The residents of 551, 552, 553, 554, 702, 703, 704, 705, 706, 707, 752, 753, 802 and 803 may park a vehicle (except those prohibited by Charlesgate Rules 1 or 5) in front of their garage at any time during the year if the garage is not being used solely for storage.

Violations of any of these parking rules in Section B will constitute a parking offense subject to the enforcement policy set forth in Section F of Rule 11.

C) GUEST PARKING

Guests are to be directed to park in the unit's assigned parking spaces or when all the assigned parking spaces are occupied by vehicles, then guests are to be directed to park in designated "Guest Parking" spaces,

Guests staying for extended periods of time (1 week or more) are to park in the "Guest Parking" spaces near the Old Oak Post entrance.

Residents of Charlesgate Village are not permitted to park in "Guest Parking" spaces.

Violations of any of these parking rules in Section C will constitute a parking offense subject to the enforcement policy set forth in Section F of Rule 11.

D.) Registration and licenses:

All vehicles parked within Charlesgate Village must carry insurance and must be currently inspected and registered. All vehicles parked within Charlesgate Village must have an attached current and proper license plate.

Parking an unregistered and/or unlicensed vehicle in Charlesgate Village will constitute a parking offense subject to the enforcement policy set forth in Section F of Rule 11, and the unregistered and/or unlicensed vehicle will be towed at the owner's expense without notice.

E.) Damage to common grounds due to poorly maintained or damaged vehicles:

Vehicles parked within Charlesgate should be maintained so that they do not drip oil or leave rust stains on the blacktop.

Parking a car within Charlesgate Village that damages the blacktop will constitute a parking offense subject to the enforcement policy set forth in Section F of Rule 11, and the vehicle's owner will be charged for repairing any damage to the blacktop,

F.) Enforcement:

Pursuant to the Declaration Section 9.03 and By-Laws Section 5.11 (e), the Board of Directors shall have the power to remove any vehicle of the unit owner (or his/her tenant, licensee or invitee), and/or to assess fines. The amount of such costs of removal and fines shall constitute a personal obligation of the unit owner and a lien upon his/her lot and unit, and shall be collectible in the same manner as assessments.

Warning Letters and Fines:

1.) 1st Violation - Warning letter to unit owner, and tenant if applicable, stating that vehicles must be properly parked within one week of notification or else they will be towed at the owner's expense.

2.) 2nd Violation - After the initial warning letter and/or towing, violations of any parking rules set forth in sections A through E will constitute a fine of \$25.00. Vehicle must be properly parked within one week of notification or the vehicle will be towed at owner's expense.

3.) Additional Violations - After the \$25.00 fine and/or towing, violations of any parking rules set forth in Sections A through E will constitute a \$50.00 fine. Vehicles must be properly parked within one week of notification the vehicle will be towed at the owner's expense.

Towing:

1.) Any vehicle that is parked in a manner that inhibits the ingress and/or egress of any emergency vehicle, snow plow, or one or more residents of Charlesgate Village will be towed at the owner's expense without notice.

2.) Vehicles belonging to non-residents or non-guest will be towed at the owner's expense following one week of notification.

3.) Unregistered and/or unlicensed vehicles will be towed at the owner's expense without notice.

Back charges:

!.)file owner of a vehicle that damages any portion of Charlesgate Village's common grounds or parking areas will be assessed for the total cost of repairing the damage.

CHARLESGATE VILLAGE

REVISIONS TO RULE ONE RE: PARKING

Commercial, Recreational and Unlicensed Vehicles. Unless used in connection with construction or maintenance of the property comprising Charlesgate Village, the following restrictions shall apply:

(a) Unless garaged, no unlicensed motor vehicle, commercial vehicle, (including, but not limited to (i) any trucks classified by manufacturer as being over one-half ton or more and (ii) vans, trucks or automobiles if they have visible equipment), boats, trailers, campers or recreational vehicles shall remain parked within the area comprising Charlesgate Village.

A more explicit definition of a commercial vehicle shall include but not be limited to the following:

- any vehicle, open or enclosed, constructed or specially equipped for the transportation of goods, wares or merchandise such as auto trucks, tow trucks, taxi cabs, delivery cars/trucks or limousines
- any vehicle equipped with racks for the purpose of carrying glass, ladders, or any type of equipment
- any vehicle which has had seats behind a driver removed and a box or rack permanently installed for carrying goods, wares or merchandise
- any vehicle having more than four tires or exceeding 2.5 ton in gross weight
- any vehicle bearing lettering or signs used in advertising any type of business

EFFECTIVE DATE: OCTOBER 15, 1997

Violations of Parking Rule One will constitute a parking offense subject to the enforcement policy set forth in Section F of Rule 11



Charlesgate Village Association Inc.

RESOLUTION
(Motorized Vehicles On Walking Path)
OF THE BOARD
OF DIRECTORS
OF
CHARLESGATE VILLAGE ASSOCIATION, INC.

**ADOPTED
SEPTEMBER 8, 2004**

WHEREAS, the Board of Directors of the Charlesgate Village Association, Inc. is empowered to govern the affairs of the Homeowners Association pursuant to Article V of the Bylaws.

WHEREAS, the Board deems it necessary to set a policy regarding motorized vehicles on the walking path.

THEREFORE BE IT RESOLVED THAT: for the safety and concern of the residents of the Charlesgate Village Association, Inc., the operation of motorized vehicles, including but not limited to scooters, is prohibited on the walking paths in Charlesgate Village.



RESOLUTION
(Trash Policy *Revised*- Mandatory Use of Covered Trash Containers)

OF THE
BOARD OF DIRECTORS
OF
CHARLESGATE VILLAGE ASSOCIATION, INC.

ADOPTED
March 8, 2006
REVISED DECEMBER 10, 2008

WHEREAS, the Board of Directors of the Charlesgate Village Association, Inc, is empowered to govern the affairs of the Homeowners Association pursuant to Article V of the Bylaws,

WHEREAS, the Board deems it necessary to set a policy, in accordance with the Town of Amherst, regarding mandatory use of covered trash containers pursuant to Rule Seven of the Charlesgate Village Association, Inc. Rules & Regulations.

THEREFORE BE IT RESOLVED THAT: All garbage/trash - including all plastic bags - must be placed in tightly covered trash containers. Only exception: Clear plastic bags may only be used for garden trash (such as flower refuse, leaves). Unsecured papers, newspapers, boxes, etc. are required to be bundled and tightly secured in order to prevent winds from blowing debris about the community. All trash containers must indicate the address of the unit on 2 sides. This policy is necessary to discourage rodents, insects, vermin or other pests, as well as to preserve the health, safety and welfare of the residents of our community.

Violations will be subject to established penalties as follows: 1st violation - written warning; 2nd violation within 12 month period - \$25.00 fine; 3rd violation within 12 month period - \$50.00 fine; 4th and any further violations within 12 month period - \$100.00 fine.



RESOLUTION
(Dog Control Violation Fine/Penalty)
OF THE BOARD
OF DIRECTORS
OF
CHARLESGATE VILLAGE ASSOCIATION, INC.

ADOPTED
January 13, 2010

WHEREAS, the Board of Directors of the Charlesgate Village Association, Inc. is empowered to govern the affairs of the Homeowners Association pursuant to Article V, Section 5.13 of the Bylaws.

WHEREAS, the Board deems it necessary to set a policy regarding fines/penalties for violation of the dog cleanup policy pursuant to ARTICLE IX, Section 9.01 of the Charlesgate Village Association, Inc. Declaration.

THEREFORE BE IT RESOLVED THAT: Homeowners who do not immediately cleanup after their dog will be fined \$50.00 each time said violation occurs. Should the violation persist, pursuant to the Declaration, ARTICLE IX, Section 9.01; The Board of Directors of the Association shall have the right to require any Unit Owner (or tenant of any Owner, or any family member or guest of any Owner or tenant) to dispose of any animal, if, in the opinion of the Board of Directors, acting in its sole discretion, such animal is creating a nuisance because, e.g., the Unit Owner does not clean up after the animal, the animal is too noisy, or the animal is not properly controlled.

This policy is necessary to preserve the health, safety and welfare of the residents of our community as well as maintain our property values.

PROPERTY MANAGER: Clover Management, Inc. • 348 Harris Hill Road • Williamsville, N.Y. 14221 • (716) 688-4503 •
Fax (716) 688-1439



MEMO

TO: CHARLESGATE VILLAGERESIDENTS

FROM: BOARD OF DIRECTORS

RE: TENANTS SHALL NOT HARBOR ANIMALS

The Charlesgate Village Association, Inc. Declaration, ARTICLE IX, Section 9.01 Animals, Birds and Insects states that: Except for (i) one dog and/or one cat, housed by Unit Owners only (not tenants, guests etc.), (ii) fish, or (iii) birds kept in a cage, no animals, birds or insects shall be kept or maintained on any Lot or other portion of the Property except with the consent of the Board of Directors of the Association...

Pursuant to the above said Section 9.01, TENANTS SHALL NOT HARBOR ANIMALS WITHIN ANY UNIT OF CHARLESGATE VILLAGE.

Due to the fact that the Board has and continues to receive unit owner complaints regarding dogs (owner not cleaning up after animal, animal is not properly controlled, etc...) and the majority of said dogs are owned by tenants, the Board of Directors has the responsibility and obligation to enforce the above said restriction.

Therefore, all tenants who presently harbor an animal(s) shall not, upon animals' demise or disposition, replace said animal.

Henceforth, new tenants shall not harbor animals within any unit of Charlesgate Village.

The Board of Directors of the Association shall have the right to require any Unit Owner (or tenant of any Owner, or any family member or guest of any Owner or tenant) to dispose of any animal, bird or insect, if, in the opinion of the Board of Directors, acting in its sole discretion, such animal, bird or insect is creating a nuisance because, e.g., the Unit Owner does not clean up after the animal, the animal is too noisy, or the animal is not properly controlled.

The Board of Directors of the Charlesgate Village Association, Inc. has the responsibility of enforcing the Covenants and Restrictions of the Association and they wish to do it in a fair and equitable manner. Your cooperation in this matter will be appreciated.

Should you have any questions or concerns, please contact Clover Management at 688-4503. Thank you.
