

RULES AND REGULATIONS

MELBOURNE PARK CIRCLE HOMEOWNERS ASSOCIATION

Melbourne Park was created to provide a residential community in the Charlottesville/Albemarle County area where individuals with compatible tastes and desires reside. Condominium living is different—it means living independently while sharing the common elements within the community with your neighbors.

It is the responsibility of every unit owner and resident in Melbourne Park to read and become familiar with the Rules and Regulations and to adhere to them. The Rules and Regulations are designed to ensure maximum enjoyment of our home and surroundings.

Although all owners and renters should have a copy of the governing documents, these can also be accessed at the forthcoming MPCHOA website.

VEHICLES AND PARKING

Since December 2009, Melbourne Park has been a permit-only parking community due to the very limited number of parking spaces available. Parking permits have been issued to the owners of all units, as follows:

Units without a Garage:

- 2 permits, 1 of which is for an assigned, “numbered” space
- Each unit may park a vehicle (**with permit visible**) in its assigned numbered space, as well as a vehicle (**with 2nd permit visible**) in one non-numbered space.

Units with a Garage (Buildings 104 and 106)

- 1 permit and no assigned space
- These units may park a vehicle (**with permit visible**) in one non-numbered space. The car parked in the driveway of the unit does not need to display a permit.

Parking permits are to be displayed as follows:

1. Between the hours of 6 PM and 7 AM, Monday through Friday and 24 hours a day on weekends, parking permits are required for both numbered and non-numbered parking spaces (excluding driveways), for residents as well as guests.
2. Permits should be clearly visible so permit number can be read from outside the car.
3. All vehicles without a visible permit during the hours of 6PM through 7 AM, Monday through Friday, or 24 hours a day on weekends, are subject to towing at the vehicle owner's expense.
4. Towing is allowed from your assigned, "numbered" space. To have a car towed, the owner or renter of the unit to which the space is assigned should call Collier's Towing Service at (434)293-6433.
5. If residents observe a car parked in a non-numbered space during the hours of 6PM through 7 AM, Monday through Friday, or 24 hours a day on weekends, they have the option to contact Cathcart Property Management at their after-hours emergency phone number to request the car be towed. (434) 972-1968
6. Towed cars can be retrieved from Collier's Towing Service.
7. Permits are transferable to any vehicle(s) at the discretion of the unit owner and/or resident.
8. Permits are the property of the unit and the unit owners (and transferrable upon the sale of the unit).

A few practical considerations you may want to consider in dealing with the limited parking in Melbourne Park:

If you know the unit connected with the parking infraction, please ask them first to move the car. It is a consideration I am sure each of us would appreciate if we were the guilty party.

- If you are having an event at your home in the evening or over the weekend, please ask neighbors if you can borrow their extra parking permits as many units only have one car parking in the lot on a regular basis (or someone may be out of town during your event).
- If you have only one vehicle, as a courtesy, please park in your numbered space to free up open spaces.

VEHICLES NOT ALLOWED

Vehicles in non-operating condition, including but not limited to those with flat tires, broken windows, expired inspection stickers or expired registration tags, with fluid leaks (oil, gasoline, and/or antifreeze), or in general disrepair may not be kept on the community grounds.

Commercial vehicles, boats, trailers and campers may not be parked in the lots or on common property except for loading and/or unloading.

Vehicles in violation of these rules are subject to towing or removal without notification and at the expense of the owner.

RESPONSIBLE CONDUCT

RESIDENTS AND GUESTS

Courtesy and consideration for the rights of one's neighbors is expected of all residents of Melbourne Park. Residents are fully responsible for the behavior and conduct of their guests. A specific consideration should be given to inappropriate noise both inside and outside of units, especially in the early morning and late night hours. The sounds of all stereos, televisions, radios, musical instruments and vehicles should be limited in consideration to all residents. The expectation is that when alcohol is used, it will be used responsibly.

At no time shall an owner or renter create a nuisance to others, a nuisance being that which infringes on the quiet enjoyment of others.

PETS

Residents who own pets cannot allow their pets to run freely through the community or to be left outside alone on a leash or other restraint. This applies to cats as well as dogs. **Pets are to be on leashes at all times and owners are to pick up the pet's waste immediately and dispose of it in a proper manner.**

All dogs must have a current City of Charlottesville Dog License on file at Cathcart Management.

The board shall have the right to take appropriate action to assess sanctions and/or remove or cause the unit owner to remove pets that cause unreasonable public disturbance.

EXTERIOR APPEARANCE

GROUNDS

Keep all common areas (sidewalks and lawns) around your unit free of personal belongings. Clutter decreases our curb appeal and makes proper maintenance of the grounds difficult. Items on the sidewalk are a hazard for pedestrians. Climbing of trees, fences or retaining walls is not allowed. Owners will be held responsible for damages to landscaping plants and improvements. Toys and bicycles must be housed inside the Unit or on the back deck, except when in use during the day.

PORCHES/DECKS

Front Porches and the area in front of units are to be kept neat and orderly at all times. No overnight storage is allowed in these areas. This includes storage of bikes, strollers, recreational and sports items, tools and equipment. Owners should obtain prior approval from the Board of Directors before placing exterior items on the front limited, or common, elements of the condominiums and ground areas. Potted plants, small patio chair or table fitting to size of porch, and appropriate home décor items are acceptable and must be maintained in good, clean condition.

Decks and the area below decks should be kept neat and orderly at all times. Unsightly items and accumulations of out-of-season equipment and/or building materials are not allowed. No clotheslines, other outdoor drying appliances, or composting containers are allowed. Bikes can be mounted off the ground on the inside of deck posts.

WINDOW COVERINGS

All draperies and/or blinds for sliding glass doors and windows, which are visible from the exterior, must be white or natural on the side facing the exterior and must be in good repair. Window coverings that were in place prior to the adoption of the rules and regulations in March, 2011 are grandfathered.

EXTERIOR APPURTENANCES

No signs may be displayed with the exception of security signs. Flags, other than the American flag, are prohibited. Display of the American flag must be consistent with the provisions of the Federal Flag code. Exterior appurtenances that were in place prior to the adoption of the rules and regulations in March, 2011 are grandfathered.

TRASH /STORAGE

There are two trash dumpsters in the community.

- All trash must be placed inside the dumpsters.
- Items that are too large or bulky to fit through the doors of the dumpster must either be reduced in size or disposed of off-site by residents at their own personal cost.
- The doors to the fence enclosing the dumpsters and the sliding doors on the dumpsters should be closed at all times.
- Due to the recent closing of the single stream recycling facility, recycling services are not available at the property. Please take items to McIntire Road Recycling Center.

SAFETY PRACTICES

DRIVING SPEEDS

Reasonable and proper speeds should be maintained when driving within the community. Please be aware of children, pets and pedestrians.

PARKING LOT/SIDEWALKS

Travel areas and parking spaces, reserved and open, should not be obstructed with personal items, or activities that may cause injury to persons or vehicles. No skateboarding or bike riding is allowed on sidewalks.

GRILLS

Melbourne Park does not permit open-flame cooking devices. This includes charcoal grills and gas grills. Only electric grills may be used.

The board may sanction an owner, irrespective of the expense or damage caused by the violation, up to \$50 for each single violation. (Va. Code 55-513(B)).

No storage of propane tanks, empty or full, is allowed.

RESTRICTIONS ON THE USE OF UNITS

The units are restricted to residential use.

No unit shall be used for other than single-family residential purposes. Family shall mean and be defined as follows: (a) an individual; or (b) two or more persons related by blood, marriage, adoption or guardianship living together as a single housekeeping unit; or (c) no more than two persons not related by blood, marriage, adoption or guardianship living together as a single housekeeping unit.

No unit shall be used for any commercial purpose or short term rental, either through sites such as Airbnb.com, Preferredresidences.com, VRBO or FlipKey, or directly by its owner.

The right of any unit owner to rent their own unit is subject to restrictions and approval by the Board of Directors. This will be strictly enforced.

No unit owner shall lease a unit other than on a written form of lease: (a) requiring the lessee to comply with the condominium instruments and rules and regulations; and (b) providing that failure to comply constitutes a default under the lease.

ENFORCEMENT OF RULES AND REGULATIONS

The board has “the power to establish, adopt, and enforce rules and regulations with respect to use of the common areas and with respect to such other areas of responsibility assigned to the association by the declaration.” Va. Code 55-513(A)

The board may “assess charges against any member for any violation of the declaration or rules and regulations for which the member or his family members, tenants, guests, or other invitees are responsible.” Va. Code 55-513(B)

The board may sanction an owner, irrespective of the expense or damage caused by the violation, up to \$50 for a single violation and up to \$10 per day for any violation of a continuing nature. VA. Code 55-513(B)

Before any sanctions are imposed, however, the managing agent and/or the board will first attempt to reconcile the matter with the owner alleged to be in violation.

Any alleged violation(s) should be reported in a timely manner to the managing agent, in writing, with a brief summary of the alleged violation(s).