

Executive Board Definitions For Certain Terms in HOA Regulations

According to the attorney for the HOA, the Executive Board may not change any HOA regulations, except through established procedures, but the Executive Board must and needs to define terms within the HOA Regulations in order to operate properly and consistently. Therefore, the Executive Board has defined the following underlined terms found within the regulations. The definitions are in italics. The lower case letter in parentheses indicates the regulation where the term(s) is (are) found. If any lot owner has any question regarding these definitions, please contact the Executive Board via the drop box, Post Office Box 121, or by email (ashcombefarmshoa@yahoo.com).

Single Family Home Regulations

1. (e) appropriate means of control – *The Executive Board views this to mean “physically under the control” of the lot owner, as in using a leash when outside the home or not in a fenced in yard.*
2. (e) Should any question arise as to what constitutes a household pet, the decision of the Executive Board, shall be final, binding and conclusive. – Define household pets as cats, dogs, hamsters, gerbils, birds, fish, turtles, lizards, and similar animals. No animals that are venomous or constricting shall be considered household pets by the Executive Board.
3. (f) No rubbish, trash or garbage, or any other waste material shall be kept or permitted on any Lot except in sanitary containers located in the appropriate area on each Lot concealed from public view. The burning of trash, rubbish, garbage and other waste material, including leaves and other tree products, is prohibited. – The Executive Board has defined the term “in public view” as seen from the road or walking trail. All trash containers or garbage cans should not be seen from the street. Grass clippings, yard debris, and Christmas trees are trash and are not to be disposed of in the common areas. The Executive Board has determined this wording is meant to define the burning of “trash, rubbish, garbage and other waste material, including leaves and other tree products” does not prohibit backyard enclosed fire pits specifically meant for burning small logs in a controlled manner. The type of “fire pit” must be a UL (Underwriters Lab) approved appliance (for example: barbeque grills, fire bowls, chimaneas, turkey roasters). The regulation is intended to prohibit the burning of trash and rubbish which may include burning trash leaves, twigs, and sticks. It also does not prohibit the use of wood in fireplaces or heating home with wood.

This definition agrees with Dover Township regulations as well.

4. (h) trailer – *This is defined to include not only recreational vehicles but also includes utility trailers. One day means one (1) day – even if moved and returned in the same day. When a single family lot owner is located on a corner lot and there is no way to fully place the utility trailer behind the house and hidden from view from the street and sidewalks, care must be given by the lot owner to place the utility trailer in such a position that it is behind the house and/or behind a shed so that any such utility trailer is hidden from public view as much as is possible, In any such situation, the Executive Board will have full authority to tell any lot owner where the utility trailer must be placed.*
5. (l) Decorative flags - *The Executive Board defines the term “decorative flag” in this regulation to mean such flags depicting a holiday, a season, a general welcome, or a sport team logo. **advertising devices** – The Executive Board defines these terms to mean signs, billboards, or advertising devices that would be placed in any area located on any lot within the HOA community. This does not extend to “Commercial vehicles” as there are already regulations governing commercial vehicles within the HOA.*

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6. (m). Commercial vehicles are permitted in front of a property owner's lot only. There shall be no more than 2 commercial vehicles at any time and nothing over 18 feet long shall be permitted. The Executive Board defines "commercial" – as any vehicle, van, or truck, with business markings. Magnetic signs that are removed are allowed. Prohibited commercial vehicles shall not include any emergency vehicles, such as police, military, firefighter, or ambulance, which may be parked in a lot owner's driveway in conjunction with said resident's or lot owner's occupation or avocation.
7. (n) All Lots are to be maintained in clean and sanitary condition and all lawns, shrubs and other vegetation shall be groomed –*"The Executive Board has defined this as having weeds under control in the lot owner's flower gardens. All weeds at the curbside need to be removed on a regular basis. Bushes and trees shall be pruned and cared for as is needed. Sidewalks shall not be blocked by overgrown shrubs or bushes. There shall be no debris of any kind left in the yard. There shall be no toys or equipment of any kind left outside on any lot longer than one day. All items shall be moved from any yard prior to nightfall. Pet refuse shall be picked up and disposed of daily. No item shall impede HOA service providers from performing their jobs. All aspects of the property shall be well maintained and kept in proper order. Yard lamps and garage lights shall have appropriate and fitted lids and fixtures designed for yard lamps and/or garage lights. All aspects of the property shall be well maintained and kept in proper order. The wording "well maintained" shall be broadly interpreted by the Executive Board to ensure cleanliness, and that all parts of visible property shall be in working order. This includes front doors, windows, roofing shingles, siding, garage doors, and decks.*
8. (t) The exterior colors of all dwellings, including shutters, fences and exterior doors – Define fence colors as natural, white, off white, and shades of brown. Doors and shutters will be in good taste and any change in colors shall be approved by the Executive Board as stated in the Regulations.
9. (w) *The Executive Board wishes to remind all single family lot owners that above ground pools require Dover Township approval, as do in-ground pools.*
10. (y) – "shall maintain a lighted fixture at the front of their properties" - *The Executive Board has defined this to mean an exterior light – such as a yard lamp pole, front porch light, garage light. Solar or low lying yard lights do not qualify as fixtures.*

Town Home Regulations

1. (c) ii) A fence, wall or other dividing instrumentality (e.g. vegetative hedge) – No fences include no solid paneling. Trellis or lattice work, and decorative corner structures within a garden bed are allowed pending Executive Board approval. Nothing can divide units, or hinder line of visual sight, and may not hinder mowing.
2. (e) appropriate means of control – *The Executive Board views this to mean "physically under the control" of the lot owner, as in using a leash when outside the home or not in a fenced in yard.*
3. (e) Should any question arise as to what constitutes a household pet, the decision of the Executive Board, shall be final, binding and conclusive. – Define household pets as cats, dogs, hamsters, gerbils, birds, fish, turtles, lizards, and similar animals. No animals that are venomous or constricting shall be considered household pets by the Executive Board.

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4. (f) No rubbish, trash or garbage, or any other waste material shall be kept or permitted on any Lot except in sanitary containers located in the appropriate area on each Lot concealed from public view. The burning of trash, rubbish, garbage and other waste material, including leaves and other tree products, is prohibited. – *The Executive Board has defined the term “in public view” as seen from the road or walking trail. All trash containers or garbage cans should not be seen from the street. Grass clippings, yard debris, and Christmas trees are trash and are not to be disposed of in the common areas. The Executive Board has determined this wording is meant to define the burning of “trash, rubbish, garbage and other waste material, including leaves and other tree products” does not prohibit backyard enclosed fire pits specifically meant for burning small logs in a controlled manner. The type of “fire pit” must be a UL (Underwriters Lab) approved appliance (for example: barbeque grills, fire bowls, chimaneas, turkey roasters). The regulation is intended to prohibit the burning of trash and rubbish which may include burning trash leaves, twigs, and sticks. It also does not prohibit the use of wood in fireplaces or heating home with wood.*
- This definition agrees with Dover Township regulations as well.*
5. (h) trailer – *This is defined to include not only recreational vehicles but also includes utility trailers. One day means one (1) day – even if moved and returned in the same day.*
11. (l) Decorative flags - *The Executive Board defines the term “decorative flag” in this regulation to mean such flags depicting a holiday, a season, a general welcome, or a sport team logo. **advertising devices** – The Executive Board defines these terms to mean signs, billboards, or advertising devices that would be placed in any area located on any lot within the HOA community. This does not extend to “Commercial vehicles” as there are already regulations governing commercial vehicles within the HOA.*
6. (m) No commercial vehicles allowed over night on Deerfield or Boxwood or their lots unless garaged -- *The Executive Board defines “commercial” – as any vehicle, van, or truck, with business markings. Magnetic signs that are removed are allowed. Prohibited commercial vehicles shall not include any emergency vehicles, such as police, military, firefighter, or ambulance, which may be parked in a lot owner’s driveway in conjunction with said resident’s or lot owner’s occupation or avocation.*
7. (n) All Lots are to be maintained in clean and sanitary condition and all lawns, shrubs and other vegetation shall be groomed – *“The Executive Board has defined this as having weeds under control in the lot owner’s flower gardens. There shall be no debris of any kind left in the yard. There shall be no toys or equipment of any kind left outside on any lot longer than one day. All items shall be moved from any yard prior to nightfall. Pet refuse shall be picked up and disposed of daily. No item shall impede HOA service providers from performing their jobs. All aspects of the property shall be well maintained and kept in proper order. The wording “well maintained” shall be broadly interpreted by the Executive Board to ensure cleanliness, and that all parts of visible property shall be in working order.”*
8. (t) The exterior colors of all dwellings, including shutters, and exterior doors - *Define fence colors as natural, white, off white, and shades of brown. Doors and shutters will be in*

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good taste and any change in colors shall be approved by the Executive Board as stated in the Regulations. These must remain consistent with the rest of the town home building.

- 9. (y) – “shall maintain a lighted fixture at the front of their properties” - *The Executive Board has defined this to mean an exterior light – such as a yard lamp pole, front porch light, garage light. Solar or low lying yard lights do not qualify as fixtures.*

- 10. (z) - permanent clothes line – *The Executive Board defines “permanent” such that the securing base for any temporary clothes line must be sub-level to the ground in order to have clear mowing by HOA mowing contractors thus preventing any hazardous conditions for mowing.*

HOA Executive Board Guidance to Lot Owners
Regarding Regulations Prohibiting a Business

Current HOA Regulations:

Single Family Regulation:

(x). No business of any kind shall be conducted upon any Lot, single family detached dwelling (to include the attached garage and accessory building) or single family semi-detached dwelling (to include the attached garage and accessory building) constructed upon or within said Lot with the exception of the business of Declarant (to include any successor Declarant) developing any or all of the Lots or Property.

Town Home Regulation:

(x). No business of any kind shall be conducted upon any Lot, or single family attached dwelling (to include the attached garage and accessory building) constructed upon or within said Lot with the exception of the business of Declarant (to include any successor Declarant) developing any or all of the Lots or Property.

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The Executive Board defines the term “business” in these regulations to include any or all of the following:

- 1. A business must engage in some kind of transaction or exchanges something of value with another person or business. It is a practice that exchanges cash, goods, services, gifts in kind, and/or barter any of the above.
- 2. A business is an activity that increases vehicular traffic, both moving and unmoving, and the number of vehicles parked in driveways, parking areas, or on the street on a regular basis.
- 3. A business may, or may not, have employees working for a lot owner in the home of a lot owner, or resident.
- 4. A business may or may not have any hours; regular or semi-regular hours, or by appointment hour, when business is conducted.

The Executive Board further states the following is not considered a “business” and is therefore not prohibited in Ashcombe Farms Dover HOA:

- 1. Having a home office where or when a lot owner, or resident, is an employee of a business whose principle office is not located within Ashcombe Farms Dover HOA.

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2. The home office does not increase vehicular traffic, both moving and unmoving, and the number of vehicles parked in driveways, parking areas, or on the street on a regular basis.
3. The home office does not have employees working for a lot owner, or resident, in the home office of the same said lot owner, or resident.
4. The home office(s) used for the work of the Executive Board and for Ashcombe Farms Dover HOA is not considered a business.
5. Fund raising conducted by or on-behalf of a child for school or child activity, such as sports or debate team.
6. Sporadic events such as Home Interior parties shall not be considered a business.
7. Garage Sales are not considered a business.
8. This regulation also does not prohibit lot owners or residents from hiring people as housekeepers or persons to do "handy man" work in their homes.

*\*Regular basis* is defined as a pattern or consistent schedule for conducting business.

*This explanation is not intended to be all-inclusive. The HOA Executive Board reserves the right to amend or modify the guidance provided with or without notice to the lot owners of Ashcombe Farms Dover HOA as it deems necessary.*