

WHITE SANDS CIVIC ASSOCIATION, INC.
RULES AND REGULATIONS
EFFECTIVE June 10, 2011

Rules and Regulations are prescribed by the White Sands Civic Association, Inc. (WSCA) in order to promote the general welfare of the community and property values. The WSCA Rules and Regulations are derived from Calvert County Ordinances, and the WSCA Covenants and Construction Guidelines. They do not waive compliance with federal, state, and county laws or local ordinances. The Rules and Regulations are applicable to all land owners, tenants, guests, and any other persons within the White Sands properties. Property owners are responsible for their guests and/or tenants, and should provide a copy of the Rules and Regulations to their tenants and/or guests.

RULES AND REGULATIONS

1) PROPERTY IMPROVEMENTS

- a. Prior to undertaking any improvements to property, plans, including the site plan, must be approved, in writing, by the Association's Architectural Control Committee. That includes, but is not limited to new homes, additions, decks, sheds, fences, tree removal, and grading. WSCA, Inc. permits must be clearly displayed on the property along with any necessary county permits during construction.
- b. Any new home construction started prior to obtaining a permit from the WSCA, Inc. ACC will carry a One Hundred Dollar (\$100.00) after the fact application fee. Any other construction (sheds, decks, fences, additions, grading, etc.) started prior to obtaining a permit from the WSCA, Inc. ACC will carry a Fifty Dollar (\$50.00) after the fact application fee.
- c. NOT WITHSTANDING THE ABOVE, THE WHITE SANDS CIVIC ASSOCIATION, INC. RESERVES THE RIGHT TO DENY AFTER THE FACT APPLICATIONS AND HAVE THE PROPERTY OWNER REMOVE UNAPPROVED STRUCTURES NOT MEETING ASSOCIATION GUIDELINES.

2) STRUCTURES OTHER THAN RESIDENCES

- a. No building of a temporary nature will be permitted to be erected or placed upon any property.
- b. No building i.e. shed or garage will be permitted on any undeveloped property.
- c. No carports may be constructed on any property, unless attached to the home.
- d. No more than two outbuildings (garage or sheds) will be approved on any property.
- e. All sheds must be placed in the side or rear yards, behind the front line of the house; no shed will be permitted to be installed between the front of the house and the road.

3) PROPERTY UPKEEP

- a. Owners must maintain their property in good repair, including but not limited to, mowing of lawns and yards, removal of dead trees, shrubs and unsightly landscaping, and the maintenance and repair of fences, siding, roofing, gutters, and other buildings, etc.
- b. Owners must maintain their property in a neat and sanitary condition at all times.
- c. No equipment or machinery, including equipment or machinery for use in connection with the maintenance of a dwelling, such as lawnmowers, wheelbarrows and similar devices may be stored in the front yard.

4) TRASH AND OTHER MATERIALS

- a. All trash must be placed at the side or rear of the home in water tight, animal proof containers and disposed of properly, and in a timely manner.
- b. No resident may accumulate, keep, or store trash, debris, furniture not designed specifically for outdoor use, appliances, etc. on their property.
- c. No building materials may be stored in the yard, except building materials during the course of construction of an approved structure.

5) HOUSE STREET NUMBERS

- a. Every homeowner or tenant is **required** to display the assigned house (street) number so that it is clearly visible for 100 feet. This enables emergency vehicles quick access to all White Sands properties.

6) TREES:

- a. Removal of live trees more than twelve (12) inches in diameter, requires permission from the Architectural Control Committee. If a tree is removed without permission, a suitable replacement may be required.

7) VEHICLES

- a. Vehicles operated in White Sands must be registered and tagged.
- b. Only one untagged or inoperable vehicle may be parked on any lot.
- c. Any untagged or inoperable vehicle must be covered with a car cover and stored, when possible, behind the front line of the house.
- d. Parking is not allowed on any White Sands roadway, shoulder or lawn, including cul-de-sacs marked with or without no parking signs. All residential property must be provided with paved (gravel, CR6, asphalt) parking space for vehicles.
- e. Vehicles parked on the cul-de-sacs, marked with or without no parking signs, will be towed at the owner's expense after a fifteen (15) day written warning.
- f. No commercial vehicles, i.e. dump trucks, semis, etc., may be parked on any roadway in White Sands. Commercial vehicles parked on any roadway in White Sands will be towed at the owner's expense after a fifteen (15) day written warning.
- g. The operation of ATVs, trail bikes and go-carts or any other unlicensed motor vehicle is prohibited on the roadways in White Sands.

8) RECREATIONAL VEHICLES

- a. All recreational vehicles must be stored in the side or rear yard at least eight (8) feet from the street. No water or waste lines can be attached. Recreational vehicles parked on the roadways of White Sands will be towed at the owner's expense after a fifteen (15) day written warning.

9) TRAFFIC VIEW

- a. No structure, landscaping, shrubbery or any other obstruction may be placed on a property so as to block the clear view of traffic on any streets.

10) WEAPONS

- a. Hunting or discharging any firearms, including BB guns, pellet guns, paint ball guns or any projectile emitting device, is strictly prohibited in White Sands.

11) FIRES:

- a. No open fires shall be permitted upon any part of the property. All chimneys must be covered with spark screens.
- b. Outdoor grills, fireplaces, and properly maintained burn barrels must have fire screens of sufficient design to prevent the scattering of burning embers, and must be attended at all times. Member will be liable for any damages caused by fire. The Calvert County restrictions on burning during dry seasons will be strictly adhered to throughout the community.

12) FARM ANIMALS

- a. No farm animals, livestock or poultry are allowed on any White Sands property. That includes, but is not limited to animals, such as cows, horses, pigs or goats of all breeds, and poultry such as chickens, ducks, or geese.

13) BUSINESSES

- a. No building may be used for any purpose other than residential, except on lots designated for business or commercial use; with the exception of day care facilities in accordance with Maryland Home Owner Association Law.

14) SIGNAGE

- a. No signs or billboards advertising services will be permitted on any residential, or common area, properties, with the exception of a house "for sale" or "for rent" sign which must be of a professional quality, no larger than 2' by 3', and placed directly on the property being sold. Realtor "directional" signs are not permitted any where within the White Sands community. Open house signs and directional signs leading to an open house event are permitted during the day of the event only.

15) LITTERING

- a. Littering or dumping on White Sands roads or other properties, or property that belongs to someone else is strictly prohibited. Clean up of this litter will be at the identified violators expense.

16) HOLIDAY DECORATIONS

- a. Holiday decorations must be removed within fifteen (15) days of the holiday.

17) FENCES

- a. All fences must be approved by the Architectural Control Committee prior to installation.
- b. All fences must be five (5) feet from the property line on the street side.
- c. Only wood, vinyl or chain link fences less than four (4) feet in height will be permitted between the house and the street. Fences higher than forty eight (48) inches may be allowed behind the midline of the house, to be determined on a case by case basis by the Architectural Control Committee. No chicken wire or landscaping trim may be used as fencing at any time.

18) LOITERING

Loitering in White Sands shall be prohibited as follows:

- a. Loitering shall be defined as lingering or hanging around in a public place where one has no particular or legal purpose. A public place shall mean any place to which the general public has access for a lawful purpose, including the front or immediate area of any public streets, ways, grounds, areas, buildings or parks.
- b. When causing the obstruction of any public street, easement or any other public place or building by hindering or impeding or tending to hinder or, impede the free and uninterrupted passage of vehicle or pedestrian traffic.
- c. When committing in or upon any public street, easement or any other public place or building; or facing or fronting on any such public street, easement or any other public place or building, any act or thing which is an obstruction or interference to the free and uninterrupted use of property, or which prevents the free and or uninterrupted ingress, egress, and regress of said property.
- d. When obstructing or impeding the peaceful enjoyment of individual private property by the property owner and their visitors or guests.

19) PORTABLE BASKETBALL HOOPS

- a. Portable basketball hoops must not be used on, or block, roadways. They should be placed on the owner's own lot, at least five feet back from the roadways when not in use.

VIOLATIONS OF THE RULES AND REGULATIONS

DUE PROCESS:

- 1) **Violations:** The Association will issue a Violation Notice (written warning) to a property owner for a violation of any Covenant, or Rules and Regulations. The property owner must comply within ten (10) days of the receipt of written notice.
- 2) **Hearings:** Failure to comply will result in a hearing before the Architectural Control Committee. A written notification of the hearing will be sent to the property owner by both regular and certified mail. The mailing of this notice by two methods will constitute due process on the part of the Association, and failure to receive or accept a certified mailing will not absolve any property owner of their compliance responsibilities, or lengthen the established time frame.

The hearing will be held and findings of fact and recommendations will be issued to the Association's Board of Directors, hereafter referred to as the Board. The Board may approve, disapprove, or modify the Architectural Control Committee's hearing recommendations.

- 3) **Appeals:** The property owner shall be notified in writing of the decision of the Architectural Control Committee, as approved by the Board. The property owner shall be advised of the right to appeal the decision to the Board within ten (10) days of receipt of the notification.
 - a) Should no appeal be filed, the approved decision of the Board will stand and fines will be enforced accordingly, payable within (20) calendar days from receipt of notification. Failure to correct the violation and pay the fines when due, may result in additional fines and legal action.
 - b) Should an appeal be filed within the ten (10) day grace period, all fines will be suspended awaiting the final decision of the Board. The property owner will be notified in writing of the date of the appeal hearing, where the Board will hear testimony regarding the circumstances of the violation, and will have the right to uphold, amend, or suspend the recommendation of the Architectural Control Committee. The property owner will be notified in writing of the decision of the Board. Failure to comply with the decision of the WSCA Board of Directors may result in additional fines and legal action.

FINE SCHEDULE

Non-compliance of a violation notice may result in a fine in accordance with the following fine schedule.

- 1) **Written Notice of Violation \$0.00 per violation**
No fine will be issued if the violation is corrected within 10 calendar days.
- 2) **Written Notice of Violation Hearing or Appeal Results \$100.00 per violation**
A fine will be issued if the violation is not corrected within 10 calendar days.
- 3) **Additional Fines \$20.00 per day per violation**
All violations must be corrected within time frames specified in the written notification. Should the property owner remain in violation past the specified time frames, an additional fine of \$20.00 per day, per violation will be charged for each day of continued violation.
- 4) **LEGAL ACTION**
 - a) In the event that a property owner fails to come into compliance with the Covenants, By-Laws, and Rules and Regulations, following the above stated procedures, the Board may turn the matter over to the Association's attorney. The attorney may take any and all legal actions necessary, including but not limited to filing of a lawsuit against the property owner, to enforce the Covenants, By-Laws, and Rules and Regulations, and to obtain a court judgment for any and all fines imposed. Should the Association be required to undertake legal action against the property owner, the property owner shall also be liable for all court costs, costs of collection, and reasonable attorney's fees incurred, and the Association shall seek a monetary judgment from the Court for the same.
 - b) Failure to pay the fines imposed during the above referenced process may also result in the Association attaching a lien against the property for the cost of any fines imposed, court costs and reasonable attorney's fees incurred by the Association.

REPEAT VIOLATORS

Property owners shall not be permitted to evade compliance with the Covenants, By-Laws, and Rules & Regulations by abusing the Association's due process procedures as contained in these Rules & Regulations.

- 1) A property owner who has been sent an initial violation notice, and comes into compliance with the initial notice, and then commits the same violation ("second offense") within a twelve month period commencing with the date of the initial notice,

shall be deemed a “repeat offender”. The Association shall mail a notice advising such offenders of their repeat violation and that notice shall also advise the property owner of the date, time, and place of a hearing to be held before the Architectural Control Committee. The Architectural Committee hearing will be held regardless of status of the violation at the time of the hearing, and fines may be imposed in accordance with the fine schedule contained in these Rules and Regulations.

- 2) A property owner who has been found to be or to have been in violation of the Covenants, By-Laws, and Rules & Regulations at an Architectural Control Committee hearing, and then commits the same violation within a twelve (12) month period, from the date of the hearing, shall not be entitled to a second hearing for the same violation.
- 3) In the event that a property owner commits the same violation within an eighteen month period, and the Architectural Control Committee has held one hearing on the violation pursuant to paragraph one (1) and paragraph two (2) above, the Board may, upon verification of the continuing, turn the case over to the Association’s attorney to take any and all legal actions against the property owner, including but not limited to filing a lawsuit.