

Decora Park Rules & Regulations

This document was put together as a means for documenting the direction the Board has taken on certain bylaws or policies. The Board can change the Rules & Regulations at its discretion, but it's meant to be a method of promoting transparency on how it handles the business of the HOA.

Definitions

Common Elements:

Common Elements are mentioned throughout the bylaws and documents. The board's interpretation is that the term Common Elements refers to the front entrance, median, park, nature trail, street lamps, and any other HOA-owned property that is maintained and shared by the HOA.

Co-Owner:

The term co-owner is used throughout the bylaws and our documents. The co-owner title is not regarding your house – you own it. The co-owner term refers to the fact that all of the neighbors in the HOA co-own the common elements – we're all co-owners of the association.

Handling of Delinquencies

Board Interpretation:

HOA dues are what pays for the upkeep of all the common elements. It pays for the front entrance, median, and park to be mowed and watered; it pays for the electricity and repairs to the streetlamps; repairs to the playground equipment and upkeep to the nature trail. If the HOA did not pursue collecting on unpaid dues, the HOA would not have the money to keep up on the maintenance and repairs needed in the subdivision. Unfortunately, it's also very costly when the HOA must turn a co-owner's account over to our attorneys for collections. These costs get passed on to the co-owner when we ultimately collect on the account.

When a co-owner is 6 months delinquent, the Board will forward the account over to our management company to send a Demand Letter. The demand letter gives the co-owner one last chance to pay their delinquency before their account is forwarded to our attorney for collections. Once in collections, the HOA will put a lien on the co-owner's house. From there, the attorneys can take co-owners to circuit court, garnish wages, and even foreclose on a house. The Board sincerely hopes that it never has to go that far, but our fiducial responsibility is to make sure delinquencies are collected. If you ever find yourself behind on dues, please be proactive! The Board is willing to work with co-owners and would rather not take our neighbors to court – we can set up payment plans to get you current on your dues before we have to take it further.

Delinquencies and Mod Requests

Board Interpretation:

The Board will not approve modification requests for co-owners who are 6 months or more delinquent on their HOA dues. Co-owners should make it a priority to be up to date on dues.

Modification Requests

Bylaw:

Section 4. Alterations and Modifications. No Co-owner shall make alterations in exterior appearance or make structural modifications to his Unit or make changes in any of the Common Elements without the express written approval of the Board of Directors, including without limitation exterior painting or the erection of antennas, lights, aerials, awnings, flag poles or any other attachments or modifications. No Co-owner shall in any way restrict access to any utility line or any element which affects an Association responsibility in any way. No lawn ornaments, sculptures or statues shall be placed or permitted to remain on any Unit.

Board Interpretation:

Modification Requests are required for exterior modifications to the house. Examples of exterior modifications which require written permission from the board include, but not limited to, painting of a house, installation of decks, patios, fences, driveway widening, pools, sheds, etc. In some cases, though, the Board does not require a modification request – such as replacing rotten trim (new trim must be painted bright white), installing sod or sprinklers, or basic landscaping. If you're unsure of whether a modification request is required, reach out to a board member and we'll be happy to answer any questions.

For speed in processing a modification request, mod request should be e-mailed directly to board@decorapark.org

Restrictions

Our Bylaws mention multiple restrictions under Article VI of the Bylaws. Compiled below are restrictions that the Board has chosen to further define. The restrictions below are not all encompassing of all the restrictions that are listed in the Bylaws. Please refer to the Decora Park Bylaws, Article VI, for the initial list of Bylaws.

Pets

Bylaw:

Section 6. Pets. No animals, including household pets, except 2 dogs or 2 cats, or any combination of 2 such animals, shall be maintained by any Co-owner unless specifically approved in writing by the Association which consent, if given, shall be revocable at any time for infraction of the rules with respect to animals. No animal may be kept or bred for any commercial purpose and shall have such care and restraint so as not to be obnoxious or offensive on account of noise, odor or unsanitary conditions. No animal may be permitted to run loose at any time upon the Common Elements and any animal shall at all times be leashed and attended by some responsible person while on the Common Elements. No savage or dangerous animal shall be kept and any Co-owner who causes any animal to be brought or kept upon the premises of the Condominium shall indemnify and hold harmless the Association for any loss, damage or liability which the Association may sustain as the result of the presence of such animal on the premises, whether or not the Association has given its permission therefor. No dog which barks can be heard on any frequent or continuing basis shall be kept in any Unit or on the Common Elements. The Association may charge all Co-owners maintaining animals a reasonable additional assessment to be collected in the manner provided in Article II of these Bylaws in the event that the Association determines such assessment necessary to defray the maintenance cost to the Association of accommodating animals within the Condominium. The Association shall have the right to require that any pets be registered with it and may adopt such additional reasonable rules and regulations with respect to animals as it may deem proper. In the event of any violation of this Section, the Board of Directors of the Association may assess fines for such violation in accordance with these Bylaws and in accordance with duly adopted Rules and Regulations.

Board Interpretation:

Although the subdivision is pet friendly, pets have routinely been an issue when outside. It is because of this issue that the board has taken the following policies:

- Pets must be leashed when outside of the back yard.
- If a pet is in a yard connected to a sidewalk, there must be a leash or fence restraining the pet.
 - This includes the front yard and/or side yard if you're on a corner lot
- No pet should be maintained within a yard in such a manner where the pet can reach the sidewalk or street.
- All pet leashes on the Common Elements may not exceed 6 feet in length.
- Use of electronic fences are highly discouraged – while they may keep your pet in, they do not protect your pet from others, and in most-cases neighbors do not realize your dog is contained by the electric fence.
 - Furthermore – if a pet can run through its electric fence, the electric fence will no longer be considered a valid form of restraint.
- Pets habitually running loose in other co-owners' yards will be in violation of the policy.

Vehicles Bylaw

Bylaw:

Section 8. Vehicles. No house trailers, commercial vehicles, boat trailers, boats, camping vehicles, camping trailers, motorcycles, all-terrain vehicles, snowmobiles, snowmobile trailers or vehicles, other than automobiles or vehicles used primarily for general personal transportation use, may be parked or stored upon the premises of the Condominium, unless in garages. Passenger vehicles shall be parked in garages to the extent possible. Garage doors shall be kept closed when not in use. No inoperable vehicles of any type may be brought or stored upon the Condominium Premises either temporarily or permanently. Commercial vehicles and trucks shall not be parked in or about the Condominium (except as above provided) unless while making deliveries or pickups in the normal course of business.

Board Interpretation:

The Board relies on the State of Michigan's definition of "commercial vehicles" as defined by Michigan Vehicle Code (Act 300 of 1949), Section 257.7a:

(1) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if 1 or more of the following apply:

(a) It is designed to transport 16 or more passengers, including the driver.

(b) It has a gross vehicle weight rating or gross vehicle weight, whichever is greater, of 26,001 pounds or more.

(c) It has a gross combination weight rating or gross combination weight, whichever is greater, of 26,001 pounds or more, inclusive of towed units with a gross vehicle weight rating or gross vehicle weight, whichever is greater, of more than 10,000 pounds.

(d) A motor vehicle carrying hazardous material and on which is required to be posted a placard as defined and required under 49 CFR parts 100 to 199.

(2) A commercial motor vehicle does not include a vehicle used exclusively to transport personal possessions or family members for nonbusiness purposes.

The Board interprets this to include vehicles such as "box trucks" or any vehicle with more than 2 rear axles. The Board does not interpret vehicles with company logos as a commercial vehicle unless it falls into the previously mentioned definition (e.g. a regular sized cargo van or a passenger pick-up truck with a company logo would not be considered a commercial vehicle).

Leniency:

The board recognizes that there are co-owners in the subdivision who routinely utilize their campers/boats through the summer and it's unrealistic to not allow campers/boats to be in the subdivision at all. As such, the Board has taken a stance that it will grant 72 hours leniency to allow for bringing a boat/camper home to load/unload, clean, or maintain before it goes back to storage. If, for whatever reason, a camper or boat needs to be parked in the driveway or street longer the co-owner must notify the Board.

Garbage Cans

Bylaw:

Section 7. Aesthetics. The Common Elements shall not be used for storage of supplies, materials, personal property or trash or refuse of any kind, except as provided in duly adopted rules and regulations of the Association. [...] Trash receptacles shall be maintained in areas designated therefore at all times and shall not be permitted to remain elsewhere on the Common Elements except for such short periods of time as may be reasonably necessary to permit periodic collection of trash. **No refuse pile or other unsightly or objectionable materials shall be allowed on any Unit unless the same shall be properly concealed.**

Board Interpretation:

Whether or not garbage cans can be out in the open has been contested for many years. In years past, previous boards had sent letters requiring garbage cans to be kept in the garage. As of this writing, the Board acknowledges that garbage stored outside can be unsightly if not stored in a neat and tidy fashion. Garbage cans may be stored outside but must be tucked against the house in a neat, tidy, and discreet location. Garbage cans can also be concealed in the garage, behind a fence, or within a covered outdoor garbage shed. If the garbage can is outdoors, there must be a lid on the can and the garbage can must be upright and in good condition. Open, uncovered recycling bins must be stored within the garage. Loose garbage bags may not be stored outside except as may be reasonably necessary for collection of trash. If a covered can is stored outside, all reasonable measures must be taken to avoid animals being able to rummage through the trash and/or to avoid debris blowing around.

Carriage / Porch Lights

Board Interpretation:

Bright carriage/garage and porch lights help to lessen crime. Additionally, our carriage/garage lights are an architectural element of the subdivision and they are hard wired to photosensors to be powered on dusk to dawn. For that reason, the Board has taken the stance that everyone should keep the bulbs in their carriage/garage lights powered on. The Board will not dictate the color or type of bulb used, but bright bulbs help to deter crime and vandalism and should be taken into consideration. Additionally, the board strongly encourages porch lights to be utilized as well.

December Holiday Decorations

Board Interpretation:

Although the Board loves seeing the subdivision decorated in December for the holidays, we have taken the stance that December holiday decorations should only be turned on starting the Friday after Thanksgiving through January 6th. December holiday lights should be taken down by the middle of January, dependent on weather conditions. The board may defer enforcement of December holiday

