

# **Windward Community Services Association, Inc.**

## **Rules and Regulations**

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*Note: These Rules and Regulations have been duly adopted by the Windward Community Services Association, Inc. ("WCSA") as of the date shown below in the footer. They apply to all Windward Owners, occupants, and their respective guests, invitees and licensees.*



**Questions and/or concerns concerning these Rules and Regulations can be addressed to the WCSA's Management Company, Access Management Group ("AMG") at (770) 777-6890 or [windward@accessmgt.com](mailto:windward@accessmgt.com).**

## TABLE OF CONTENTS:

I.	INTRODUCTION .....	3
II.	MANAGEMENT COMPANY .....	4
III.	ARCHITECTURAL GUIDELINES .....	4
IV.	ARCHITECTURAL CHANGE REQUEST.....	4
V.	GUESTS / VENDORS .....	4
VI.	RESIDENTIAL USE .....	4
VII.	RENTAL OF DWELLING.....	5
VIII.	SIGNS .....	5
IX.	DECORATIONS; FLAGS .....	10
X.	OFFENSIVE CONDUCT; NUISANCES .....	10
XI.	FIREWORKS AND WEAPONS .....	11
XII.	TEMPORARY STRUCTURES .....	11
XIII.	SATELLITE DISHES AND ANTENNAE.....	11
XIV.	PARKING RESTRICTIONS: USE OF GARAGE AND STREETS.....	12
XV.	ANIMALS .....	13
XVI.	BASKETBALL/SPORTING/PLAY STANDARDS .....	14
XVII.	UNSIGHTLY ITEMS.....	15
XVIII.	TRASH/REFUSE .....	15
XIX.	FIRE PITS/EXTERIOR FIREPLACES/CHIMINEAS.....	16
XX.	RESIDENTIAL LOT MAINTENANCE - LAWNS.....	17
XXI.	RESIDENTIAL LOT MAINTENANCE – HARD & SOFT SCAPES.....	17
XXII.	MAILBOXES .....	18
XXIII.	STRUCTURAL CHANGES .....	18
XXIV.	FENCING / DECK/ ROOFING / WINDOWS .....	18
XXV.	COMMON AREA .....	18
XXVI.	VIOLATIONS AND FINES.....	22
XXVII.	ANTI DISCRIMINATION.....	24
	EXHIBIT “A” – Windward Sports Park Rules.....	26
	EXHIBIT “B” – Windward Dog Park Rules .....	29
	EXHIBIT “C” – Windward Watercraft Launch / Marina Rules.....	30

## **I. INTRODUCTION:**

**WINDWARD LIVING REQUIRES THE FULL COOPERATION OF ALL OWNERS AND RESIDENTS. IT IS IMPORTANT THAT EACH PERSON FAMILIARIZE HIM / HERSELF WITH THE FOLLOWING RULES AND REGULATIONS, IN ORDER TO ENSURE THAT ALL ENJOY THE QUALITY OF LIFE OFFERED BY THIS WONDERFUL COMMUNITY.**

The Board of Directors ("Board"), pursuant to the authority granted to it in Article VIII, Section 3 and Article XI, of the Declaration of Covenants, Conditions, and Restrictions for Windward Community Services Association ("Declaration") to promulgate, modify, delete and enforce reasonable rules and regulations and use restrictions governing the use of the Properties, the Residential Units and the Common Areas and facilities thereon, has established these Rules and Regulations, which are in part taken directly from the Declaration. These rules were last revised to modify Article XXV by adding a new Section 10. The effective date of the revision to the rules shall be March 1, 2023.

The success of any community is founded on the principles of common decency, respect and consideration for the basic rights of neighbors. These Rules and Regulations ("Rules") will serve, in conjunction with the Declaration and Bylaws, as a ready reminder and reference of the various obligations residents have to one another in day-to-day living.

A copy of the WCSA's governing documents, which include the Declaration, the Association's Bylaws, the rules and regulations and the Community Guidelines governing the community ("**Governing Documents**") are available on the community website at <http://www.windwardcommunity.org/>. For occupants, a copy of the Declaration should have been provided to you by the Owner. These Rules are intended as a supplement to the Declaration, not a replacement. All provisions of the Declaration not referenced in this document remain in full effect and must be adhered to by all Owners and residents. In the event of any conflict between the Declaration and these Rules, the Declaration shall control. It is the responsibility of each Owner to make their guests, residents, and occupants aware of the restrictions within the Governing Documents. However, it is the Owner, as a member of WCSA, who remains responsible for the conduct of residents, occupants, guests and invitees. Owners are to include in their lease/rental agreement a termination and/or eviction clause in the event their occupants habitually violate the Declaration, Bylaws or these Rules.

The Board establishes and enforces these Rules, manages the financial affairs of WCSA, and oversees the operation and maintenance of the WCSA facilities and the Common Area. In each of these areas, a contracted management company assists the Board. This document may be changed by the Board periodically as needed for clarification, amendments, and updates to maintain compliance with governmental regulation changes, or for the addition or removal of specific rules or regulations.

In addition to the Declaration, Bylaws, Community and Neighborhood Guidelines and these Rules and Regulations, all Owners should remember that they are required to comply with all Federal, State, County and City Laws, Codes and Ordinances.

## **II. MANAGEMENT COMPANY:**

WCSA employs a professional management company to advise and assist the Board in carrying out its duties. The management company in turn contracts out various maintenance and repair work to service companies specialized in their respective fields.

A primary responsibility of the management company is to receive and process Owner and resident requests with respect to the maintenance of WCSA common areas. The management company will then contract any and all necessary service companies once the Board has given approval. WCSA will not be responsible for any unauthorized work by a service company hired by an Owner or occupant to perform maintenance on WCSA Common Area.

## **III. ARCHITECTURAL & LANDSCAPE GUIDELINES:**

The Board has established Community Guidelines to ensure that the appearance of the community is well maintained. The current Community Guidelines are maintained on the WCSA's website. Prior to starting any work, you should review and download the Community Guidelines. Please be advised that unauthorized construction, improvements or alterations are subject to enforcement action as outlined by the Declaration and may result in fines, and any costs incurred by the WCSA, being levied against the Lot and its Owner.

## **IV. ARCHITECTURAL CHANGE REQUEST:**

If an owner or resident wishes to make changes to their property that requires authorization from the Association, then the owner must submit a Modification Request Review Application ("Application") to management for processing, and receive written approval prior to commencing any activity. Any unauthorized work being performed on a Lot can be halted by either written or verbal notification from a Board member or Property Management member.

## **V. GUESTS/VENDORS:**

Guests and vendors must abide by all Rules in force at all times and it is the Owner's responsibility for the conduct and actions of their guests / vendors. No vendor should be permitted to perform any maintenance on an Owner's property without demonstrating that they are in possession of all necessary licenses for work being conducted in addition, Owners should also ensure that any company or contractor that is to perform work on the Owner's property is fully insured (such as liability and workers compensation) or bonded. Such insurance or bond is to ensure that, in the event any damage occurs to the property, neighboring property, WCSA property, or human life, a means for restitution is available.

## **VI. RESIDENTIAL USE:**

Each Residential Unit shall be used for residential purposes only, and no trade or business of any kind that is readily apparent from the exterior of the residence (including increased traffic) may be conducted in or from a Residential Unit except for a business that has obtained an Occupational Tax Certificate for a business operated from a residence in the City of Alpharetta and meets all of the qualifications and conditions as outlined on the Business License Application for a Homebased Business. For more information see the

City of Alpharetta's website at [www.alpharetta.ga.us](http://www.alpharetta.ga.us). No trade or business of any kind may be conducted in or from the Common Areas without approval from the Board.

The terms "business" and "trade," as used in this Section, shall be construed to have their ordinary, generally accepted meanings, and shall include, without limitation, any occupation, work, or activity undertaken on an ongoing basis which involves the provision of goods or services to persons other than the provider's family and for which the provider receives a fee, compensation, or other form of consideration, regardless of whether: (i) such activity is engaged in full or part-time; (ii) such activity is intended to or does generate a profit; or (iii) a license is required therefore.

## **VII. RENTAL OF DWELLING:**

An Owner shall be entitled to rent their property subject to governmental regulations (such as the City of Alpharetta - <https://www.municode.com/library/ga/alpharetta>). Any rental or leasing agreement shall provide that the lease or rental agreement is subject to the Declaration, the Bylaws, Articles, Community Guidelines and the Rules, and shall provide that any failure(s) to comply with any provisions of the Declaration, the Bylaws, Articles, Community Guidelines or Rules, may be considered a default under the terms of the rental or lease agreement. Any Owner, whether an individual or commercial entity, who shall rent or lease their property is responsible for assuring compliance by the occupant or lessee with the Declaration, the Articles, Bylaws, Community Guidelines and the Rules. Owners cannot retain the right to use Common Area facilities if their occupants are given those rights.

## **VIII. SIGNS:**

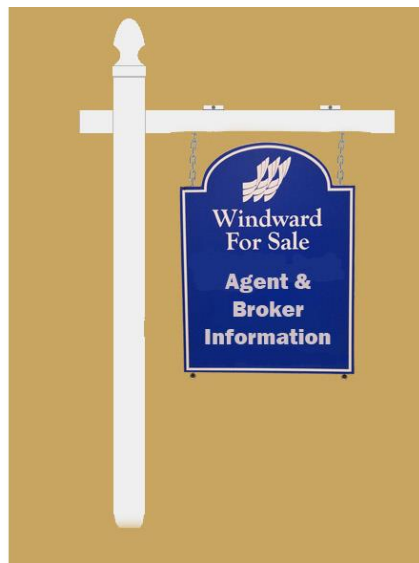
Please refer to the information below concerning signage within the Community. Signage that violates any of the following requirements may be removed and discarded by the Association, or its authorized Committee Members and/or agents, without advance notice. Management will issue fines, as appropriate, and convey that the signs were not removed by vandals and/or competitors. Repeated violations will result in a \$50 fine, per day, per sign. Landscaping vendors of the Association will be authorized to remove all signs located within the roadway medians or on the Association's Common Property.

Unless noted otherwise below, no sign posted on a residential Lot may be posted closer than ten feet from the right-of-way. In addition, all signs must also comply with the Code of Ordinances for the City of Alpharetta Sec. 2.6.

Permitted Signs:

- a. one (1) professional security and/or non-solicitation sign not to exceed twelve (12) inches by twelve (12) inches in size may be displayed on a Residential Unit and must be placed either within three (3) feet of the front of said Residential Unit or within Residential Unit's front planting bed which backs up to the front of the house;
- b. one (1) professional lettered "For Sale", "For Sale By Owner" or "For Lease" sign may be displayed on a Residential Unit being offered for sale or for lease. All such signs must conform to the Community Guidelines and design standards adopted by the Board which are as follows:

- i. On-Property Sign Regulations. Windward Community Services Association (WCSA) has the following Rules and Regulations for on-property “For Sale” signs that shall be adhered to:
- A. Only standard “Windward For Sale” signs (a sample of which is shown below) are permitted to be placed on properties in Windward to market homes. The sign is required to be overall 24” high and 18” wide, with the top being half-moon shaped. The sign’s fixed format includes a blue & white double border, the Windward logo/symbol, and text with white lettering on a “Windward blue” background. Positioning, size, and format of the Windward logo/symbol, the white & blue sign double border and the "Windward For Sale" statement are fixed in the sign format. The body of the sign below the "Windward For Sale" text contains the Real Estate Agent and Broker information, and may be customized with text by the Realtor as long as the text remains white, and background color remains "Windward blue".
  - B. The “Windward For Sale" sign is to be placed on the property being marketed, hung by chains from a 6 foot tall white post with crossbar as shown in the sample below.



- c. One Rider may be attached to the top of the sign arm, and up to two Riders are permitted hanging from the bottom of the sign to advertise home features and events (e.g. open house, pool or lake front lot, etc.). Riders can either be a “Windward” blue background with white text or a white background with “Windward” blue text.
- d. No other advertising information (e.g. balloons, banners, lights or “other attractors”) beyond the single “Windward For Sale” sign is permitted on the property. The only exceptions to this are 1) a single Windward directional sign may be placed in the yard for an event (e.g. open house, caravan, etc.), as one of the two directional signs allowed per listing and 2) If the property is located on the lake or the golf course, a second "Windward For Sale" sign with riders may be placed in the back yard of the listed

property to be visible from either Lake Windward or The Golf Club of Georgia golf courses.

- e. Placing a "Windward for Sale" sign in the backyard where the backyard of the listing borders a street is not allowed.
- f. **Two companies have been approved to produce these signs. They are Signs By Tomorrow and FastSigns. Their websites are provided in the Documents section of the Windward website.**
- g. If a sub-subdivision within Windward has stricter sign Rules and Regulations than Windward and/or the City of Alpharetta, the stricter Windward sub-subdivision Rules & Regulations take precedence.
- h. Non-compliance with these Rules & Regulations will subject the homeowner to a fine of \$50 per sign, per day.
- i. Weekend Directional Sign Regulations. Windward Community Services Association (WCSA) has the following Rules and Regulations for Weekend Directional Signs that shall be adhered to:
  - A. Only standard Windward Weekend Directional Signs (a sample of which is shown below) are permitted. Directional signs are limited in overall size to 16" high by 18" wide, with the top being half-moon shaped. Signs must have a white background with blue lettering and insignias. A maximum of two "Riders" (e.g., "Open House", Lake Front", "Lake View", etc.) on a sign is acceptable. Each Rider can be no larger than 6" in height and 18" in width and must be the same white and blue colors as the sign.



- B. Directional Signs located within Windward are only for homes that are **actively** For Sale in Windward. Signs may not be located at entrances to Windward Lake Club (unless you have an active listing in the Bluffs off that intersection), the Sports Park, the Boat Launch, or Pocket Parks.

- C. Directional Signs are only allowed to indicate a change in direction (i.e., a turn required) from a thoroughfare **toward** an **active** Home For Sale. No Directional Signs are allowed at exits **from** an “isolated” Windward subdivision, dead-end street or loop street. Directional Signs are only allowed going **into** an “isolated” Windward sub-subdivision, dead-end street, or loop street with an active Home For Sale. **Directional Signs are limited to TWO per active Listing.**
- D. Directional Signs are not allowed in any Windward roadway median.
- E. Directional Signs are limited to four (4) per intersection corner (inclusive of Estate Sale signs, Garage/Yard Sale signs, etc.), and one (1) per Realtor per intersection. If there is a median at the intersection (e.g., Lake Windward Drive and Clipper Bay Drive) then four (4) signs (one per Realtor) are allowed on each side of the median (i.e., a total of eight (8) signs are allowed at this type of intersection).
- F. Directional Signs can only be displayed from Friday 10:00 AM until Monday 10:00 AM. For weekends involving a nationally recognized Holiday, Directional Signs can be displayed from 10:00 AM the day before the nationally recognized Holiday until 10:00 AM the day after the nationally recognized Holiday.
- G. If a Realtor hosts a “Lunch Caravan”, “Wine and Cheese Party”, “Open House” or similar marketing “Event” during the week, **Directional Signs can be displayed from one hour before until one hour after the “Event.”** For these type events only, up to two Directional Signs may be used. Either both signs can be placed at Windward Intersections, or one of those directional signs may be placed in the For Sale listing yard, leaving the other to be placed at a Windward intersection.
- H. No balloons, balloons, lights or other “attractors” are allowed on Directional Signs.
- I. **Two (2) companies have been approved to produce these Directional Signs. They are “Signs By Tomorrow” and “FastSigns.” Their websites are provided in the Documents section of the Windward website.**
- J. If a sub-subdivision within Windward has stricter sign Rules and Regulations than Windward and/or the City of Alpharetta, the stricter Windward sub-subdivision Rules & Regulations take precedence.
- K. Non-compliance with these Rules & Regulations will subject the homeowner to a fine of \$50 per sign, per day.
- i. Compliance with City of Alpharetta Regulations. In addition to the above Windward regulations, all City regulations must be adhered to for on-property For Sale signs and directional signs. The Alpharetta website defines a “standard informational sign” in the city codes presented at the following site:



[https://www.municode.com/library/ga/alpharetta/codes/unified\\_development\\_code?nodeId=ARTIUSLAST\\_S2.6SI](https://www.municode.com/library/ga/alpharetta/codes/unified_development_code?nodeId=ARTIUSLAST_S2.6SI) (see Section 2.6 Signs; then Section 2.6.3 Definitions; then scroll down to “Standard Informational Signs”) and further information is available at <https://www.alpharetta.ga.us/government/departments/community-development/signs>

- j. two (2) professionally lettered political candidate endorsement placards not to exceed two (2) feet by two (2) feet in size may be displayed on a Residential Unit, beginning no sooner than seven (7) days prior to the start of early voting and must be removed by the day after such election;
- k. one (1) professionally lettered Team Support Yard sign not to exceed two (2) feet by two (2) feet in size may be displayed on a Residential Unit during that sport teams season and must be placed either within three (3) feet of the front of said Residential Unit or within Residential Units front planting bed which backs up to the front of the house;
- l. one (1) professionally lettered Graduation Yard sign not to exceed two (2) feet by two (2) feet in size may be displayed on a Residential Unit from the date received by the school until ten (10) days after graduation and must be placed either within three (3) feet of the front of said Residential Unit or within Residential Units front planting bed which backs up to the front of the house;
- m. one (1) professionally lettered College Bound Yard sign not to exceed two (2) feet by two (2) feet in size may be displayed on a Residential Unit for up to three (3) months and must be placed either within three (3) feet of the front of said Residential Unit or within Residential Units front planting bed which backs up to the front of the house;
- n. one (1) professionally lettered Birth Announcement Yard sign not to exceed two (2) feet by two (2) feet in size may be displayed on a Residential Unit for three (3) weeks after the birth of child and must be placed either within three (3) feet of the front of said Residential Unit or within Residential Units front planting bed which backs up to the front of the house;
- o. garage & estate sale signs may be placed on the Residential Unit and the entrance of the neighborhood no earlier than twenty-four (24) hours prior to the sale and must be removed at the completion of the sale;
- p. one (1) professionally designed graduation banner not to exceed six (6) feet by ten (10) feet in size may be erected at any neighborhood entrance, so long as the banner is not located on the neighborhood entrance monument(s) and does not completely obscure the name of the neighborhood on the entrance monument(s) beginning no sooner than fourteen (14) days before graduation and must be removed no later than ten (10) days after such graduation;
- q. one (1) professionally lettered contractor sign not to exceed two (2) feet by two (2) feet in size may be displayed on a Residential Unit, during the time work is actually occurring for a WCSA-authorized modification project, up to a maximum of three (3) weeks without WCSA authorization;

- r. No lost and found signs, advertising posters, political placards, billboards, or any other sign of any kind not mentioned above shall be erected, placed, or permitted to attach on any monument, street sign or pole on the Properties. Any Owner that violates these Rules shall be responsible for any damage caused to a street sign or pole, and all costs to repair or replace the monuments, street sign or pole will be assessed to the Owner.

No balloons, pennants, streamers or similar attention-getting devices are permitted with any of the above listed signage.

At no time shall any sign, other than home security decals and pet safety decals, be displayed from the windows of a Residential Unit.

Auctions of homes conducted on a Residential Unit shall be conducted in a professional manner with the decorum fitting the Windward Community, and shall comply with all applicable laws, including, but not limited to parking, use of loud speakers, and obtaining permits.

Temporary Modification authorization signs issued by WCSA shall be displayed within one (1) foot of the Residential Unit's mailbox. The Board and its agents shall have the right to erect reasonable and appropriate signs on behalf of the WCSA on the Common Area, as well as remove any signage that is in violation of this Article VIII.

#### **IX. DECORATIONS; FLAGS:**

All holiday decorations may only be displayed thirty (30) days before a holiday and removed within fifteen (15) days after such holiday. Non-seasonal front door and entry area decorations must be in keeping with the style and colors of the dwelling, as determined by WCSA.

The display of flags within the Community must comply with all Windward Community-Wide Guidelines.

#### **X. OFFENSIVE CONDUCT; NUISANCES:**

Noxious, destructive, offensive or unsanitary activity is not allowed on either the Common Areas or Residential Units as determined in the sole discretion of the Board. Each Owner or occupant shall refrain from any act or use of his or her Residential Unit which could reasonably cause embarrassment, discomfort, nuisance or annoyance to other Owners or occupants. No Owner or occupant may use or allow the use of the Residential Unit or any portion of the Properties at any time, in any way which may endanger the health or unreasonably annoy, disturb or cause embarrassment to other Owners or occupants on a portion of the Properties, or in such a way as to constitute, in the sole discretion of the Board, a nuisance.

Nothing herein, however, shall be construed to affect the rights of an aggrieved Owner or occupant to proceed individually for relief from interference with his or her property or personal rights, and the Board may, in its discretion, require aggrieved individuals to seek redress personally for interference with their personal property rights. No claim for any loss, damage or otherwise shall exist by an aggrieved Owner or occupant against the

WCSA for failure to enforce the provisions hereof.

The City of Alpharetta's noise ordinance (Chapter 13, Article II, Sec. 13-20 – 13-27 of the General Ordinances of the City of Alpharetta), as amended from time to time, must be obeyed at all times and can be found at <http://www.alpharetta.ga.us>. Noise issues may be reported to Alpharetta Police's non-emergency number is 678-297-6300.

No Owner or occupant shall allow the accumulation of any matter that creates or emits an unpleasant odor including, but not limited to, trash, yard waste, dog feces, etc.

#### **XI. FIREWORKS AND WEAPONS:**

Firearms, fireworks and weapons are prohibited on the Windward Common Area. The term "firearms" includes, but is not limited to, "B-B" guns, pellet guns, paintball guns, and other firearms of all types, regardless of size.

The term "fireworks" shall include those items as listed in the Official Code of Georgia, Title 25 – Fire Protection and Safety, Chapter 10 – Regulations of Fireworks (§ 25-10-

1) which can be found at the Georgia General Assembly website (<http://www.legis.ga.gov/>).

All State of Georgia and/or City of Alpharetta Fireworks laws must be obeyed at all times.

#### **XII. TEMPORARY STRUCTURES:**

No structure of a temporary character, including, without limitation, any trailer, tent, shack, garage or other structure, shall be permitted on any Lot at any time, whether temporarily or permanently, except with the prior written consent of the Board. Structures existing solely for events lasting less than twelve (12) hours, such as rain covers for block parties, are permitted but must be removed within twelve (12) hours after the event.

Portable storage containers, such as "PODS", construction dumpsters or construction trailers, are prohibited from being placed or kept on a Residential Unit unless previously approved in writing by the Board or Management Company. Requests must be made in writing and approved in writing prior to the placement of any container on a Residential Unit. If approved, the container must be placed in the driveway of a Residential Unit. PODS may remain on a Residential Unit for no more than ten (10) consecutive days unless the Board or Management Agent approves a longer time in writing.

#### **XIII. SATELLITE DISHES AND ANTENNAS:**

Except as provided below, or allowed under law, no satellite dish, antenna or other device for the transmission or reception of television signals, radio signals or any form of electromagnetic wave or radiation shall be erected, used or maintained on any portion of the Common Areas. The following shall apply to all Lots:

- a. No transmission antenna (e.g. ham or short-wave radio), of any kind, may be erected anywhere on the Properties, including the Residential Unit, without written approval of the Modifications Committee.

- b. No direct broadcast satellite (DBS) antenna or multi-channel multi-point distribution service (MMDS) antenna larger than one (1) meter in diameter shall be placed, allowed or maintained upon the Properties, including the Residential Units.
- c. DBS and MMDS satellite dishes or antennas one (1) meter or less in diameter and television broadcast service antennas may only be installed in accordance with Federal Communication Commission (FCC) rules.
- d. No antenna or mast shall be erected that has a height greater than twelve (12') feet; under no circumstances shall any antenna be allowed that requires a concrete piling or guy wires.
- e. According to existing laws, no residence can be denied the ability to receive Satellite signals. Still, the mission of WCSA is to maintain, preserve and enhance the values within our community. Accordingly, the following procedures are established for Satellite Dish installation:
- f. It is preferred that Satellite dishes be installed to or on the rear of your property or side of your property.
- g. No ground-based Dish may be installed in any area visible from a street unless the provider's professional representative delivers, in writing, a statement on their letterhead that no other location on the site will permit the reception of the Satellite signal. A copy of this statement should be delivered to the Management Company within ten (10) days of installation. If it is determined that the only location site to receive a signal is the front yard, landscaping is to be installed so that the Dish is not readily visible from the street or neighboring homes.

#### **XIV. PARKING RESTRICTIONS: USE OF GARAGE AND STREETS:**

The vehicles of an Owner, resident or regular occupant are to be parked in the garage of a dwelling unless the maximum number of vehicles which can be parked in the garage according to its design capacity are already parked in said garage or the vehicle does not fit in the garage. All garages shall be maintained in such a manner that parking for the maximum number of vehicles for which it was originally designed to hold (number and size of vehicle) is allowed and possible. Garages are prohibited from being converted into a living space and/or used for storage only.

Parking of a vehicle owned by the Owner, resident, or regular occupant, once garage capacity has been reached, shall be on the Lot's parking pad or driveway. Vehicles parked on the driveway shall be maintained such that they are contained entirely within the driveway without encroaching upon any adjacent yard area, sidewalk or street.

Disabled and stored vehicles are prohibited from being parked anywhere except in garages. A vehicle shall be considered "disabled" if it does not have a current license tag, is wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power. Other than vehicles located in garages, a vehicle shall be considered "stored" if it either remains anywhere unmoved and/or covered for ten (10) or more consecutive days.

Watercraft, trailers, buses, trucks, vans (excluding mini-vans and sport utility vehicles used as passenger vehicles), recreational vehicles (RVs and motor homes), or vehicles used primarily for commercial purposes are also prohibited from being parked on a Residential Unit, except (1) in garages or (2) in the case of service vehicles, on a temporary basis during daytime business hours for the purpose of serving a Residential Unit. As per Alpharetta Ordinance Section 2.5.4, vehicles, as listed above, used primarily for commercial purposes shall not be regularly parked anywhere in Windward either on a driveway or on the street, other than inside a closed garage.

The term “commercial purposes” as used in this Section shall be construed to have the ordinary, generally accepted meaning, and shall include, without limitation, vehicles used to carriage persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit.

The term “service vehicle” as used in this Section shall be construed to have the ordinary, generally accepted meaning, and shall include, without limitation, any vehicle used in the furtherance of repairing or maintaining of a Residential Unit or any personal property located on a Residential Unit.

Except in gated portions of Windward, the roadways are publicly owned and maintained by the City of Alpharetta. Various City and State regulations, such as no parking in cul-de-sacs, within thirty (30) feet of a stop sign, twenty (20) feet of a crosswalk or fifteen (15) feet of a fire hydrant, not impeding traffic or emergency vehicles, etc. remain in effect. In the event that an Owner or occupant observes a situation that raises safety or security concerns, he /she is encouraged to immediately report this directly to the police or fire department for immediate resolution at (678) 297-6300. Guests are to be advised by the Owner or occupant to observe these regulations.

An Owner or resident demonstrating the need for an exception to this regulation, in the sole discretion of the Covenants Committee, may be permitted a parking variance of variable duration. The Board retains its option and right to evaluate each situation on a case-by-case basis.

## **XV. ANIMALS:**

An Owner or occupant may keep no more than a reasonable number (as outlined by Fulton County Code) of generally recognized domestic household pets (e.g., cats, dogs, birds, fish) domiciled inside the Residential Unit. No type of creature may be housed elsewhere on the property (common area or private yard).

No Owner or occupant may keep, breed or maintain any pet for any commercial purpose in the Residential Unit. No structure for the care, housing, or confinement of any pet shall be constructed or maintained in any part of the Residential. Pets must be kept on a leash and be under the physical control of a responsible person at all times in areas that are not fully enclosed by either a physical fence or professionally installed invisible fence. Unleashed pets may be reported to Fulton County Animal Services at (404) 613-0358.

No pets that the Board determines to be dangerous may be brought onto or kept on the Properties. If the Board determines that an Owner's or occupant's pet endangers any person or other pet or creates a nuisance or unreasonable disturbance in the Residential Unit, the

Board can require that the pet be permanently removed from the Residential Unit upon seven (7) days' written notice to such Owner or occupant. If the Owner or occupant fails to comply with such notice, the Board can obtain a Court Order requiring removal, without prior notice to the pet's owner if, in the Board's sole discretion, the pet presents an immediate danger to health, safety or property in the Residential Unit. To keep or harbor any pet, which habitually barks, howls, or yelps, or habitually cries or howls, to the substantial discomfort of the peace and quiet of any residential area, or in such manner as to materially annoy or disturb reasonable persons in a residential area who are of normal sensitivities is prohibited. Such pets are considered to be a public nuisance. Excessive pet noise may be reported to the Alpharetta Police Departments non-emergency number at (678) 297-6300.

**Pet Feces are considered litter.** All pet feces on the Common Areas or on any Residential Unit must be removed promptly by the owner of the pet or the person responsible for the pet. Feces left by pets on the Common Area, either on the ground or collected in a container and left on the ground is considered littering. Any Residential Unit or occupant who has a pet who defecates on another Residential Unit or Common Area is required to properly remove such defecation. Any bagging of such defecation must also be removed from the Residential Unit or Common Area.

#### **XVI. BASKETBALL/SPORTING/PLAY STANDARDS:**

No basketball goals or fixed sports or play apparatus shall be installed or attached on any dwelling or garage or other structure except as approved in the Community Guidelines. Portable basketball hoops are not to be kept on the street and are subject to disposal. Notwithstanding the above, portable basketball hoops may be kept and used within a cul-de-sac provided they are maintained in good condition at all times. Portable basketball hoops maintained in good condition may also be stored on the driveway of an owner's Lot at least ten (10') feet from the street or stored on the side of the house when not in use. Netting equipment for other sports (hockey or lacrosse) may also be stored on the side of the home when not in use. All sporting equipment is to be maintained in good condition at all times.

Bicycles, tricycles, skateboards, other wheeled vehicles, toys, bicycle or skateboard jumps, and any other portable recreational property, such as tree swings or hammocks, must be stored out of public view by dusk each day. Bicycles, tricycles, skateboards, other wheeled vehicles, toys, bicycle or skateboard jumps, and any other portable recreational property must be stored out of public view by dusk each day. Owners are responsible to the WCSA and/or neighboring property owners for any damage to the Common Areas and or neighboring properties that might result from the actions of their children, guests and/or children of tenants.

#### **XVII. UNSIGHTLY ITEMS:**

All weeds, rubbish, debris or unsightly materials or objects of any kind shall be regularly removed from the Lots and shall not be allowed to accumulate thereon. Members are cautioned that placing items within the streets that impairs ingress/egress or creates a liability may face fines and/or restrictions from the City of Alpharetta. Members who are concerned about items placed on the streets should contact Alpharetta Police Department.

The pursuit of hobbies or other activities, including, but not limited to, the assembly and

disassembly of motor vehicles and other mechanical devices, which might tend to cause disorderly, unsightly, or unkempt conditions, shall not be pursued or undertaken on any part of the Properties, except within a garage or dwelling. Clothing, bedding, wagons, mops, appliances, indoor furniture, and other household items shall not be stored outside the dwelling. Only appropriate outdoor items, such as neatly stacked firewood, grills, patio/deck furniture, and similar items may be kept outside of a dwelling. No lawn chairs or furniture is allowed in front yards when not in use without approval.

Tarps covering a woodpile are allowed only if the woodpile is completely screened from view and the tarp is earth tone in color and is kept clean. Outdoor storage of garden tools must be screened from view. If the underside of a deck is to be used for storage, it must be screened so items are stored out of view. Any enclosure of a deck or area below the deck must be submitted in advance to the Modifications Committee for consideration.

Window treatments (such as curtains) as viewed outside the residence are to be solid white, black, off-white or earth tone in color. Bed sheets, decorative paper, flags, etc. are prohibited as window coverings.

### **XVIII. TRASH / REFUSE:**

Owners shall regularly remove all trash, recycle, and yard waste materials (i.e. limbs, stumps, bushes, grass clippings) from the Residential Unit and such items shall not be allowed to accumulate. No trashes, recycle, and yard waste materials shall be placed on the Common Areas or buffers, temporarily or otherwise. No trashes, recycle, and yard waste materials shall be disposed of in the storm drains or in Lake Windward.

Trash, recycle, and yard waste materials shall be disposed of in appropriate City approved trash/recycle containers. At all times except on the day before and the day of collection, trash, recycle and yard waste containers must be stored so as not to be visible from any street, lake, golf course or neighboring home. Trash and recycle containers and landscape materials may be placed at curbside on the day before collection day and must be removed from curbside by the end of the day of collection.

Any proposed screening for containers stored outside the home must be approved in advance by the Modifications Committee. Non-yard garbage (i.e. food items) may not be stored in bags outside the residence for any reason due to vermin.

Per Alpharetta Code Sec. 9-13, except as otherwise provided by law, no person shall cause, suffer, allow or permit open burning of refuse, brush, wood, trash, leaves, tree limbs or other combustible materials anywhere in the City. While the Code does permit the exception of outdoor burning in connection with the preparation of food for immediate consumption or camp fires used solely for recreational occasions, approval for fire-related structures must first be obtained from the Modifications Committee.

Littering is prohibited on Common Areas and another's Residential Unit. Cigarette and Cigar butts are classified as litter.

### **XIX. FIRE PIT/EXTERIOR FIREPLACES/CHIMINEAS**

Smoke produced by an outdoor recreational fire (i.e. from fire pits, exterior fireplaces and chimineas) can be noxious, offensive and harmful and one cannot control the direction that

wind will blow the smoke from a fire. Smoke can build up inside a resident's home or even a neighboring home without a resident knowing it. Additionally, the improper disposal of ashes can cause an unwanted fire. Even ashes that are two to three days old can retain enough heat to start a fire if they are placed with other combustibles. Accordingly, all residents are required to adhere to the rules and regulations set forth below concerning outdoor recreational fires. Failure to comply with these requirements will constitute a violation and subject to penalties as so outlined in the Declaration, Bylaws, and these Rules and Regulations. It is recommended that all residents read and follow the manufacturer's instructions for set up, use and maintenance of fire pits, exterior fireplaces and chimineas. The following shall apply to the use of outdoor recreational fires on any Lot:

- a. For safety reasons, all outdoor fires must always be attended during use by adults that are 18 years or older.
- b. Recreational fires shall not be left unattended
- c. Only seasoned wood may be burned. The use of combustible or other flammable material to ignite fires other than seasoned firewood is prohibited. Specifically, the following items are strictly prohibited from being burned on any Lot:
  - Non-wood products
  - Trash, rubbish, or yard waste
  - Landscape materials
  - Tree or bush branches, leaves, pinecones, twigs, or other similar materials
  - Building materials
- d. For everyone's safety, and to avoid unnecessary smoke emissions, do not overload the fire pit/burn chamber with seasoned wood.
- e. Do not start or use an outdoor fire on a windy day to avoid excessive smoke drifting onto to adjacent properties and discontinue the use and extinguish any fire if excess smoke drifts toward adjacent properties.
- f. Anyone lighting a fire in a fire pit, outdoor fireplace or chiminea must have a convenient, safe and proper way to extinguish the fire. For instance, the use of sand, dirt, or a portable fire extinguisher is proper methods to extinguish a fire. One should not use water or a CO2 extinguisher to put out a fire because the rapid cooling and steam can crack brick, stone or clay and damage the appliance and may also cause excessive smoke.
- g. Sufficient time must be allowed for ashes to cool and be completely extinguished before they are properly disposed. A noncombustible container must be used to dispose of ashes and must be kept at least 25 feet from combustibles. Ashes, cinders or smoldering coals must not be placed or stored in a paper bag, cardboard box, or other combustible object.

## **XX. RESIDENTIAL LOT MAINTENANCE – LAWNS:**

It is the responsibility of the owner of any property to maintain his / her yard to a clean and well-maintained condition in accordance with the Community Wide-Standard as determined by the Board. This includes, but is not limited to, trimming of bushes, control of leaves, weeds, and height of grass. For purposes of these Rules, "Community-Wide Standard" means the standard of conduct, maintenance, or other activity generally



prevailing in the Community. Such standard may be more specifically determined by the Board and the Covenants Committee.

All lawns shall be routinely cut to a proper height. All lawn edges that adjoin a hardscape such as driveway, walkway, or curb are to be trimmed / edged vertically. All concrete street curbs adjacent to the property and all concrete seams on sidewalks and driveway are to be kept clear of vegetation at all times. After lawn area has been cut either by the owner or a landscape company hired by the owner all lawn clippings are to be removed from lawn area unless a mulching mower is used. Lawn clippings or leaves may NOT remain on lawns, driveways, sidewalks, or streets or be blown or raked into adjoining common areas or streets whether the service is done by the owner, tenant or a contracted company. Owner or contractor must either dispose of or compost lawn clippings and leaves. In the event that an owner or tenant is absent for an extended period of time, the owner or tenant must make arrangements for the maintenance of the lawn area.

Weeds, characterized as invasive, noxious, aggressive and often fast-growing lawn plants, are not acceptable ground cover and subject to immediate remediation. Owners must use any and all available options to control weeds, in order to prevent their spread into neighboring yards. WCSA may use self-help methods (including the hiring of a professional company) to bring an Owner's Lot into compliance.

#### **XXI. RESIDENTIAL LOT MAINTENANCE – HARD & SOFT SCAPES:**

Each Owner shall be responsible to keep his or her Residential Unit in a clean and well-maintained condition. The Residential Unit including but not limited to dwelling, building, structure, driveway, fencing, mailbox, lawn, shrubs, trees, other landscaping, etc. shall be kept in good condition and repair and adequately painted or otherwise finished. Driveway maintenance shall include both regular cleaning of mildew and dirt deposits, and repair of damaged concrete. While minimal cracking is normal, extensive cracking (with separation of ½" or more) or misalignment of concrete segments (by at least 1" vertical distance) do require repair to be considered in a well-maintained condition.

Except as authorized under the Windward Enhanced Living Landscape Policy, Owners shall not plant or remove any shrubs or trees or install any landscape structures without the written consent of WCSA. Failure to comply with requirement is considered a violation and subject to penalties as so outlined in Declaration, Bylaws, and these Rules.

Landscape areas shall be well groomed and maintained, including the removal of dead plants and dead trees. Mulched landscape bed areas shall be kept free of weeds. Shrubs shall be pruned regularly to maintain a neat appearance and, any shrubs within ten (10) feet of the street or along property lines shall be no taller than a maximum of six (6) foot high. Replacement trees shall be a minimum of 2-inch diameter as measured 4.5 feet from the ground, with understory trees at least 8' tall and all other trees at least 12' tall, not including the root ball. Trees shall be pruned regularly of dead limbs, trunk shoots and debris. Shrubs and trees shall be kept clear of invasive vines, which otherwise will impact the health of the plant. Removal of trees requires prior approval from the Modifications Committee and from the City of Alpharetta as required.

Shrubs shall be pruned regularly to maintain a neat appearance, and cleared of dead branches. Trees shall be pruned regularly of dead limbs, trunk shoots and debris, in accordance with International Society of Arboriculture (ISA) pruning standards, a copy of

which is a posted on the community website and also provided upon request by the management office. Written WCSA authorization is required for any pruning beyond these standards, including the 25% limit on pruning each year, and topping is prohibited. Removal of trees requires prior approval from the Modifications Committee and from the City of Alpharetta as required. All tree stumps visible from the street must be removed or ground to grade and must be covered in mulch or grass depending on area from which it was removed.

All outdoor lighting shall be maintained at all times. All walkway and landscape lighting require prior review and approval by the Modifications Committee prior to installation.

No building or structure shall be permitted to fall into disrepair. In the event of damage or destruction to any dwelling, building or structure, such dwelling, building or structure shall be repaired or reconstructed in accordance with current plans and specifications approved by the appropriate WCSA Committee. To mitigate potential fire hazards and rainwater intrusion, metal chimney caps shall be kept free of debris build-up, and repainted when oxidized to prevent rusting.

Plants and flowerpots may be located on porches, decks and other areas but are prohibited from being placed on grassed or landscaped areas. Except for temporary holiday displays, no artificial flowers or plants are allowed to be placed or displayed anywhere outside the Residential Unit.

Yard art including, but not limited to, fountains, benches, sculptures, pottery, etc. must have prior approval from the Modifications Committee before being placed in the front yard of a Residential Unit.

## **XXII. MAILBOXES:**

Each homeowner is required to maintain their mailbox, street number, and post such that it is free of visible rust or damage and in proper working condition. Posts are to be in an upright position such that the mailbox is as perpendicular with the surrounding surface as possible. Posts that are damaged, leaning, or rusted; mailboxes that are damaged, rusted, discolored, or loose; or house numbers that are missing, peeling, of incorrect size or style (significantly different from neighboring homes), or damaged are classified as unacceptable and constitute a violation. Authorized mailboxes for each neighborhood may be found at <http://www.mailboxproject.net/windward/>. For those communities with metal mailboxes, these are to be finished with a semi-glossy black finish and either a metal or plastic red flag. Plants around mailboxes shall be maintained such that they do not obscure the address number.

## **XXIII. STRUCTURAL CHANGES:**

The Declaration provides that no homeowner or occupant may make an alteration to the exterior of a Lot unless specifically approved and all required documentation required by the Declaration and Association has been received, reviewed, and approved.

## **XXIV. FENCING / DECK / ROOFING / WINDOWS:**

All of these items must comply with the Community Guidelines and are subject to design

review and approval by the Modifications Committee.

## **XXV. COMMON AREA:**

Use of the Common Areas in any capacity is at your own risk.

### **SECTION 1. SPORTS PARK**

See Exhibit “A” for Sports Park Rules

### **SECTION 2. LAKE/POCKET PARKS**

Watercraft (e.g., kayaks, stand-up paddle boards, canoes, wind surf boards, etc.) can be launched from both the Clipper Bay and Schooner Ridge Pocket Parks.

Electric Watercraft (e.g. motorized fishing Watercraft, pontoons and sail boats) are not allowed to be launched from the Pocket Parks. Please utilize the Watercraft Launch across from the Sports Park. See Exhibit “C” for further rules.

Dumping of any materials into the Lake is prohibited.

The pocket parks are open Dawn to Dusk, only.

### **SECTION 3. DOG PARK**

See Exhibit “B” for Dog Park Rules

### **SECTION 4. WATERCRAFT LAUNCH/MARINA**

See Exhibit “C” for Watercraft Launch / Marina Rules

### **SECTION 5. PARKING IN COMMON AREAS**

No Owner or occupant may keep or bring onto the Common Areas, which includes the Sports Park, Watercraft Launch and any other Common Areas, more than a reasonable number of vehicles at any time. No vehicles shall be left on any Common Areas except when using the Common Area.

If any vehicle is parked on the Common Area in violation of this Section or in violation of any other Rule, the Board or Management Company may place a notice on the vehicle specifying the nature of the violation and stating that after twenty-four (24) hours the vehicle may be towed at the expense of the owner. The notice shall include the name and telephone number of a person to contact regarding the alleged violation. If twenty-four (24) hours after such notice is placed on the vehicle the violation continues or thereafter occurs again within six (6) months of such notice, the vehicle may be towed, at the Owner’s expense, in accordance with the original notice and without further notice to the vehicle owner or user.

If a vehicle is towed in accordance with this Section, neither the WCSA, nor any director, officer nor agent of the WCSA shall be liable to any person for any claim of damage as a

result of the towing activity. The WCSA's right to tow is in addition to, and not in limitation of all other rights of the WCSA, including the right to assess fines.

## **SECTION 6. ABANDONED PERSONAL PROPERTY IN COMMON AREAS**

No one can leave any personal property (additional furnishings, play structures, etc.) in the Common Area.

Personal property shall not be stored, kept, or allowed to remain for more than twenty-four (24) hours upon any portion of the Common Area.

If any personal property is left on the Common Area in violation of this Section or in violation of any other Rule, the Board or Management Company may place a notice on the personal property specifying the nature of the violation and stating that after twenty-four (24) hours the personal property may be removed at the expense of the owner. The notice shall include the name and telephone number of a person to contact regarding the alleged violation. If twenty-four (24) hours after such notice is placed on the personal property the violation continues or thereafter occurs again within six (6) months of such notice, the personal property may be removed in accordance with the original notice and without further notice.

If personal property is removed in accordance with this Section, neither the WCSA, nor any director, officer nor agent of the WCSA, shall be liable to any person for any claim of damage as a result of removal. The WCSA's right to remove is in addition to, and not in limitation of all other rights of the WCSA, including the right to assess fines.

The Board, in its discretion, may determine that an emergency situation exists and may exercise its removal rights hereunder without prior notice to the Owner; provided, however, in such case, the Owner, if known, shall be given notice of the removal of the property and the location of the property within three (3) days after the property is removed.

Neither the WCSA, nor any officer or agent thereof, shall be liable to any person for any claim of damage resulting from the removal activity in accordance herewith. The Board may elect to impose fines or use other available remedies, rather than, or in addition to, exercising its authority to remove property hereunder.

## **SECTION 7. WATERCRAFT**

**Use of Lake Windward in any capacity is at your own risk.**

All Watercraft must comply with all Georgia boating laws. The use of Lake Windward is restricted to Owners, occupants and their guests. Any person found operating an unregistered Watercraft on Lake Windward who is not an Owner, occupant or guest will be subject to prosecution for trespassing.

Barges, rafts, floating platforms, and any other floating contrivance (other than a "Watercraft", as that term is defined below in this paragraph), whether commercially manufactured home constructed or otherwise created, are prohibited from being placed, kept, constructed, used, anchored, or stored in or on Lake Windward, unless approved by

the WCSA. For purposes of this section, a "Watercraft" is any water going vessel that has been permitted by and has properly displayed thereon, a current numbered decal issued by the WCSA.

**a. General**

No person shall operate a Watercraft on Lake Windward unless such Watercraft meets the following requirements:

- i. All Pontoon boats must be operated with one motor of sufficient horse power (HP), not to exceed 10 HP, which is attached to the outside rear metal structure. All Pontoon boats must be in operable condition with sufficient electric power in good condition. No trolling motor or other similar substitute motor shall be used as the primary engine power source for any Pontoon boat. No Watercraft, except sculls, may exceed twenty-four (24') feet in length.
- ii. The total of all motors serving as the primary engine power source on a pontoon or other watercraft may not exceed ten (10) horsepower. If the motors are measured in lbs. of thrust, or other measurement, the relative equivalency of the motor(s) may not exceed ten (10) horsepower.
- iii. No Watercraft may contain toilet facilities.

Only electric, wind powered, or hand/foot powered Watercraft is permitted on Lake Windward. No gasoline motors may be used on Lake Windward other than the Watercraft used by Alpharetta emergency personnel and maintenance services approved by the Board.

For Personal Watercraft (PWC) such as stand-up paddle boards, surf boards, kayaks, jet skis, hovercraft and similar Watercraft, only hand and/or foot powered PWC are allowed. No engine or motor propelled PWC (e.g. gas, electric, battery, solar power etc.) are allowed.

Each Watercraft operated on Lake Windward must have a current decal issued by the WCSA. The decals must be affixed to the bow (front) on the port (left) side. Such decals may be obtained from the WCSA's property manager. All restrictions including the below must be complied with and any violations shall be grounds for revocation of the right to operate a Watercraft on Lake Windward. Additionally, for all Watercraft, a reasonable and safe speed which produces minimum wake must always be observed.

In accordance with Georgia boating laws:

- A. There must be one (1) approved life cushion or jacket per person on the Watercraft.
- B. There must be at least one (1) light in operation on the Watercraft after dusk.

The Watercraft must be operated in a safe and reasonable manner.

**b. Watercraft Maintenance Standards**

- i. All Watercraft items including, but not limited to, pontoons, canvas, canopies, seats, floor coverings, sails and Watercraft furniture must be maintained in a neat, clean and attractive condition.
- ii. Trash left on or around Watercraft must be disposed of in proper trash receptacles. Trash receptacles must be stored out of view from the dock.
- iii. Watercraft and all watercraft items must be well maintained and free from excessive damage, dirt, mildew or mold.
- iv. Sunken or partially sunken Watercraft is not permitted. All such Watercraft is subject to immediate removal, without further notice, from Lake Windward at the owner's expense.

Any Owner in violation of this Section will be subject to a fine for each violation and/or revocation of the right to operate a Watercraft on Lake Windward.

The failure of any Owner to comply with the “Lake Windward Watercraft Use and Registration Rules” will be given thirty (30) days to remove the Watercraft or comply with Use and Registrations Rules. If the Owner doesn’t comply or remove the Watercraft from the Lake, the WCSA will remove it and store it at the Owner’s expense, for a period of thirty (30) days after which time the Watercraft may be sold or donated.

#### **SECTION 8. FISHING**

Fishing in Lake Windward is restricted to Owners, occupants and their guests. Any person fishing in Lake Windward who is not an Owner, occupant or a guest of an Owner or occupant will be subject to prosecution for trespassing.

The creel possession and size limits of Georgia Law are applicable and must be adhered to, and all bass sixteen (16) inches or greater must be returned back to the lake alive.

Use of “trout” lines are prohibited on Lake Windward.

#### **SECTION 9. CANEY CREEK ISLAND ON LAKE WINDWARD**

The island located at the Eastern end of Lake Windward is prohibited from use. Anyone caught trespassing is subject to legal sanctions.

#### **SECTION 10. LANDSCAPED ISLANDS**

WCSA maintains landscaped islands throughout the Windward community and intends to preserve and enhance these islands which in its sole discretion is needed. Consistent with this interest WCSA requires the subject landscaped islands to remain free of personal property, furniture, play structures, or additional furnishings. No personal property shall be placed upon the WCSA maintained landscaped islands at any time and any property currently there shall be removed within 24 hours of notice by the WCSA property manager.

Violation of this section shall follow the currently established WCSA Rules and Regulations for notice and fine(s) in effect and shall include the remedy of removal and

disposal of such property by the WCSA property manager. The remedies provided in this section are cumulative and can be exercised in the discretion of WCSA in addition to any other rights in law or equity.

## **XXVI. VIOLATIONS AND FINES:**

From time to time Owners may violate one or more of the provisions of the Governing Documents. In order to encourage compliance with the Governing Documents and to inform Owners of the consequences of violations, the Board of Directors has approved the Fining Policy and Schedule below for violations of the Governing Documents.

Unless otherwise noted herein, all violations will result in the Association issuing a written notice to the Owner which will include a “courtesy notice” requesting action or response within a specified timeframe (if the violation is a continuing violation) or a statement that any further violation of the same provision may result in the imposition of sanctions (if the violation is non-continuing). If the Owner contacts property management with a suggested plan of action (within the indicated timeframe), depending on the nature of the violation, an extension of time to come into compliance may be granted. Failure to comply or respond to a courtesy notice may result in reminder notices and/or immediate fines. For realtor signage violations, the initial notice will be followed up (within two (2) business days) by management with a telephone call directly to the realtor, instructing the immediate removal of the noncompliant signage. Any signage present twenty-four (24) hours after the telephone call will result in automatic daily fines as outlined on the fining schedule. For Owners who habitually violate the Governing Documents and/or commit violations deemed to be severe in nature, the Board of Directors, in its sole discretion, may forego the initial courtesy notice, and immediately issue fines.

Upon receiving notice of a fine, an Owner has ten (10) days in which to file an Appeal, in writing, with a hearing before the Covenants Committee, and such request shall include a detailed explanation of the basis of the appeal (“Initial Appeal”). The Covenants Committee shall then schedule a hearing and the Owners shall be afforded a reasonable opportunity to be heard and to present any evidence or witnesses on his/her behalf. The Covenants Committee’s decision will be forwarded to the Owner in writing. In the event an Owner is not satisfied with the results of the Initial Appeal, the Owner may appeal to the WCSA Board of Directors using the same written procedure as above (“Final Appeal”). The Board shall be required to hear the Owner’s Final Appeal and must consult with the Covenants Committee prior to making its decision. The Board’s decision will be forwarded to the Owner in writing and shall be final and binding on all parties.

The Governing Documents may be enforced by the WCSA and its Board of Directors to the fullest extent permitted under the Declaration, Bylaws, these Rules, the Community Guidelines and Georgia law. In the event an Owner does not comply with the Governing Documents, the Board may impose sanctions which may include, but not be limited to, suspension of voting rights and services provided by the Association and the right to use the Common Area, monetary fines, the filing of a Notice of Violation in the land records, legal actions to recover sums due and/or injunctive relief and/or perform self-help at the sole cost and expense of the violating Owner.

Please refer to the fining schedule set forth below. The following fine schedule is intended as a guide only, is not intended to create any rights and/or obligations and may be altered by the Board of Directors in its sole discretion. The Board of Directors reserves the right to impose (1) daily fines for continuing violations until the violation is cured, (2) escalating fines should Owners habitually violate the Governing Documents, and (3) impose fines in excess of those amounts set forth in the below fining schedule if it deems necessary.

### **Fining Schedule\***

<b>Item</b>	<b>Comments</b>	<b>Fine</b>
Continuing Violations**	Daily fines	\$10, \$25 or \$50 per day or occurrence, and could be escalating
Non-Continuing Violations***	Per Occurrence	\$25, \$50, \$100, \$150, \$200, or \$250 per occurrence, and could be escalating
Beginning project without Modification Approval	Life-Safety emergencies must be submitted within 10 days after project start date	\$300 and may include daily fines, if applicable
Signage	Non-conforming realtor or any contractor	\$25 per sign per day
Windows	Installed without Modification Approval	\$300 per window, but minimum of \$1,000 and maximum of \$5,000, and may include daily fines, if applicable
Lake-Related Items	Fuel-powered boat, reckless behavior, etc.	\$5,000 per occurrence
Roofing	Replaced without prior Modification Approval	\$5,000 for installation that would not be approved or was disapproved, if not removed; otherwise \$1,000 and may include daily fines, if applicable
Trees visible from street or lake	Removed or heavily trimmed prior to Modification approval	\$300 fine levied for failing to obtain Modifications Committee pre-approval. Additionally, within 10 days of initial fine notice, an after-the-fact Modification application must be submitted. If this application is denied, a \$1,000 per tree fine will be levied. If it is approved, the per tree fine is reduced to \$200 per tree. Daily fines will be levied if after-the-fact Modification application is not submitted.



Trees not visible from street or lake	Removed or heavily trimmed prior to Modification approval	<p>\$300 fine levied for failing to obtain Modifications Committee pre-approval.</p> <p>Additionally, within 10 days of initial fine notice, an after-the-fact Modification application must be submitted. If this application is denied, a \$500 per tree fine will be levied. If it is approved, the per tree fine is eliminated.</p> <p>Daily fines will be levied if after-the-fact Modification application is not submitted.</p>
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\* All fines are levied in the discretion of the Board and are subject to change without notice.

\*\* Continuing violations include, without limitation, failure to maintain a House, failure to properly maintain landscaping in a neat and attractive condition, installation of unapproved modifications, failure to remove an unapproved modification, and continuing nuisances and/or improper behavior.

\*\*\*Non-Continuing violations include, without limitation, unauthorized tree removal, noise violations, non-continuing nuisance and improper behavior violations and parking violations.

## **XXVII. ANTI-DISCRIMINATION:**

WCSA will not discriminate on the basis of race, color, religion, sex, national origin or ancestry, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability or genetic information. WCSA is committed to providing an inclusive and welcoming environment for all members, residents, guests, employees, contractors, subcontractors, and vendors. Any such individual feeling that he or she has been discriminated against and/or harassed on the basis of the above classifications should immediately report the matter to property management. Once the matter has been reported, it will be promptly investigated, and any necessary corrective action will be taken where appropriate. One item of no greater than a one-foot square diameter, related to above classifications, such as a religious display, may be permanently displayed on or near the front entry to the home. Obscene depictions or crude language, at the sole discretion of the Board of Directors, are expressly prohibited.

## **EXHIBIT “A”**

### **WINDWARD SPORTS PARK RULES**

1. The Windward Sports Park is a private park for the exclusive use and enjoyment of Owners and their occupants in good standing and their guests. Guests using the Sports Park must be accompanied by an Owner at all times. No trespassing permitted.
2. The WCSA has given the Community’s authorized Courtesy Officer’s company the right to enforce these Rules. If any visitor does not obey these Rules after the Courtesy Officer informs them of the violation, the Officer is to contact the Alpharetta City Police and have the person or persons removed from the Common Area. Courtesy Officers and the WCSA Representatives are authorized to require photo ID’s to verify an Owners status.
3. The Windward Sports Park is open for use between dawn and dusk. Use other than these hours is prohibited and will be considered trespassing.
4. **Park usage is at your own risk.** Enter and play safely and responsibly. For safety reasons, children must be accompanied by an adult.
5. No corporate/business or public event use of the Sports Park is permitted. The WCSA will consider this type of use as an abuse of the Rules. An event of this nature will be stopped, and all organizers and participants will be subject to removal and/or legal action.
6. The Windward Sports Park shall be used on a first come, first served basis. Reservations for exclusive use of the entire Sports Park by an Owner is prohibited.
7. All Windward special events must be coordinated and confirmed with the Management Company or via the online site at [www.windwardcommunity.org](http://www.windwardcommunity.org).
8. Sports Park Reservations: The only facilities in the Sports Park that can be reserved are the Main Pavilion and the Baseball field; minimum of fifty percent (50%) of the people attending/participating an event must residents. WCSA reserves the right to cancel these reservations with fair notice based on the needs of the community.
  - a) **Main Pavilion**: A courtesy reservation may be issued by AMG to an Owner for the use of the main pavilion, only, for groups up to thirty (30) people maximum. Courtesy reservations will be for maximum period of two (2) hours and may be arranged through AMG. A signed reservation request form and a cleaning fee of \$50 must be received to secure this reservation. This reservation does not include the exclusive use of the small pavilion.
  - b) **Baseball Field**: A courtesy reservation may be issued by AMG to an Owner for use of the baseball field, only for a period of two (2) hours maximum, for the purpose of organized practice and play supervised by an Owner. Field reservations are limited to no more than one (1) slot per week, per team request. Field reservations are limited to no more than three (3) months in advance and for only a maximum of three (3) month blocks. A signed reservation request form and payment must be received to confirm a

reservation except for phone in reservations. Phone in reservations can be requested up to seventy-two (72) hours in advance if there is no reservation in place for a specific time. A current insurance liability policy, with the WCSA named as an additional insured on the policy, is required to be submitted with the reservation request. A team roster must be submitted with each player's name and address to secure the baseball field reservation.

- c) No other areas of the Sports Park may be reserved.
  - d) Failure to comply with the Rules of the Sports Park could result in suspension of future reservations privileges.
9. The WCSA may on occasion, grant special permission for use of the Sports Park to an official organization of Windward for the purpose of an organized event for an Owner, only. Additional parking at the Windward Watercraft Launch is available for Windward organization events, only.
  10. No Owner or occupant may keep or bring into the Sports Park more than a reasonable number of vehicles at any time. No vehicles shall be left in the Sports Park except when using the Sports Park. If any vehicle is parked in the Sports Park in violation of this Section or in violation of any other rule and regulation, the Board or Management Agent may place a notice on the vehicle specifying the nature of the violation and stating that after twenty-four (24) hours the vehicle may be towed at the expense of the owner. All vehicles must be parked in designated parking areas. No motorized vehicles are permitted on grassy areas.
  11. No parking in the baseball roundabout.
  12. Loud Music, Alcoholic Beverages, Camping, and Loitering are prohibited.
  13. Open Fires are prohibited. Furnished charcoal grills are to be used in a safe manner and are for the use of cooking food, only.
  14. No Littering. Designated receptacles are provided for trash disposal.
  15. Owners may not bring additional furnishings, play structures or devices into the Sports Park without prior written Board approval.
  16. No off-road cycling is allowed. A bike rack is provided for its intended use, only.
  17. Bathroom codes for both restrooms are 1 - 3 - 5.
  18. Access to the Dam spillway pool is strictly prohibited.
  19. No pets are permitted in the Sports Park except in posted designated areas. Pet owners must adhere to the Fulton County leash law at all times. Pet owners are expected to be responsible for proper disposal of all pet waste. Designated pet waste disposal containers are provided.

20. Acts of Vandalism or Destruction of Windward Sports Park property will not be tolerated. Individuals responsible for any damage will be subject to arrest and prosecution to the fullest extent of the law.
21. Owners are asked to be patient, and to cooperate with efforts to enforce our no-trespassing rules.
22. No person in possession of a gun on his or her person is authorized anywhere on the Common Area.

## **EXHIBIT “B”**

### **WINDWARD DOG PARK RULES**

1. Access to the park is through a locked gate. Keys may be purchased from the Management Company.
2. Only dogs that have been registered with the WCSA can use the park. Registration requires proof of rabies immunization for each dog.
3. Keys are non-transferable. Lending of a key to non-owners or Owners who bring non registered dogs is prohibited and will result in the revocation of use privileges.
4. Only two (2) dogs per person are allowed to use the park at the same time.
5. No dog may be left unattended and must be kept in sight at all times.
6. All dogs must wear a flat collar when using the park. All other collars and leashes must be removed upon entry to the park.
7. Owners or occupants are responsible for the behavior of their dog(s) at all times.
8. Dogs that are overly aggressive, bite another dog or person, bark excessively, or display antisocial behavior must immediately be removed from the park. Such dogs may be permanently banned from further use of the park.
9. The person responsible for the dog is required to immediately clean up after the dog, and fill any holes dug by their dog.
10. For safety reasons, no child under twelve (12) years of age is permitted inside the dog park at any time.
11. No female dog in heat is permitted to use the park.
12. Owners are responsible for any damages caused by their dog(s).
13. No food, dog food, dog treats, or bottles are permitted in the park.
14. No puppies under the age of four (4) months are permitted within the fenced park area.
15. The designated small area is for dogs thirty (30) pounds and under.
16. No organized training is permitted with the park area.
17. The Windward Dog Park is open for use between 7 a.m. and 9 p.m. in the Spring/Summer and from 7 a.m. to 7 p.m. in the Fall/Winter each year. Use other than during these hours is prohibited and will be considered trespassing.
18. Acts of Vandalism or Destruction of Windward Watercraft launch property will not be tolerated. The individuals responsible for the damage will be subject to arrest and prosecution to the fullest extent of the Law.

## **EXHIBIT "C"**

### **WINDWARD WATERCRAFT LAUNCH/MARINA RULES**

1. The Windward Watercraft Launch is a Private Facility for the exclusive use and enjoyment of Owners in good standing and their Guest. Guests using the Watercraft Launch must be accompanied by an Owner at all times. Trespassing is not permitted.
2. The Windward Watercraft Launch is open for use twenty-four (24) hours a day but an electronic pass (aka fob) to open the gate lock is required. They are available to owners only. No Owner or occupant shall loan a Watercraft Launch fob to non-owners and occupants. If it is determined a Watercraft Launch fob is loaned, it is subject to deactivation by the WCSA. An electronic pass (aka fob) to the Common Area can be obtained from the management company.
3. Watercraft Launch usage is at your own risk. Enter and play safely and responsibly. For safety reasons, children must be accompanied by an adult. **ALL PARTICIPATION IN LAKE ACTIVITIES IS AT YOUR OWN RISK.**
4. No Corporate/Business or Public Event use of the Watercraft Launch is permitted. The WCSA will consider this type of use as trespassing and an abuse of the Rules. The event will be stopped, and all Organizers and Participants will be subject to removal, arrest, and legal action.
5. A photo ID must be shown when requested by a WCSA representative and/or person who is identified as an officer hired by the WCSA.
6. The Windward Watercraft Launch shall be used on a first-come, first-served basis. Reservations for exclusive use of the entire Watercraft Launch by an Owner are prohibited.
7. The WCSA may on occasion grant special permission for use of the Sports Park or Watercraft Launch to an official organization of Windward for the purpose of an organized event for Owners Only. Additional parking at the Windward Watercraft Launch is available for Windward organized events only.
8. Vehicles parked at the Watercraft Launch entrance will be towed at the owner's expense. All vehicles must be parked in designated parking spaces. No parking in front of the Gate is permitted. No motorized Vehicles permitted on grassy areas.
9. Loud Music, Camping, and Loitering are prohibited.
10. Open Fires (fires not having an enclosure or barrier) are prohibited. Furnished grills are to be used in a safe manner for the intended use of cooking food only.
11. No Pets are permitted in the Recreation Areas at any time. Pets are only permitted in the posted designated area. Pet owners are expected to be and are responsible for proper disposal of any pet waste. Designated pet waste receptacles are provided for waste disposal.

12. No Littering. Designated receptacles are provided for trash disposal.
13. Acts of Vandalism or Destruction of Windward Watercraft launch property will not be tolerated. The individuals responsible for the damage will be subject to arrest and prosecution to the fullest extent of the Law.
14. All Watercraft launched at the Watercraft Launch ramp or any other area of the Watercraft Launch facility must have a current decal permanently affixed to the Watercraft to gain access to the Lake. A Watercraft without a current decal may not be put onto the lake. Decals should be applied to the front left of Watercraft. Watercraft with affixed gasoline engines may not be put into the water. Exceptions are Fire Department Watercraft, WCSA service Watercraft, muskrat trapping Watercraft, and/or those approved by the Board.
15. No Watercraft, trailers, or other personal property may be left at, around, or within any portion of the Watercraft Launch unless the Watercraft is in use on the Lake. Additionally, no maintenance or repairs to Watercraft, trailers, or other personal property may be conducted within the confines of the Watercraft Launch. The Watercraft Launch is defined as the area fenced in and gated along the street side, the launch area at which point Watercraft enter the water, the picnic pavilion, the parking area, and the open area surrounded by fencing and an easement to the side of the launch site.
16. Owners are asked to be patient, and to cooperate with efforts to enforce our no-trespassing rules.