

**SWEETWATER VALLEY
CONDOMINIUM ASSOCIATION, INC.**

**Rules and Regulations
2009**

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I. ABOUT SWEETWATER VALLEY CONDOMINIUMS

Notes about our Community!

1. After purchasing your unit, you are responsible for paying your monthly Association dues. *See Section IX for more information.*
2. **Please** treat your neighbors with respect. We are all neighbors here in this Community.
3. Your Association fees are used for:
 - a) Maintenance of all existing outside exterior siding, roofs and fences.
 - b) Maintenance of the grounds, which includes the planting of grass, shrubbery and flowers, fertilization and mowing of the grass, trimming hedges and the spreading of pine straw.
 - c) Sidewalks to walk on and patios with privacy fences and gates for separate entrances.
 - d) Paying for street maintenance and parking spaces for us to park our vehicles.
 - e) Paying for our structural insurance, termite bond, common ground utilities, administrative costs, contractual costs and legal services.
 - f) Use of a newly reconditioned swimming pool.
 - g) Maintenance of the Clubhouse which you could rent for family gatherings and parties.
 - h) Funding for our vinyl siding project.
4. Any homeowner delinquent on monthly association fees will not be permitted the use of the Clubhouse, Pool, any of the common areas including parking spaces.
5. Our website is located at www.SweetwaterValley.org. Please check the website often for Community updates.
6. For all maintenance and repair requests, call our Business Coordinator, Carol Spain, at 770/443-4482.
7. Our Association is governed by a Board of Directors which is elected by the homeowners at the Annual Homeowners Meeting in December.
8. Units purchased after January 7, 2002 can not be Rented or Leased. *See Section XII for more information.*
9. Every Unit must have a current contact phone number on file with the Association.
10. In order for Homeowners to install a satellite dish, cable or telephone line he/she must receive **PRIOR** permission from the Board of Directors. *See Section III for more information.*
11. Residents must place a Sweetwater Valley parking sticker in the interior driver's side rear window of all vehicles. *See Section VIII for more information.*
12. All homeowners are expected to know and understand these Rules and Regulations.

II. ADMINISTRATIVE PROCEDURES

1. All complaints of violations of these Rules & Regulations must be **in writing**. Violations will be investigated by the Board or by a person(s) designated by the Board. Appropriate action will be taken by the Board in the event of any violations of these Regulations.
2. Should the violation warrant the assessment of fines, the By-Laws will be followed to the letter.
3. Reports of violations that are beyond the scope of these Rules & Regulations will be referred to the appropriate authorities.
4. The Georgia Condominium Act states that unpaid assessments constitute a lien against your property. Under said Act, the Board of Directors has the authority to pursue legal action.

III. ARCHITECTURE

1. Any exterior alteration, modification, or change to the common elements or limited common elements (i.e., patio, garages, etc.) must have written approval of the Board of Directors **PRIOR** to the implementation of desired changes. All requests must be submitted in writing to the Board.

Description of the project should include the following information:

- a. Proposed design
 - b. Existing structural design of area to be changed
 - c. Overall dimensions (height, width, length), shape, color and location of the proposed improvements
 - d. Photographs, sketches, drawings required
 - e. Change to structure of a load bearing wall must show proper encasement of window and/or door, etc
 - f. List of material and manufacturer to be used
 - g. Proof of insurance and bonding from a licensed contractor
 - h. Building permit required: **MUST** comply with Cobb County and City of Austell building codes
2. No fences of any kind, other than our standard fences, are allowed in or on the common grounds.
 3. Landscaping work and planting is encouraged. Prior approval by the Board of Directors is required in order to make changes to common grounds. All requests should be in writing. All trees, shrubs, ground cover, perennial and annual plantings on the common grounds become the property of the Association. No straw, oak or cedar chips are allowed around plants in patio areas or front entrances due to possible termite hazards. Any dirt in patio areas must be 2 inches below siding with concrete foundation visible.

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4. Planting of trees or tree-like shrubs on patios is prohibited. Homeowners of grandfathered plantings will be held liable for **ANY** damages to foundations, siding, gutters, roofs, sewers and water pipes, fences and sidewalks of homeowner's and neighboring units, if applicable, and any other damage caused by plantings in the limited common areas.
5. In order for Homeowners to install a satellite dish, cable or telephone line he/she must receive **PRIOR** permission from the Board of Directors. After approval by the Board, Homeowners must provide SVCA guidelines to the installer **PRIOR TO THE INSTALLATION**. This ensures that there will not be damage to our siding, roof or any other part of the common or limited common property. Any damage incurred by improper installation **WILL** be repaired at the Homeowners expense and a Fine will be assessed to the Homeowner.
6. Any damage to vinyl siding will result in the loss of warranty on the siding and the **homeowner will be liable for any repairs** necessary to reinstate the warranty.

IV. CODE OF CONDUCT & ETHICS

1. SVCA is a diverse community. We welcome Homeowners & Tenants of all: Age, Gender, Ethnicity, Physical status, Religious affiliations and Political affiliations. We expect that all members of our community will be treated equally and will abide by all of the Rules & Regulations.
2. No member of the community shall harass, threaten or willingly misrepresent facts to Members of the Board of Directors, Members of the Community or Agents of the Association.
3. All Members of the Board and Homeowners shall conduct themselves in a professional manner during Board Meetings and the Annual Homeowners Meeting.
 - a. Disagreements must be directed to the disagreement, not the person who raises an opposing point of view.
 - b. Any crude remarks or any personal attacks concerning; Age, Gender, Ethnicity, Physical status, Religious affiliations or Political affiliations, will not be tolerated. Anyone expressing such remarks will be removed from the meeting.
 - c. Anyone creating a disturbance during a Board Meeting will be removed from the meeting.
 - d. The meeting can be adjourned any time, at the discretion of the Board, due to disruptive behavior.
4. Members of the Board of Directors must act in the best interests of the Association while acting in his or her official capacity.
5. Members of the Board of Directors have the obligation and duty to make the best decisions possible for the homeowners of the Community by following all By-laws, Declaration of Sweetwater Valley Condominium, and all Rules and Regulations.

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6. Members of the Board of Directors have the obligation and duty to make certain that the 'Common Elements' of the Community are maintained as decreed in the Declaration of Sweetwater Valley Condominium, By-laws, and all Rules and Regulations.
7. Any Person Elected or Appointed to be a Member of the Board of Directors must read and understand the Declaration of Sweetwater Valley Condominium, By-laws and all Rules and Regulations.
8. Members of the Board of Directors shall not share confidential information about homeowners or Board deliberations with the Community, contractors, sub-contractors, or suppliers.
9. Violations of the Code of Conduct and Ethics will be investigated by the Board or by a person (or persons) designated by the Board. Appropriate action will be taken by the Board in the event of any violations of this Code.

V. CLUBHOUSE

1. The Clubhouse is for the exclusive use of the residents at Sweetwater Valley Condominiums.
2. If a homeowner has a delinquent account, the clubhouse cannot be rented by that homeowner.
3. If a homeowner has leased his/her unit and has not filed an approved lease with the Board, or has a delinquent account, the clubhouse cannot be rented by either owner or tenant.
4. Residents must make reservation and payments **at least 2 weeks in advance** for private use of the Clubhouse.
5. A \$50.00 non-refundable fee is required at the time of application submission in order to reserve the Clubhouse.
6. An additional \$100.00 security deposit is required at the same time. The deposit will be returned if the Clubhouse is left clean and undamaged.
7. If the application and required fees have not been received at least 2 weeks in advance of the requested rental date, the reservation will be cancelled and the Clubhouse will not be available to Resident.
8. Residents who rent the Clubhouse must be present for the entire function.
9. Noise level must comply with noise ordinances for the Condominiums. Should a Board member or the Austell Police receive two or more complaints, the Board reserves the right to end any clubhouse function.
10. Renter must have a cell phone number **on file** with the Board in case of an emergency.

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11. Renter will be held liable for all damages to the Clubhouse.
12. Damages in excess of the \$100.00 security deposit will be levied against the homeowner in the form of an assessment.
13. Clubhouse must be cleaned for inspection by **12:00 noon** on the following day. Renter must use their own vacuum and cleaning supplies.
14. Functions are to end at 12:00 A.M. unless special arrangements have been made with the Board.
15. As provided by State and local laws, no alcoholic beverages may be served to, consumed by or made available to anyone under 21 years of age.

VI. GROUNDS

1. Cars, motorcycles, and any other motorized vehicles are not allowed to be parked or driven on the grassy areas or sidewalks.
2. Motorcycles, ATVs, mini-bikes & go-karts are to be used for entering and leaving the premises. They are not to be ridden on sidewalks, grassy areas, driveways or any of the common property,
3. Oil leaks from your vehicles must be cleaned up in a timely manner. Minor preventative maintenance may be performed on vehicles; however, no vehicle may be left on blocks or jacks for more than 24 hours.
4. Trash, bottles, cans, paper cups, etc. shall not be thrown on the grounds. All homeowners and tenants are responsible for themselves, their children and visitors for keeping the grounds clean.
5. No one other than Board authorized personnel (construction workers, maintenance workers, etc.) is allowed on the roofs for any reason. **This authorization includes telephone, satellite, and cable installers.**

VII. INDIVIDUAL UNIT RESPONSIBILITIES

Safety Responsibilities

1. Every Unit must have a current contact phone number on file with the Association. In addition, an emergency alternate contact phone number must be kept on file with the Association. In the event of an emergency the Association must be able to contact the Owner of a Unit where a threat to your Unit requires immediate notification.
2. **All** units must have at least one smoke detector in a one-story unit, at least 2 detectors in a two-story unit and one fire extinguisher to comply with our Insurance Policy,

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3. **All** units during cold months where the temperature is forecasted to reach 32 degrees or below must have the power on and the thermostat set to at least 55 degrees to avoid pipe breakage in their or adjacent units. A fine can be assessed by the Board for each day of violating this rule.
4. Owners of fireplaces and wood burning stoves must have a certification of inspection by a qualified chimney sweep and a copy of the inspection report must be filed with the Board of Directors. This inspection must be done each fall **before** using the fireplace or wood burning stove. Failure to do so will result in a **daily** fine. In addition, the homeowner will be held personally responsible for any units damaged from the use of their fireplace or wood burning stove.

Maintenance Responsibilities

5. Homeowners using fireplaces or wood burning stoves must comply with all current Cobb County building codes governing their use. Homeowners are responsible if there is damage or deterioration due do installation of the pipes/chimney by the current or previous homeowner.
6. Owners will be legally and financially responsible for **any and all** damages incurred by their children and/or guests and will be assessed the cost of repairs.
7. All doors, including front, patio and garage must be painted brown. **This is the homeowner's responsibility.** Paint is provided by the Association. Please contact Carol Spain if you need paint.
8. All window-type air conditioning units are prohibited.
9. No personal property, including, but not limited to, play toys, lawn equipment and garbage cans, is allowed to be stored or left unattended on the common grounds. This includes grassy areas, natural growth areas, sidewalks, pool area and parking areas. No basketball goals are allowed on SVCA grounds.
10. Plastic used to insulate your windows must be on the inside of your condo. Curtains and shades are not allowed to blow outside the windows.
11. Clothes lines must not be visible above patio fences.
12. Garage doors must remain closed when not in use.
13. Patio gates must remain closed when not in use. Open gates can be damaged by the wind, children playing on them, etc. The Association will replace a gate or gate hardware due to normal wear and tear; however, the cost of a gate repair due to neglect or abuse will be assessed to the homeowner.

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14. Window treatments, including curtains, blinds, drapes, and shades must be a white or an off-white color. No quilts, bedspreads, towels, sheets, or other covering will be permitted. Garage door windows may remain clear or may be painted with a brown paint or covered with brown curtains. Homeowners who rent property must install blinds prior to the rental of property.

15. Cracked or broken windows must be repaired or replaced within 72 hours of occurrence. Failure to do so will result in a \$10 fine imposed daily until repairs are complete. Homeowner will be responsible for total cost of repair for any rain damages to his /her unit and to any neighboring units.

16. Subscribers to Austell City garbage pick-up must use City issued yellow or blue bags purchased at City Hall (and at the Police and Fire Dept. on week-ends with cash in the exact amounts). Subscribers to other garbage services may be required to utilize special garbage receptacles. City garbage pick-up is on Monday mornings. **No garbage cans or trash will be permitted outside patio area except on assigned garbage pick-up days.** Receptacles left on the common areas at any other time are subject to removal from the property without notice and the property owner will be fined.

17. Items for recycling, i.e. glass, plastic, newspaper, and aluminum will be picked up by a recycling company on Wednesday mornings. Recycle containers should be placed outside the patio gate on Wednesday mornings and removed from common areas after pickup.

Noise Responsibilities

18. Any noise shall not exceed a level that is disruptive to your neighbors. This includes, but is not limited to, radios, boom boxes, stereos, TVs, car radios and/or stereos. Neighbors should be considerate by using washing machines before 10:00 P.M. No construction or working within units that makes noise should be done after 10:00 P.M. This includes, but is not limited to, hammering, scraping, moving furniture, etc. **Please** treat your neighbors with respect.

19. Gatherings of people and cars outside the unit will not be allowed after 10:00 P.M. Gatherings blocking driveways and streets will not be tolerated at any time.

VIII. PARKING

1. Each homeowner/tenant is entitled to two (2) parking spaces; your garage and one (1) numbered space.
2. Vehicles without a current tag or proper registration, as well as non-operational or damaged vehicles must be removed from the Association's parking area. The Board or the City of Austell can remove such vehicles from the grounds at any time.
3. Blocking of your neighbor's garage or preventing them from using them from using their garage is strictly prohibited.
4. Guests are requested to park in guest spaces or the Clubhouse parking lot.

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5. Parking of more than one vehicle in a single space is not allowed.
6. It is prohibited to park in another homeowner's parking space unless you have been given permission by that homeowner. Homeowners have the right to have vehicle towed at violator's expense. Please notify the Board of any such parking violations that you may be aware of.
7. Parking of boats, trailers, campers, and any vehicle 5 tons or larger is not permitted on private streets or common property. On October 5, 1987 the City of Austell passed an amendment to Section 21-13 of the code of ordinances, relating to parking of vehicles on city streets, i.e., Sweetwater Valley Road. The essence of the ordinance states that business vehicles under 10,000 lbs shall be allowed to park on residential property in a carport or garage, but not closer than 20 feet to a side or rear yard line of property.
8. Business vehicles 10,000 lbs. or over shall be allowed to park on residential property during daylight hours on weekdays, but not overnight, on the weekend, and not closer than 20 feet to a side or rear line of property. Daylight hours shall mean 30 minutes after dawn to 30 minutes before sunset. Business vehicles shall be defined as: school buses, commercial or church buses, trailers, tandem rigs, and any vehicles driven for hire, utilized in the conducting of business affairs, such as transportation of equipment, freight, goods or individuals.
9. Residents must place a Sweetwater Valley Condo parking sticker in the interior driver's side rear window of all vehicles. The parking stickers can be obtained by contacting our Business Coordinator Carol Spain, at 770/443-4482.
10. On occasion, it may be necessary to move your vehicle in order to perform maintenance and improvements to the property. Attempts will be made to contact the owner of vehicle prior to the event. If the owner of vehicle cannot be contacted, the Board has the right to move the vehicle as needed.

IX. PAYMENTS

1. Monthly payments for Association Dues are due on the first of the month. A late fee is assessed when a payment has been postmarked after the 15th of the month.
2. Payments for Association Dues are to be mailed to our Business Coordinator at the following address.

Sweetwater Valley Condo Association
P. O. Box 1402
Hiram, GA 30141

3. Payments which have been returned for Insufficient Funds will be assessed a late fee regardless of Postmark.

IF YOU DON'T PAY YOUR ASSOCIATION FEES, NOT ONLY DOES THE WHOLE COMMUNITY SUFFER, BUT YOU WILL LOSE ALL RIGHTS AND PRIVILEGES AFFORDED TO THE HOMEOWNERS.

4. The Georgia Condominium Act states that unpaid assessments constitute a lien against your property. Under said Act, the Board of Directors has the authority to pursue legal action and you can be denied access to all of the common elements, **including parking spaces**, of the Association.

X. PETS

1. Dogs must be on a leash each time they are outside the unit per Cobb County ordinances. Animal Control will be called immediately for any dog loose on the grounds. Dog owners must be in control of their animals at all times.

2. Dog and cat droppings must be picked up by the owner at the time of occurrence. There will be a \$10.00 fine per incidence after one warning has been issued for failure to remove and dispose of droppings properly. This incidence could be witnessed by either a Board member or homeowner.

3. Owners will be responsible for any and all damage done (including urine damage) to personal property or common areas by cats and dogs.

4. No animal shall be tied outside the unit. Animals may not be left in patio area for more than two hours of any given 24 hour period.

5. Owners of pets must place contents of litter boxes in plastic bags and removed from the premises.

6. If the Board receives written complaints about aggressive or threatening behavior by any animal, said animal will need to be removed from the property in order to ensure the safety of the community. A \$10 daily fine will be levied until the animal is removed. The following breeds of dogs are not allowed on the premises due to the frequent occurrence of dangerous behaviors: Pit Bull Terrier, Staffordshire Bull Terrier, Tosa Inu, Dogue deBourdeaux, Rottweiler, Doberman Pincher, Rhodesian Ridgeback, Saffiebull and some other bull dog types. This is not limited to dogs, as there are other animals which are considered dangerous. This includes, but is not limited to: monkeys, snakes, exotic birds & other species which can carry disease. This will be determined by the Board on a case by case basis.

7. Violations will be reported to the Austell Police Department, Animal Control, and the Health Department when appropriate.

XI. POOL

No lifeguard will be on duty, you swim at your own risk. The Association is not liable for any accidents or injuries which may occur.

1. The pool is private and is for the use of Sweetwater Valley residents and guests only. Residents are responsible for their guests and should see that they obey all pool rules. Residents of Sweetwater Valley cannot be “guests” and must have a photo I.D.
2. Access to the pool will be using a Pool Code which is a unique number issued to each unit. Pool Codes can be obtained by contacting our Business Coordinator, Carol Spain, at 770/443-4482. **A code will not be issued to you if you are past due on your Association fees or have unpaid assessments. If you become past due on your Association fees or have unpaid assessments, your pool code will be disabled and you are not allowed access to the pool.**
3. The Pool Hours are: **10:00 AM- 9:00 PM**
Adults Only everyday from 10:00 AM to 12:00 PM and 7:00 PM to 9:00 PM
Children and Adults everyday from 12:00 PM to 7:00 PM
4. Any resident, **18 years or older**, may bring up to 4 guests. If you leave the pool area, your guests must leave with you. They may not stay in the pool area unaccompanied.
5. Any resident, **up to 17 years**, may not bring any guests, unless accompanied by a resident 18 years or older.
6. No one **under the age of 14** is allowed in the pool area unless accompanied by a resident 18 years or older
7. **No running, pushing, horseplay or profanity will be allowed in the pool area. Any violators of the above will be barred from the swimming area for the duration of the season.**
8. Glass bottles and other breakable items are not allowed in the pool area. All cans, trash and cigarette butts must be placed in containers provided. All residents using this facility are responsible for maintaining it. Your cooperation is expected and appreciated.
9. Each homeowner must close gate after entering pool area. This ensures that a valid code is used by everyone entering the pool. The computerized system allows us to know who has accessed the pool and when. **Allowing unauthorized persons into the pool, entering the pool outside of pool hours, or climbing the pool fence will cause your pool privileges to be revoked for the remainder of the season.**
10. No animals are allowed in the pool area.

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11. Individuals with open sores, wounds, bandages, or communicable diseases cannot use the pool.
12. Equipment is not permitted to be removed from the pool area. Skateboards, bikes, Big Wheels, etc. are not allowed in the pool area.
13. Proper swimming attire is required. No street attire shall be worn in the pool. This includes cut-offs or any cotton material which could clog our pool filters.
14. Radios and televisions must be battery operated and must be used with headphones.
15. No alcohol is allowed in the pool area.
16. No sexual activity in pool area will be tolerated.
17. Whether parents are on the premises or not, they will be responsible for their children's behavior.
18. The Restroom at the pool is unisex. **PLEASE KEEP RESTROOM CLEAN AND SAFE.**

XII. SALE OR LEASE OF PROPERTY

1. LEASING OF UNITS PURCHASED AFTER JANUARY 7, 2002

A. Any unit purchased after January 7, 2002 can not be Leased or Rented as defined by the Lease Clause. This Lease Clause was enacted by the homeowners due to the number of rental units in the community which prevented potential buyers from obtaining a mortgage.

Lease Clause - Leasing is defined as the regular, exclusive occupancy of a Unit by any person or persons other than the Owner; provided, however, leasing shall not include exclusive occupancy by the spouse, child or parent of an Owner and shall not include the occupancy by a roommate of an Owner provided that the Owner occupies the Unit concurrently with the roommate. "Owner" is defined as the record title holder of a unit.

B. Any Owner found in default of this Lease clause will be fined a minimum of \$25 a day until the unit has been brought in compliance.

C. If the Owner fails to pay the fine, a lien will be placed on the property in accordance with the Georgia Condominium Act and the Board could seek further legal action.

2. LEASING OF UNITS PURCHASED BEFORE JANUARY 7, 2002

A. Property owners must submit a lease to the Board of Directors for approval at least 14 days **PRIOR TO** the proposed renter moving in. The Board **MUST** review the lease and notify the owner **PRIOR** to renter taking possession of the unit. The lease must contain the

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names and number of adults & children of all proposed residents and any types of pets that will be in the unit. It must also list makes and models of vehicles that will be parked on property. It must state the beginning and end date of the lease and according to the Declaration of Sweetwater Valley, must be for a term of 12 months or longer. A copy of the current Rules and Regulations must be presented to any prospective renter by the Homeowner.

B. If the property owner has failed to remain current with the Association fees, he or she may not rent their unit until the past due balance is paid in full.

C. If the owner is leasing their unit and fails to pay the fees, **the lease is automatically voided**. The owner must resubmit the lease and pay all past due fees. The owner, at this time, must also pay, in advance, one year Association fees. Upon the Board's approval of the new lease, the owner will be in good standing. If the owner fails to pay the fees, according to the Georgia Condominium Act, a lien will be placed on the property and the Board will seek legal action which, among other things, may result in the eviction of the tenant and/or their inability to park on grounds.

D. Sweetwater Valley Condominium Association, Inc. will not become an agent for the property owner.

E. **Tenants must comply with all rules and regulations set forth by the Board of Directors.** The owner has the full responsibility to make sure his/her tenants are aware of and complies with all Rules and Regulations. Owners can and will be assessed fines for violations of their tenants. If notified by the Board of Directors of any Rule violations, the owner must bring their unit into compliance within 72 hours of notification.

F. Any Owner found in default of this section will be fined a minimum of \$25 a day until the unit has been brought into compliance.

C. SALE OF UNITS

1. Owners must notify the Board of a sale at least 14 days prior to the transfer. A copy of the current Rules and Regulations must be presented to any prospective Owner.

**Thank you,
Board of Directors**