

Community Wide Standards

In accordance with Article VII, Section 1(a) of the Bylaws of Avenel Community Association, Inc. (“Bylaws”) the Board of Directors shall have the power to adopt and publish rules governing the use of the Common Area and improvements thereto, and the personal conduct of the Members and Vacant Lot Owners and their guests thereon and the authority to adopt and publish procedures for the Association’s enforcement of the Declaration of Covenants, Conditions and Restrictions (“Declaration”), Declaration of Protective Land Use Standards (“Protective Land Use Standards”), Architectural Guidelines, and rules and regulations, and to establish remedies, including the levying of fines, for infractions thereof. Additionally, pursuant to Article XII of the Declaration, the Association acting through the Board of Directors, has the authority to make and enforce standards and restrictions governing the use of Lots, Residential Units and Common Areas within the Association.

Article I, Section 5 of the Declaration defines the “Community Wide Standards” as follows, “the standard of conduct, maintenance or other activity generally prevailing” in the Avenel Community.

Article IV, Section 2 of the Declaration reads, in part, that owners are required to maintain their lots and all improvements, structures, parking areas and other improvements thereon in a manner consistent with the “Community-Wide Standard.” It shall be the responsibility of each property owner, tenant, contractor, subcontractor, or guest to prevent the development of any unclean, unsightly, unkempt, unhealthy or unsafe conditions of buildings or grounds on any property which shall tend to substantially decrease the beauty or safety of Avenel, the community as a whole, or of any specific area within the community. Thus, in addition to compliance with the Architectural Guidelines, general maintenance standards must also be met.

All exterior changes, including those that are landscape related, require application and prior approval by the Modifications Committee as provided in the Architectural Guidelines. It is the homeowner’s responsibility to ensure that all modifications are made in accordance with the approved plan. Any change to the approved plan requires resubmission to the Modifications Committee for approval. Owners are responsible for including in any lease agreement that the terms of the lease are subject in all respects to the provisions of the governing documents of the Association.

Pursuant to the above authorities, the Board of Directors has determined that it is appropriate to outline the conduct and maintenance, standards and restrictions that must be met by all owners to assure that the “Community-Wide Standard” of Avenel is clear so as to assure compliance with the Declaration, Protective Land Use Standards, the Architectural Guidelines and the general quality of the community. The Community-Wide Standards mean and include, but are not limited to the Architectural Guidelines and the following Standards governing conduct and maintenance

in the community: (It should be noted that there is some limited repetition or overlap between the Standards applicable to maintenance and the Architectural Guidelines):

Yards:

- The original landscape for each lot must be maintained, and if any portion of the landscape is removed, it should be replaced with comparable landscape unless approved otherwise.
- Dead trees, shrubs and flowers must be removed from the property and replaced with like kind trees, shrubs and flowers unless specific approval is sought and obtained from the Modifications Committee not to replace the plantings. If a tree is removed and not replaced pursuant to requisite approval, then the stump and roots should be removed and the lawn should be restored with seed or sod so that it is not apparent that a tree has been removed. With all trees or other related landscape removals, the Association reserves the right to require replacements if determined to be necessary in the future.
- Fallen trees, branches, and other similar related debris shall not be permitted to accumulate on the lot. If such debris is a result of a storm or weather-related event, debris should be removed no later than seven (7) days following the storm event.
- The use of artificial plant material, defined as anything non-living, is generally discouraged unless prior approval is obtained from the Modifications Committee.
- Trash must be placed in lidded containers and placed out on collection days only. Trash and recycle containers are to be stored inside at all times except specified collection days.
- Enclosures constructed to conceal trash or recycle containers, such as those made of wood, lattice or other materials, are generally not permitted.
- Driveways and front walks shall be kept free from weeds and grass and shall be kept in good repair to avoid unsightly potholes, sink holes, broken pavement, etc. If driveways are re-surfaced, the lawn along the perimeter the driveway should be built-up flush to the top coating.
- Vehicles shall be parked in driveways or garages, not in common area courtyards, or on the grass. Street parking should be maintained to a minimum and cannot interfere with ingress or egress of other vehicles.
- Inoperable or untagged vehicles, trailers, campers, vans, horse trailers, recreation vehicles, boats, or commercial vehicles shall not be permitted on any property or streets within the community.
- Vehicles parked within the community shall be maintained in operable condition as to not create damage, leak oil or other fluids on common or community maintained streets.
- Vegetable gardens are permitted in back rear portion of yards only and should be maintained in a tidy and neat condition. All fences including garden fencing requires approval by the ACA.
- Electric meters, air conditioning units, pool equipment, and other utilities shall be screened from view with evergreen landscape. Other forms of screening such as wood, lattice, plastic or similar type screens are not generally permitted.

- Firewood shall be stacked in rear yards only in piles generally not to exceed 8 feet in length, 4 feet in width, and 3 feet in height. Tarps are not recommended to conceal firewood, and if used must be in earth tones maintained neatly and in good condition.
- Children's temporary play equipment shall not be allowed to remain out on the property overnight and should be stored away out of sight at all times when not being used.
- No wire or raised edging along landscape beds, walkways, either functional or decorative is permitted unless incorporated into an approved landscape plan.
- Except for the temporary use of hoses necessary for normal lawn maintenance, no above ground hoses, water pipes, sewer pipes, gas pipes, drainage pipes, television, cable or similar lines shall be installed or maintained on the properties unless above ground pipes were part of the original construction of the home or an application has otherwise been submitted and approved. Above ground pipes are required to match the surface where attached which may require painting. In such cases, they must be regularly maintained in good condition.
- Garden hoses and garden reels should be stored away when not in use. Wall mounted reels and decorative hangers should generally be installed in the rear of the home where not visible from the street.
- Lawn ornaments, tents, trailers, or other temporary structures are not permitted on lots without prior written approval.
- Signs including but not limited to contractor, estate sales, advertising, or real estate signs are prohibited unless they are the Avenel provided For Sale/Rent signs which are ordered through the ACA office and installed by ACA staff. Professional security signs that are provided by the security company are permitted located in close proximity to entry doors. Signs should not exceed 10" X 12" in size and posts must be metal or composite. Signs and posts are to be maintained in good condition.
- In accordance with Montgomery County Code, temporary political/candidate signs can be displayed on a resident's property 30 days before an election and up to seven days afterward. Signs should not be posted or displayed on doors or in the windows of homes and should not be placed near roadways within easement areas or public right of ways. The total sign area must not exceed 10 square feet (for example: 3' x 3' sign = 9 sq. feet).
- Yard sales are not permitted. Indoor estate sales are permitted providing all items are maintained inside the dwelling. Directional signs to the sale or advertising signs are not permitted. Owners and/or estate sale agents are required to monitor estate sale visitor parking to ensure all vehicles are parked in accordance with Avenel's Parking Policy and County laws and are not parked in no parking zones, double parked or blocking ingress and egress of resident's driveways.
- Electric dog fences are to be installed on homeowner's property. When installed along front yards, electronic fence should not encroach into any public or private Association right of ways, which generally extend a minimum of 10' from the street into the lot.

Homes and Buildings:

- All exteriors shall be maintained in the original design, color and material unless otherwise approved by the Modifications Committee.
- The home's exterior trim/finishes shall be maintained in good condition. Paints or stains that have faded, discolored, peeled, chipped, or cracked should be repaired and excessive mold, mildew, or other similar type stains on the exterior of homes, garages, or walls should be removed.
- Mailboxes, piers, and capstones shall be maintained in clean condition and good repair.
- Skylights are permitted on rear elevation of the home, with prior approval of the Modifications Committee.
- Window muntins/mullions are required to be maintained in the windows of all homes where they were part of the original construction unless otherwise approved by the Modifications Committee. If windows are replaced, the new windows shall match the color, finish and design of the original window and shall have muntins/mullions.
- Interior windows shall not be hung with broken blinds, sheets, or towels, and window treatments shall be maintained in good condition. Broken muntins should be repaired or replaced.
- Missing shutters or shingles shall be replaced. Broken shutters, gutters, downspouts, screens, blinds, windows, awnings, etc. shall be repaired or replaced. Roofs should be maintained in good condition in order to maintain the aesthetic integrity of the roof system. In particular and without limitation, maintenance of the aesthetic appearance requires that the roofs be maintained reasonably free from mold, mildew, and stains and broken, cracked, or missing shingles or other roof elements should be repaired promptly by an experienced roofer. If substantial repairs are necessary, replacement may be required to maintain the uniform aesthetic appearance. Replacement shall be in accordance with the Architectural Guidelines.
- Rotting wood or peeling paint on stoops, steps, decks, siding, or trim shall be repaired or replaced.
- Window Air Conditioning or other window cooling or fan units are prohibited.
- Exposed metal ridge vents are prohibited.
- Storage sheds, doghouses, and other similar detached structures are not permitted.
- Seasonal or holiday decorations shall be removed within 30 days after the holiday.
- Dumpsters are permitted with prior authorization from the Association for limited periods of time. Whenever possible, dumpsters should be placed on individual lots/driveways and not in the public or private streets. Dumpsters should be kept clean and emptied on a regular basis.
- Homeowners should contact the ACA office for permission to place a dumpster, storage pod, port-a-john, or other temporary structure on any portion of the property or common areas and streets. Requests are to be made in writing and approval received prior to placement on properties or anywhere within community streets or roadways.

- The original garage door design, color, and material should be maintained, unless otherwise approved by the Modifications Committee. Garage doors should remain closed when the garage is not in use with vehicles entering or exiting the garage.
- Car covers may be permitted on a temporary short-term basis only if approved by the ACA.

Conduct:

- All vehicles driving in the community should do so in a safe manner, adhere to all posted speed limit and traffic signs throughout the community.
- All drivers of vehicles should be mindful of children and pedestrians at school bus pick up and drop off locations. Further, residents who park their vehicles to drop off or pick up children should do so in a safe manner, consistent with Montgomery County law, which states, in part, that it is unlawful for a vehicle to be parked within 35 feet of an intersection, 15 feet of a fire hydrant, 20 feet of a crosswalk, and 30 feet of a stop sign. Vehicles parked too close to a school bus stop area can create blind spots and difficulty for other vehicles to maneuver around. Safety for pedestrians and other drivers should always be prioritized.
- E-scooters, E-bikes, or other electric transports must be operated in a safe manner and consistent with applicable Montgomery County laws.
- Feeding wildlife, including, but not limited to birds, squirrels, racoons or deer, is discouraged by Montgomery County and the Maryland Department of Natural Resources, who emphasize that feeding wildlife can create a variety of problems, including, but not limited to attracting other wildlife, rodents, disease, and other sanitation concerns. Except for exterior bird houses, bird baths, and bat houses that may be applied for and reviewed by the Modifications Committee, feeding or otherwise attracting wildlife may be prohibited by the Association if deemed to be a nuisance to neighbors or the community in general.
- Avenel's Pet Policy and Montgomery County's leash laws must always be followed. Dogs must be leashed at all times when off the owner's property, ensuring they remain under immediate control and do not threaten pedestrians, animals, or property. Pet owners should always carry collection bags and must remove dog waste immediately. Pet waste stations are located throughout the community for the exclusive use of pet waste, which should be disposed of inside the waste receptacles and not left on the ground.
- Consistent with Montgomery County ordinance, noise from construction or lawn maintenance equipment must not begin before 7:00 a.m. on weekdays nor extend beyond 9:00 p.m. In accordance with Avenel's Governing Documents, Saturday noise restrictions are in effect from 10:00 a.m. to 5:00 p.m. and no exterior noise is permitted on Sundays.
- Short term rentals or rentals of any portion of the home except the entire home are prohibited.
- No soliciting signs are posted and as such, to the extent permissible by law, soliciting is not permitted in Avenel. In the event that you are approached by door-to-door solicitation, you are encouraged not to engage and to notify surveillance staff at 301-370-5484.

- Streets and roadways shall be accessible and free of congestion to the extent possible and thus, regular parking of vehicles should be in driveways or garages with street parking only on a temporary basis.
- There is a ten foot (10') wide front yard easement that runs along all private or public streets in Avenel. The uses within the easement are limited to the installation and maintenance of public utilities, and planting and landscape maintenance by the Association. Also, homeowners and their guests should refrain from parking vehicles on the grass within the easement, since this may interfere with necessary maintenance and cause damage to the turf.
- In addition to the front yard easement described above, there are various easements on and over the Lots in the Community, including, without limitation, side yards, rear yards, and other locations that are reserved in the Declaration, the Protective Land Use Standards, or other documents recorded among the Land Records of Montgomery County, Maryland, that are for maintenance, access and other purposes. Homeowners, residents, and guests must at all times comply with all restrictions on use within the easement areas
- Residents, their contractors, guests and any other party are prohibited from altering common area owned by the Association or for which the Association is responsible to maintain, repair or replace. The Association shall be entitled to reimbursement of any cost incurred by the Association to correct, repair, replace or restore any damage, alteration or other impact to such common area or other areas for which the Association is responsible, unless expressly authorized by the Association, in writing. This includes, but is not limited to, asphalt streets or paths, concrete curb and gutter, removal or alteration of trees/landscape/turf to common area or right of ways within an Association landscape easement, or such other areas oof Association responsibility, or the addition of any landscape or hardscapes to such Association areas.