

# *Rio Vista Mahwah*

Homeowners Association Inc.

## **Rules and Regulations for the Rio Vista Mahwah Homeowners Association Effective January 1, 2016**

The following Rules and Regulations are set forth by the Covenants Committee in accordance with the Declaration of Covenants, Conditions and Restrictions of Rio Vista Mahwah with the intention of clarification and supplementation of the rules governing architectural and landscaping review, and Covenants issues. The purpose of the Rules and Regulations is to preserve and enhance property values as well as to promote an exclusive custom home residential community.

### **1. Home Plan Approval**

- a. **New Construction:** One set of complete prints of the Home and the Site Plan shall be submitted by the Owner/Builder to the Covenants Committee and their designated Architect for approval. The Architect review fee will be reasonable. Prints must include the foundation plan, floor plan, all exterior elevations, location and width of the driveway and projected finish grades following backfilling and landscaping. Plans shall provide detailed information on exterior finishes and materials such as brick, stone, or stucco siding, roofing, exterior color selection, and the finished surface of driveways. Construction shall not commence until the Owner/Builder receives a letter of approval from the Architect.
  - b. **Additions and Material Modifications:** Any material change, such as additions, exterior finishes, etc., of any kind to the existing home must be submitted to the Covenants Committee and to the Architect for reapproval.
2. **Landscaping:** Landscape plans shall be submitted to the Covenants Committee and Architect for approval of the design of the portion of the yard facing the street before the home is occupied. Any material change of any kind made following the approval must be submitted to the Covenants Committee for re-approval.
  3. **Construction Materials:** Only natural materials are to be utilized for the construction of the home and any additions to the dwelling and the property, with the exception of Hardiplank, which must be stained or painted with a color that has been approved by the Covenants Committee and Architect. Aluminum, vinyl, composition siding (pressed board), including door and window trim, corner boards and porch ceilings are not approved except for the pre-formed roof soffits, leaders, gutters and fascia.

#### 4. **Time Constraints**

- a. **New Construction**: All homes and other structures, including driveways and landscaping, must be completed within eighteen (18) months after the start of construction.
  - b. **Renovations and Additions**: At the time of submission of plans under Rule #1 for any renovation or addition that will affect the exterior of a home, the site plan for a lot, or the landscaping of a property, the Owner/Builder shall include a request to the Covenants Committee for an allowance of time to complete said renovation or addition. The Covenants Committee shall decide in its reasonable discretion, based upon the scope of the project, the amount of time within which all construction work must be completed. If the Owner/Builder disputes the amount of time for completion as determined by the Covenants Committee, he may appeal the Covenants Committee's decision to the full Board of Trustees. The appeal shall be submitted by written request care of the Administrator of the Homeowners Association. The Board of Trustees may affirm or modify the time constraint set by the Covenants Committee and shall reduce its decision to writing, setting forth the reasons for such decision. The decision of the Board of Trustees shall be final.
5. **Signage**: All signs posted must be of a design and location approved by the Covenants committee prior to posting including but not limited to the following:
- a. **Security Company**: Maximum size of the sign shall be one square foot in area, professionally lettered, and shall be affixed to a wooden post such that the top of the sign shall be no more than two feet off the ground.
  - b. **Realtors**: Approved signs must be professionally lettered and fastened to a four by four wooden post.
  - c. **Builders/Sub-Contractors**: There shall be no sub-contractor signs or other signs of any kind displayed on the property. Builders must remove their signs upon completion of construction.
  - d. **No-Trespassing**: Not permitted.
  - e. **Car for Sale**: Permitted only if it is displayed from inside the car and only if the car is in the driveway of the property. The sign may not be displayed in a car that is anywhere else on the property or on the street.
  - f. **Election Signs**: Permitted no more than four weeks prior to an election and must be removed within a week after the election. Signs must be professionally lettered, standard sized and no more than two signs per property are permitted.
  - g. **Trees**: Posting is not permitted on trees.
6. **Lawn Ornaments**: Not permitted in the front yard of the property or in the side yard if the property is a corner lot, without prior approval of the Covenants Committee. Ornaments are defined by not limited to statuary and objects of art. Seasonal Ornaments and Decorations are excluded from this requirement provided the same are installed and removed in a timely manner on a seasonal basis.
7. **Driveways**: Completion of a driveway, whether finished or quarry surface, is included in the eighteen (18) month time constraint for home construction and landscaping.

## 8. **Fencing**

- a. **Location:** Fencing visible from the front of the property, and from the side of the property if the property is a corner lot, is to be of a decorative material.
  - b. **Cyclone (chain link) or Stockade Fencing:** Not permitted in areas visible from the front of the property and from the side of the property if the property is a corner lot, unless, completely screened by decorative evergreen landscaping and must be of brown or black color.
9. **Satellite Dishes:** Satellite dishes of approximately eighteen (18) inches or less in diameter may be mounted on a house or roof. Every effort should be made to make dishes as non-visible from the street as possible. Dishes larger than approximately eighteen (18) inches in diameter are prohibited unless completely screened by evergreen landscaping. Satellite dishes for commercial purposes are prohibited.
10. **Solar Panels:** Solar panels are not permitted if visible from the street from the front of the property.
11. **Commercial Vehicles:** No commercially licensed vehicles, boats, trailers, campers, mobile homes or trucks may be visibly parked on any part of the property except temporarily for the purpose of servicing the property.
12. **Obnoxious or Offensive Activity:** No obnoxious or offensive activities or nuisances shall occur on the property. Any loud or unnecessary noises that disturb the peace of the residents of the neighborhood, including the barking of dogs for more than 10 consecutive minutes at any time of the day or night, shall be declared a nuisance and are therefore prohibited. All valid laws, zoning ordinances and regulations of governmental bodies shall be observed at all times.
13. **Animals:** No animals shall be permitted on the property except for household pets. Please refer to the Township of Mahwah Board of Health Ordinance No. 08-124, attached here.
14. **Motorized/All-Terrain Vehicles:** Use of any gas powered motorized bikes/all-terrain vehicles are prohibited in the Rio Vista community.
15. **Home Rental:** No Home shall be rented for less than 180 days. A standard lease must be submitted to the Homeowners Association prior to the effective date of the lease. The homeowner remains responsible for all provisions of the Declaration of Covenants, Conditions and Restrictions of Rio Vista Mahwah. Either the Homeowner or the renter, but not both, may avail themselves of the amenities of the Association during the course of the lease.
16. **Landscaping/Snow Maintenance Equipment:** Mowers, leaf blowers and other noise-producing equipment may be used only Monday – Saturday between the hours of 7:30 a.m. and 5:00 p.m. All work must be completed by 5:00 p.m. No noise producing equipment can be used on Sundays. Snow removal equipment is exempt.

17. **Timely Response:** Any Owner who receives a letter from the Covenants Committee concerning his property must make a timely written response to the Covenants Committee (as specified in the letter.) The Owner's response must specifically address the issues contained in the Covenants Committee letter.
18. **Transfer of Ownership:** For the purpose of maintaining an orderly procedure for transfers of title to properties in Rio Vista Mahwah, and to maintain a current, up-to-date roster of homeowners, Owners shall give the Administrator of the Homeowners Association a timely Notice of Intent to list their property for sale or to otherwise transfer ownership of their property. Prior to closing of title, the Owner shall notify the Administrator of the names and address of the purchasers, along with the name, business address, and telephone number of the purchasers' attorney. No Owner may sell or otherwise transfer ownership of their property without first obtaining a Payout Letter from the Homeowners Association showing the amounts, if any, of unpaid dues or assessments as well as other charges against the property.
19. **Fines for Violations:** The Covenants Committee has the power to request that property owners comply with the rules and regulations of Rio Vista Mahwah as the same may, from time to time, be amended, supplemented and interpreted. The Board of Trustees may impose fines for non-compliance on the basis of recommendations of the Covenants Committee. A Schedule of Fines is attached and incorporated herein. In the event a homeowner fails to correct a violation within 60 days after the commencement of the applicable fine for such violation, the Board shall have the discretion to increase the amount of the daily fines in the event of non-payment of same, in accordance with the attached Schedule of Fines. Any unpaid fines are subject to an annual surcharge at the discretion of the Board of Trustees after 180 days and every 180 days thereafter.

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