

**Point Venture Townhouses, Inc.
Rules and Regulations**

Revised and Approved
May 2021

The following Rules and Regulations have been approved by the Townhouses, Inc. Board of Directors and apply to all owners of townhouses,

1. Compliance. Compliance with Point Venture Townhouses, Inc. Rules and Regulations, Deed Restrictions and Bylaws of Point Venture Townhouses, Inc. is required of all owners and/or any person or entity occupying the owner's property. It is the responsibility of each owner to convey these Rules & Regulations to each person occupying the owner's property.
2. Architectural Control. - No improvement, modification or alteration shall be made, or commenced without obtaining written approval of both the Point Venture Townhouses, Inc. Board of Directors and the Point Venture Architectural Control Committee. Each improvement, modification or alteration must comply with all provisions of the Townhouse Architectural Control Committee Standards published on the website of Point Venture Townhouses, Inc. The procedure is outlined in the *Point Venture Townhouses, Inc. Community Handbook & Rules*.
3. Decks, Balconies, Porches & Common Areas
 - a. Decks, patios, porches and balconies must be kept neat in appearance.
 - b. Clotheslines and the hanging of towels and garments from railings, fences, lawn furniture, and patio furniture in front or behind townhouses is prohibited.
 - c. Decks, porches, patios, and/or common areas are not to be used for storage of boxes, cleaning utensils, lumber, bricks, cans, buckets, unused furniture, appliances, pipe, paint, gasoline, tools, building materials, or any other items.
 - d. Front decks, front balconies and front porches shall not be used to store any outdoor cooking device. Any outdoor cooking device used in front of townhouse units must be secured out of sight when not in use.
 - e. No hot tub, spa, sauna, in ground water device, above ground water device, fountain, outdoor shower or similar product shall be placed on any deck, patio or private property without prior written permission from the Board of Directors. If approved, all such products are subject to any and all local building restrictions.

- f. Permission must be obtained from the Association prior to erecting any radio antenna, television antenna, satellite dish or receiver device.
- g. Window or wall air conditioning or heating units are prohibited. Units with such devices as of May 15, 2021 are not subject to this rule; however, no existing units shall be replaced without prior approval from the Board of Directors.
- h. Dumping of trash of any kind, including tree and shrub trimmings, is strictly prohibited.
- i. Garbage and trash must be placed inside trash containers provided by the contractor serving Townhouses, Inc. Leaving trash, boxes or any other items outside the trash containers is prohibited.
- j. Railings, walkways, porches and decks shall be maintained in good condition in order to provide safe entry and exit.
- k. Overnight camping is prohibited on any and all Association common areas.
- l. **THE FIRST VIOLATION OF ANY RULE ABOVE SHALL RESULT IN A WRITTEN WARNING BEING SENT VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE OWNER STATING THE ACTION THAT CONSTITUTES A VIOLATION, STATING THE AMOUNT OF THE FINE, PROVIDING AN OPPORTUNITY TO CURE THE VIOLATION (BY A DATE CERTAIN), AND STATING THAT A FINE IN THE AMOUNT OF \$25.00 PER DAY WILL BE LEVIED IF THE VIOLATION IS NOT CURED BY THE STATED DATE. EACH SUBSEQUENT VIOLATION OF ANY RULE ABOVE SHALL RESULT IN A FINE OF \$25.00 PER DAY UNTIL THE VIOLATION CEASES. IN THE EVENT THERE ARE NO SUBSEQUENT VIOLATIONS FOR A SIX (6) MONTH PERIOD FROM THE DATE OF THE ORIGINAL WARNING, THE OWNER IS ENTITLED AGAIN TO A FIRST VIOLATION WARNING.**

4. Emergency Services

- a. The Association is not responsible for providing keys or access to rental units.
- b. There is no guarantee that Association personnel will be available to provide after-hours access to any Townhouse unit. If after-hours emergency access is provided, verification of authority to enter the townhouse unit will be required and there will be a service fee of \$25.00.

5. Endorsement of Insurance Checks - Any owner who is co-payee on any insurance check on which the Association is a co-payee shall endorse the check to the account of the Association upon presentment of the check to the owner. If the owner fails to do so, the

Association may levy a specific assessment against the owner in an amount equal to the amount of the check, plus an additional fine of 1.5% of that amount, for each month in which the owner fails to endorse the check.

6. Grinder Pumps. The Association has grinder pumps and common sewer lines serving all units. The Association is responsible for payment of all maintenance costs of those grinder pumps and common sewer lines. If the cause of a malfunction of a grinder pump and/or common sewer line can be traced to actions of a particular unit, that unit will be charged, as a specific assessment, for the cost of repair.
7. Rental Fee. The Association shall be entitled to impose an administrative fee of \$400 per calendar year on each unit that is held, used, or offered for rental at any time during the year ("rental unit"). The fee for an existing rental unit shall be due and payable on January 1st of each year. The fee for any unit that becomes a rental unit after January 1st of any year shall be due and payable on the date the unit is first held, used, or offered for rental, and shall not be prorated for any calendar year. The Board, by resolution, may change the due date for payment of the fee.
8. Noise
 - a. At no time shall owners, guests and/or animals occupying any unit, property, deck, patio and/or common area be allowed to create a nuisance.
 - b. **A noise nuisance is sound or noise that can be clearly heard by a person with normal hearing such that a reasonable person would believe the sound or noise unreasonably interferes with the comfort, use and enjoyment of others. The term does not require the clear appreciation of specific words of speech or specific words of a song.**
 - c. Noise nuisance also includes, but is not limited to the following: unreasonable levels of noise, offensive language, and unreasonable level of any animal noise.
 - d. **EXCEPT AS STATED IN e. BELOW, THE FIRST VIOLATION OF THE ABOVE NOISE RULE SHALL RESULT IN A WRITTEN WARNING BEING SENT VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE OWNER STATING THE ACTION THAT CONSTITUTES A VIOLATION, STATING THE AMOUNT OF THE FINE, PROVIDING AN OPPORTUNITY TO CURE THE VIOLATION (BY A DATE CERTAIN), AND STATING THAT A FINE IN THE AMOUNT OF \$500.00 WILL BE LEVIED IF THE VIOLATION IS NOT CURED BY THE STATED DATE. EACH SUBSEQUENT VIOLATION OF THE NOISE RULE ABOVE SHALL RESULT IN A FINE OF \$500.00. IN THE EVENT THERE ARE NO SUBSEQUENT VIOLATIONS FOR A SIX (6) MONTH PERIOD FROM THE DATE OF THE ORIGINAL WARNING, THE OWNER IS ENTITLED AGAIN TO A FIRST VIOLATION WARNING.**

- e. **EACH DISTURBANCE OCCURRING AFTER 12 MIDNIGHT SHALL BE CONSIDERED UNCURABLE, AND SHALL RESULT IN AN AUTOMATIC FINE OF \$500.00. THERE WILL BE NO WARNING.**
- f. Violations are to be reported as follows:
- (1) Report the violation to the local Travis County Sheriff (512-974-0845) and obtain an incident number, if possible.
 - (2) Document the violation through the use of technology, including but not limited to: pictures, audio recordings or video recordings, which show the date and time of recording.
 - (3) Within 48 hours of the disturbance, report the violation in writing to the Townhouse Office (Point Venture Townhouses, Inc., 551 Venture Boulevard S., Point Venture, TX 78645, or office@pvtownhouses.org) with all documentation attached.
 - (4) Each complaint will be reviewed by the Townhouse Office and the Townhouse Board of Directors.
- g. On or before the 30th day after the date the notice was mailed, the owner may file a written request for a hearing to discuss and verify facts and resolve the matter in issue before the Board of Directors. A hearing before the Board of Directors will be held not later than the 30th day after the date the board receives the owner's request for a hearing. A majority vote from the Board of Directors is required to overturn any fine.

9. Parking

- a. Motor vehicles, trailers, and similar items may only temporarily park on Association common areas for a period not to exceed 72 hours in a 14 day period.
- b. No transport trucks, 18-wheelers or commercial vehicles are allowed to be parked overnight on Association common areas, including but not limited to behind any townhouse, in any parking space or any roadway located within the townhouse areas.
- c. Motorhomes, boats, trailers, and similar items are not permitted to be parked in front of or behind townhouses except for the purpose of loading or unloading.
- d. Motor vehicles, recreational vehicles, motorhomes, boats, trailers and motorcycles are strictly prohibited from parking beside any townhouse or on any area where sprinkler systems are located.

- e. Each owner shall be strictly liable for property damage caused by the owner, any member of the owner's family, any guest of the owner, any tenant of the owner, any person or entity renting from the owner and/or any person or entity occupying the owner's property. The cost to repair damage to Association common property will be a specific assessment to the owner.
- f. Inoperable vehicles, including vehicles with flat tires, may not be left on Association common areas (including parking areas) for more than ten (10) days. Vehicles with expired registrations shall be considered inoperable. After written notice by email to the owner, any violation shall result in the inoperable vehicle being towed at the owners' expense.
- g. No repair work or blocking of any vehicle off the ground is permitted on Association common areas (this includes all paved parking areas). Mobile repair service must be completed within 24 hours.
- h. **THE FIRST VIOLATION OF ANY RULE ABOVE SHALL RESULT IN A WRITTEN WARNING BEING SENT VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE OWNER STATING THE ACTION THAT CONSTITUTES A VIOLATION, STATING THE AMOUNT OF THE FINE, PROVIDING AN OPPORTUNITY TO CURE THE VIOLATION (BY A DATE CERTAIN), AND STATING THAT A FINE IN THE AMOUNT OF \$25.00 PER DAY WILL BE LEVIED IF THE VIOLATION IS NOT CURED BY THE STATED DATE. EACH SUBSEQUENT VIOLATION OF ANY RULE ABOVE SHALL RESULT IN A FINE OF \$25.00 PER DAY UNTIL THE VIOLATION CEASES. IN THE EVENT THERE ARE NO SUBSEQUENT VIOLATIONS FOR A SIX (6) MONTH PERIOD FROM THE DATE OF THE ORIGINAL WARNING, THE OWNER IS ENTITLED AGAIN TO A FIRST VIOLATION WARNING.**

10. Pets

- a. The Village of Point Venture has an animal control ordinance. Each owner must comply with all provisions of that ordinance.
- b. Pets are required to be on a leash and under the control of the handler when outside. Pets are not allowed to run free on any townhouse common areas.
- c. Pet owners are strictly liable and will be held responsible for any damage or personal injury caused by their pets.
- d. Pet owners are responsible for immediately cleaning up after their pets.
- e. **THE FIRST VIOLATION OF THE ABOVE PET RULES SHALL RESULT IN A WRITTEN WARNING BEING SENT VIA CERTIFIED MAIL,**

RETURN RECEIPT REQUESTED, TO THE OWNER STATING THE ACTION THAT CONSTITUTES A VIOLATION, STATING THE AMOUNT OF THE FINE, PROVIDING AN OPPORTUNITY TO CURE THE VIOLATION (BY A DATE CERTAIN), AND STATING THAT A FINE IN THE AMOUNT OF \$100.00 WILL BE LEVIED IF THE VIOLATION IS NOT CURED BY THE STATED DATE. EACH SUBSEQUENT VIOLATION OF THE PET RULES ABOVE SHALL RESULT IN A FINE OF \$100.00. IN THE EVENT THERE ARE NO SUBSEQUENT VIOLATIONS FOR A SIX (6) MONTH PERIOD FROM THE DATE OF THE ORIGINAL WARNING, THE OWNER IS ENTITLED AGAIN TO A FIRST VIOLATION WARNING.

- f. **All costs incurred by the Association for having an animal captured and/or restrained will be assessed against the owner.**

11. Safety

- a. Guns. Discharge of guns or firearms, including but not limited to BB guns, air rifles and pellet guns, within the townhouse sections, including common areas, is strictly prohibited. Discharge of firearms is also prohibited pursuant to the Ordinances of the Village of Point Venture.
- b. Fireworks. Display or use of fireworks of any type in the townhouse sections, including common areas, is strictly prohibited. Fireworks are also prohibited pursuant to the Ordinances of the Village of Point Venture.
- c. Fires. Open fires are prohibited in all townhouse sections and common areas.
- d. Hot Coals. Placing hot or warm coals in garbage bags, plastic trash cans or on the ground is strictly prohibited.
- e. Solid Fuel Burning. Charcoal, wood and/or other solid fuel burning devices are strictly prohibited on any and all decks, balconies and any structure with a roof or roof overhang.
- f. Outdoor Heating Devices. Any and all fire pits, fire tables, chimineas and other outdoor heating devices, whether fueled by charcoal, wood, solid fuel, liquid gas, propane, gel or any other fuel, are strictly prohibited in all townhouse sections and common areas. This rule includes all such devices, whether used for heating, cooking and/or ambiance.
- g. **VIOLATION OF RULES A THROUGH F ABOVE SHALL RESULT IN THE ASSESSMENT OF A FINE IN THE AMOUNT OF \$500.00 FOR EACH VIOLATION. THERE WILL BE NO WARNING.**
- h. Outdoor Cooking.

- (1) Pursuant to Rule 11 e. above, charcoal, wood and/or other solid fuel burning cooking devices are strictly prohibited on any and all decks, balconies and any structure with a roof or roof overhang.
- (2) It is the accepted recommendation that all outdoor cooking devices should be located at least ten (10) feet from any structure or combustible surface. The use of any liquid gas, propane or open flame cooking device on decks or balconies is discouraged.
- (3) In the event any owner chooses to go against the above recommendation and any liquid gas, propane or open flame cooking device is used, the following rules shall apply:
 - (a) Any liquid gas, propane or open flame cooking device, while in operation, must be located at least three (3) feet from any wall or combustible surface.
 - (b) For any liquid gas, propane or open flame cooking device located nearer than three (3) feet from any wall or combustible surface, a fire resistant barrier must be attached to all walls and/or combustible surfaces (i.e. a fire resistant barrier must be attached to the wall, flooring, ceiling and/or railing where the device is located).
 - (c) Use of any liquid gas, propane or open flame cooking device is prohibited in any area covered by a ceiling, roof or overhang.
 - (d) At all times that any liquid gas, propane or open flame cooking device is in use, a fire extinguisher must be located within 15 feet of the cooking device.
 - (e) Each townhouse owner is strictly liable for any damage resulting from the use of any outdoor cooking device.
 - (f) Any and all damage costs resulting from the use of any outdoor cooking device will be assessed against the owner.
- i. Fire Extinguishers. A fire extinguisher, conforming to marine type USCG, Type A, Size II or Type B; C, Size I, with Underwriters Laboratories seal, in good condition, and inspected annually shall be quickly and easily accessible.
- j. Smoke Alarms. Hardwired smoke alarms are recommended for each townhouse unit. Battery operated devices should be installed in areas where hard wired devices are not practical.

k. Motorbikes, Motorcycles, & Dirt Bikes. Motorbikes, motorcycles, and/or dirt bikes are not allowed on the grassy portions of townhouse sections or on any townhouse common areas.

l. **THE FIRST VIOLATION OF THE ABOVE RULES SHALL RESULT IN A WRITTEN WARNING BEING SENT VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE OWNER STATING THE ACTION THAT CONSTITUTES A VIOLATION, STATING THE AMOUNT OF THE FINE, PROVIDING AN OPPORTUNITY TO CURE THE VIOLATION (BY A DATE CERTAIN), AND STATING THAT A FINE IN THE AMOUNT OF \$500.00 WILL BE LEVIED IF THE VIOLATION IS NOT CURED BY THE STATED DATE. EACH SUBSEQUENT VIOLATION OF THE RULES ABOVE SHALL RESULT IN A FINE OF \$500.00. IN THE EVENT THERE ARE NO SUBSEQUENT VIOLATIONS FOR A SIX (6) MONTH PERIOD FROM THE DATE OF THE ORIGINAL WARNING, THE OWNER IS ENTITLED AGAIN TO A FIRST VIOLATION WARNING.**

12. Tree Cutting

a. No trees will be removed from common areas unless authorized by the Board of Directors. Upon approval of tree removal, a fee, as set by the Board, will be assessed if removal is performed through the Association. Upon approval of tree removal to be performed by the owner or owner's contractor, the owner shall be solely liable for any damage resulting from the owner or the owner's contractor. In general, hardwood trees will not be approved for removal, but cedar trees will be considered for removal.

b. Trimming of trees in the common areas is prohibited unless authorized by the Board of Directors. Upon approval of tree trimming, a fee, as set by the Board, will be assessed if trimming is performed through the Association. Upon approval of tree trimming, to be performed by the owner or owner's contractor, the owner shall be solely liable for any damage.

c. **VIOLATION OF THE ABOVE RULES SHALL RESULT IN A FINE OR DAMAGE ASSESSMENT OF \$2,500 PER TREE REMOVED OR TRIMMED.**

13. Violations. Unless a stated rule above has a specific method for reporting violations, violations of Association rules shall be made as follows:

a. Document the violation through the use of technology, including but not limited to: pictures, audio recordings or video recordings, which show the date and time of recording.

b. Report the violation in writing to the Townhouse Office (Point Venture Townhouses, Inc., 551 Venture Boulevard S., Point Venture, TX 78645, or

office@pvtownhouses.org) with all documentation attached.

- c. Each report will be reviewed by the Townhouse Office and the Townhouse Board of Directors.
- d. On or before the 30th day after the date the notice was mailed, the owner may file a written request for a hearing to discuss and verify facts and resolve the matter in issue before the Board of Directors. A hearing before the Board of Directors will be held not later than the 30th day after the date the board receives the owner's request for a hearing. A majority vote from the Board of Directors is required to overturn any fine.