

# KINGSWOOD HOMEOWNERS ASSOCIATION

## Rules & Regulations

### Owners and Tenants/Guests

The association has adopted the following rules to help maximize enjoyment, to maintain values and to ensure the continued aesthetic beauty of our community. The Rules apply to all owners in the Kingswood Subdivision and their families and tenants. The Rules apply to all Kingswood properties and therefore are essentially Act of Restriction, and automatically apart of each lease agreement (even if they are not attached), and each owner is responsible for making sure his tenants have a copy of the Rules and follow them. The Rules are subordinate to the General Restrictions found in the Association's Covenants, Conditions and Restrictions and in case of conflict, "The Provisions of the Covenants, Conditions and Restrictions Shall Prevail."

### Definitions

Property shall mean the land described in the Covenants, Conditions, and Restrictions, which includes without limitation all lots, common areas, roads, streets, landscape areas and easements.

"Board" shall mean the duly elected and/or appointed Board of Directors of the Kingswood Homeowner's Association.

Declaration shall refer to the Declaration of Covenants, Conditions, Restrictions, and Easements for Kingswood Single Family Home Subdivision contained in Orleans Parish act before Andree Gelpi, Notary Public, dated August 21, 1979, registered in COB 763E, folio 494., and all amendment thereto.

### Enforcement

The Rules will be strictly enforced. If the Rules are violated by the owner, his family, tenants or guests, the owner and tenant (if applicable) will be responsible for corrective action, damages, and fines.

1. **Improvements.** Approval of all Improvements including removal of improvements that affect the external appearance of any lot or home must be obtained in advance by the Architectural Review Committee. The homeowner will provide a copy of governing documents to the builder and architect to ensure that all changes adhere to applicable provisions, thereof (whether or not such documents actually have been provided); any failure of the builder or architect to fully comply with the provisions of the Governing Documents shall

constitute a material default. Such approval is to be obtained by following the guidelines as set forth in the Declaration.

2. **Single Family Use.** All lots shall be used only for dwellings by a single family owner occupied. No building other than dwellings or building accessories shall be constructed or maintained on a lot.
3. **Unsightly Articles.** No article deemed to be unsightly by the Architectural Committee shall be permitted to remain on any lot so as to be visible from adjoining property or any thoroughfares.
4. **Unsightly Vehicles and Vehicle Repair.** Trucks, boats, recreational vehicles, campers, snowmobiles, motorized golf carts, trailers, commercial vehicles or other (other than automobiles) shall at all times be parked in the garage at the dwelling. NO more than two (2) automobiles may be parked consistently on the driveway belonging to the residence of any dwelling servicing said dwelling, and their repair or maintenance shall not be permitted, except within the confines of the garage. Bicycles, wagons, and other play items, which are not permanently installed, shall not remain outside overnight. The doors to the garage of any dwelling shall remain closed at all times other than when necessary for the bringing in or out of vehicles.
5. **Parking.** Owners shall observe such rules and regulations regarding the parking of motor vehicles within the Property as may be described by the Board from time to time. Other than temporary vehicles necessary for ongoing construction and/or maintenance, no vehicles shall be parked on any street within the Property within the hours of 8:00 AM and 5:00 PM Monday thru Saturday for mail delivery and trash pickup (Wednesday and Saturday)
6. **Trash.** All garbage receptacles and refuse bins have to be kept inside the garage and only be put curbside at accepted City of New Orleans collection times. On the days when the garbage is collected, all containers shall be removed from the street and returned to the garages before nightfall on the same day.
7. **Animals and Pets.** No animals (other than inoffensive common domestic household pets such as dogs and cats) may be kept on any lot or within the confines of any improvement thereon. Not more than three (3) dogs or cats, or any combination thereof, shall be kept on any lot or within the confines of any improvements thereon. The breeding or keeping of dogs or cats for sale or profit is prohibited. Dogs may not be leashed or tethered to stationary objects in the front yard. There shall be no exterior dog runs. All domestic pets must be kept on a leash or tethered and not permitted to run loose.
  - (a) Sec. 18-13. Soiling of public and private property by animals. If any public or private property is soiled or contaminated by an animal, whether such nuisance shall take place in the presence of the owner or keeper or not, or if the owner or the keeper is a minor, the parents or guardian thereof shall be deemed guilty of violating this section. This section shall not apply in a designated off-leash area or "dog park" in which the owner or keeper, or parents or guardian thereof, shall abide by the regulations imposed by the management of such area which shall include, but not be limited to, immediate cleanup and
  - (b) proper disposal of animal waste by the owner or keeper, or parent or guardian thereof.

8. **Noxious or Offensive Activity.** No noxious or offensive activity shall be carried on in or upon a lot, nor shall anything be done which would constitute an annoyance or nuisance to other owners. The following activities are specifically prohibited:
  - a) Permitting rubbish and debris of any kind to accumulate on a lot
  - b) The burning of refuse outside a dwelling
  - c) Foil or reflective materials used on windows as sun screens
  - d) Heating/air conditioning units installed in any windows.
  - e) Exposed pipe in excess of eighteen inches in any visible exterior location
  - f) Allowing overhead garage doors to remain open when not in use
  - g) The accumulation of derelict vehicles, garbage, rubbish, or other unsightly materials upon a lot.
  - h) Daily use and/or storage of more than four (4) automobiles on the property.
  - i) The hanging of laundry, clothing, rugs, or any other articles on any railing, fence, hedge, or wall, or the erection of laundry drying equipment, including clotheslines, outside dwelling, except within screened patios or porches. At no time should washer and/or dryer equipment should be stored outside dwellings.
9. **Unauthorized installation or placement** of sports athletic equipment or apparatus designed for temporary mobile or fixed stationary use including Basketball goal equipment and Sports athletic training equipment is prohibited.
10. **Hazardous Activities.** No activities shall be conducted on the Property that might be unsafe or hazardous to any person or property. Without limiting the preceding statement, no firearms shall be discharged on the Property and no open fires shall be permitted, except within safe and well designed fireplaces or in contained barbecue units while attended and in use for cooking purposes. Nothing shall be done or kept on the property that would increase the rate of insurance or cause the cancellation of insurance on any lot or any of the improvements located on the Property.
11. **Nuisances.** No activity shall be conducted on the Property that in the judgment of the Board of Directors might reasonably be considered as annoying to neighbors of ordinary sensibilities, or might be reasonably calculated to reduce the desirability of the Property as a residential neighborhood.
12. **Eviction of Tenants.** The Association/Improvement District have the right to evict an owner's tenant who substantially or repeatedly violates the Association's rules and regulations.
13. **Parties are permitted.** However, owner resident and/or tenants are encouraged to notify Kingswood Homeowners Association in advance of the event and they will be responsible for notifying neighboring residents along with providing a contact telephone to ensure party guests are not illegally parked. According to Section 14-307 Prohibited in R zoning district-It shall be unlawful for any person, landowner or lessee, to organize, promote, conduct or cause to be conducted an outdoor public musical entertainment, amusement or assembly of persons in any residential zoning district of the city.

Upon receipt of a request for a hearing, the Board shall schedule the hearing within thirty (30) days and give the Owner at least ten (10) days' advance written notice of the date, time, and place of the date, time, and place of the hearing.

A certified mail letter that is returned to the Association due to the owner's failure or refusal to claim the letter shall be deemed received by the Owner on the 10<sup>th</sup> day after the postmark date of the letter.

The Board may, but need not, send a copy of all notices to an occupant of the Lot.

The foregoing procedures do not apply to lawsuits seeking a temporary restraining order or temporary injunctive relief, nor do they apply to the collections of regularly scheduled assessments and late fees.

Pursuit of any of the foregoing remedies shall not preclude pursuit of any other remedy provided in the Declaration or by law or equity.

Unless otherwise defined in this Enforcement Procedure, all terms shall have the same meaning as defined in the Declaration of Covenants, Conditions, and Restrictions.

Kingswood Homeowners Association/Improvement District