



Leafmore Forest Condominium Association, Inc.

Rules and Regulations

**Revised March 2012
Published by the LFCA, Inc. Board of Directors**

<http://leafmoreforesthoa.org/>

INTRODUCTION

Leafmore Forest (also referred to as Leafmore and the Association) is self-governed and self-managed by a five (5) member Board of Directors. In 2010, the Board and homeowners underwent a process to update the legal Association documents in compliance with the Georgia Condominium Act. As part of that process, the Association is now incorporated.

This book is a handy reference to Leafmore's governing documents:

- 1. Declaration of Condominium For Leafmore Forest, A Condominium (Declaration); and**
- 2. Amended & Restated Bylaws of Leafmore Forest Condominium Association, Inc. (Bylaws)**

This guide delineates the **Rules and Regulations** for each homeowner. The Board of Directors determines these Rules and Regulations under the authority of the governing documents. The intent is to preserve and enhance the enjoyment of everyone living in Leafmore Forest.

The Board of Directors hopes you will find this book helpful. When you have questions, please contact a Board member (see Leafmore Directory or the website: <http://leafmoreforesthoa.org/>).

SUMMARY OF DECLARATION AND BYLAWS

DECLARATION

Sections 1-6 [p. 5-8] define terms used in the Declaration and the location, property description, unit boundaries, common and limited common elements.

Sections 7-9 [p. 9-11] cover the broad rights of owners and the Association including the right of the Association "to make and enforce reasonable rules and regulations" governing the Common and Limited Common elements.

Sections 10-11 [p. 11-17] address assessments/dues and maintenance responsibilities of owners and the Association.

Sections 12-13 [p. 17-26] address architectural controls and use restrictions. These sections describe enforceable guidelines and standards for any architectural amendments and resident use of property.

Sections 14-15 [p. 27-29] address leasing and sale of units. The Association values having resident owners and does not allow leasing/renting. The Board may make exceptions where certain hardship criteria apply.

Sections 16-17 (p. 30-33) pertain to Association responsibility for insurance, repair and reconstruction.

Sections 18-19 [p. 33-35] address eminent domain and easements.

Section 20 [p. 35-36] addresses authority and enforcement regarding owner and occupant compliance with the Declaration, Bylaws, Rules and Regulations.

Section 21 [p. 37] addresses the process for amending the Declaration.

Section 22 [p. 37-39] describes general provisions related to security, dispute resolution, etc.

BYLAWS

There are six (6) sections in the Bylaws, which "provide for the self-government of Leafmore Forest Condominium Association, Inc. "and are in accordance with the Georgia Condominium Act, the Articles of Incorporation and the Declaration of Condominium for Leafmore Forest. The

Bylaws cover the forming, purpose, membership and meetings, composition and authority of the Board of Directors and Officers, the nomination and election of the Board and fiscal management of the Association. The Bylaws also cover the amendment process. The complete Amended and Restated Bylaws can be found as Exhibit “E” of the Declaration of Condominium for Leafmore Forest.

SALE OF UNITS [Declaration: p.29]

A unit owner is to:

- Notify the Board of Directors in writing within 7 days after the sale or transfer of the unit.
- Turn in gate opener to the gate coordinator.

The purchaser is to:

- Notify the Board of Directors in writing within 7 days of receiving title to the unit.
- Notify gate coordinator so that the gate entry system can be updated and to get a gate opener.

RULES AND REGULATIONS

The revised Rules and Regulations honor the longstanding experience and practice of Leafmore residents and past Boards. The substance is essentially unchanged from the 2007 Pink Book. They align with the updated documents as required by law. This means that all the rules and regulations in this book stem from language and content in the legal documents. These are a guide for residents so that we homeowners can maintain the values and standards that we care about for our community. The Board of Directors establishes these rules and regulations by authority of the Declaration [p.10-11].

NOMINATIONS AND ELECTION PROCEDURES FOR THE BOARD OF DIRECTORS

[Bylaws: Composition and Selection p.5-7]

Nominations for election to the Board can come three ways:

1. From the Nominating Committee
2. From a full active member in good standing nominating him/herself or others via the Nominating Committee
3. From the floor at the annual meeting by a full active member in good standing

Nomination and election procedures:

- The Board of Directors shall appoint a Nominating Committee at least 90 days prior to each annual meeting.
- The Nominating Committee shall consist of a Chairperson, a Board member and at least 3 additional full active members of the Association who are not Board members.
- The Board shall notify the Association by 90 days prior to the annual meeting of the members of the Nominating Committee and shall request submission of names of all eligible Association members who are willing to serve and wish to be a candidate for election to the Board.
- At least 60 days prior to the annual meeting the Nominating Committee shall publish the rules for nominations for the current year, to include specific dates. Any unit homeowner in good standing and a full active member of the Association can nominate himself/herself or any other homeowner in good standing and a full active member, in accordance with the published rules for nominations.

- The Nominating Committee shall consider all eligible candidates who have indicated an interest in serving and select at least five (5) names to recommend to the Board for election to the next Board.
- The Board shall notify the Association of the names of all Board nominees approved by the current Board, in accord with the time frame established in the published rules. The Nominating Committee will publish all nominations (both Nominating Committee and owner nominations) prior to the annual meeting, following the time frame in the published rules, and will provide all nominees the opportunity to publish their qualifications for the Board.
- The Board will make a proxy form available to each eligible member to vote for each unit he/she owns.
- Nominations for election to the Board may also come from the floor at the Annual meeting. The nominee must be in good standing and a full, active member of the Association.
- Directors shall be elected at the annual membership meeting. If elections are held at the annual membership meeting, voting shall be by written ballot, unless dispensed with by unanimous consent or unless a slate of candidates is unopposed and is accepted by acclamation. Each unit may cast one vote as long as the owner is in good standing and a full active member of the Association. The eligible member may assign a proxy in writing to vote on his/her behalf.

CONDOMINIUM ASSESSMENTS/DUES

[Declaration p.11-14]

The monthly assessment fee is due by the first of each month. Payments received after the 10th day of the month are late. Late payments are subject to a charge of 10% of the monthly fee for each month in arrears.

Make Payments payable and mail to:

Leafmore Forest Condominium Association, Inc.

PO Box 29402

Atlanta, Georgia 30359

ARCHITECTURE

[Declaration, p.17-19]

MAINTENANCE OF UNIT (DWELLING & GARAGE) EXTERIORS

- a) Pursuant to our Declarations dated Sept. 2010, Section 11(b), the AC is responsible for:
 - i) Roofing: The function¹ and appearance of LMF dwelling and garage roofs² are maintained by repair³ or periodic reroofing.
 - ii) Painting: The appearance of painted surfaces⁴ is maintained by periodic repainting.
- b) Reroofing and repainting are typically multi-year, community-wide projects. For each project, the AC recommends contractor candidates and contract terms to the Board. The Board chooses the contractor and schedules the project. The AC monitors the work to ensure it meets contract terms.
- c) Section 11(a) indicates that Owners are responsible to maintain the function and appearance of all other items visible from the Common Areas and not specified by 11(b). This includes, but is not limited to, repair⁵ or replacement⁶ of:
 - i) doors & windows, plus their associated frames & hardware,
 - ii) items attached to Unit exteriors (e.g. address numbers, mailboxes, lights),
 - iii) items that serve only that Unit (e.g. pipes, lines, ducts, conduits),
 - iv) items with painted surfaces (other than doors & windows),
 - v) masonry & cement,
 - vi) railings, and
 - vii) owner additions (e.g. screens, storm doors & storm windows).
- d) If the Association notifies Owner of an area listed in c) above that needs maintenance, the Owner must fully resolve the issue in a reasonable time frame. If not resolved, the Association has the right to contract the work and bill the Owner accordingly.
- e) Each Board has the right to assume responsibility for **all or part of** an Owner-responsible item.

ARCHITECTURAL CONTROLS

- a) The AC reviews all Applications for Architectural Changes and recommends a response to the Board.
- b) The AC monitors the community for any unapproved architectural changes that are not consistent with LMF standards
- c) The AC recommends changes to LMF standards as necessary.

¹ "Function" means having the strength, shape and structural integrity to do the intended job.

² "Roof" includes covering materials (e.g. shingles), underlayment, flashing, bonding, sealing & coloring agents, joists & cross braces.

³ Repair by the AC refers to normal wear and tear only.

⁴ "Painted surfaces" includes all items on the exterior of the dwelling and garage that were painted as part of the original Unit construction or items added by the Board community-wide. Currently these items are: doors & windows including their frames, pediments and thresholds, soffits, fascia boards, shutters, gutters, vents, chimney covers, and downspouts. Painted items must conform to LMF design and color standards..

⁵ Repair by the Owner includes touch-up painting with matching paint as needed. ⁶ Items added or replaced by the Owner must conform to LMF design standards. ⁷ Frame color must match item covered.

Pre-Approved Changes

Front Door Hardware Front door house numerals are replaceable only with numerals 3" in height, raised numbering, not flat. The numerals and hardware should be in polished or antique brass or oil rubbed bronze. Mail slots should match the door hardware. The numerals are centered on the front door; additionally, numbers may be added to the mailbox, but not placed on the pediment or the brick.

Garage numerals shall adhere to the same guidelines as the front door numerals (except they may be flat and black in color). No background is allowed with the numerals.

Front lights are replaceable with traditional styles in black wrought iron, polished or antique brass, or oil rubbed bronze, similar to styles in current usage on other units. Sensor lights and synchronized motion detectors are acceptable.

Mailboxes and mail slots shall have finish matching the front door. Mailboxes shall be located on the exterior wall adjacent to the front door. Mail slots shall be centered in the front door or located in the door sidelight window panel.

Handrails and patio wall safety bars on end units should be black wrought iron, match the existing styles in use and replaceable only with rails that meet current code requirements. Handrail and patio wall safety bar maintenance is the responsibility of the homeowner.

Burglar bars (only inside unit); attic fans; outside garage lights; vents and vent fans are permitted. They must conform to existing styles with painted surfaces matching unit color scheme.

Patio changes that do not require approval: light fixtures; pet doors; gas grills; plants and trellises as long as they do not extend above patio walls, trees being an exception; patio floors, which may be resurfaced with materials of choice, excluding wood or other termite attractors. Existing drains in patios must remain unobstructed.

Storm doors are allowed on the front of the Unit, must match the color and hardware finish of the front door, and the glass must be fully transparent and not tinted.

Replacement windows should match the design style of the original windows. Recommended features: no-paint frames & grids with exterior color matching window trim, lifetime warranty on the multi-pane seals and moving parts, and a 5-year warranty on installation and workmanship.

Existing storm window trim must be anodized silver matte finish or painted the color of the trim on the window.

Painting doors, garage doors, storm doors, and replacement windows: If installing a new front door, garage door, front storm door or replacement window, the homeowner must have it painted to match the appropriate door or trim paint for that unit within 60 days after installation.

If installed within 60 days prior to the scheduled painting of the unit, the Association will have it painted as part of that painting cycle. See back of this book for exterior paint colors.

Examples of Changes Requiring Written Board Approval

(Contact the Architecture Committee chairperson with questions. A sample approval form is at the back of this book)

Front doors and garage doors may be replaced with windowless styles in use. They may be metal or wood but must be painted to match existing exterior color schemes of the unit.

Side windows on end units must be consistent with existing styles in the unit.

Patio wall extensions projecting above present walls are permitted only with matching brick.

Patio downspouts on end units are permitted to be moved outside the patio walls at the owner's expense. Black plastic piping must be installed underground to empty at the street.

Patio enclosures or add-on rooms in the patio may be permitted if in accordance with County building codes.

Air conditioning compressors may be elevated only with written approval. They are not allowed in common areas.

Satellite dishes may be permitted if approved by the Board and must meet specific guidelines. Satellite dishes must be attached to the firewall of the back of the unit so that the dish is completely below the roofline, or attached to the firewall between the garages. Attaching to the roof, eaves, woodwork, gutters or fascia is not permitted.

Pods (moving containers) are allowed only with Board approval and may stay in the common area only for one week.

Bird feeders and houses and wind chimes are not permitted in Common Areas or on the front stoops without Board approval.

Changes Not Permitted

Exterior color schemes changes are not permitted. The Association does the exterior painting of the units on a regular basis. Colors are to remain uniform throughout the community. If touch-ups are necessary, the paints (numbers and source information) that must be used are in the back of this booklet.

Exterior screens and windows that are tinted are not permitted.

Landscaping changes are unallowable. When plantings need replacement, the Association will do so at Association expense. An owner may request to upgrade the plantings and agree to pay the difference in cost between the budgeted amount and that of an approved upgrade.

Pet doors in the front door are not permitted.

Landscape Committee Responsibilities

The core responsibility of the Landscape Committee is the maintenance and upkeep of the common areas and limited common areas of the Leafmore Forest Community. A focus of common areas includes the entry into the community and general inspection and care of trees and tree canopy on the perimeter and interior of the community. The Landscape Committee is responsible for the oversight of contractors to provide for maintenance, tree trimming, and general drainage of common areas.

Residents are responsible for the landscaping and maintenance of the patio. Trees, shrubs, and vines must be trimmed in such a way as to not interfere with gutters, drains, garage roofs, or adjacent landscaping. The drain on the patio of each residence is the responsibility of the homeowner. If these areas are not properly maintained, the Landscape Committee may trim these plants, repair damage, and assess a charge to the owner.

Residents are encouraged to clear minor obstructions that may follow a storm event. If hazardous conditions are observed, residents should notify the Landscape Committee and recommend action. Periodically, the Landscape Committee may organize a voluntary community work day to improve landscape conditions at Leafmore Forest.

Landscaping in the areas in front of residences may be improved by the resident, at the homeowner's expense, if such changes are pre-approved by the Landscape Committee. This may include areas on the side or ends of buildings. In the event all or the majority of a resident's landscaping needs replacing (e.g., severe drought), the landscape committee will keep the homeowner updated on the replacement plans and schedule. The Landscape Committee will work with residents to upgrade and maintain plants within the limited resources available with care given to the network of underground utilities serving our community.

The Landscape Committee is also responsible for maintenance of drainage piping from gutter downspouts, including the drains that are buried. These storm drains are designed to connect gutter drains to the street and the community storm drain network.

Landscaping is detailed in the Leafmore Forest Condominiums declarations in sections:

11. Maintenance Responsibility (pg. 14-17)
12. Architectural Controls (pg. 17-19)
13. Use Restrictions (pg. 19-26)

GENERAL REGULATIONS

[Declaration: Use Restrictions p.19-26; Bylaws: Rule Making and Enforcement p. 15-16]

A few general regulations are below. They serve as a guide and reminder for owners and all residents to observe, promote and enhance a high quality of communal life here at Leafmore. They address the more common concerns of residents over the years.

NOTE: Much more detail is in the Declaration regarding use of units and common property, rule making authority and enforcement. For the rules below, see specific page references for details.

Front stoops may have one or two planters or small classic architectural figures. Plants or statuary may not exceed the height of the wrought iron railing. Obstructions on stoops are not permitted.

Garage Aprons: Garage aprons may have 1 or 2 plant pots sizes 5 to 25 gallons only. The pot(s) in use must originally be intended as a plant pot and not a repurposed item. Pots may contain only live plants or pruned dormant plants in winter. No signage, flags, lighting, or other decorations permitted in or around the pots. Pots must be contained to the garage apron, which includes the actual plants/foliage. Pots may not impede the primary purpose of the garage apron for vehicle parking if applicable. The presence of potted plants on garage apron are not a valid excuse for the requirement of not using the garage apron for vehicle parking.

Traditional holiday or seasonal decorations are permissible only on front doors and pediment, stoops, front lights and handrails; lighting of decorations is permissible in these areas only. Holiday decorations should follow general cultural and religious practices. Decorations may be displayed two weeks prior to the holiday and must be removed within two weeks after the holiday with the exception being the month of December to observe ALL holiday celebrations.

American flags may be displayed on historic or patriotic occasions, i.e., Fourth of July, Veteran's Day. Seasonal flags and other decorative banners are not permitted.

Gas appliances [Declaration, p.21] In order to maximize efficient gas usage, which is paid for by the Association as a common expense, each unit is limited to no more than 5 gas appliances, which may include gas grill on the patio, gas fire place in the unit, gas water heater, gas furnace, gas stove/oven.

Patio plantings [Declaration, p. 21] The Association will repair damage to walls, drains, sewers, or foundations caused by patio plantings at the owner's expense.

Pets [Declaration, p.23] Owners are responsible for their pets. Dogs are allowed on common property only if on a leash and if under the physical control of a responsible person at all times. All animals must be kept in compliance with DeKalb County ordinances.

The *DeKalb County Code relating to animals* is: "It shall be unlawful for any person who possesses, harbors, or is in charge of any animal not to immediately remove droppings by the animal on any street, right-of-way, public or private property. It shall be the duty of any person having custody and control of any animal, while not on their property, to have in their possession a device, equipment or other means for picking up and removal of animal droppings. All violations should

be reported to the Police, who will write a citation for the offense. Exclusions: guide dogs, police dogs, and rescue dogs.”

The County ordinances also address the annoyance of disturbing noise from pets. (See Chapter 5 Animals section 5-2d. See also the Leafmore Declaration). Reporting of any violation is the responsibility of individual unit owners.

Parking [Declaration, p.24] - All parking must adhere to the Leafmore Forest Declaration, p.24 and provide safety and street access for emergency vehicles.

We are all equally obligated to first park resident’s vehicles in garages or within lined spaces where there are no garages. In such cases that a resident, with a reasonable number of vehicles, has first used their garage parking or the resident has visitors, parking is permitted on common space roads with the **exceptions**:

- the west side of Leafmore Place from the front gate through 1492 near the front entrance;
- the east side of Leafmore Place in front of 1477 through 1485;
- the east side of lower Leafmore Place in front of 1460-1472;
- the north and south sides of Leafgate Road from the pool to the back gate;
 - on the zigzag, in front of units and on curves;
- the north and south sides of Leafgate Road in front of 2374 and 2376;
- the north side of Leafgate Road in front of 2378 through 2392;
- Leafmore Square in front of units and on curves;
- the west side of Leafview Road in front of 1474 through 1486;
- Leafmore Ridge in front of units and on curves;
 - On the end of the island with the fire hydrant, no parking within 20’ of the end (to enable clear access to hydrant).
- no parking on garage access roads.

Parking is permitted on the concrete aprons behind your garage only if the vehicles completely on the concrete and not protruding beyond.

Campers, boats, and trailers must be parked in the homeowners’ garages and not protrude beyond the garage door.

Speed limit [Declaration, p.10] is 15mph in Leafmore Forest.

Signs [Declaration, p.25] are not permitted unless authorized by the Board. Security decals are may be placed in windows only, not on signs in front or back of the unit.

Garbage cans [Declaration, p.25] must be confined to the garage or patio except on days of trash removal. Units without garages may store garbage cans in the rear alley. DeKalb County mails to residents each year a regular and holiday pick-up schedule.

Garage sales [Declaration, p.25] are permitted as long as they do not constitute a business. Garage sales may be scheduled on **Saturdays only** between the hours of 8:00am - 4:00pm. Only the Board can approve exceptions to the Saturday only rule. Signs for direction and marketing are allowable on the grounds *only on the day of the sale*. Arrangements are necessary for parking to ensure access by emergency vehicles and access by homeowners to their garages. The owner

holding the sale must contact the gate coordinator one week in advance to schedule the gate opening.

Security gates [Declaration, p.10, 11, 37]

- **Gate openers**

- The owner of each unit can have up to two gate openers at no cost. The owner may assign his/her opener to Board approved tenants. The owner, at his or her option, can provide the gate coordinator the name for the listing in the telephone entry system directory.
- Report lost, stolen or damaged gate openers to the gate coordinator by the next business day. Replacements, at owner's expense, are available through the gate coordinator.
- When a tenant moves out, the owner must notify the gate coordinator. The gate coordinator will then remove the access coding to the system to protect the residents.
- Five days or later after the sale of a unit, the selling owner will no longer have access through the telephone entry system directory or with the gate openers. Gate openers are the property of Leafmore Forest. Return all gate openers to the gate coordinator after closing.

- **Telephone entry system**

- The name of the unit resident is the only one listed in the telephone entry system directory.
- Listing in the directory is optional. The unit resident will still have a personal access code.
- Owners and tenants will share one access code.
- Notify the gate coordinator of move in or out dates.

- **Vendors, service providers**

The gate coordinator assigns access codes to vendors, contractors and others routinely providing service to Leafmore Forest residents. These include Public Safety 911 (Police, fire, EMS), sanitation service, utility companies, postal and delivery services, newspaper delivery, regular exterior maintenance contractors, school bus and realtors.

- **Gate schedule**

- Monday through Sunday and holidays: gates are closed.
- **Garage or estate sales:** Contact the gate coordinator at least one week in advance to schedule the gate opening.
- **Private parties:** Guests invited to private parties gain entry through the gates by using the resident's personal access code or by using the telephone entry system.
- **Exceptions:** Residents may petition the Board of Directors to request approval for a special one- time gate opening and closing time frame for a special event.

Pool rules [Declaration, p.10]

- Pool hours: 9:00a-10:00p daily. There is no lifeguard.
- Residents are responsible for the behavior of their guests.
- Residents, their families and invited guests may use the pool.
- A parent or responsible adult 18 years of age or older must accompany children 13 years of age and younger.
- Children who are not toilet trained are not allowed in the pool.

- If a homeowner or the homeowner's guest contaminates the pool, the pool requires cleaning as soon as possible. The cost of restoring the water to safe swimming conditions is the homeowner's responsibility.
- To comply with DeKalb County and insurance requirements, the pool gate must be locked at all times. Pool access is by key entry..
- No pets or glass containers are allowed in the pool area.
- No cooking or grilling of food, except at parties sponsored by the Association, is permitted.
- Beverages and light snacks are permitted.
- No diving, running, pushing, ducking or boisterous conduct is allowed.
- Radios, TVs, tape and CD players are allowed only with earphones.
- Bathing suits are the only acceptable attire in the pool.
- Deposit trash in the receptacles provided. Soiled diapers must be removed from the pool area by the person responsible for the baby.
- Only arm floaters and other very small floatation devices designed to aid small children are permitted.
- Swimmers must rinse off in the shower before entering the pool.
- Smoking is not permitted in the pool area.
- Pool parties are not authorized except those sponsored by the Association.

Exterior Paints

The Association does the exterior painting of the units on a regular basis. Colors are to remain uniform throughout the community. Residents may do touch-up using the following paints only:

AREA	COLOR NAME	COLOR CODE	PAINT CODE	SHEEN
Iron Work	Rustoleum Glossy Black Exterior			
Wood & metal trim	Grant Beige	B/B	SW B010 HC-83	satin
Front door & storm door	Iron Ore	IO	SW 7069	high gloss
	Grant Beige	B/B	SW B010 HC-83	high gloss
	Dried Thyme	Green	SW 6186	high gloss
	Moth Wing	Taupe	SW 9174	high gloss

Paint type: Sherwin Williams "All Surface Enamel Latex" Purchase from:
Sherwin Williams Paint Store

2460 North Druid Hills Road, Atlanta 30329 Phone: 404.633.6818

Note: Leafmore Forest Condos has a commercial account with all paint codes on file at this location. We recommend using this account for purchasing paint as it will give you a significant discount.

APPLICATION for ARCHITECTURAL CHANGES
Leafmore Forest Condominium Association, Inc.

DATE _____

HOMEOWNER'S NAME _____
ADDRESS _____
PHONE _____
E-MAIL ADDRESS _____

DESCRIBE THE PROPOSED CHANGE

Attach drawings, sample finishes, literature and any other information that will assist the Board in visualizing the end project.

SIGNATURES OF ADJACENT NEIGHBORS (WHERE INDICATED)

BOARD ACTION:

APPROVED _____ **DISAPPROVED** _____

COMMENTS FROM BOARD

President's Signature

Date

Record of Updates to the Rules Approved by the Leafmore Forest HOA Board of Directors

Rule (s)	HOA Board Approval	Date of Update in this PDF
Parking	April 10, 2016	February 24, 2020
Architecture Committee Responsibilities	February 10, 2020	February 24, 2020
Landscaping Committee	Tuesday, April 21, 2020	Sunday, April 26, 2020
Architecture Updates	Tuesday, August 18, 2020	Monday, November 9, 2020
Traditional holiday or seasonal decorations	Tuesday, December 21, 2021	Wednesday, January 12, 2022
Parking: Updates Based on Fire Marshall's Visit	August 17, 2021	Thursday, February 10, 2022
Garage Aprons	January 18, 2022	Thursday, February 10, 2022