

Huntington Landscape Policy, adopted July 28, 2013

A Whereas

- 1 the Board of Directors of the Huntington Homeowners' Association has the sole and exclusive right to maintain all landscaping on the Huntington property, including in the common areas and also in private yards and courtyards,
- 2 and whereas it is a long-standing policy of the Board of Directors to allow individual unit owners to install plants or shrubs on private property, so long as at maturity such plantings shall be no taller than the black wrought-iron fencing surrounding each yard (or are kept trimmed to that maximum height), and so long as the owner takes responsibility for maintenance of such plantings,
- 3 and whereas as of March 31, 2007, the board had created a photographic record of all of the private yards and courtyards at the Huntington, with the purpose of having an accurate inventory of all existing plant materials,

B Therefore, be it resolved that:

- 1 With the adoption of this resolution, the board policy about private plantings shall be as follows:
 - a The board policy is directed towards all plant materials, including trees, shrubs, flowers and plants, which are collectively referred to as plantings. The policy is directed towards potted or hanging plantings, as well as to those placed in the ground.
 - b Owners may install plantings without board permission, so long as the installed plantings at maturity will be no higher than the black wrought iron fencing (approximately 6 feet) that borders an individual yard, or are kept trimmed to that height.
 - c Unit owners shall be responsible for all maintenance of any privately installed plantings, and for any damage that such plantings may cause.
 - d Vines may not be installed by individual unit owners.
- 2 The association is responsible for routine repair and replacement of all elements of the irrigation system, including in private yards or courtyards, except when any elements of the system are damaged by action of someone other than a representative of the association. In such cases, the owner shall be responsible for repairs.
- 3 The association is responsible for mulching both the common areas and the private courtyards or yards.
 - a The frequency and amount of mulching will be at the sole discretion of the board. Generally, the board will seek to have each private yard or courtyard mulched about once every two years.
 - b Individual owners may add additional mulch to their yards. However, if a private owner uses upgraded or different mulch from the standard used by the board, then that owner shall be responsible for maintenance and replacement of such mulch. The board will replace or replenish only the standard mulch.
 - c Turf grass, whether in the common or private areas, shall be maintained at the sole discretion of the board.
 - i If an area of turf grass dies, the board will replace it. However, if the replanted turf also dies off, then that turf will be replaced with mulch or some other plantings, at the discretion of the board.
 - ii In cases where the board has determined to replace failed turf grass, an owner may request permission to install turf grass at his or her own expense. Should permission be granted, the owner will be responsible for maintenance.
- 4 The association is responsible for landscape-related pest control. Other forms of pest control, such as for ant infestations, are the responsibility of the individual owners. (For more detail on this, see the association's "Owner's Manual," a guide to our general policies.)
- 5 Once each spring, the Landscape Committee shall inspect all of the landscaped areas of the Huntington, including private yards and courtyards. Based on this inspection, the committee shall:

Huntington Landscape Policy, adopted July 28, 2013

- a Recommend to the board any landscape improvements that it deems necessary or desirable.
- b Report to the board on any private plantings that it believes are out of compliance with board policy.
- c Create a work list of projects for the coming year. This shall include work to be done in private yards, including mulching.

C And let it be further resolved that the board policy stated above shall be enforced in the following manner:

1 With regards to any plantings that are installed after the completion of the photographic record:

- a An owner who wishes to install a planting that does not comply with board policy may seek permission for such installation from the Board of Directors. The board shall have complete discretion to approve or deny such applications.
- b If the board discovers a planting that it deems to be out of compliance with its policy, the procedure stated below shall be followed:
 - i The relevant unit owner shall be notified in writing of the non-compliance and be given 30 days in which to bring the specified planting into compliance.
 - ii If the planting remains in non-compliance after the 30-day period, then the Board of Directors shall have the necessary work performed and shall bill the unit owner for the full cost. In cases where the board does undertake the work, the board shall have complete discretion to determine the extent of the work to be done, i.e. whether trimming or outright removal is necessary to achieve compliance.
 - iii Once a bill has been submitted to the unit owner, the owner shall have 30 days in which to pay the bill.
 - iv The Treasurer shall maintain a record of any bills that are outstanding or in arrears, and shall include this information in any estoppel letter that is submitted to a title company when a unit is being sold. The Board reserves the right to file a lien against the property for any unpaid bills, at any time.

2 With regards to any plantings that were installed prior to March 31, 2007.

- a Unit owners shall be required to keep any plantings to a height of less than the black wrought iron fencing, where regular trimming will not cause undue harm to the planting.
- b Unit owners shall be responsible for all maintenance of privately installed plantings, and for any damage that might be caused by such plantings.
- c The Board of Directors may ask, but not require, unit owners to remove any plantings that are above the height of the fence, and cannot be trimmed to such height.