

• **ELLICOTT MILLS HOMEOWNERS ASSOCIATION (EMHOA)**
POST OFFICE BOX 21125
CATONSVILLE, MARYLAND 21228

ARCHITECTURAL GUIDELINES
NINTH REVISION
EFFECTIVE MARCH 3rd, 2020

I. INTRODUCTION

The Architectural Guidelines set forth below are in furtherance of the provisions of Article X as amended of the Declaration of Covenants, Conditions and Restrictions for Ellicott Mills (herein referred to as Covenants) and are intended to specify particular concerns and criteria with respect to various types of accessory structures, alterations and minor additions to existing structures. They do not modify any requirements of the Covenants and, in the case of any inconsistency which may exist between the Architectural Guidelines and the Covenants, the requirements of the Covenants will prevail. The developer, Arundel Lumber Company, Inc., already reserved the right to approve the plans for specifications and design of the dwelling which is initially constructed on a Lot, as well as the site construction and landscaping plans. Therefore, these Architectural Guidelines are not intended to cover major construction on a Lot, such as the replacement of an existing dwelling, a major repair or reconstruction, or a major addition. In these latter situations, more detailed plans and specifications prepared by an architect will be required.

The purpose of the Architectural Guidelines is to provide for fair enforcement of the Covenants, to ensure that applications provide the Architectural Committee with all the necessary information to thoroughly evaluate the project in a timely manner, and to assist the property owner in planning exterior alterations by providing guidelines regarding which types of alterations, additions or accessory structures normally will be approved. Each proposed project submitted to the Architectural Committee will be evaluated on its own merit.

Baltimore County building codes require a building permit and inspection for many types of alterations, additions, and accessory structures. Though the Architectural Committee assumes no responsibility for monitoring Baltimore County building codes or informing property owners regarding the requirements of such codes, all applications requiring County Building Permit or Permits shall have copied of all Permit or Permits attached to the Application. The Committee will not approve any application which would result in a code violation, nor will the Committee consider an application that does not, as required, have a copy or copies of Baltimore County Building Permit or Permits.

The effective date for this revision of the Architectural Guidelines is March 3, 2020. This Ninth Revision supersedes all previous revisions of this document. Architectural Committee business will be transacted using only the current Architectural Guidelines.

II. APPLICATIONS

A written application to the Architectural Committee (See Section VII) is required for proposal of any alterations, additions to existing structures, or for any accessory structures, such as fences, swimming pools, sheds, etc. See Section IV. Specific Guidelines, for some examples. Construction for any proposed project may not begin without written permission from the Architectural Committee. A submitted Application for Alteration or Additions is not approval of a proposal, as the proposal must be voted on by the Architectural Committee.

A. General

1. An application for a proposed project must be submitted in writing, on the standardized form provided by the Homeowners Association (copy attached). Additional forms may be obtained from any member of the Architectural Committee or EMHOA Board of Directors. **Applications should be sent by U.S. mail to:**

**Architectural Committee
c/o Ellicott Mills Homeowners Association, Inc.
Post Office Box 21125
Catonsville, MD 21228**

or they may be hand delivered to the Chairperson of the Architectural Committee. See Section II.C for notification.

2. The Architectural Committee normally meets once each month. Therefore, the property owner should plan to submit the application at least thirty (30) days prior to the projected start date to allow for processing of the application. The date of the next meeting may be obtained from the Architectural Committee chairperson. (Please consult the EMHOA Association website or newsletter)

B. Contents of Application

Applications must include sufficient information for the Architectural Committee to adequately review the proposed project. Omission of information may cause a delay in the Architectural Committee acting upon the application until all necessary information is provided. The forty-five (45) day period referred to in Section II.C (Notification) begins upon the first regularly scheduled Architectural

Committee meeting date following Architectural Committee receipt of a complete application. Applications must include the following information.

1. Name, address, and phone number of the property owner(s).
2. A detailed and specific description of the proposed project.
3. A sketch of the project with a description of the types of materials and exterior colors to be used; all dimensions of the project, elevation (side) views; and any other information pertinent to the project should be included. Photocopies from the sales catalog, sales brochures, color chips, and the like are very beneficial.
4. Location of proposed project indicating distance from house and property lines. A top view of the project drawn on a copy of the survey for the property is to be included.
5. A copy or copies of any Baltimore County Building Permit or Permits as required by the county.
6. Acknowledgment signatures of all adjacent property owners.

Note: These signatures **are required** to ensure that proposed projects are made known to the affected property owners; however, their signatures do not indicate approval or disapproval of the project. Any absence of signatures of adjacent property owners will require an explanation by the applicant for an investigation or follow-up by the Architectural Committee.

C. Notification

The Architectural Committee normally will notify the property owners in writing within forty-five (45) days after the application has been considered by the Architectural Committee. Every approved application will be assigned a project number. The notification letter will state one of the following:

1. The project has been approved and permission to proceed with the project as submitted has been given;
2. The project has been conditionally approved and permission to proceed with the project contingent upon meeting restrictions imposed by the Architectural Committee has been given;
3. In order for the Architectural Committee to properly evaluate a project, the property owner is requested to furnish additional information about the project; or
4. The project as submitted has not been given approval by the Architectural Committee.

Questions regarding the status of a project should be directed to the Architectural Committee chairperson. If not notified in writing within forty-five (45) days

from the first regularly-scheduled Architectural Committee meeting date following Architectural Committee receipt of a complete application, the applicant should check with the Architectural Committee chairperson for status. **Under no circumstances should non-notification be interpreted as an approval.**

When the Application has been approved by the Architectural Committee, the property owner(s) have one (1) year to complete the project from the date of approval. Once approved, the Application for Alterations or Additions cannot be altered or changed. If the approved project is not completed within one (1) year, the application is void, and the application process must start all over again. (See Section V. Completed Projects).

D. Appeals

In the event a project request is not approved by the Architectural Committee, the property owner(s) may submit the application within ten (10) days from the date of notification to the EMHOA Board of Directors to appeal the decision of the Architectural Committee. The property owner(s) may provide written, or oral arguments at the next regular EMHOA Board meeting to support the application. The Board of Directors will review the proposed project and will issue a final decision in writing within (10) days.

III FAILURE TO MAKE APPLICATION FOR PROJECTS OR WAIT FOR APPROVAL

Property owner(s) are required not to undertake any work on a project prior to receiving written approval from the Architectural Committee. Proceeding with a project prior to obtaining written approval from the Architectural Committee AND/OR the property owner(s) making the decision to ignore or disregard the Architectural Guidelines and proceed with a project, is a violation of the By-Laws, Covenants, and Architectural Guidelines of the community of Ellicott Mills, and will not be permitted. Should the property owner(s) proceed without written approval and a project number, the property owner(s) will be faced with the cost of removing the project and returning the property back to its original state which will comply with the Architectural Guidelines, Baltimore County ordinances, and the laws of the State of Maryland. (See Section VIII. **ENFORCEMENT AND LIABILITY** for more details.)

IV. SPECIFIC GUIDELINES

An application from the property owner and approval by the Architectural Committee are required for all projects involving exterior alterations, additions, or modifications of, or to the property, dwelling, or any structure on the property. Each proposed project submitted to the Architectural Committee will be evaluated on its own merit. Applications shall be considered for approval based upon conformity with the Covenants and Architectural Guidelines. These applications will be guided by the extent to which the proposed alterations, additions, or modifications will conform with exterior design and appearance with other structures within Ellicott Mills based upon, among other things, the following:

- ❖ Quality of workmanship;
- ❖ Nature and durability of materials;
- ❖ Harmony of external design with existing structures, exterior colors, topography, grade elevations and drainage;
- ❖ Public health and safety;
- ❖ Outlook or view from adjacent or neighboring properties; and
- ❖ The general aesthetic values of the surrounding area. .

The following sections list some of the more common projects that must be applied for by the property owner and approved by the Architectural Committee. This section is intended to provide general guidance regarding the suitability of projects covered under these guidelines.

Remember, an application and approval are required prior to starting all projects involving exterior alterations, additions, or modifications of, or to, the property, dwelling, or any structure on the property and that this section, while covering many of the most often requested projects, is not an all inclusive list of projects requiring application and approval.

A. Antennas/Satellite Dishes

All installations of antennas/satellite dishes must conform to FCC regulations, and the *EMHOA's Rules and Restrictions*. A copy of the EMHOA's documents are attached along with the "*Model Notification Form*" which **must** be completed and submitted to the Architectural Committee before installation.

B. Awnings

1. Awnings will match and complement the color of the house or trim.
2. The frame of the awning must be removable if the awning is located in front of, or on the sides of the home. The awning, including frame, must be removed for the winter.

3. If the frame is located behind the rear site line of the house, the frame may be left up for the winter.

C. Basketball Backboards

1. Basketball backboards must be either pole or garage mounted. House mounted backboards are not allowed. The preferred location is behind the rear site line of the house.
2. The backboard should either be the color of the backboard material or white. The pole should be a color to blend with the surrounding backboard. Unpainted galvanized steel poles or poles painted black are examples of acceptable poles. A marker square on the backboards in any color is allowed.
3. Basketball backboards are not permitted in the townhouses' areas, due to close proximity of dwelling and noise considerations. Portable backboards may be used, and must be stored in the rear of the property when not in use.

D. Clotheslines

1. Clotheslines (rope, wire, string or any other line-like material) hung for the purpose of drying clothes, or any other purpose, are not allowed.
2. The only exception is the use of retractable or rotary clothes dryers, which will be allowed with the following conditions:
 - a. Clothes may be hung out to dry only between the hours of dawn and dusk.
 - b. A rotary clothes dryer must be located behind the rear site line of the house.
 - c. When not in use, either must be retracted or secured.

E. Decks and Patios

1. Decks and patios should be located behind the front site lines of the property owner's house. They should relate in style and exterior color to adjacent structures.
2. The property owner(s) need an approved Application to construct a new deck or patio, or to replace any existing decks or patios. The construction shall be done with the necessary permit or permits and inspections from the Baltimore County Office.
3. Decks shall be built with pressure treated wood, other non-decaying wood, New Techwood, or another type of non-decaying material.
4. Decks may be left in their natural wood state or may be stained the color of a natural wood shade. If a New Techwood material is used, color of white is acceptable, but a wood color is preferred. Alterations of colors for the deck stain will require prior approval from the Architectural Committee.

5. Patios shall be constructed only of concrete, brick, stone, or a combination of these.

F. Dog Houses

1. Dog houses should be consistent in color to surroundings, of low visibility, and located behind the rear and side site lines of the house.
2. Dog kennels or fenced runs are not permitted.
3. If a concrete pad is desired for the dog house, prior approval must be made from the Architectural Committee.

G. Exterior Changes

1. To ensure conformity and harmony of colors within the community and to keep the general aesthetic and economic values of the property and surrounding neighbors, exterior colors for painting, siding, or the like must have prior approval through an Application for Alteration or Addition.
2. All exterior colors will be based on the approved color palette for the community of Ellicott Mills, and will be obtained from the Architectural Committee.

H. Fences

Installation of all types of fences must have prior approval from the Architectural Committee. The following conditions shall apply to all fences:

1. All fences must be located behind the front site line of the property owner's house and adjacent properties. For any fence adjacent to open space sidewalks or county roads, a minimum setback of seven (7) feet from the property line must be maintained.
2. Fence material shall be of high quality wood, pressure treated, composite, vinyl, or other non-decaying variety. The fence must not exceed six (6) feet in height.
3. The color must be a natural wood shade stain. If composite or vinyl and is pre-colored, it must be wood colored or white. Entire fence must be uniform in type of fence, color and height. Any desired color change must be requested in writing with an Application for Alteration or Addition form and include color samples for submission to the Architectural Committee.
4. The preferred fence style is that of a wooden split rail or picket fence. Split rail fences may contain low visibility metal screening to ensure containment of pets or small children. Picket fences will have spacing between the pickets of not less than 85% of the measured width of the picket.
5. Privacy fences used as partitions, will be allowed only in limited applications on a case-by-case basis as determined by the Architectural Committee.
6. Chain-link fences of any type are not allowed.

I. Gutters and Down Spouts

Gutters and down spouts should be white, or match the color of the house or trim.

J. Heating and Air-Conditioning Sources

Approval is required for all external heating or Air-Conditioning units other than those installed at the time of initial house construction. Relocating existing heating or Air-Conditioning units must be approved by the Architectural Committee.

K. Landscaping /Driveways

These guidelines ensure conformity and harmony within the community and will keep the general aesthetic and economic values of the property and surrounding neighbors.

1. Plans for landscaping include, but are not limited to, rock gardens, rock ornamentation, patios, concrete, brick or wood retaining walls, concrete/brick walkways or driveways, and lawn ornamentations, and must be submitted for approval before implementation.
2. Solid shrub hedges will be considered as fences and plans must be submitted for additions or alterations to the Architectural Committee. Trees planted as a partition between properties are not allowed, unless approved by the Architectural Committee.
3. The property owner(s) will need a prior approved Application to construct, remove, or replace partial or whole concrete, brick, or asphalt driveways or sidewalks. Permits from Baltimore County will be submitted with the application.

L. Permanent Grills and Barbecues

Permanent grills and barbecues should be located inconspicuously behind the rear site line of the house. Color and construction materials will match and complement the exterior color of the house or townhouse.

M. Play Equipment

Play equipment should be located as inconspicuously as possible and a reasonable distance from the rear and side site property lines. Colors should complement the surroundings.

N. Roofing

1. Replacement or alterations of the roofing shall be the same color and materials as when the original site construction was completed. This will ensure conformity and harmony of colors within the community and will keep the general aesthetic and economic values of the property and surrounding neighbors.

2. Any partial replacements, alterations or materials used must match exactly materials already in existence on the home.
3. Any desired color change must be requested in writing with an Application for Alteration or Addition form, and have color samples attached for approval of the Architectural Committee.

O Sheds (Tool and Storage)

1. Sheds must be constructed of wood or metal. Color is to be consistent with the surroundings and of low visibility. The floor of the shed may be wooden or a concrete pad. Building materials should be of good quality with roofing and hardware compatible with existing structure(s).
2. Sheds are to be located behind the rear site line of the house and positioned to minimize visibility. Sheds for townhouses are to be located adjacent to the townhouse. A plot plan showing distances from the house and property lines must be included in the application. Sales brochures or drawings describing the shed must be included.
3. Under no circumstances shall any shed be located in any open space area, as these areas belong to the Ellicott Mills community. Any costs associated with removal of sheds located on open space shall be the responsibility of the property owner(s).

P. Siding

1. Replacement or alterations of the exterior siding shall be the same color and materials as when the original site construction was completed.
2. Any partial replacements, alterations, or materials used must match exactly the existing color and materials already in existence on the home.

Q. Signs

Posting, hanging, erecting, or displaying of any signs, or any other advertising device of any nature for business or private purposes, is not allowed, except as defined below. Signs permitted are:

1. Conventional real estate 'For Sale' signs;
2. Signs required by state or local government; and
3. Signs posted by the Association with the approval of the EMHOA Board of Directors.
4. Signs posted by exterminators or lawn services informing people of a service rendered to the property must be removed after ten (10) days.
5. Temporary directional signs for open houses or yard sales are allowed and may be posted up to five (5) days in advance of the event. These signs must be removed by dusk at the end of the event or activity.

R. Solar Collectors

Solar collectors for the purpose of heating water, generating electricity, or any other purpose will be allowed only in limited application as determined by the Architectural Committee. Approval will be given on a case-by-case basis and primarily on the collectors level of visibility.

S. Storm and Screen Windows and Doors

1. Application is not required for storm windows and doors that cover windows and doors installed by the builder.
2. The color of the frame of storm windows and doors should be white or match the color of the house. Any desired color change must be made in writing using an Application for Alteration or Addition form, and must be chosen from the approved color palette.

T. Swimming Pools

1. Approval criteria for all in-ground pools shall include the visibility of the pool, size, location of pool, method of containment, color, and screening plan of the pool, and shall be in compliance with all state and county laws/ordinances.
2. The construction shall be done with the necessary permit or permits and inspections from the Baltimore County Office, and copies of all permits shall be provided to the Architectural Committee.
3. Under no circumstances are permanent above-ground pools permitted.
4. Portable children's wading pools up to six (6) feet in diameter and twenty-four(24) inches deep are permitted. An application is not required. These wading pools are to be used in the rear of the property, are to be stored when not in use, are to be removed and stored during the winter months.

U. Tree /Shrub Removal

These guidelines are in force for all trees, whether healthy, diseased, or dead.

1. The removal of trees/shrubs which have a diameter of more than two (2) inches at the base of the plant, will require advance written approval. The only exception are trees/shrubs which are in immediate danger of causing damage to people or property. Verbal approval for trees/shrubs in peril can be obtained from the Architectural Chairperson.
2. Removal of trees/shrubs fitting this criteria without prior written approval of the Application from the Architectural Committee will result in the EMHOA replacing the trees/shrubs. The costs of replacement will be passed on to the property owner.

V. Trailers, Boats and Recreational Vehicles

Approval of storage plans for all trailers, boats and recreational vehicles will be based primarily on the low visibility of the stored item.

W. Vegetable Gardens

Small vegetable gardens must be located behind the rear site line of the house and do not require approval unless they are over 250 square feet.

X. Waste/Garbage/Recycle/Yard Debris Disposal

1. Waste/garbage/recycle/yard debris set out in cans or bags, will not be placed curbside more than twenty-four (24) hours ahead of the scheduled pick-up day. This will ensure that the wildlife have the least opportunity to delve into the waste materials, and will help to keep the neighborhood clean of debris.
2. Waste/garbage/recycle/yard debris containers will be removed from the curbs within twenty-four (24) hours after the scheduled pick-up day.
3. The Baltimore County Public Works department does not allow hinged-top or attached-top containers of any type, and limits the content maximum to 50 lbs. For other county regulations, contact 410-887-2000.
4. Galvanized garbage or trash cans are not allowed.

Y. Woodpiles

Woodpiles shall be neatly stacked and located behind the rear site line of the house. The maximum size of woodpiles will not exceed five (5) feet high, by sixteen (16) feet long, and twelve (12) feet wide. Any location other than behind the rear site line of the house, or a size greater than stated above, must be approved by the Architectural Committee.

Z. Other Exterior Alterations

An application and approval are required for all other exterior alterations to the dwelling or property, including but not limited to:

construction of driveways, garages, carports, porches,
rooms, chimneys, greenhouses, and any other additions.
The proposed alteration must be compatible with the
original structure and in keeping with the existing lot size.

V.

COMPLETED PROJECTS

After being approved, all Applications For Alterations or Additions projects will be completed within one (1) year from the date of written approval by the Architectural Committee.

Upon completion, the property owner(s) will be responsible for contacting the Architectural Committee. Two (2) members will conduct a final inspection of the approved project to ensure the project conforms to professional construction standards, and that the project complies with the specifications made in the approved application. Construction quality and materials used will be considered compliance criteria. If the project fails to pass inspection or if variances are found, the property owner(s) will be responsible for bringing the project up to the Architectural Guidelines standards, or the project will be removed at the property owner(s) expense.

VI. MAINTENANCE

All property owner(s) shall be responsible for maintaining their property, including all completed projects in a clean and well-kept fashion.

- A. *Grass* - The lawn shall be well maintained and the height of the grass shall not exceed 4 inches, and be trimmed along sidewalks, trees, structures, electrical/cable/telephone structures, posts, signs, shrubs, trees, etc., and if applicable, extending into the natural wooded areas.
- B. *Leaves/Debris* - The property owner(s)/renter(s) are responsible for removing and disposing of debris, excess grass clippings, leaves, pruned shrubs, etc. Under no circumstances shall any debris, grass clippings, leaves, and pruned materials, etc., be dumped in any open space or wooded areas, including the bike paths or on any other site in this community.
- C. *Snow removal* - The property owner(s)/renter(s) shall be responsible for removing snow in excess of 2" from sidewalks located in front of their homes or townhouse, as soon as possible after the snow ceases.
- D. If a property owner(s)/renter(s) are negligent in the exterior maintenance of their home or townhouse, the Architectural Committee will give (2) written notices to the property owner(s)/renter(s) not less than 20 days apart advising said property owner(s)/renter(s) that the applicable maintenance issue must be rectified within ten (10) days. Should the property owner(s)/renter(s) not respond to either the written notices, a hearing will then be scheduled. The property owner(s)/renter(s) will be given at least fifteen (15) days notice of the hearing. At the hearing, the property owner(s)/renter(s) shall be given the opportunity to address the Architectural Committee concerning the maintenance violation. Should the property owner(s)/renter(s) not respond to either of the written notices, or comply with the requests, or attend the hearing, the Architectural Committee will make a written request to the EMHOA Board of Directors to hire a contractor to rectify the maintenance issue. All financial expenses associated to bring the property into compliance will become the responsibility of the property owner(s)/renter(s) who shall also be responsible to reimburse the EMHOA for any and all expenses relating thereto, including all attorney's fees and court costs.

Note: Some of these procedures may be impacted by the 5th Amendment and Section X of Architectural Guidelines.

VII. ARCHITECTURAL COMMITTEE/ARCHITECTURAL REVIEW BOARD (ARB)

A. General

An Architectural Committee shall be created, whose duties include acting on behalf of the property owners to interpret and enforce the Architectural Guidelines for the benefit of the entire community.

1. The Architectural Committee shall be made up of no more than nine (9) members. Whenever possible, membership shall be representational with one-third (1/3) of the membership being townhouse property owner(s) and two-thirds (2/3) membership shall be free-standing or Single Family (SF) property owner(s).
2. A Quorum shall consist of three (3) members of the Architectural Committee.
3. The Architectural Committee may transact business if a Quorum is present by a simple majority vote of the members present.
4. The Architectural Committee shall meet at least once a month to transact business, if new applications for projects have been submitted for consideration by the Architectural Committee.
5. No Architectural Committee member may vote in his/her official capacity as a committee member on any issue that personally affects his/her own application, an application from an adjacent neighbor, OR in any case which they may prejudice the outcome of a vote. This measure is taken to ensure the smooth and unbiased operation of the Architectural Committee and to remove the possibility of impropriety or personal gain.
6. To create and keep a realm of trust among the members, actual conversations and discussions within the Architectural Committee meetings are to be kept confidential and among the members so that issues arising within the community can be freely discussed. Only the results of the meetings are published.

B. Membership

The rules and regulations governing membership on the Architectural Committee shall be as follows:

1. Individuals interested in being considered for appointment to the Architectural Committee should submit their name each year to the EMHOA Board of Directors.
2. New members shall be appointed to the Architectural Committee by the EMHOA Board of Directors.
3. Individuals appointed to the Architectural Committee may be selected from those property owners only residing in the Ellicott Mills community who have demonstrated that they have abided by the Architectural

Guidelines of the Ellicott Mills Homeowners Association, will commit to attending a majority of the Architectural Committee meetings, will perform the duties assigned to them while on the committee, and will work to interpret, uphold and preserve the Architectural Guidelines without regard to personal gain or prejudice.

4. The term of an appointment to the Architectural Committee shall be for one (1) year, up to a maximum of three consecutive terms, and it will coincide with the general election of the EMHOA Board of Directors.
5. Upon completion of a term, members shall not be eligible to serve on the Architectural Committee again for a period of one year. Following the one-year retirement, members again become eligible for consideration for appointment to the Architectural Committee.
 - a. In the event that no suitable replacement can be found, a retiring or retired Architectural Committee Member can be reappointed at the discretion of the EMHOA Board of Directors for an addition term, waiving the one-year retirement period.
 - b. If no replacement is found to serve, the retiring member may be asked by the Architectural Committee to continue service until a suitable replacement can be found.
6. Should any member of the Architectural Committee be unable to complete his/her term of office, that member should notify the Architectural Chairperson so a replacement can be sought. The EMHOA Board of Directors shall appoint a replacement to complete the remainder of the term. Such new member may be eligible to serve a successive three-year term.
7. Current members of the EMHOA Board of Directors shall not be eligible to serve on the Architectural Committee during their term as Director.

C. Officers

1. General
 - a. The officers of the Architectural Committee shall consist of a Chairperson, Corresponding Secretary, and a Recording Secretary.
 - b. Officers of the Architectural Committee shall be elected from current members of the Architectural Committee.
2. Election of Officers
 - a. Officers shall be elected by secret ballot of the Architectural Committee members. A simple majority vote of the members present shall determine the election.

- b. Election of officers to serve the following year shall occur at the first scheduled Committee meeting following the Annual Meeting.
 - c. A person must have served at least one (1) year as a member of the Architectural Committee to be eligible to serve as Chairperson.
3. Duties of Officers
- a. The Chairperson shall:
 - 1) Preside at all Architectural Committee meetings.
 - 2) Make recommendations to the EMHOA Board of Directors concerning Architectural matters and on nominees for the Committee.
 - 3) Determine the date, location, and agenda of the monthly Architectural Committee meetings.
 - 4) Notify Architectural Committee members of upcoming meetings.
 - 5) Attend all Board of Directors' Meetings. If the Chairperson cannot attend, the Chairperson shall appoint another Officer to attend the meeting on his/her behalf.
 - 6) If the Recording Secretary is unable to provide minutes of all Architectural Committee meetings, it is the responsibility of the Chairperson to provide the monthly minutes, copies of all correspondence sent to property owner(s), and a report of projects approved or disapproved to the EMHOA Board of Directors prior to their regularly scheduled monthly meeting. All documentation is to be kept confidential.
 - 7) The Chairperson is responsible for keeping permanent architectural records of all properties within Ellicott Mills. This shall include Applications for Alteration or Additions; violations of Architectural Guidelines; correspondence with property owners(s), or other issues related to the EMHOA Architectural Guidelines. In addition, the Chairperson will pass these records on to each successive Chairperson.
 - b. The Corresponding Secretary shall:
 - 1) In the absence of the Chairperson, preside at Architectural Committee meetings.
 - 2) Conduct the general correspondence of the Architectural Committee and maintain a file of such correspondence.
 - 3) Maintain an official copy of the Architectural Guidelines and have them available for review at all meetings of the Architectural Committee.
 - 4) Perform such other duties as the Chairperson may direct.

- c. The Recording Secretary shall:
 - 1) Keep accurate minutes of the proceedings of all Architectural Committee meetings.
 - 2) Distribute copies of the minutes to the Architectural Committee members and the Chairperson of the EMHOA Board of Directors not later than the next regularly scheduled EMHOA Board of Directors Meeting.
 - 3) In the absence of the Chairperson, the Corresponding Secretary shall preside at Architectural Committee meetings.
 - 4) Perform such other duties as the Chairperson may direct.

VIII. ENFORCEMENT AND LIABILITY

These Architectural Guidelines will ensure conformity and harmony within the community and will keep the general aesthetic and economic values of the property and surrounding neighbors. ←

The Ellicott Mills Covenants were changed by a vote of over two-thirds(2/3) on June 19, 2001 to amend as follows:

"Article XII, Section 1 of the Declaration of Covenants, 1/Conditions and Restrictions", "Section 1. Enforcement. The Association, the Declarant, and any Lot Owner, shall have the right to enforce, by any proceeding at law or in equity, all restriction, conditions, covenants, reservations, liens, and charges now or hereafter imposed by the provisions of this Declaration. If any proceeding at law or in equity is brought by the Association, the Association shall be entitled to reasonable attorney fees, court costs, and interest at the maximum rate allowed by law. Failure by the Association, the Declarant or any Lot Owner to enforce any covenant or restrictions herein contained shall in no event be deemed a waiver of the right to do so thereafter."

The EMHOA Board of Directors shall have the right to institute legal action against property owner(s) and/or renter(s) to enforce the Covenants, By-Laws and Architectural Guidelines. If the EMHOA Board votes to approve such action, and if there are any financial expenditures, legal fees, attorney's fees, and/or court costs expended to force the property owner(s)/renter(s) to comply with these guidelines, all of these costs and/or fees will be the responsibility of the property owner(s) and/or renter(s). Failure to reimburse the EMHOA will result in a lien being placed on the property, or a lawsuit filed in court

for reimbursement of costs/fees which will bring the property back into compliance with the Architectural Guidelines.

The Association shall defend any legal action taken against the EMHOA, its Directors, Officers, and Committee Members in any lawsuit stemming from action taken by such parties when they have acted in good faith on behalf of the EMHOA. This shall include any liability or action taken against the Directors, officers, or committee members as a whole or individually.

IX. MODIFICATIONS TO THE ARCHITECTURAL GUIDELINES

Modifications to the Architectural Guidelines are subject to approval by a simple majority vote of the EMHOA Board of Directors.

X. ABILITY TO IMPOSE FINES

The Declarations of Covenants, Conditions, and Restrictions for Ellicott Mills Homeowners Association, Inc., Article XII were amended by the Fifth Amendment by a vote of over two thirds (2/3) residents on August 8, 2019. The Architectural Guidelines are amended as below:

Section 1 – Enforcement:

(A) The Association and any Lot Owner, shall have the right to enforce, by proceeding at law or in equity, all restrictions, costs and interest at the maximum rate allowed by law, Failure by the Association or any Lot Owner to enforce any covenants or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

(B) Fines.

(1) Right to Impose Fines. The Association, by and through its Board, shall have the power to impose reasonable fines (located on page 20 of these Architectural Guidelines) which shall constitute a lien upon the Lot and shall be collected in the same manner as any other assessment levied against an Owner's Lot pursuant to this Declaration, to suspend a Lot Owner's right to use Common Areas and Facilities for a period not to exceed sixty days and to suspend a member's right to vote. Each month of a continuing violation shall be considered a separate violation. Nothing herein contained shall be construed to limit the Association's right to any other additional remedies available to it at law or in equity to enforce this Declaration, the Bylaws, architectural controls, or the rules and regulations of the Association.

(2) Dispute Resolution Procedures. The Board or its designated committee shall not impose a fine, suspend voting rights (unless the suspension is related to the Lot Owner's failure to provide a current address or to remit an assessment, fine or other monetary sum owed to the Association), or infringe upon any other rights of the Lot Owner or other occupant for violations of this Declaration, the Bylaws, architectural controls, or rules and regulations unless and until the following provisions are followed:

- (a) If a property owner is negligent in the exterior maintenance of his/or her home or townhome, the Architectural Review Board (ARB) will give a written demand to the property owner that a solution for the applicable maintenance issue must be communicated in writing to the ARB within ten (10) days.

Written demand: Written demand to cease and desist from an alleged violation is served upon the alleged violator specifying: (a) the alleged violation; (b) the action required to abate the violation; and (c) a time period, not less than 10 days, during which the violation may be abated without further sanction, if the violation is a continuing one, or a

statement that any further violation of the same rule may result in the imposition of sanction after notice and hearing if the violation is not continuing.

- (b) Should the property owner not respond to the written demand, a Notice of Hearing shall be sent to the violator not less than 10 days from giving the notice of the hearing.

Notice: Within 12 months of the demand, if the violation continues past the period allowed in the demand for abatement without penalty or if the same rule is violated subsequently, the board serves the alleged violator with a written notice of a hearing to be held by the board in session. The notice shall contain:

- (i) the nature of the alleged violation;
 - (ii) the time and place of the hearing, which time may not be less than 10 days from the giving of the notice;
 - (iii) an invitation to attend the hearing and produce any statement, evidence, and witnesses on his or her behalf; and
 - (iv) the proposed sanction to be imposed.
- (c) At the hearing, the property owner shall be given the opportunity to address the maintenance violation.

Hearing. A hearing occurs at which the alleged violator has the right to present evidence and present and cross-examine witnesses. The hearing shall be held in executive session pursuant to this notice and shall afford the alleged violator a reasonable opportunity to be heard. Prior to the effectiveness of any sanction hereunder, proof of notice and the invitation to be heard shall be placed in the minutes of the meeting. This proof shall be deemed adequate if a copy of the notice, together with a statement of the date and manner of delivery, is entered by the officer or director who delivered the notice. The notice requirement shall be deemed satisfied if the alleged violator appears at the meeting. The minutes of the shall contain a written statement of the results of the hearing and the sanction, if any, imposed. A decision pursuant to these procedures shall be appealable to the courts of Maryland. The prevailing party in any such proceeding is entitled to an award for reasonable legal fees and costs.

- (d) No Show. Should the property owner not respond to the Written Demand or Notice of Hearing, or rectify the violation, the ARB will make a written request to the EMHOA Board of Directors to impose a fine.

(3) Fines Structure.

The Violation Fee structure is based on each documented instance of a violation(s) and the rate is \$50 per violation. Fines are collectable in the same manner as assessments and must be paid to the Association within 30 days of notification that a fine has been imposed. Any fines not paid within 30 days after the due date are subject to a 6% yearly interest for any fines that are not timely paid.

(4) Submit for Collections.

Afterwards, the board shall submit the matter to the attorney for collection. Owners are responsible for payment of the fine and collection costs including but not limited to attorney fees, court cost, etc., in connection with collection for any past due amounts. Unpaid fine(s) imposed against an owner constitute a lien upon the unit of that owner.

Architectural Committee
Ellicott Mills Homeowners Association
P.O.Box 21125, Catonsville, MD 21228
architectural@ellicottmills.org

Application for Alteration or Addition

Property Owner Name(s):	Date:
Property Address:	
Telephone Number(s):	
Email Address:	
<p>Many exterior projects require Baltimore County Building Permits (410-887-3900). If permits are required for your alteration or addition to the above property, you <u>must</u> attach copies of the permits along with a copy of the property survey/site plan, showing location of the proposed project and indicate the distance from house and property lines, detailed drawings, photographs, and brochures.</p>	
<p><i>Description of project (e.g. build 10' x 9' storage shed; build 5' high fence; build 12' 18' deck, etc.) and attach detailed drawings:</i></p> 	
<p><i>Description of the types of materials, sizes, palette of colors, etc.:</i></p> 	
<p>To be considered for approval, signatures are required from all adjacent property owners indicating they have been informed of the proposed project. Signatures do not indicate approval or disapproval. Anyone who objects to, or has an opinions of, the proposed project, must submit his/her views in writing to the Architectural Committee within 10 days of the date of their signature. The author of any letter will be kept confidential.</p>	
Name:	Signature:
Address:	Date:
Name:	Signature:
Address:	Date:
Name:	Signature:
Address:	Date:
Name:	Signature:
Address:	Date:
Application Received Date:	Architectural Committee Signature: