

Regulations to Prevent Erosion on Banks of Venetia Community Association Bodies of Water

1. Background and Purpose of the Regulations.

The purpose of these regulations is to ensure protection of the banks of all VCA bodies of water throughout the Venetia Community. The Venetia Community Association (VCA) is responsible for maintaining all bodies of water, including lakes, ponds, and streams, located within VCA property. See, VCA Covenant Article V, Section 1. Land and Unit Owners within VCA must comply with Community-Wide Standards for conduct, maintenance and other activity as determined by the VCA Board of Directors (BOD) and adopted and enforced as a rule or regulation. See, VCA Covenant, Article II, Section 9 (definition of Community-Wide Standard); VCA Covenant Article V, Section 3 (BOD may adopt Community-Wide Standards); Article V, Section 4 (Land and Unit Owners shall comply with Community-Wide Standards); Article X, Section 3 (VCA BOD may adopt and shall enforce rules and regulations).

VCA hired an expert consultant, Solitude, to evaluate erosion on the banks of VCA bodies of water. Solitude has reported to the VCA BOD that erosion of the pond banks in VCA is a major problem. The remediation project for erosion at on the banks of Pond 8 cost VCA approximately \$270,000.

Solitude has reported that water drainage from homes adjacent to the pond contributed substantially to the erosion problem. Some homes have no gutters and downspouts and the rain water flows off the roof and toward the bank causing erosion. Some homes have gutters, but the downspouts are not directed to the front of the house or to a drainage box. So, the water from these homes' downspouts also flows to the pond causing erosion.

As part of the erosion project for Pond 8, Solitude installed 18 drainage boxes, one between every 2 homes fronting on the pond. For these drainage boxes to work to achieve the best protection from the pond from future erosion, homes should have gutters with downspouts that are connected to the nearest drainage

boxes or, alternatively, have the home's gutter downspouts pointed toward the front of their homes to flow water away from the body of water, in this case Pond 8. VCA or Land owners, with approval of the VCA the Architectural Review Committee, may install additional drain boxes as needed to prevent erosion.

2. Community-Wide Standard to Prevent Erosion on Banks of VCA Bodies of Water Purpose. The purpose of these regulations is to create a Community-Wide Standard to prevent erosion on the banks of VCA bodies of water. These regulations require Land and Unit Owners to take reasonable actions to divert the flow of water off their buildings and properties away from VCA bodies of water, prohibits drainage of swimming pools toward or into VCA bodies of water; prohibits the use of heavy machinery to mow lawn within 3 feet of VCA bodies of water, and requires Owners to prevent lawn irrigation system leaks from causing erosion to banks of VCA bodies of water.

3. Regulations effective as of November 1, 2025:

A. Restriction on Use of Heavy Machinery To Maintain Lawn. The use of heavy machinery or tractors to mow lawns is prohibited within 3 feet of the edge of VCA bodies of water. Weed whackers or similar light equipment must be used to cut grass within 3 feet of the edge of VCA bodies of water. Grass within 3 feet of the pond must be maintained at between 8 to 10 inches in height.

B. Restriction on Swimming Pool Drainage. Owners shall not drain their swimming pools toward or into VCA bodies of water.

C. Irrigation System Maintenance. Owners must take reasonable actions to properly maintain irrigation pipes to prevent leaks and flows of water that cause deterioration of the soil near bodies of water or a heavy flow of water into the VCA bodies of water. Reasonable actions include periodic inspections of the operation of the irrigation system to examine whether the system causes any deterioration of the soil near a VCA body of water or a heavy flow of water into a VCA body of water.

D. Prevention of Water Runoff from Buildings. Owners must take reasonable actions to prevent water from flowing off of their buildings toward VCA bodies of water. Reasonable actions may include, but are not limited to, installing gutters and downspouts connected to drainage boxes or directed away from a

VCA body of water, installing drainage boxes, or other reasonable means designed to prevent runoff toward a VCA body of water. Any gutter or drainage box or other structural modifications or installations must be reviewed and approved by the Architectural Review Committee.

4. Violations

- A. It is a violation of Section 3.A. above if any equipment other than a weed whacker, or similar light equipment, is used to mow lawn within 3 feet of a VCA body of water, or if grass within 3 feet of the pond is not maintained at between 8 to 10 inches in height.
- B. It is a violation of Section 3.B. to drain a swimming pool toward or into a VCA body of water.
- C. It is a violation of Sections 3.C. or 3.D., if the VCA's expert consultant, Solitude or any subsequent expert retained by VCA, finds and reports to the VCA BOD that 1) water flowing from a home or unit or a sprinkler system is causing or caused erosion to the bank of a VCA body of water, and 2) the erosion could have been prevented if the Owner of the home or unit or a sprinkler system had taken reasonable actions to prevent water runoff which caused the erosion.
- D. Owners will be responsible for the cost of remediation of any erosion damage caused by their violations of these regulations.

5. Enforcement

Notice of Violations, Hearing, Fines, Lawsuits against Violators for Damages. As permitted by the Bylaws of the Venetia Community Association, Inc., Article XI, Discipline, the VCA Board may impose fines against an Owner and bring legal actions to recover any legal, expert consulting and remediation costs from Owners VCA incurs to address any Owner violation of these regulations. The VCA BOD will exercise its authority to enforce this regulation in accordance with provisions for fines, notice, hearing and litigation set forth in the Bylaws of the Venetia Community Association, Inc., Article XI, Discipline.