

When do I need to engage the ECC?

Because much of what the ECC determines as doctrine is a consistent interpretation of the Declaration of Covenants, Conditions and Restrictions, the best answer is always ask a committee member. They may not be able to immediately answer your question, but they will contact a couple other ECC members to discuss what has been the consistent answer for the situation. Some of the conditions and restrictions are very clear, some have been consistent interpretation:

- You must maintain and operate an OPC approved gas or electric light
- Your mail box must comply with the OPC design. This does not say you have to have a mail box, just that it must comply with the design. The design has a specific post and a 1.5 (Large) black box. Decorations, flying ducks, on the box are not allowed other than seasonal or natural plants. The numbers must be black gothic design.
- Large satellite dishes are not approved (old days ten foot models). A Bylaw was created to clarify what that covenant was about and to be consistent with the FCC rulings. OPC cannot prevent the installation of small satellite dishes, but if the rear view rule that governs exhaust stacks is used there is no problem. Some have been installed on the sides of homes in inconspicuous places. The ECC has helped homeowners with that decision.
- There are many other examples. Call and be safe.

Common mistakes

In all cases, the mistakes made by the homeowners have been unintentional. There have been some cases where the ECC has had to turn over non-compliance to the OPCHA Board and the tribunal process. This is a painful process that is avoidable. Note that the ECC has 30 days to respond to official requests—plan accordingly, we are generally responsive within a week.

- Not Asking!
- The conditions and restrictions are very explicit on the usage of aluminum and vinyl (plastics). These materials cannot be used except

on windows and doors. Note that they must fit with the color spectrum of the property.

- Color changes, must be approved.
- Re-landscaping must be approved, including taking down trees over 6 inches in diameter unless the trunk is within ten feet of the dwelling. Dead trees require no approval. OPC has taken the stance that sweet gum trees can generally be removed regardless of size, but request that an OPC ECC member be contacted. Bed changes (adds and deletes) must be approved. Planting of trees are not prohibited, but should be approved similar to any other landscaping.
- Out buildings must comply with the same construction rules as the home. This one has been particularly troublesome as Lowes and Home Depot do a great job advertising that quick solution to your garage space problem, but their offerings are not OPC compliant. Generally, an outbuilding must be of consistent materials of the home (roofing, color, brick foundation, etc), but can be of beaded wood siding. OPC is accepting other beaded siding that can be painted that is identical to wood in all aesthetic aspects.
- See the governing documents for the full details. Interpretation can be tricky because sometimes several declarations must be read together. Call and be safe.
- Fences must be approved. Note that the vinyl fences cannot be approved. Remember the York County Building Codes requires fences to be approved.
- Property maintenance, from time to time, is a minor issue, but the homeowners tend to make the effort to meet minimum compliance.
- This is not an exhaustive list. Call and be safe.

Non-Compliance Remedies

The ECC and OPCHA Board make every attempt to remedy non-compliance through discussion and suggestions. However, there is a formal tribunal process that can result in a \$10 per day fine being assessed. The OPCHA Board has entered the tribunal process several times in the past as a last resort.

Can the Covenants be changed?

Yes, with 75% approval of all OPC owners, the covenants can be changed.

What are Bylaws? The bylaws are where the community has formally clarified or defined additional governance. There is an important point. A bylaw cannot be in conflict with a Covenant, but it can clarify what a condition and restriction means.

When in Doubt, Call and Be Safe!