

# **Hemingway Cluster Association Handbook<sup>1</sup>**

Revised January, 2021

- I. Design Guidelines (including Cluster Standards)**
- II. Rules and Regulations**

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<sup>1</sup>A copy of this Handbook is available on the HCA website: [www.hemingwaycluster.com](http://www.hemingwaycluster.com). Click “Association”.

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## **APPENDICES**

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## **GLOSSARY OF TERMS**

HCA	Hemingway Cluster Association
Board	HCA Board of Directors
RA	Reston Association
DRB	RA Design Review Board
You/your	Hemingway residents, including (unless stated otherwise) homeowners, renters, and other residents

## **HELPFUL INFORMATION**

HCA Help Line Telephone	703-574-0436
HCA Help Line Email Address	hemingwayclusterHELP@gmail.com
HCA Website	<a href="http://www.hemingwaycluster.com">www.hemingwaycluster.com</a> (see especially “Association” and “For Residents”)
RA Website	<a href="http://www.reston.org">www.reston.org</a> (see especially “Property Owners Resources”)
Miss Utility	(1-800-552-7001) - At least three days prior to beginning any work outside your home that will require digging, regardless of how shallow the dig, you must call Miss Utility.

## **INTRODUCTION**

HCA developed this Handbook to provide you<sup>2</sup> with a resource for the essential information you must consider before making alterations or additions to the exterior of your Hemingway property and in maintaining your Hemingway property and the beauty and harmony of Hemingway Cluster.

It is imperative that you read this document and keep it available for future reference. Failure to do so may result in your making costly mistakes. Whenever you are in doubt about any of the information in this Handbook, call or email the HCA Help Line at 703-574-0436 or [hemingwayclusterHELP@gmail.com](mailto:hemingwayclusterHELP@gmail.com) and a Board member will assist you.

### **I.**

## **HCA DESIGN GUIDELINES**

The HCA Design Guidelines guide any and all alterations and/or additions you may wish to make to the exterior of your Hemingway property. They were originally developed by a committee of homeowners in concert with the Board in an effort to maintain the high esthetic quality and standard of living associated with the Hemingway Cluster, considering the views and values of Hemingway Cluster homeowners and of the larger Reston community. Several of the guidelines were developed based on the close proximity of the homes in Hemingway and the concomitant lack of visual and auditory privacy. The guidelines were approved, after slight modifications, by a unanimous vote of the Board on September 13, 1995. They were later modified based on review by the RA's DRB.

The guidelines were again reviewed and revised in late 1999 and early 2000 to improve consistency and clarity and to make minor changes in content. This process involved circulating draft guidelines to all homeowners and residents on three occasions for comment prior to final approval by the Board. DRB approved those revised guidelines on August 22, 2000.

The guidelines were reviewed and revised again in 2015 to simplify, improve consistency and clarity, remove obsolete information, add new information to assist residents and make a few substantive changes. The draft guidelines were circulated to all homeowners for comment prior to final approval by the Board. DRB approved the substantive changes on March 22, 2016. Subsequent, less extensive, modifications to the standards, as approved by Reston Association, are included in this document as well.

### **Conformance with Reston Association's Design Guidelines**

RA has issued design guidelines that apply to all homeowners, renters, and residents of Reston. The HCA Design Guidelines only supplement the RA Design Guidelines. The DRB also has approved certain Cluster Standards for Hemingway that apply to all Hemingway homes. You are responsible for ensuring that you are

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<sup>2</sup>While homeowners have the ultimate responsibility for assuring that their properties conform to the HCA Design Guidelines, all residents must be certain that their activities in Hemingway Cluster are consistent with both the HCA Design Guidelines and the HCA Rules and Regulations. Owners must inform their tenants of these Guidelines.

informed of and adhere to both RA and HCA design guidelines and any Cluster Standards that are applicable at the time you are considering an alteration of or addition to your Hemingway property. The most up-to-date RA design guidelines are available for your review on the RA website: [www.reston.org](http://www.reston.org). Click on “Property Owner Resources” at the top of the page then select “Design Review,” “Design Guidelines,” and “Cluster Housing” from the menu on the left side of the page.

### **Approval Process**

When an application is required, start the process of obtaining approval for your alteration or addition by submitting the standard RA application form to the Board including as much detail as possible and plans, drawings, photographs or samples when appropriate. For your convenience, a copy of the application form is attached to this Handbook as Appendix 10. Additional copies of the application are available at the HCA website: [www.hemingwaycluster.com](http://www.hemingwaycluster.com). Click “Association”.

In some instances, Board approval may be all that is required before your work may begin. At other times, RA design guidelines may require you to submit your application to RA. In that case, a Board member will sign the application and, if the Board approves your application, a Board member will assist you in submitting the application to RA. However, if the Board does not approve your application because it believes your alteration/addition does not comply with RA or HCA design guidelines, you may nevertheless submit the application to RA on your own. The Board may file an objection to your application. Note that RA always considers the objection of the cluster Board in its review of design alteration/addition applications. Note also that whenever the RA application requires the signature of a cluster Board member, HCA requires that the signature be handwritten on your application. You may not rely solely on an email comment by one Board member.

Many applications for design alteration/additions that clearly meet all applicable guidelines are approved by RA staff. Other applications may be approved by RA staff in consultation with a DRB member. Projects raising more complex issues may be considered by a DRB panel, which meets weekly.

Contractors and tradespersons with experience in Reston may or may not have complete knowledge of RA and/or HCA design guidelines.. Do not rely solely on the advice of your contractor to determine if your alteration/addition requires RA or HCA approval. If you are in any doubt about whether an application is required, call or email the HCA Help Line at 703-574-0436 or [hemingwayclusterHELP@gmail.com](mailto:hemingwayclusterHELP@gmail.com) for assistance.

## Summary of Steps to Obtain Approval

1. Refer to this Handbook and RA design guidelines to determine if you must submit a RA application for approval of your alteration/addition. If you need additional assistance to determine if an application is necessary, consult with the HCA Board before you begin work on your alteration/addition. (Call or email the HCA Help Line at 703-574-0436 or [hemingwayclusterHELP@gmail.com](mailto:hemingwayclusterHELP@gmail.com) for assistance.)
  2. If a RA application is required, submit it to the HCA Board. Approval by the Board may be all that is required to begin your work.
  3. If RA approval is required, get the required signatures on the application. An HCA Board member must sign the application and applicable guidelines may require that you obtain the signatures of affected neighbors.
  4. Submit the application to RA. The HCA Board may assist you with the submission.
  5. Once you have obtained RA approval, you may begin the approved work.
- Even small changes must conform to design guidelines, so don't assume a change does not require approval just because you think it is minor or not noticeable. You can easily shortcut or ignore these steps, but doing so can result in expensive changes, removal of new construction, or even legal action.



## Specific Design Guidelines<sup>3</sup>

- **Additions/Alterations**

See RA Design Guideline.

- **Air Conditioners/Heat Pumps**

See RA Design Guideline. DRB also has approved a Cluster Standard for Hemingway homes.

*Cluster Standard:* Only central air-conditioning units are permitted. No window air conditioners are permitted. The air conditioner must be of similar design, style, and equal or better acoustical properties as the unit installed during the original construction of your home and must be installed in or near the original location. Heat pumps that otherwise meet the design guidelines are permitted. See Appendix 1 for examples of original air conditioners.

- **Art Works**

See RA Design Guideline.

- **Attic Ventilators**

See RA Design Guideline.

HCA Guideline: You may install only a rooftop ventilator and only on the rear roof plane of your home.

- **Awnings**

See RA Design Guideline.

*HCA Guideline:* You may install an awning on the rear of your home if it matches the color of your siding or trim and is harmonious with the architecture and overall appearance of your home and Hemingway Cluster. You may not install an awning on the front or side of your home.

- **Basketball Backboards**

See RA Design Guideline.

*HCA Guideline:* Because of the close proximity of homes in Hemingway, basketball backboards, either permanently installed or movable, are not permitted.

- **Cables and Wires**

See RA Design Guideline.

- **Carpet (Indoor/Outdoor, Year-round)**

See RA Design Guideline.

- **Chimneys, Flues**

See RA Design Guideline.

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<sup>3</sup> You must review the most up-to-date RA design guidelines, which are available on the RA website: [www.reston.org](http://www.reston.org). Click on “Property Owner Resources” at the top of the page.

- **Colors<sup>4</sup>**

See RA Design Guideline. DRB also has approved a Cluster Standard for Hemingway homes.

*Cluster Standard:* All homes must conform to the DRB-approved color palette for Hemingway. See Appendix 2. A copy of the color palette also is available on the HCA website ([www.hemingwaycluster.com](http://www.hemingwaycluster.com)). You are not required to use any specific brand of paint. The colors, however, must match those required on the color palette.

- **Compost Bins**

See RA Design Guideline.

- **Decks, Elevated and Ground Level**

See RA Design Guidelines. DRB also has approved a Cluster Standard for Hemingway homes.

*Cluster Standard:* All decks must conform to the design used in the original construction of your home and must be maintained in as close to original condition as possible. See “Siding and Exterior Materials” for deck railing materials options. All decks must conform to the DRB-approved color palette for Hemingway homes (see deck rails in Appendix 2). Effective May 13, 2020, the following deck color requirements were approved by RA:

- Deck floorboards must match the color of the deck posts and other support structures. Three groups of approved deck floorboard colors/materials and post/support structure stains that are deemed to be matching are discussed in **Appendix 3**.
- The deck post color standard also applies to the horizontal beams that rest on the top of the deck posts, and the related porch structure (e.g., steps), which should be stained the same color as the posts. If the joists and/or the underside of the deck is stained (neither is required to be stained) they should also be stained to match the deck posts. Painting of deck floorboards, support structures, joists or undersides of decks is not approved.
- To avoid homeowners potentially having to immediately stain their deck posts, there is a phase-in to the new standard. Specifically, deck posts must meet the new standard on the earlier of (1) the date the home is sold, or (2) the date when the deck posts or floorboards are next stained or replaced.
- For patio homes, the deck fascia (the horizontal board the top of which touches the bottom of the floorboards) should match the deck post colors. For townhouses (see illustration in Appendix 3), the deck fascia on elevated decks should continue to be painted to match the house trim (wheat color), as they did previously. On the townhouse ground floor deck, if there is one present, the fascia should match the deck floorboard color.

The original Hemingway standard for spacing between deck railing pickets was 6”. Fairfax County safety regulations have changed since the original Hemingway standard was adopted, so homeowners who are replacing individual pickets or their entire deck railings must check County codes to ensure they are in compliance. If County codes permit, and if you are replacing only a few pickets in the railing, you should continue to space them 6” apart to match the existing deck railing.

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<sup>4</sup>See Decks and Roofing for additional color specifications.

- **Docks**

See RA Design Guideline. This guideline applies solely to HCA, as individual homeowners may not install a dock.

- **Doghouses**

See RA Design Guideline.

*HCA Guideline:* Because of the close proximity of homes and the small size of yards, dog houses are not permitted.

- **Dog Runs**

*HCA Guideline:* Because of the close proximity of homes and the small size of yards, dog runs are not permitted.

- **Doors: Pedestrian or Garage (including existing door hardware)**

See RA Design Guideline. DRB also has approved Cluster Standards for Hemingway homes.

*Cluster Standard:* All replacement doors, including door hardware, must conform to the original design of your home or the approved Cluster Standard for Hemingway homes, including the approved color palette. See “Colors” above and Appendices 2, 4 and 5 for pedestrian and garage door colors, hardware and specifications. If you use the pre-approved doors as shown in the Appendices, you do not have to submit an application before installation.

- **Doors: Kick-plates and Knockers**

DRB has approved a Cluster Standard for Hemingway homes.

*Cluster Standard:* Kick-plates on front doors must be made of brass and must be no larger than the height of the bottom rail and the width of the door. Door knockers are permitted if size and design are unobtrusive.

- **Driveways**

See RA Design Guideline. DRB also has approved a Cluster Standard for Hemingway homes.

*Cluster Standard:* Alterations/additions to driveway surfaces and locations are not permitted. Sealants or other protective coatings on your driveway must not noticeably change the original color of the asphalt driveway. When the asphalt on your driveway is replaced, it must be replaced with asphalt of substantially the same color.

- **Facilities for Disabled**

See RA Design Guideline

- **Fences (including gates)**

See RA Design Guideline. DRB also has approved a Cluster Standard for Hemingway homes.

*Cluster Standard:* Alterations/additions to the design, construction details or colors used in the fences and gates installed during the original construction of your home are not permitted. See Appendix 6 for specifications on fences and gates.

- **Flags**

See RA Design Guideline.

- **Fuel Tanks and Accessories**

See RA Design Guideline.

*HCA Guideline:* You must submit an application to the HCA Board before installing any exterior fuel tank, other than those used for your outdoor grill.

- **Gazebos**

See RA Design Guideline.

- **Gutters and Downspouts**

See RA Design Guideline.

*HCA Guideline:* Gutters and downspouts must be painted to match the trim color of your home and must be installed in the same positions as the original gutters and downspouts were installed.

- **House Numbers**

*HCA Guideline:* Replacement house numbers must be identical in composition, appearance and *size* to the currently-installed polished brass numbers on black background. Alterations or additions are not permitted. Painting your house numbers on a curb is not permitted.

- **Landscaping (Planting and Related Structures)**

See RA Design Guideline.

*HCA Guideline:* Planting on cluster common areas without prior approval of the Board is not permitted. Planting fruits or vegetables in the front of your house is not permitted. Planting that potentially alters the lake views of other homeowners requires a RA application.

- **Landscaping (Tree Removal)**

See RA Design Guideline.

- **Lights (Decorative)**

See RA Design Guideline. DRB has approved Cluster Standards for Hemingway homes.

*Cluster Standard:* All external light fixtures must be maintained as closely as possible to their original condition. Colored light bulbs are not permitted. Replacement of external light fixtures must conform to the specifications in attached Appendix 7. It is not necessary to use the specified brand; however, the fixture you use must be identical or nearly identical to the fixtures originally installed on your house or those designated in Appendix 7.

- **Lights (Security)<sup>5</sup>**

See RA Design Guideline.

*HCA Guideline:* See Appendix 8 for an example of a type of security light that may be approved upon application.

- **Mailboxes**

See RA Design Guideline.

*HCA Guideline:* Residents may not replace mailboxes. Replacement is entirely within the discretion of the Board. All mailboxes must be identical. If your mailbox needs repair or replacement, call or email the HCA Help Line at 703-574-0436 or [hemingwayclusterHELP@gmail.com](mailto:hemingwayclusterHELP@gmail.com) for assistance.

- **Patios and Walkways (including Steps and Porches)**

See RA Design Guideline. DRB also has approved a Cluster Standard for Hemingway homes.

*Cluster Standard:* Patios must be constructed of brick or slate stones and must be maintained in as close to original condition as possible.

*HCA Guideline:* Walkways, courtyard patios, porches, and steps must be maintained as originally installed in your home. Changes to the configuration or location of walkways are not permitted. Replacement bricks, slate and wood must match as closely as possible the original material. **Exception:** Wooden steps and ground-level patios may be replaced with brick or slate construction in harmony with other such installations in Hemingway Cluster.

- **Pet Doors**

DRB has approved a Cluster Standard for Hemingway homes.

*Cluster Standard:* Pet doors must be located in the rear of the house and be unobtrusive and color coordinated with the surrounding structure. Pet doors are not permitted in the front of houses or in garage doors.

- **Play Equipment (Swingsets/Slides/Climbers)**

See RA Design Guideline.

- **Privacy Screens**

See RA Design Guideline. See also “Fences” above.

- **Radon Equipment**

See RA Design Guideline.

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<sup>5</sup> See also Security Devices.

- **Roofing**

See RA Design Guideline. DRB also has approved a Cluster Standard for Hemingway homes.

*Cluster Standard:* Alterations in roofing color, type or style are not permitted. Roofing material must be at least the same quality as the original roofing installed on your home:

Manufacturer: CertainTeed

Style: XT25 or XT20 (Three Tab Shingle)

Color: Weathered Wood

Effective September 24, 2019 RA approved a second roof shingle option for all Hemingway Cluster homes. The approved option is:

Manufacturer: CertainTeed

Style: Landmark

Color: Weathered Wood

Note: The CertainTeed line includes Landmark, Landmark Premium, Landmark PRO/Architect 80, and Landmark Pro. The only style approved is the Landmark shingle with no additional descriptors.

- **Satellite Dishes and Antennas**

See RA Design Guideline.

- **Screened Porches**

See RA Design Guideline.

- **Security Devices** (*See also Security Lighting*)

See RA Design Guideline.

- **Shade Structures**

See RA Design Guideline.

- **Sheds/Storage Boxes**

See RA Design Guideline

*HCA Guideline:* A shed must be located inside a fenced area or in the rear of your house and must blend, in regard to construction and color, with your fence. A shed in the front of or on the exposed sides of your house is not permitted. Your shed must not be visible from Hemingway Drive or Hemingway Court.

- **Shoreline Decks**

See RA Design Guideline.

- **Shoreline Stabilization**

See RA Design Guideline.

- **Shutters**

See RA Design Guideline.

- **Siding and Exterior Materials**

See RA Design Guideline. DRB also has approved Cluster Standards for Hemingway homes.

*Cluster Standard:* Replacement siding, wood and brick must match as closely as possible the construction, type, color, location and quality of the materials used in the original construction of your home. Changes to the appearance of the originally-installed siding are not permitted.

Effective 01/05/2021, the following alternative materials may be used:

- Siding - Hardieplank Cedarmill Lap Siding (“HCLS”) by James Hardi, with 6 inch exposure may be used instead of currently approved cedar wood siding. Cedarmill Lap siding has an artificial woodgrain appearance that matches cedar wood. Smooth siding without the wood grain is not permitted.

Additional requirements if this siding is used:

- The siding must be painted in accordance with Hemingway siding paint color requirements (see Appendix 2).
- Installation must be done in accordance with James Hardi recommendations. Preferred Siding in Herndon has been recommended.
- Siding must be terminated at ends and corners by trim matching the shape and size of current trim
- Siding terminated at the roof line must be terminated using a rake board matching (in size and shape) the existing rake board.
- Acceptable installation locations:
  - Entire house and both sides of fence/gate (where applicable)
  - Fences/gates only – both sides
  - Any complete individual house face (use of HCLS as patching to replace individual pieces of siding is not permitted)
    - If installed on the chimney side of the house, HCLS must be used on all faces of the chimney enclosure
- Trim – composite/engineered wood trim may be used on all house/fence/gate/railing surfaces where wood trim is currently used. New trim must be same size and shape of current trim and must be painted in accordance with Hemingway trim painting requirements (see Appendix 2).
- Deck railings – composite wood products may be used on deck railing components including handrails, side and bottom rails, pickets, and 4x4 newel posts. New parts must be same size and shape as current parts and must be painted in accordance with Hemingway deck rail paint requirements (see Appendix 2).

- **Signs**

See RA Design Guideline.

*HCA Guideline:* You may not post a sign anywhere on cluster common property unless specifically permitted by this guideline.

1. You may post a security sign on your property immediately adjacent to your house.
2. Your realtor may post (a) a “For Sale” or “For Rent” sign on your property, but only while the sale or rental is pending; and/or (b) an “Open House” sign at the entrance to Hemingway Cluster the day before the open house is scheduled and must remove the sign as soon as the open house has ended.
3. You may not post signs of any kind that are visible through any window in your house.

- **Skylights**

See RA Design Guideline.

- **Solar Collectors**

See RA Design Guideline.

- **Spas and Hot Tubs**

See RA Design Guideline. DRB also has approved a Cluster Standard for Hemingway homes.

*Cluster Standard:* Hot tubs or spas are permitted provided they comply with the following specifications:

1. The water pump, heat pump, electrical heater, electric motors, piping, etc. that are associated with your spa or hot tub, should be either (a) completely enclosed in the manufacturer's installed, sound insulated cabinet that is an integrated unit within the spa or hot tub appliance or (b) located in a suitably sound-proofed or in-ground location adjacent to the appliance.
2. The outside surface of the appliance should be made of wood but may have a simulated wood-grain surface.
3. The appliance must have a cover designed to remain in place when the appliance is not in use.
4. The appliance must be placed in the rear of the house on the lower deck or patio, or in the space designed for a deck or patio.
5. Provisions must be made so that the appliance is drained to prevent damage to any grass and to landscaped or wooded areas.

- **Storm/Screen Doors**

See RA Design Guideline. DRB also has approved Cluster Standards for Hemingway homes.

*Cluster Standard:* You may install only a “full view” storm and/or screen door that has brass fixtures and one, full-length sheet of glass within a metal perimeter frame. The door color must be almond unless your front door is black, in which case your storm/screen door may also be black. See Appendix 1 for color specifications. See Appendix 4, which contains photos of “full view” storm doors.

- **Storm Windows**

See RA Design Guideline. DRB also has approved a Cluster Standard for Hemingway homes.

*Cluster Standard:* Storm windows are not permitted.

- **Teardown/In-Fill**

See RA Design Guideline.

- **Trellises and Arbors**

See RA Design Guideline.

- **Under-deck Weather Guards**

See RA Design Guideline.



- **Utility Boxes**

See RA Design Guideline.

- **Window Replacements/Additions**

See RA Design Guideline. DRB also has approved Cluster Standards for Hemingway homes.

*Cluster Standard:* All replacement windows must conform to the approved Cluster Standard for Hemingway homes. See Appendix 4 for window specifications. If you use the pre-approved windows as shown in the Appendix, you do not have to submit an application before installation.

## II.

### **HCA RULES AND REGULATIONS**

In addition to Reston Association's guidelines and standards, each Reston cluster is empowered to maintain additional rules that apply to its homeowners, including their tenants and invited guests. The following is a list of such rules the HCA Board has determined are crucial to the maintenance of the cluster as a clean, quiet, and peaceful place to live. All homeowners are responsible for ensuring that they, along with their tenants and invited guests, are informed of and adhere to these rules and regulations.

Residents are encouraged to report repeated violations of these rules and regulations by a form available at [HemingwayCluster.com](http://HemingwayCluster.com) (see Contacts) or by calling the HCA Help Line (703-574-0436) and providing detailed information, including the name or address of the person violating the rule, the name of the person complaining and a description of the violation. **Violations of those rules constituting a violation of Fairfax County law (as noted below) should be reported by residents directly to the appropriate Fairfax County authority.**

#### **Payment Of Dues**

Cluster homeowners must pay HCA dues, the amount of which the Board announces each year during and after the Annual Meeting, as follows:

- If you pay the dues in full in one annual payment, it is due on or before January 1 of each year.
- If you pay the dues in two semi-annual payments, the first payment is due on or before January 1 and the second payment is due on or before July 1 of each year.
- If you pay the dues in four quarterly payments, the first payment is due on or before January 1, the second payment is due on or before April 1, the third payment is due on or before July 1 and the fourth payment is due on or before October 1 of each year.

Payments received after the above-referenced dates are late. However, the board will forgive the late payment if it is received in the cluster post office box or otherwise as directed by the Board before the 10th of the month in which it is due. If your payment is received after the 10th of the month in which it is due you will incur a \$50 late fee, which will be imposed during each quarter in which your payment is late. The Board may file a lien against your house for nonpayment of dues.

#### **Landscape And Exterior Maintenance**

You must maintain your property, including the landscaped areas, in "good repair and order" as required by the Reston Deed. That means the appearance and/or condition of your property must not be "detrimental to adjoining properties" and must be "consistent with the maintenance standards in the Design Guidelines." See, The First Amendment to the Deed of Amendment to the Deeds of Dedication of Reston, Article VI.2(c). Failure to maintain your property as required will first be addressed by the HCA board and referred to Reston Association if necessary.

For purposes of this rule, with respect to your landscaped areas, "good repair and order" means:

- Beds must be free of weeds and other debris;
- Shrubs and trees must be maintained in a neat and healthy manner;
- Ground covers must be trimmed and contained in the landscaped areas;
- Dead or obviously dying material must be removed (and preferably replaced).

## **Trash Handling**

You may put trash bins out for collection no earlier than dusk the night before a scheduled pick-up and you must put the trash bins away no later than dusk the day of a scheduled pick-up. At all other times, your trash bins and other waste containers must be kept in your garage or otherwise hidden from view. You may not place plastic bags full of trash on the curb for pickup. Your trash must be contained in a proper receptacle with a lid on pickup days so that the wind and scavenging animals cannot scatter it on the street.

## **Circle Traffic**

All traffic in the cluster must **bear to the right** when traveling around the circle just inside the entrance to Hemingway and the circle at the lake end of the cluster. “**ONE WAY**” signs pointing to the right are posted at each circle.

## **Holiday Decorations**

You may decorate the exterior of your home temporarily at “reasonable times” surrounding any holiday EXCEPT you may not:

- install blinking or flashing lights or any light that may shine into a neighboring home; or
- mount any decoration on the roof.

“Reasonable times” for purposes of this rule means:

- any time from the day after Thanksgiving to the 10th of January the following year;
- any time from two weeks prior to the holiday through two weeks after the holiday.

## **Use Of Common Areas**

The cluster’s common areas are generally intended for the use and enjoyment of all residents and their guests. However:

- Residents and their guests who use HCA common property, including the dock, do so entirely at their own risk and sole responsibility;
- Residents and their guests should take care not to damage trees, shrubs and plants in the common areas, including the islands;
- Residents and guests should not discard or abandon personal items in common areas. If the owner of property left in common areas, especially in the street or parking spaces, cannot be identified within a reasonable time, the property will be removed.

## **Boats**

You may use the cluster dock to launch and retrieve boats from the lake. However, you may not leave a boat on the cluster dock or on the lakeshore on either side of the cluster dock unless you remain with the boat.

## **Electronic Insect Traps**

You may not use electronic insect traps outside your house.

## **Speed Limit**

The speed limit on all cluster streets is **15 MPH**. A sign noting this 15 MPH limit is posted on the right as you enter the cluster. Another sign is posted on the right just before entering the first traffic circle. Anyone who drives on HCA streets in excess of the Fairfax County speed limit of 25 MPH may be reported to the Fairfax County police *by any Hemingway resident*. Reston police station may be reached at 703-478-0904.

## **Fire Lanes**

Parking in a yellow-striped fire lane is prohibited by Fairfax County law. Anyone who parks in a yellow-striped fire lane may be reported to the Fairfax County police *by any Hemingway resident*. Reston police station may be reached at 703-478-0904.

## **Pets**

You and your guests must:

- keep dogs on a leash when outside;
- pick up and properly dispose of the dog's solid waste;
- take care to keep your dog's barking from disturbing other cluster residents;
- avoid damage to or destruction of property by pets.

Pet owners who disregard any of the above rules that also violate Fairfax County law (specifically, the first three listed above) may be reported to Fairfax County *by any Hemingway resident*. Call Fairfax County Animal Control at 703-691-2131 to report an incident. See also, <http://www.fairfaxcounty.gov/police/animal/animal-control-services.htm>.

## **Noise**

You and your guests must follow Fairfax County law regarding noise<sup>6</sup>:

- From 7 a.m. to 10 p.m. no continuous noise greater than 60 decibels and no "impulse" noises greater than 100 decibels;
- From 10 p.m. to 7 a.m. no continuous noise greater than 55 decibels and no "impulse" noises greater than 80 decibels;
- Loudspeakers and amplifiers are prohibited between 10 p.m. and 7 a.m.
- Outdoor construction/remodeling and maintenance/improvement of real property are prohibited between 9 p.m. and 7 a.m. on Sunday through Thursday or between 9 p.m. and 9 a.m. on Fridays, Saturdays and the day before a federal holiday;
- Animal noise made by an animal within your control is prohibited between 10 p.m. and 7 a.m. when it can be heard inside a home with its doors and windows closed OR between 7 a.m. and 10 p.m. if these sounds can be heard for more than five minutes consecutively or non-consecutively during a 10-minute period. Exceptions: animal responding to injury or pain or protecting itself or a person from a real threat.

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<sup>6</sup> For examples of sounds at various decibel levels, see: <https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm>

- Exclusions from this law: Emergency work, snow removal, mechanical equipment such as heat pumps or air conditioners.

Residents who disregard Fairfax County law may be reported to Fairfax County *by any Hemingway resident*. See <http://www.fairfaxcounty.gov/dpz/environment/noise/> to determine where to report the violation.

### **Parking**

Parking in Hemingway Cluster is restricted to residents, their guests while visiting, and contractors while working on cluster homes.

Residents are expected to park their vehicles in their own garages or driveways. Common area parking is jointly owned by all Hemingway homeowners and is for the use of the community at large. When some residents habitually park in the common area spaces they are infringing upon the rights of other residents to use those spaces for their guests and other visitors. Recognizing there will be times when residents may need to park in common areas, the Board has developed rules to allow reasonable flexibility while avoiding abuse. Leaving vehicles in common areas for extended periods of time, however, is abusive. Therefore, **vehicles parked in violation of any of the following rules will be subject to towing at the owner's expense.**

#### Rules for residents

- Residents may not park their vehicles in common area parking spaces for more than 48 hours without moving them. Vehicles parked over 24 and up to 48 hours may not be parked in common area parking spaces for the next 48 hours.
- Vehicles may not be parked in common area spaces for more than 3 out of 7 days/nights.

#### Rules for guest/visitor parking

- Guests/visitors may not park in common area spaces for more than 7 consecutive days. However, homeowners may contact the Board at [HemingwayClusterHelp@gmail.com](mailto:HemingwayClusterHelp@gmail.com) or 703-574-0436 for an extension of the time allowed.
- To assist in recognition of guest/visitor vehicles that are parked in common area spaces for multiple days, a legible note should be placed on the dashboard indicating the date first parked and the address of the home visited. See [HemingwayCluster.com](http://HemingwayCluster.com) - "For Residents" - for a form Guest Parking Notice you may use for this purpose.
- Residents may not allow or arrange for temporary parking for people who want to store their vehicles or leave their vehicles parked in common area parking while not visiting, e.g. while they are traveling.

#### Parking enforcement

The Board has contracted with a towing company that has been given the right to enter Hemingway Cluster and remove vehicles the Board has designated for removal. A sign notifying all drivers that a violation of the rule may subject them to towing has been posted at the entrance to Hemingway in accordance with Fairfax County Code Sect. 82.5.32. The telephone number to retrieve the vehicle is displayed on the sign. Costs incurred for towing and/or storage are the responsibility of the offender and/or vehicle owner. The Board may, at its discretion, order a vehicle to be removed from Hemingway Cluster if it has received from any resident information sufficient to show a clear violation of the above parking rules. The Board welcomes volunteer help in monitoring compliance with the parking rule.