

CHARLESTOWN OWNERS ASSOCIATION

Section IV – Rules & Regulations Governing Owner Conduct/Use of Lots

POLICY RESOLUTION 2003-01

Guidelines for Replacement Windows

WHEREAS, Article X, Section 1(b) of the Bylaws of the Charlestown Owners Association ("Association") provides that the Board of Directors shall have the power and duties necessary for the administration of the affairs of the Association and may do such acts and things as are not by law or by the Association's Bylaws, Declaration or Articles of Incorporation directed to be exercised and done by the membership;

WHEREAS, Article XXIII, Section 3 of the Association's Bylaws provides that the architectural standards of the Association are subject to change from time to time to assure reasonable judgment has been rendered by the Association;

WHEREAS, Article XXIII, Part II, Section 27(b) of the Association's Bylaws provides that "Replacement windows may be installed at the Owner's expense and must conform to the Architectural Standards established by the Board of Directors."

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Directors believes that it is in the best interests of the Association to clarify information regarding the installation of Replacement Windows that are set forth in Article XXIII, Part II, Section 27(b) of the Association's Bylaws and duly adopts the following policy with regard to replacement of windows throughout the community:

1. PROCEDURES:
 - A. No Unit Owner shall undertake any replacement of windows without first obtaining the written approval from the Architectural Control Committee or Management pursuant to authority granted by the Board.
 - B. Each application for approval must be made in writing to the Architectural Control Committee or Management and shall include the name of the manufacturer of the window and the name of the contractor to be utilized.
 - C. Upon receipt of an application for approval, the review process and a decision shall be made within 60 days. Said decision shall be put in writing to the requesting party.
 - D. Any Owner who proceeds to install replacement windows without the prior written approval of the Covenants Committee or the Board will be responsible for the costs of removing any window installations that are later unapproved.
 - E. Replacement shall be made only by contractors. The contractor must be licensed in the Commonwealth of Virginia. It is the Unit Owner's responsibility to comply with all governmental regulations including building permits for the installation. Additionally, Unit Owner is responsible to all damage to the common grounds.
 - F. Contractors may not post signs for advertising.

- G. At a minimum, all windows on an elevation must be replaced at one time. *For Example*, all of the windows, (all floors and if applicable, the bay windows) on the front, rear, or side (if applicable) must be replaced at the same time. Replacing less than all windows on a particular elevation is prohibited unless the windows are replaced with units exactly identical to the original equipment. Windows located within a window well may be excluded from the above requirement.
- H. Capping of the exterior trim is not required, however, should the trim be capped, the capping must not extend beyond the brick mold and sill of the existing window. Capping is to be vinyl or aluminum and must follow the color guidelines outlined in Section 2 – GUIDELINES FOR WINDOWS, Subsection C, Approved Colors of this Resolution.
- I. All windows, capping, and doors are to be caulked with an exterior grade caulking in a manner that will insure a weather tight and watertight seal. Caulk will be applied evenly and removed promptly from other areas.

2. GUIDELINES FOR WINDOWS:

- A. The current approved materials for window replacements are wood, fiberglass or vinyl. (Wood windows with exterior cladding of vinyl, aluminum or a combination are acceptable.)

Note: Vinyl windows are difficult, if not impossible to paint. Selecting a vinyl window that cannot be painted limits future color changes. Please confirm with the manufacturer for details.

- B. All windows must be clear glass. With the exception of a Low-E coating, tinted windows are not allowed.
- C. Approved colors:
 - 1) All replacement windows installed, as well as components of the window visible to the exterior (sash, mullions, grills, regardless of their location, screens and if applicable capping) must be either be manufactured in an approved Association trim color, or painted an approved trim color within thirty (30) days of installation.
 - 2) Should the Unit Owner wish to install windows in a color that meets the above criteria, and the trim of their unit is not painted a similar color at the time of the window installation, the Unit Owner must paint all the trim within thirty days (30) of installation.
 - 3) Should installed windows or trim require painting, Unit Owner agrees to paint the windows (in an approved Association trim color) utilizing a latex paint and to perform the job in a professional manner.
 - 4) Unit Owner is responsible for all cost, labor and materials, to paint the trim and/or windows.
 - 5) Please note that should a Unit Owner install a window that has mullions installed

between the glass, the Unit Owner cannot change the trim color in future painting cycles without replacing the mullions.

- D. Windows must be replaced with windows that open in the same way as the windows they are replacing. (i.e. double hung can only be replaced with double hung). Glass shall be tempered as required by applicable Building Codes. (Windows that tilt in for cleaning purposes are allowed)
- E. All replacement windows shall have a mullion ("grid") pattern and sashes dimensionally equivalent to the original window. Said mullions can either be permanent within the window, or an insert. (Portions of the mullions must be painted according to Subsection 2, C, 1) herein.

This Resolution shall be filed in Section IV, Rules and Regulations Governing Owner Conduct/Use of Lots, of the Book of Resolutions.

The effective date of this Resolution shall be August 31, 2003.

This Resolution was approved and adopted by the Board on July 15, 2003.