

Frequently Asked Questions (FAQs)

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1. *Who do I contact to get my home plans approved?*

Duane Sergent, Chair duaneinval@gmail.com
Frank Murphy murphyfr@aol.com

Residences/Dwellings shall adhere to size requirements defined in the FE Covenants (Section 2). Lot owners planning to build a home shall get approval of their building plans **prior** to submitting those plans to Louisa County. Contact a member of the Architectural Review Committee (above) for details.

2. *What is the 911-address requirement?*

LOUISA COUNTY Municipal Code states,

Sec. 64-73. Display of numbers required; failure to comply.

(a) It shall be the duty of the owners and occupants of every house, building and structure in the county to have placed on a contrasting background thereon, or post, marker, mailbox, or other structure in a place clearly visible from the street, figures at least three inches high, showing the number of the house, building or structure. Any person, firm, or corporation failing to so number any house, building or structure occupied by him or if, after receiving notice to do so from the county, shall continue in his failure to so number such house, building or structure shall be charged a fine of \$25.00 for each month during or on which a failure to so number continues. The number must be placed displayed within 60 days after the written notice of address change to avoid any violation. Any conflicting or contrary numbers must be removed within the same period of time.

(b) The street numbers shall be conspicuously placed on, above or at the side of the main entrance or at a location on the structure that is discernible from the street. Where the entrance is more than 50 feet from the sidewalk or is not clearly visible from the street, the number shall be prominently displayed along a walk, driveway or other suitable location as near as conveniently possible to the street. In such circumstances, a second set of numbers must be placed on the structure and oriented toward the entry to the property.

(c) There shall be no wording or graphic depictions within two feet of the display of any street numbers. Structures with multiple dwellings or uses shall display numbers over the main entrance or at each individual unit, if so designed.

(Res. of 5-1-95(95.048))

Sec. 64-74. Collection of charge for failure to number.

The charge for failure to so number any house, building or other structure shall be paid by the owner of such property and may be collected by the county as taxes and levies are collected.

(Res. of 5-1-95(95.048))

Sec. 64-75. Unpaid charges to become liens.

Every charge authorized by this chapter with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property.

(Res. of 5-1-95(95.048))

Sec. 64-76. Maintenance of numbers.

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It shall be the responsibility of the property owner to maintain the street address in good discernible condition and ensure its property visibility. No landscaping, structure or improvement shall obscure or obstruct the number from the street.

(Res. of 5-1-95(95.048))

3. Any home building restrictions/help?

See **What Every Builder Needs to Know** and **FE Rules & Covenants** on the FEPOA web site <http://www.freshwater-estates.net> / under **Governance**.

4. FEPOA Solar Energy Policy (Required by Code of Virginia Chapter 26 §55-509.5)

Freshwater Estates has no policy at this time prohibiting the use of solar energy. Any county and/or state regulations regarding the use of solar energy shall be followed when considering the use of same.

5. Camping in Freshwater Estates

No camping is permitted on any lot or common area in Freshwater Estates. This was resolved by the 15 January 2004 letter (sent to all property owners and included in all POA Disclosure Packets) from the FEPOA Board of Director's President as defined by FEPOA attorneys per the FE Rules & Covenants.

A camper may be used while a house is going up—not before or after. Campers can be stored on the property after the house is built.

6. How much are the Association dues/fees and when are they due?

Dues and fees to the Association are annual and due on March 1 of each year as follows (subject to an annual cost of living adjustment or annual increase):

<i>Dues (all owners)</i>	<i>\$220</i>
<i>Mass Drain Field Reserve Fund (all MDF owners)</i>	<i>\$150</i>
<i>Mass Drain Field Usage Fee (owners connected to MDF)</i>	<i>\$240</i>
<i>Dock Usage Fee (owners with assigned boat slips)</i>	<i>\$150</i>
<i>Gate Key Replacement</i>	<i>\$20 per key</i>
<i>Disclosure Packet</i>	<i>\$100</i>
<i>Late Fee</i>	<i>5% of amount due, in addition to funds not received by the due date</i>

Note: The need to levy Special Fees to cover the costs of maintenance of the Common Areas may be necessary.

7. How do I get a disclosure packet-when is one needed?

FEPOA Disclosure Packet can be obtained from the Secretary on the FE BOARD (feposecretary02@gmail.com). The fee for the packet is \$100 and is required by law to be given to the

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potential buyer with a scheduled settlement date. We normally collect the fee for the packet at settlement. It is FEPOA policy that the Disclosure Packet can only be given to a real estate agent or the potential buyer of a lot/home.

8. If I want to resubdivide my lot – where do I start?

In order to ensure adherence to the Covenants of Freshwater Estates (Section 6 Resubdivision and Virginia Statutes, Property Owners' Association Act, Section 55-512 Contents of association disclosure packet other requirements) any resubdivision of a lot within Freshwater Estates by a FEPOA member shall be reviewed and approved by a majority vote of the members on the FEPOA Board of Directors prior to any action being taken to alter a lot to prepare for such resubdivision.

The procedure is as follows:

- 1) A Freshwater Estates Lot Owner who wishes to resubdivide his/her lot must prepare a draft proposal detailing said resubdivision including breakdown of the following for each lot: lot lines, acreage, access, utility easements, septic proposal and any other information that ensures adherence to the Codes of Louisa County and is beneficial to the Association as a whole.*
- 2) The Lot Owner should then contact one of the members of the FEPOA Board of Directors listed on the FEPOA website (www.freshwater-estates.net) to arrange a presentation of the proposal.*
- 3) A quorum of three (3) Board members must be present at the duly arranged presentation.*
- 4) Approval will be granted by a majority vote of those Board members present.*

Without approval from the FEPOA Board of Directors for a resubdivision, a lot will be considered and treated as a single lot as previously recorded in the Louisa County Courthouse when the Lot Owner purchased the property. Any alteration without approval to a lot in preparation of a resubdivision will be deemed in violation of the Declaration of Covenants of Freshwater Estates and the Virginia Statutes, Property Owners' Association Act with all violation penalties and fines applicable per the Common Wealth of Virginia law and FEPOA By-Laws.

9. Docks/Common Area conduct

A sign is posted at the entrance gate to the Common Area that lists prohibited activity, i.e., No Dumping into the Lake; take your trash with you – no county trash pick-up.

10. Can I install a boat lift in my slip at the Common Area, if so, any restrictions?

As long as you are the deed holder to the slip you may install and use a boat lift provided:

- all cost of the boat lift including installation is assumed by the slip owner;*
- any damage to the pier resulting from installation of the boat lift is the responsibility of the slip owner.*

Plans to install the boat lift shall be presented to an Architectural Review Committee member for approval prior to purchase and installation to ensure that it conforms to the following: The lift must be free standing in the water and conform to your slip area only. It shall not attach to the pier or pilings in any way. There

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is currently no electricity available to the dock or slip so it must be manually operated. Canopies shall not be attached to the pier or pilings and shall not extend more than seven (7) feet above the pier

For FEPOA Boat/PWC Lift and Canopy Specifications, go to freshwater-estates.net to the “Governance” page.

11. Can I rent or lease the boat slip assigned to my property?

The FEPOA does not have a policy for renting of assigned boat slips. However, due to liability and enforcement concerns, if an owner rents an assigned boat slip, the owner is fully responsible for any resulting liability regarding the non-owner’s use of the slip

12. Is there a leash law for dogs in Louisa County?

Yes, see highlighted area below in the LOUISA COUNTY Municipal Code – (in part). Please report dogs running loose to Animal Control (540) 967-3477 or Louisa Sheriff’s Office (540) 967-1234.

Sec. 14-41. Dogs running at large in certain Subdivisions; penalty of violation.

(a) The running at large of all dogs at any time is prohibited within the confines of the following subdivisions

12. Freshwater Estates, Mineral Magisterial District, Louisa County, Virginia

(b) For the purposes of this section, a dog shall be deemed to run at large while such dog is roaming, or self-hunting off the property of its owner or custodian and not under its owner's or custodians immediate control; provided, that no dog shall be deemed to be running at large in violation of this section if it shall be engaged in lawful hunting outside of such subdivision under the direction of its owner or custodian and shall thereafter stray into such subdivision; provided, that such owner or custodian shall place such dog under his immediate control within a reasonable time.

(c) Any person who permits his dog to run at large in violation of this section shall be subject to a fine of not more than \$100.00 for each occurrence.

(Code 1971, § 3-16.2; Res. of 3-20-00(00.058); Res. of 5-15-00(00.090); Res. of 3-19-01(01.053); Res. of 6-4-01(01.093); Res. of 12-17-01(01-195); Res. of 12-2-02(02.166))

State law references: Board of supervisors may prohibit dogs from running at large in designated portions of county, Code of Virginia, § 3.1-796.93. <https://leg1.state.va.us/000/src.htm>

Sec. 14-41.5. Vicious dogs not to run at large; penalty (in part).

(a) For the purposes of this section, a “vicious dog” is any dog that constitutes a physical threat to human beings or other animals.

(e) Unless otherwise specifically provided, a violation of any provisions of this section shall constitute a class 4 misdemeanors.

(Code 1971, § 3-3; Res. of 5-4-92(2))

Power of board of supervisors to prevent vicious dogs from running at large, Code of Virginia, § 3.1-796.100.

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13. *Is hunting allowed in Freshwater Estates?*

LOUISA COUNTY Municipal Code states -

Sec. 54-6. Hunting—In residential subdivision prohibited.

(a) It shall be unlawful for any person to illegally discharge firearms within the boundaries of any subdivision in which there are two or more dwellings and which is located within an area zoned residential, **provided that clearly visible signs stating that hunting is prohibited in such subdivision have been posted to designate the boundaries of such subdivision.**

(b) For any subdivision in which there are two or more occupied dwellings and which is located in an area zoned residential, clearly visible signs stating that hunting is prohibited in such subdivision and clearly designating the boundaries of such subdivision shall be posted by each owner of a lot on the boundary of the subdivision in such a way as to designate the boundaries of the subdivision.

(c) *Any person who violates subsection (a) or (b) shall be guilty of a class 3 misdemeanor.*

(Ord. of 12-17-90)

Cross references: *Animals, ch. 14; zoning, ch. 86.*

Sec. 54-7. Same—On public highways prohibited.

(a) It shall be unlawful for any person to hunt any game bird or game animal on a public highway with any type of loaded weapon. For the purpose of this section, a “public highway” shall be defined as the entire width between the outer ditch lines of every primary or secondary highway in this county which any member of the public has a lawful right to use for vehicular travel.

(b) Any person who violates subsection (a) shall be guilty of class 3 misdemeanors.

(Code 1971, § 9-2)

14. *What are the outdoor burning and noise regulations?*

Louisa County Ordinance Sec. 42-2. Fires—Regulating the burning of woods, brush, etc.

(a) It shall be unlawful for any owner or lessee of land to set fire to, or to procure another to set fire to, any woods, brush, logs, leaves, grass, debris or other inflammable material upon such land unless he previously shall have taken all reasonable care and precaution, by having cut and piled the same or carefully cleared around such woods, brush, logs, leaves, grass, debris or other inflammable material, to prevent the spread of such fire to lands other than those owned or leased by him. It shall also be unlawful for any employee of any such owner or lessee of land to set fire to or to procure another to set fire to any woods, brush, logs, leaves, grass, debris or other inflammable material upon such land unless he shall have taken similar precautions to prevent the spread of such fire to any other land.

(b) Any person violating any provision of this section shall be guilty of a class 3 misdemeanor for each separate offense.

(Code 1971, § 12-17)

State law references: *Similar provisions, Code of Virginia, § 10.1-1142.*

Burning

Sec. 42-3. Same—Burning of brush, leaves, etc., restricted during certain months; exception

(a) During the period beginning February 15 and ending April 30 of each year, even though the precautions required by the foregoing section have been taken, it shall be unlawful, in any county or city or portion thereof organized for forest fire control under the direction of the state forester, for any person to set fire to, or to procure another to set fire to, any brush, leaves, grass, debris or field containing dry grass or other inflammable material capable of spreading fire, located in or within 300 feet of any woodland, brush land, or field containing dry grass or other inflammable material, except between the hours of 4:00 p.m. and

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12:00 midnight. The provisions of this subsection shall not apply to any fires which may be set on rights-of-way of railroad companies by their authorized employees.

(b) (Ord. of 3-3-97)

Any person violating any provision of this section shall be guilty of a class 3 misdemeanor for each separate offense.

(Code 1971, § 12-18)

State law references: *Similar provisions, Code of Virginia, § 10.1-1142.*

Noise -

Sec. 51-1. Penalty for violation of chapter.

Any person who violates the provisions of this chapter shall be guilty of a class 4 misdemeanor and, upon any subsequent conviction within a period of 12 months, shall be guilty of a class 3 misdemeanor.

(Res. of 5-3-04(04.049))

Sec. 51-2. Unnecessary and disturbing noise prohibited.

It shall be unlawful to create any unreasonable loud, disturbing and unnecessary noise in the county, and noise of such character, intensity and duration as to be detrimental to the life or health of any person or to unreasonably disturb or annoy the quiet, comfort or repose of any person is hereby prohibited. This prohibition shall not be construed to apply to any livestock, domesticated animal, fowl in agricultural zones or any agricultural operation.

(Res. of 5-3-04(04.049))

Sec. 51-3. Unnecessary noises enumerated.

The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of section 51-2, but such enumeration shall not be deemed to be exclusive:

- (1) Radios, television sets, musical instruments and similar devices. Operating, playing or permitting the operation or playing of any radio, television, record, tape or compact disc player, drum, musical instrument, or similar device.
 - a. In such a manner as to permit sound to be heard across a residential real property boundary or through partitions common to two dwellings within a building;
 - b. In such a manner as to be plainly audible at a distance of 50 feet from the building in which it is located;or
 - c. When the sound is plainly audible at a distance of 50 feet from its source or otherwise creates a noise disturbance.
- (2) Loudspeakers, public address systems and sound trucks. Using, operation or permitting the operation of any loudspeaker, public address system, mobile sound vehicle or similar device amplifying sound there from for any purpose in such a manner as to permit sound to be heard across a residential real property boundary, or through partitions common to two dwelling units within a building.
- (3) Horns, whistles, etc. Continuous sounding or permitting the sounding of any horn, whistle or other auditory sounding device on or in any motor vehicle on any public right-of-way or public property, except as a warning of danger.
- (4) Explosives, fireworks and similar devices. Using or firing any explosives, fireworks or similar devices which create impulsive sound in such a manner as to permit sound to be heard across a residential real property boundary, or through partitions common to two dwelling units within a building or on any public right-of way or public property, in either case between the hours of 11:00 p.m. and 8:00 a.m. This section shall not apply to organized fireworks displays or organized use of explosives or similar devices sponsored by nonprofit and charitable organizations, including, but not limited to, the Lake Anna Civic Association, the Trevilians Station Battlefield Foundation, the Mineral Rescue Squad, the county volunteer fire department.

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- (5) Yelling, shouting, etc. Yelling, shouting, whistling or singing in such a manner as to permit sound to be heard across a residential real property boundary, or through partitions common to two dwelling units within a building.
- (6) Schools, public buildings, places of worship, and hospitals. The creation of noise disturbance within any school, court, public building, place of worship, or hospital, or on the grounds thereof.
- (7) Mass outdoor gatherings. Using or causing to be used sound amplifying equipment for the purpose of producing music or entertainment for a mass outdoor social gathering, unless such use is permitted by conditional use permit or otherwise permitted by the board of supervisors or the county administrator, if designated by the board of supervisors to issue said permits.
- (8) Vehicles. Operation of a motor vehicle or operation of a motorcycle in a manner that creates a noise disturbance. Operation of sound amplifying equipment in a motor vehicle at a volume sufficient to be plainly audible at a distance of 50 feet from the vehicle.
- (9) Defective vehicles. Operation of a motor vehicle or motorcycle so out of repair as to create a noise disturbance.
- (10) Construction. The erection, including excavation, demolition, alteration, or repair of any building or improvement in such a manner that noise in excess of levels set forth in subparagraph (1) can be heard at adjoining property lines, from sunset until 7:00 a.m., except in the case of emergency.
- (11) Animals. The keeping of any animal in residential subdivisions or commercial zones which shall be the source of any noise or sound of such character, volume, duration, or frequency as to disturb, injure or endanger the quiet, comfort, repose, health, peace, or safety of any other person.

To See Other Louisa County Codes - <http://www.louisacounty.com/LCadmin/municode.htm>

15. *Lake Anna/water restrictions*

See <http://www.lakeannavirginia.org/> for details.

16. *What to do about dirt bikes and ATVs riding/racing on private property?*

If anyone observes anyone trespassing on private property whether it is a dirt bike or ATV, automobile, pick-up truck, etc., please try to get a tag number and/or a description of the vehicle and call the local Sheriff's Office on (540) 967-1234 and report it. The Community Watch Patrol will be on the lookout for this as well.

17. *Can I install a fence on my property?*

*Except for enclosing the perimeter of swimming pools, tennis courts and/or pet enclosures, no chain link fences will be permitted for use on any lot. See <http://www.freshwater-estates.net/> under **Governance (Section 16 Fences)** in the Covenants.*

18. *Where can I find information on internet in Louisa County?*

Because the County is involved with internet services, no working ad hoc committee is active within Freshwater Estates to address the issue.

Citizens can review County Board of Supervisor meeting minutes at <http://louisacountyva.ig2.com/Citizens/Default.aspx>.

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Minutes of the County at Louisa County Broadband Authority may be found at <https://www.louisacounty.com/Search?searchPhrase=Louisa%20County%20Broadband%20Authority%20Minutes>

Facebook users may find additional information on the Louisa Residents for Internet Service Facebook page at <https://www.facebook.com/groups/LRFIS/>

Have a question? Submit it via email to: directors@freshwater-estates.net