

DRAFT as of 1/22/2021

Section 5.2.9.6 on Security Cameras, as of <date>, is an addendum to First River Farms Rules and Regulations as of June 20, 2016.

5.2.9.6 Security Cameras

Use of private home security cameras in First River Farms is allowed so long as they adhere to the following specifications. Such cameras help secure the safety, property, and possessions of homeowners. They will be permitted with the caveat that the privacy of neighbors shall be respected and protected.

5.2.9.6.1 Adherence to state & county laws: Installation and use of private home security cameras are subject to any and all laws and ordinances of the State of Virginia and Fairfax County relative to surveillance and recording with such devices, as well as individual privacy rights. This includes, but is not limited to:

- Virginia Code §18.2-386.1 (Unlawful creation of image of another), under which it is illegal to videotape or photograph non-consenting individuals who are totally nude, partially undressed, or wearing underclothes; and
- Virginia Code §19.2-62 (Unlawful interception, disclosure, etc., of wire, electronic or oral communications), under which it is illegal to intercept or record any conversation without the consent of one participant.

5.2.9.6.2 HOA approval required:

- a. Prior to installation of a private home security camera, the homeowner and/or resident **MUST** obtain written approval from the HOA by submitting an Exterior Design Change Application. (Because of privacy concerns and issues of law surrounding security cameras, the HOA requires homeowners who installed security cameras prior to the establishment of this regulation to retroactively submit an application for approval.) Approval will be made on a case-by-case basis.
- b. The Exterior Design Change Application must:
 - Specify type of camera, size and shape, angle of view, and location of placement. (Include manufacturer's written specifications, photographs, etc., when available.)
 - Indicate if the camera is being installed by a professional company (provide name) or if the homeowner is installing it.
- c. The HOA Board may require an inspection of the location of the camera to determine the direct line-of-sight view. The Board may also request to consult with the company's representative if more information is needed.
- d. Any subsequent deviation from the approved location must be resubmitted for approval on another Exterior Design Change Application.

5.2.9.6.3 Location, placement and use:

- a. No more than two security cameras will be allowed per unit, one in the front of the house and/or one in the back. Exceptions will be considered on a case-by-case basis.
- b. Homeowners shall not install any security cameras in common areas. Only the HOA is authorized to do so when deemed necessary by the Board.
- c. Cameras should be placed where they are least intrusive or visible.
- d. Cameras must not be directed at a neighbor's yard, window or door.
- e. Cameras must not be directed at shared common areas (for example, swimming pool, playground, etc.) The HOA Board will determine if there is a need for an owner's camera to be placed in a position that may include part of a common area due to the location of their home.
- f. Security camera recordings must be silent video only. They cannot record audio.
- g. Video doorbell security cameras may require attaching to the trim surrounding the front entry door. The homeowner is responsible for any damages done, or repair work needed, when the camera/doorbell is removed for any reason, such as when the home is sold or newly rented. Repair work will likely include touch-up painting that must be the exact FRF-approved palette color on the house and reflect a workmanlike quality when finished.