

Highland Lake Residential Homeowners' Association

Rules and Regulations

December 20, 2019

Introduction

The following rules and regulations are issued by the Highland Lake Residential Homeowners' Association, Inc. (HLRHA). They are derived from our Declaration of Covenants, Conditions, and Restrictions (CC&R's) of Highland Lake dated July 12, 2016.

Many of the covenants that govern life in the Traditional Neighborhood are not reflected in this document. Nonetheless, the covenants still apply and each homeowner is responsible for reading the Declaration of Covenants and acting accordingly.

These Rules and Regulations deal with most of the daily situations of life here in the Traditional Neighborhood of Highland Lake Village. Because of the compact nature of our community, it is important that each of us displays a high level of consideration, respect, and tolerance to our surrounding neighbors.

Owners are responsible for compliance with these Rules and Regulations by their guests. Owners who rent property here are responsible for ensuring that your tenants and their guests comply with these provisions. Please provide your renters a copy of these Rules and Regulations and make their obligations clear.

The Board of Directors asks for the support of all residents and absentee owners in the enforcement of these Rules and Regulations. Violations should be reported via e-mail to hlvillageinfo@gmail.com. The Board of Directors will review reports of violations and take appropriate action. [See paragraph 14 for more details.]

1. Parking

Because the streets of the Traditional Neighborhood are narrow and illuminated only to residential standards, they can be a hazard if clogged with parked cars. Therefore, residents and overnight visitors are **required** to park off the street in garages and driveways whenever possible. This will keep streets clear and safe for traffic, especially emergency vehicles. Doing so also will deter vehicle break-ins.

The Board of Directors will consider case-by-case exemptions from this policy with sufficient written justification.

Further, residents, guests, and contractors are to abide by the following parking regulations:

(a) With the exception of moving vans, commercial and work vehicles are not allowed to block traffic on streets or alleys except when making deliveries or unloading tools and materials.

(b) A commercial vehicle owned or operated by a resident must be parked overnight in either the resident's garage or driveway. A commercial vehicle is any vehicle exceeding a two (2) ton capacity or longer than twenty-five (25) feet.

(c) No recreational vehicle (RV), mobile home, utility trailer, boat, or similar vehicle owned by a resident may be parked overnight in any location visible from the street in the Traditional Neighborhood at any time. If the owner of such a vehicle is visiting a resident, the vehicle may be parked in the resident's driveway or common parking area designated by the Board of Directors for up to three (3) days. A recreational vehicle may not be occupied as a residence at any time.

(d) No vehicle may be parked on any curb, sidewalk, or common area, including grassy areas.

(e) An inoperative vehicle (i.e., one that does not work or lacks current registration) must be kept in a closed garage or in an offsite storage facility.

(f) To allow for snow plowing and/or sanding of streets in winter, or for any other reason declared by the Board of Directors and announced in advance to the neighborhood, no vehicle may be parked in the street at any time for the duration established via broadcast message from the Board of Directors.

(g) When parking on the street is necessary, do not park directly across from another vehicle so that emergency vehicles can get through.

After proper notification as specified in paragraph 14 below, violation of the above parking rules and regulations can result in a vehicle being towed and/or removed at the owner's expense.

2. Fences and Mailboxes

The fences within the Traditional Neighborhood are an integral part of the original community design and environment. Homeowners are responsible for the upkeep of any fence abutting their lot and shall keep such fence in good repair and in the original style and color unless a change to either has been approved in advance by the Design and Review Committee (DRC). No fence may be removed without the prior approval of the DRC. The DRC's guidelines are located on the CAM web site.

Upkeep of mailboxes and their stanchions are the responsibility of the owner(s) who use that mailbox. A deteriorating stanchion is to be replaced promptly before becoming a safety hazard, must match the original design as closely as possible, and must be installed to conform to current US Postal Service regulations. The DRC has a list of vendors who have constructed and installed mailboxes in the Traditional Neighborhood in the past.

3. Modifications to Houses and Lots

Refer to the DRC guidelines for specifics.

4. Fires, Fireworks, and Firearms

Open fires of any kind, discharging fireworks of any kind, and discharging of any type of firearm (including a pellet or BB gun) are strictly prohibited anywhere within the community.

5. Yard/Garage Sales

Individual residential (i.e., not commercial) yard/garage sales are prohibited. However, the Board of Directors may authorize a community yard/garage sale upon written request by at least five (5) resident owners who will organize, manage, and control the event. The safety of all residents and the effective management of vehicular traffic in the community during such a sale are paramount and will be factors in the Board's decision on such a request.

6. Signs

Refer to DRC guidelines for specifics.

7. Waste Disposal

Household waste that is kept outdoors pending weekly collection must be stored in a nonmetal container securely closed with a lid. Containers are to be stored out of sight from any street except during the immediate eight hours prior to or after weekly collection.

No edible waste (i.e., garbage) is to be placed for pickup in plastic bags because they will attract rodents and other wildlife.

Recyclables, such as plastic, glass bottles, cans, and waste paper, may be placed for pickup in plastic bags that are tightly secured or in open containers that may be provided by the disposal contractor.

Clean yard waste may be placed for pickup in tightly secured plastic bags. The disposal of yard waste or grass clippings on any common area is prohibited.

8. Common Area Maintenance

(a) Homeowner Responsibilities. Although it is the responsibility of the Association to maintain the common areas within the Traditional Neighborhood, the upkeep of common areas adjacent to or abutting a lot are the responsibility of the individual owner of that lot. Such areas include, but are not limited to:

- the area between a fence and the curb and gutter of a street, a paved alley, or walkway

Grass clippings and other yard waste are to be swept or blown off the streets, alleys, and sidewalks adjacent to the lot from which they came and disposed of in a manner that is respectful of other residents.

Individual homeowners or their tenants are responsible for clearing snow and ice from sidewalks abutting their property in a timely fashion following a storm.

(b) Maintenance of Trees on Common and Private Property. All trees, whether on a homeowner's property or outside the property line, that overhang a street or alley must be trimmed to a minimum of 10.5 feet of clearance between the lowest limbs and the surface of the street or alley. All trees overhanging a sidewalk, but not a street, must be trimmed such that the lowest limbs clear the surface of the sidewalk by a minimum of 10.5 feet.

9. Rentals

No homeowner shall rent his or her home for a period of less than 180 days and all properties must be maintained as single family dwellings. Homeowners are responsible for assuring that their tenants adhere to all CC&R's and Rules and Regulations of the Traditional Neighborhood. The homeowner or rental agent shall furnish the Board of Directors with the name, telephone number, and e-mail address of a tenant within 30 days of the beginning of the lease and must inform the Board when such lease expires or is terminated.

10. Nuisances

No nuisance, hazardous or unsanitary condition shall be allowed to exist in the Traditional Neighborhood. Nuisances include, but are not limited to:

- Continuously barking dogs
- Excessive noise or vibrations that are clearly audible outside the confines of the property
- Loud music from vehicle audio systems heard outside the vehicle
- Other loud noises from a vehicle such as engine, muffler, or tires
- Plantings that create blind corners on streets or alleys
- Invasive plants and hazardous trees
- Unleashed pets
- Failure to clean up after a pet by not picking up excrement and disposing of it at the pet owner's home
- Noxious odors or fumes
- Any condition that a reasonable person would consider annoying or irritating

11. Traffic

The safety of all persons and animals in the community is paramount.

Residents, visitors of residents, and contractors must adhere to the posted speed limit of 17 mph, obey all traffic signs, and drive with extra caution in alleys.

Residents who are observed violating any of these traffic rules and regulations will be sent a warning letter and any necessary subsequent actions will be taken in

accordance with the “Process for Handling Owner Violations” as spelled out in paragraph 14(c) below.

12. Pets

All pet owners are to abide by the following:

- Residents are allowed to have no more than two pets
- All pets must be on a leash when not inside the owner’s fence
- Any person walking a pet must be in control of it at all times
- Pet owners are responsible for ensuring that their animal is not allowed to walk on, urinate in, or defecate on other residents’ property
- Pet owners are responsible for the prompt removal and sanitary disposal of their pet’s excrement by the person walking the pet, and
- Pet feces must not be thrown into the woods, creeks, or any other common area.

13. Enforcement Procedures

(a) **Authority.** The Highland Lake Residential Homeowners’ Association is managed by a property-owner Board of Directors and is responsible to follow up on complaints or reported violations of the Declaration of Covenants, Conditions and Restrictions of Highland Lake and/or these Rules and Regulations by owners, their dependents, guests, and contracted service providers. The North Carolina Planned Community Act (Section 47F-3-102(12)) authorizes the HLRHA to enforce said covenants, rules and regulations and to impose reasonable fines or suspend privileges or services provided by the HLRHA.

(b) **Filing a Complaint or Report of Violation.** Complaints or reports of violations must be submitted in writing or via e-mail to the HLRHA’s management company and/or the Board of Directors (at HLVillageinfo@gmail.com). Complaints or reports of violations must document the specifics of the offense with pertinent facts, dates, photographs (if appropriate), and the name of the person filing the complaint or report. In general, violations of a rule or covenant will be handled by the Board of Directors. Anonymous complaints or reports of violations cannot be entertained.

(c) **Process for Handling Owner Violations.**

1. The homeowner alleged to be in violation will be notified in writing and copied with the provision of the appropriate governing document that details the infraction. As part of this notification, the owner will be given not less than 10 days, but not more than 30 days, from the date of the notice to correct the stated violation.

2. If the violation noted in #1 above is not corrected within the allotted time, a second notification will be sent to the homeowner via certified mail notifying him or her of the continued violation. The letter shall indicate that it is the “Final Warning Second Notice” and shall give the homeowner not less than 48 hours to rectify the violation in question.

3. If a violation continues beyond the Final Warning Letter, the owner shall be notified via certified mail with a “Fine Notification Letter.” Actions that can include, but are not limited to, fines up to \$100 per day, shall commence until the violation(s) in question is/are corrected. The owner shall be notified as part of the “Fine Notification Letter” of his/her right to appeal said corrective action(s), including fines. The owner shall be given 15 days from the date of the notice to file a written appeal with the Board of Directors.

4. The agenda for an appeal hearing shall be:

a. The homeowner shall have an opportunity to present his/her case to the Board of Directors with or without supporting evidence.

b. After the presentation by the homeowner, the Board shall have an opportunity to question the homeowner regarding the violation(s). Following questions from the Board, the homeowner will be dismissed.

c. The Board shall deliberate and determine whether fines that have been levied are to be enforced or waived.

d. Upon reaching a decision, the President of the Board of Directors shall direct that the owner be notified in writing of the Board’s decision to either enforce or waive the fines. The meeting shall adjourn with no further business conducted as part of the hearing.

5. If levied fines are not waived by the Board's decision in section 4 above, they shall continue until the violations in question are corrected.

6. All fines will be added to the homeowner's personal account with the Association.

7. At the sole discretion of the Board of Directors, the Association may engage legal counsel to assist in the collection of fines owed the Association.

8. All legal and incidental fees incurred by the Association as part of the collection of fines shall be levied against the homeowner in question, as allowed by law.