



PRESTON

COMMUNITY ASSOCIATION

RULES & REGULATIONS

RULES & REGULATIONS APPROVED BY THE BOARD OF DIRECTORS ON SEPTEMBER 21, 2023.

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INTRODUCTION

Rules & Regulations

All Owners and occupants of Lots shall abide by all rules and regulations adopted by the Association. The Board shall have the power to enforce compliance with said rules and regulations by all appropriate legal and equitable remedies, and an owner determined by judicial action to have violated said rules and regulations shall be liable to the Association for all damages and costs, including attorney's fees.

The purpose of these rules and regulations is to highlight, simplify, clarify or supplement provisions of the governing documents. In the event of a conflict the following represents the order of priority: State Statutes, Articles, Covenants, Conditions and Restrictions (CC&R), Bylaws, Resolutions, ACC Guidelines, then the Rules and Regulations. At the discretion of the Board of Directors the Board may amend these Rules and Regulations from time to time as the Board carries out its management of the Association.

Ultimately it is the Property Owner's and their occupant's responsibility to ensure that their tenants, guests and other occupants understand and abide by these Rules and Regulations. The Rules and Regulations provide a basis for protecting members' equity in the PCA, assures the continued aesthetic beauty of the community, and defines the responsibilities of Property Owners, guests, tenants, invitees.

The Community Manager will ensure that complaints from residents pertaining to the Rules & Regulations are processed with discretion. Complaints, questions or suggestions should be addressed to:

Preston Community Association
Community Manager
1930 North Salem Street, Suite 101
Apex, NC 27523
Phone 919-367-7711
michael@casnc.com

The Rules & Regulations and the Declaration of Covenants & Restrictions are posted on the PCA website www.prestonca.com.

ENFORCEMENT OF DECLARATION, BYLAWS & RULES

The Master Association, through its Board of Directors, will have the power and authority to make, amend, and enforce the Rules and Regulation of the POA. The NC Planned Community act provides that the Association may adopt and amend the rules and regulations (NC 47F-3-102).

The CC&R authorizes the Board of Directors to impose sanctions (penalties) for violations of the Community's CC&Rs and Rules and Regulations. Sanctions may include but are not limited to the following:

1. Imposition of reasonable monetary fines
2. Suspension of a member's voting rights
3. Enter onto a lot and perform care and maintenance

ARCHITECTURAL STANDARDS

To assure that the objectives of Preston Community Association are achieved, an Architectural Control Committee (ACC) was established to administer and perform the architectural and landscape reviews. The Declaration of Covenants and Restrictions provided that no site preparation on any Lot, no change in grade or slope of any Lot, no construction or placement of any building or exterior additions or alterations to any building situated upon a Lot, and no construction, changes or additions to any other structure or improvement on a Lot shall be commenced on any Lot until the architectural Control Committee has approved the submitted application. In other words, most exterior changes require approval. When it doubt, review the Architectural Guidelines or email the Community Manager for clarification if you are unsure. The Architectural Guidelines can be found on the Preston Website @ www.prestonca.com.

COMPOSITION OF HOUSEHOLD

Each Lot shall be used exclusively for single-family, non-transient residential purposes. Transient is defined as 90 days or less.

HOLIDAY/SEASONAL DECORATIONS AND LIGHTING

Home Owners are requested to exercise restraint when decorating their house for the holidays and pay particular attention to the effect on your immediate neighbors. To that end owners must:

- Refrain from putting up decorations too early in the season.
- Turn off lights and sound after 10pm.
- Remove the decorations and lighting promptly after the holiday season ends. Decorations placed during the December/January holidays must be removed prior to February 1.
- An owner may seek architectural approval for any holiday type lighting/decorations they would like to display after January 31.

DOGS, CATS & ANIMALS AT LARGE

No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot except that:

- Dogs, cats or other household pets may be kept, provided that they are not bred, or maintained for any commercial purpose.
- Pets walked outside should be kept on a leash and their solid waste should be picked up and disposed of properly from private and/or common areas immediately.
- In no event shall more than three dogs and/or three cats be regularly kept on any Lot.

Dogs, cats or other household pets must not create a nuisance (in the judgment of the Board), such as, but without limitation, by number, noise, odor, damage or destruction of property.

FLAGPOLES

Free standing flagpoles of any type are not permitted except those attached to the front or side of home or building.

GOLF CARTS

While the Association has no rules regarding operation of golf carts, here are several important facts residents need to know about golf carts to comply with local laws:

- Drivers need to be at least 16 years of age and have a valid driver's license to drive a golf cart on the roads of NC.
- According to the NCDOT, you have to have your driver's license on you when operating a golf cart on public roads and streets in North Carolina.
- Golf carts may only be operated on local streets and roads with a posted speed limit of 30 miles per hour or less.
- Golf carts may be operated in bicycle lanes.
- Golf carts may not be operated on sidewalks except to cross over to a street or road from a private drive.
- Golf Carts may only carry the number of people that the cart is designed to carry. Passengers may not ride in the area designed to hold golf clubs.
- Golf carts may operate in the bike lane, however please remember bikes have the right away.
- Please go to the www.prestonca.com website for more information on golf cart rules and regulations.

GUESTS, TENANTS & VENDORS

Each Owner shall be liable to the Association for any damage to the Common Area, Roadway Medians, and/or Landscaped Rights-of-Way caused by the negligence or willful misconduct of the Owner or such Owner's family members, tenants, guests, or invitees.

LOT MAINTENANCE

All privately maintained landscaping, driveways and structures shall be kept in acceptable condition. This includes, but is not limited to, leaf removal, shrub/plant pruning, cleanliness of house exterior, wood rot repairs, house painting, health of turf, mulch, weed control, debris removal, plant material coverage, irrigation, dead/diseased tree removal and height of grass.

MAILBOXES

All mailboxes must follow the ACC standards in relation to color, size, numbering and style. Other important info regarding mailboxes:

- Mailbox should be Imperial Model 300R. Owners may purchase the mailbox from any vendor. Mailbox Medix does sell this model and can handle numbers and installation, they can be reached at (919) 757-2253.
- Mailboxes should be painted black with a satin finish.
- Numbers should all be present, legible and in good condition. If numbers need replacing, they shall be eggshell in color, 2 1/2" height, Helvetica font.
- Unless you are a member of a sub association where mailboxes are maintained by the sub, it's the owners responsibility to maintain the appearance of the mailbox and keep it in good condition.
- If the Imperial Mailbox Systems Model 300R becomes unavailable the Board will approve an alternative similar model and style mailbox as a substitute.
- Mailboxes and Posts must be kept in good condition and clean. Posts should be upright and not leaning over.

NOISE & NUISANCE

No offensive activity shall be conducted upon any Lot nor shall anything be done thereon which may be or may become an annoyance or nuisance (as determined by the Board) to the neighborhood. Examples of such include but are not limited to:

- No trade materials or inventories (other than materials used for construction of approved structures)
- No tractors, inoperable motor vehicles, rubbish, or unsightly materials of any kind may be stored, regularly placed, or allowed to remain on any Lot.
- No vehicle of any type or size which transports inflammatory or explosive cargo or which stores or transports materials or substances defined as hazardous or toxic.
- No personal items may be regularly stored outside that are considered an eyesore as determined by the Board of Directors. Examples include but are not limited to coolers, bikes, tools, lawnmowers, wheelbarrows, tarps, buckets and unused landscaping/building materials.

PARKING REGULATIONS

- No automobiles, trucks, vans, travel trailers, other trailers or any other apparatus designed for movement over and upon streets or highways (whether self-propelled or not) shall be regularly parked on the streets within or adjoining the Property, and trucks with tonnage in excess of one (1) ton shall not be permitted to park overnight on the streets, driveways or otherwise within the Property.
- Neither a motorboat, houseboat or other similar water-borne vehicle, nor any airplane, nor any travel trailers, other trailers, or "camper" vehicles may be maintained, stored or kept on any portion of the Property, except in enclosed garages.
- No registered commercial vehicles or vehicles with weighted plates, or tractors, or inoperable automobiles may be regularly parked outside of the driveway or lot.

PLAYGROUND EQUIPMENT & BASKETBALL GOALS

Basketball goals attached to a garage do not require approval. Other permanent goals must get ACC approval. Basketball goals cannot be located in a front lawn. All types of basketball goals must be in good condition as determined by the Board.

Trampolines must be behind the sight lines of the house, not seen from the street, and must have black safety poles if utilized. In some instances screening may be required.

Soccer, lacrosse goals and other similar equipment should not be visible from the street when not being used. Unused play equipment and trampolines must be removed from the property.

RECREATIONAL VEHICLES

Neither a motorboat, houseboat or other similar water-borne vehicle, nor any airplane, nor any travel trailers, other trailers, or "camper" vehicles may be maintained, stored or kept on any portion of the Property, except in enclosed garages.

RENTING & LEASING OF PROPERTY

Any lease agreement between an Owner and a lessee for the lease of such Owner's Lot shall provide that the terms of the lease shall be subject in all respects to the provisions of the Covenants and the Articles and Bylaws of the Association, and that any failure by the lessee to comply with the terms of such document shall be in default under the terms of the lease. Each Lot shall be used exclusively for single-family, non-transient residential purposes. Transient is defined as 90 days or less.

SATELLITE DISHES & ANTENNAS

Per FCC regulations the placement of satellite dishes cannot be controlled by the ACC, but may be placed so that an owner can receive an adequate signal. With that in mind, owners are requested to keep the dish out of view from the front of the property to the extent possible.

No exterior antennae, earth satellite station, microwave dish or other similar improvements may be constructed, placed or maintained on any Lot without the prior approval of the Architectural Control Committee.

SIGNS

Approved signs are:

- **Real estate signs** (For Sale or For Rent) do not require submittal. These signs are allowed placement in front lawns and a second sign is permitted only on golf course lots. No signs are allowed on common area. Open house signs are not permitted.
- **Garage/yard sale signs.** These must be removed no later than one day after the sale.
- **Political campaign signs.** These must be removed within one week after Election Day. Political signs are not allowed in the common areas.
- **Alarm company signs** or other similar community/home protection signs may be placed in the front of the house (i.e. attached to a short support to be inserted in the landscaping).
- **Neighborhood watch** or similar community/home protection signs may be posted at the entrance of the subdivision in a sign similar in size and design to those used to post speed limits.
- **Temporary contractor sign** is allowed at the start of work and must be removed the day of completion.
- Signs recognizing a specific event such as a congratulatory or similar signs may be displayed the day of the event and must be removed within one week after the event has occurred.

All other signs must be approved by the Board of Directors.

STORAGE BUILDINGS

No storage building or structure of any kind which is detached from the single family residence or garage shall be constructed, placed or allowed to remain on any Lot.

TRASH AND LEAF DISPOSAL

- Garbage/recycle containers or any landscaping debris cannot be placed curbside earlier than 24 hours in advance of pick up and should be removed no later than 7 a.m. the following day.
- Garbage/recycle containers must be stored in the garage or in an ACC approved enclosure not visible from the street at any angle. The Board may also consider other acceptable locations as well on a case by case basis as long as they are not visible from the street. Examples include behind the house or completely screened by mature landscaping.

- Trash must be disposed of in covered containers. No boxes should be used for garbage.
- Only covered containers should be placed at the curb on the garbage pick- up days.
- The Towns of Cary and Morrisville do not pick up loose bags or boxes of trash and garbage.
- No plastic bags can be left out as overnight garbage for pick up.
- Loose leaves collected and put curbside for late fall pickup will be done no longer than a week of pick up, if applicable.

TREE REMOVAL

- Dead/diseased trees or trees under 6" in diameter measured 4' above the base may be removed without permission. Notification to the Community Manager, preferably via email, is required.
- The removal of a live tree requires approval unless the tree is less than six inches in diameter (6") measured at a height of four feet (4') above the ground level.
- Removal of any trees in the front yard or visible from the street must have the stump removed or grinded.

USE RESTRICTIONS

All provisions of the CC&Rs and ACC Guidelines not referenced in this document remain in full effect and must be adhered to by all Property Owners and Tenants.

WINDOW AIR CONDITIONER UNITS

Window air conditioner units are not permitted in Preston.

WOODPILES

All woodpiles must be stacked and maintained in good order. Woodpiles must be located in the least conspicuous place on the lot and must not be visible from the street. Woodpiles are not permitted in the front of the house or on driveways. Woodpiles must not be stacked or stored immediately adjacent to any portion of the house.