

RULES & REGULATIONS

Article III; Section 3.9 e of the Bryarton Village Town Home Association Bylaws gives the Board of Directors (herein after known as the Board or BOD) the power to adopt and publish Rules and Regulations. The Board shall have the powers and duties necessary for the administration of the affairs of the Association, and may do all such acts and things except such acts as by law or the Declaration or by theses By-laws may not be delegated to the Board. Such powers and duties shall include, but shall not be limited to the following:

Section e. Adopting and amending such reasonable rules and regulations as it may deem advisable for the maintenance, conservation and beautification of the Bryarton Town Homes Property, and for the health, comfort, safe and general welfare of the owners and occupants of the Bryarton Town Home Property. Written notice of such rules and regulations shall be given to all Lot Owners and occupants, and the entire Bryarton Town Homes Property shall at all times be maintained subject to such rules and regulations.

VEHICLES AND PARKING:

Parking violations that could result in towing, which are consistent with the City of Raleigh parking ordinance and Bryarton Townhome Covenants are:

- “ Blocking a fire hydrant (within 15 feet in either direction)
- “ On a sidewalk
- “ Within an intersection (or on the corners)
- “ Blocking a driveway, or within five (5) feet of a driveway
- “ On the street, obstructing the free flow of traffic (particularly emergency vehicles)
- “ On common areas, including grassy areas
- “ In such a way that damages community property or landscaping.
- .. Permanently parking of vehicles in areas designated for temporary overflow parking.

General Parking Rules:

Vehicles must be parked in the driveway and/or garage.

Do not park trailers, campers, unlicensed, uninsured, and inoperable or vehicles with expired tags anywhere on Bryarton Townhome property. **Towing is enforced!**

Do not park any type of oversized commercial vehicle anywhere in the community. Parking is limited and vehicles of this type require too much space. Please arrange to store your commercial vehicle off-site.

Visitor/Overflow Parking:

Visitor/Overflow parking spaces are provided in the community. These are intended mainly for visitors. Residents may not regularly use the visitor/overflow spaces. Resident

parking of vehicles in areas designated for temporary overflow parking should not exceed 24 hours.

OFF- ROAD VEHICLES:

- Motorized mini-bikes, ATV's and go-carts are prohibited within the Bryarton Townhome Community.

PROHIBITED ACTIVITIES:

Breeding Animals:

- No Lot or Townhome located thereon shall be used for the keeping or breeding of livestock, animals, poultry of any kind, except that two (2) household pets may be kept, provided that they are neither kept for breeding nor maintained for any commercial purpose, and provided that none of such pets are permitted to be a source of annoyance to any other resident or residents of any other Lot.

Discharging firearms:

- As per the City of Raleigh Ordinance Sec- 13-2010 "It shall be unlawful for any person to shoot or discharge within the corporate limits in the City, any air rifle, gun or pistol, or any spring gun, pistol or other similar device which impels with force any shot or pellet of any kind."

Excessive Noise:

- No nuisance shall be permitted to exist upon any Lot. Without limiting the generality of the foregoing, no exterior speakers, horns, whistles, bells or other sound devices, except for security devices used exclusively for security purposes, shall be located, used or placed on any Lot, or portion thereof.

Failure to Maintain Property:

- In the event that the owner of any Lot shall fail to maintain any portion of his Lot, including the Townhome that is located on such Lot and the Backyard area of such Lot, (including any fence that may have been erected in such Backyard Area), all as required under the terms and provisions of Article IX, the Executive Board shall have the right, exercisable by it or through its agents or employees, and after giving the owner of such Lot at least five (5) days notice and an opportunity to correct the unsatisfactory condition, to enter upon the Lot, and correct the unsatisfactory condition.

ARCHITECTURAL STANDARDS

Architectural Control: No building, fence, wall, garage, carport, playhouse, swimming pool, mail-box or other structure shall be commenced, erected, or maintained upon any Lot, nor shall any exterior addition to, change in (including, without limitation, any change in the type of roofing material or in the color of the paint, stain, or varnish) or alteration of, the Townhome located on any Lot or any other structure located on any Lot be made until complete and final plans and specifications, setting forth the information hereinafter described, shall have been submitted to, and approved in writing by the Executive Board as to the harmony of the exterior design and general quality with existing standards of the improvements located on the other Lots, and as to location in relation to surrounding structures and topography.

In the event that any construction or alteration work is undertaken or performed upon any Lot without application having been first made and approval obtained as provided in paragraph (a) of this Section 2, said construction or alteration work shall be deemed to be in violation of this covenant, and the person upon whose Lot said construction or alteration work was undertaken or performed may be required to restore to its original condition, at his sole expense, the property upon which said construction or alteration was undertaken or performed.

Upon the failure or refusal of any person to perform the restoration required herein, the Executive Board, or their authorized agents or employees, may, after 14 day's notice to such person, enter upon the property upon which said unauthorized construction or alteration work has been performed, and make such restoration as the Executive Board, in the exercise of discretion, may deem necessary or advisable. The person whose lot such restoration work shall have been performed shall be personally liable to the Association for all direct and indirect costs which the Association shall incur in the performance of such restoration work, and the liability for such costs shall be secured by liens, and shall be subject to the same means of collection, as the assessments provided for in Article V of the Declaration. Such costs shall be paid to the Association by the person liable for the same at the same time as the next due Annual Assessment payment, as provided in Section 6 of Article V of the Declaration, or at such earlier time, and in such installments, as the Executive Board shall determine.

All exterior changes to the unit must have Board approval before work begins.

Projects you must obtain approval for are as follows:

- Additional Landscaping and Decorative Yard Art
- Antennas and Satellite Dishes
- Awnings and Pergolas
- Fences/Fence Panels
- Lighting

Projects that do not require approval:

- Decorative Wreaths
- Flags
- Welcome Mats
- Replacement of flowers and small plantings

Restricted Items:

- Clotheslines
- Sheds
- Signs : Only one (1) For Sale or For Rent sign permitted on a lot. No Signage of any kind may be placed in common areas, especially the front entrance to the community.
- Window Air Conditioners

ADDITIONAL LANDSCAPING AND YARD ART:

Written approval must be obtained before any additional landscaping work may be performed or any decorative yard art is placed upon the property

If you wish to perform additional landscaping work, you will need to submit an architectural request form with a list of all proposed plantings and a rough sketch of their placement upon your Lot.

You must provide a picture or illustration of any yard art you propose to install.

ANTENNAS AND SATELLITE DISHES:

No antenna or satellite dish may be placed on the roof of any unit. The roofs are under warranty and should damage occur from the installation of a satellite dish or antenna, the warranty will be voided.

Antennas and satellite dishes may not be placed in any part of the common areas. Satellite dishes or antennas may be mounted on a pole and placed in the rear of the unit.

- Exceptions: If the installer can provide a certificate stating that reception cannot be obtained in the rear of the property, installation on a pole in the front of the property would be allowed; provided the antenna or satellite dish is screened from view of the street.

AWNINGS AND PERGOLAS:

Awnings and or pergolas may be installed at the rear of the property only. The patio is the only approved location for an installation of this type. You must provide illustrations and specifications with your architectural request form.

FENCES:

Fences and fence panels must be constructed of white vinyl, and the height may not exceed six (6) feet and must be consistent with current/existing fencing.

Fences must contain a gate or opening to allow access for yard maintenance, termite inspections to the unit, and other maintenance for which the HOA is responsible.

All fences/and or fence panels must be installed with the finished side facing out towards the street.

All fences/ and or fence panels must be maintained by the property owner.

LIGHTING:

Decorative:

- Outdoor lighting fixtures shall be permitted along the sidewalk/driveway directly serving your unit.

Security Lighting:

- Security lighting with motion sensors are preferred
- Placement of security lighting must not disturb neighboring properties or become a nuisance.
- Security lighting must directed at your unit and not those of neighboring units. Lighting must be positioned in such a manner so as not to shine in the windows of other units, and becoming a disturbance to neighbors.

APPEARANCE STANDARDS

FRONT YARDS:

- Front Yards shall remain free of trash, clutter, debris, pet and yard waste.

REAR YARDS:

- Rear yards shall remain free of trash, clutter, debris, pet and yard waste.
- Please be advised that all solid pet waste material must be properly disposed of or the landscaper will NOT service your unit.
- All fences and other improvements installed by the homeowner must be properly maintained at all times.

TRAILERS, CAMPERS, INOPERABLE VEHICLES:

- Do not park trailers, campers, and unlicensed or non-working vehicles on Bryarton Village property.

TRASH/RECYCLE BINS:

- No portion of any Lot shall be used as a dumping ground for rubbish, trash or garbage, nor shall any trash or garbage be permitted to accumulate upon any Lot.
- Garbage containers shall be placed in garage or screened on each Lot so that the same shall not be visible from the street or from any part of any other Lot. Trash Corrals are not permitted.
- Owners that fail to comply could be ticketed and fined up to \$50.00 by the City of Raleigh Code Enforcement Officer

WINDOW TREATMENTS:

- Only proper window treatments are allowed. No bed sheets, newspaper, foil etc. Only draperies with a cream or white backing or mini blinds are allowed.

WOOD PILES:

- Do not place wood, straw or any other materials against siding. It is a fire hazard and also draws termites and other wood eating bugs to your unit.
- Do not stack firewood in front or on the sides of your unit. Firewood should be stacked on the rear porch or patio. Do not stack it closer than five (5) feet from the siding.

- The installation of pine straw adjacent to any unit is strictly forbidden as defined by the City of Raleigh Ordinance; Section R101.2 and may be used only in Common Areas only which are the sole responsibility of the HOA.

Adopted by the Board of Directors of Bryarton Townhomes Association on March 11, 2020