

Planters Walk of Knightdale Community Association, Inc.

Rules and Regulations

POLICY RESOLUTION NO. 2022 Rules and Regulations

WHEREAS, Article VII, Sections 1 and 2 of the Declaration of Master Covenants, Conditions and Restrictions for Planters Walk of Knightdale Community Association, Inc. (“Planters Walk”) states that the Board may adopt additional guidelines along with the rules and regulations as it deems necessary to carry out its functions and purposes hereunder, provided all such rules and regulations shall be provided by the Board of Directors and made available to residents.

WHEREAS, the Board of Directors has published rules and regulations for Planters Walk;

WHEREAS, the Board of Directors has determined the need for greater clarification of covenants.

Therefore, BE IT NOW RESOLVED THAT effective April 19, 2022, the Board of Directors duly adopts the rules and regulations to be effective April 19, 2022. This resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors.

These rules and regulations have been drafted for the betterment, safety, and collective enjoyment of our community.

We believe these policies will:

- Preclude inadvertent violation of city, county, and state laws or ordinances regarding property, homeowners, renters, or guests. Knightdale Town Ordinances referenced in this document can be found [here](#).
- Prevent infringement of homeowners’ and renters’ right to the pursuit of enjoyment of residences and amenities due to lack of knowledge of others.
- Maintain the appearance, uniformity, and architectural integrity of the Planters Walk community.

The association management company makes regular inspections of the community to address any violations to the master covenants, architectural guidelines, or regulations outlined in this document. Violations may also be reported by homeowners to the management company. Relevant details and photographs of reported violations are appreciated where available.

I. The Unit: its purpose, owners, and/or occupants

- A.** The unit shall be used only as a single-family dwelling.

- B.** The unit is to be used primarily as a residential dwelling. A homeowner may conduct business from the unit that does not require regular customers, visitors, or repeated delivery traffic to and from the home. A homeowner may not use a garage to conduct business. Use of telephone and electronic communications equipment is allowed to do business inside the residential dwelling.
- C.** A homeowner must:
 - 1. Notify the management company when a unit goes under contract for sale.
 - 2. Provide the name and contact information of the new owner to the management company.
 - 3. Provide the management company with the date on which the ownership will be transferred.

II. The Board of Directors does not encourage the leasing of a home, but if a home is leased, the following additional rules apply:

- A.** A unit may be leased as a single-family residence and for that purpose only.
- B.** Sub-letting is **NOT** permitted.
- C.** Any owner who plans to lease a unit must also notify the management company of the name of the lessee and the effective date of the occupancy at least ten (10) days prior to occupancy.
- D.** A copy of the finalized lease agreement will be filed with the management company.
- E.** A copy of this Rules and Regulations document is to be furnished to the lessee by the lessor.
- F.** The homeowner of a leased home shall be responsible for any and all Rules and Regulations violations done by the lessee.

III. Pets

As all Planters Walk homes are located within the town of Knightdale and Wake County, pet owners must comply with all town and county pet ordinances. For the health, safety, welfare, comfort, and convenience of all residents, the following rules regarding pets shall be observed:

- A.** Only cats, dogs and other domestic household pets are allowed.
- B.** Any household pet SHALL BE KEPT ON A LEASH while outside of the home as set forth in the Wake County Leash Law. In accordance with Knightdale town ordinances (Sec. 81.38.1), dogs may not be tethered for more than three (3) hours total in a twenty-four (24) hour period.
- C.** Any person owning or in charge of an animal shall remove and properly dispose of all animal waste.
- D.** Pet owners are responsible for any property damage(s), injury (or injuries), and disturbances caused by their pets.

- E. Homeowners shall not allow pets to continuously bark, howl, or make other loud noises which disturb neighbors.
- F. Feeding of waterfowl (including, but not limited to, ducks and geese) is prohibited.

IV. Personal Conduct and Consideration of Others

- A. The property shall not be used for any immoral, improper, offensive or illegal activities. All zoning ordinances and governmental regulations shall be observed and always obeyed. Homeowners shall not permit or allow any modification to their home or in the Association's common areas which will obstruct or interfere with the rights of other homeowners or residents.
- B. Consistent with local noise ordinances, homeowners, residents, and their guests must minimize noise between the hours of 9:00 PM and 9:00 AM. Police will respond to calls regarding violation of the noise ordinance. Additionally, Knightdale Town Ordinances (Sec. 84.04) state: *to operate or allow the operation of any sound amplification equipment to create sounds registering sixty-five (65) dB(A) or greater affecting occupied residential structures or units between the hours of 9:00 a.m. and 9:00 p.m., or fifty-five (55) dB(A) or greater between 9:00 p.m. and 9:00 a.m. is prohibited.*
- C. 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 property.
- D. Garbage and recycling receptacles shall be maintained in an acceptable manner and stored either in garages or to the side or the rear of the home to minimize visibility as much as possible. Receptacles should not be stored in driveways or in front of the home.
- E. The Town of Knightdale Ordinances state: *The residential solid waste containers and, where used, recycling containers shall be placed in the required location for collection no earlier than 12:00 p.m. on the day preceding a designated collection day and no container shall be left at point of service overnight after being serviced. Except during those hours, the mobile containers and all other refuse containers shall be kept in a location no closer to the street than the front line of the residence.* Should these receptacles be left out at any time other than what is outlined above, the homeowner's account may be subject to fines for this violation.
- F. Homeowners, renters, and guests are responsible for the conduct of minor children.
- G. Any damage to the Association's common areas caused by a homeowner (or dependents in their care) will be repaired or replaced by the Homeowners' Association and the costs for said repair or replacement will be assessed against the offending homeowner's account.
- H. Fireworks are prohibited.
- I. Any discharge of a firearm or any other explosive contrivance is strictly prohibited in accordance with Town of Knightdale Ordinances (Sec. 84.08).

V. Decks, Porches, and Patios

Decks and patios are a prominent part of the homes in Planters Walk and, therefore, need to be properly maintained.

- A. Only outdoor deck or porch furniture is allowed. Indoor furniture is not permitted to be used or stored on decks or patios, or under decks.
- B. No indoor rugs, clothing, towels, or other household linens shall be draped over any front porch, railing, furniture, or wall of any unit visible to the street. Clotheslines are not permitted on front porches, in front yards, or in open garages (visible to the street).
- C. Decks and patios are not to be used as storage areas. Neither shall any open (visible) areas beneath a deck be used for storage.
- D. Tasteful holiday decorations of conservative size, color, etc. are permitted. Decorations should not be offensive or derogatory.

VI. Architectural Alterations

- A. NO changes or additions are permitted to the Association's common areas.
- B. Homeowners must seek prior written approval from the Architectural Review Board before making any permanent change(s) to their property.

VII. Parking

- A. Homeowners, residents, and guests must park vehicles in their garages and driveways. Parking on lawns or on sidewalks is prohibited.
- B. Parking on the street habitually (more than on an occasional as-needed basis) is prohibited. Vehicles parked on streets are a safety hazard and can prevent emergency vehicles from accessing homes. Homeowners are encouraged to be mindful when parking or allowing guests to park on the street to avoid traffic hazards, overcrowding of the street (for emergency vehicle access, garbage/recycling pickup, delivery vehicles, etc.), and accessibility of neighboring driveways, sidewalks, and mailboxes.
- C. Vehicles parked on a public street for more than seven (7) days are considered "abandoned" by the Town of Knightdale and are subject to removal by authorizing officials (see Knightdale Town Ordinances, Title VIII Chapter 80).
- D. Homeowners, residents, and guests who choose to use their garage for storage are not exempt from these parking rules.

VIII. Vehicles and Storage

- A. Boats, campers, trailers, trailered units or vehicles of any kind not used as regular transportation shall be stored behind or beside the home in accordance with the covenants

of your subdivision, placed in an area improved for storage which does not allow grass to grow up around the unit.

- B. It is highly recommended that the improved area be located at least 5 feet from a neighbor's property line and positioned to provide minimal visibility from the street.
- C. Do not store smaller items around the unit.
- D. No tractor trailers, dump trucks, commercial trucks exceeding 10,000 Lbs gross vehicle weight or commercial cabs shall be parked within Planters Walk.
- E. The Town of Knightdale prohibits "*abandoned, nuisance and junked motor vehicles on public and private property.*" This includes but is not limited to vehicles without current license plates, inoperable vehicles, and those deemed a safety hazard. See Knightdale Town Ordinance Sec. 80.03 for definitions.

IX. Property Appearance & Maintenance

- A. It shall be the responsibility of each property owner or tenant to prevent the development of any unclean, unsightly, unkempt, unhealthy, or unsafe conditions of buildings or grounds on any property which shall tend to substantially decrease the beauty or safety of Planters Walk.
- B. The exterior of each home in Planters Walk must be properly maintained. This maintenance can include, but is not limited to, replacement/repair of siding, trim, windows, and driveways (sealing of large cracks and sometimes replacement). All exterior surfaces of the home must be free of mold, algae, dirt, etc. Regular power-washing of all exterior surfaces is recommended.
- C. All mailboxes shall be properly maintained, in good repair with clear numbers, and adhere to all US Postal Service guidelines.
- D. Window or wall air conditioning units are not permitted on elevations visible from the street or adjacent properties.
- E. Lawn and yard maintenance has a great impact on the appearance of our community. Regular attention and maintenance of lots should include but are not limited to the following:
 - 1. During the growing season lots should be mowed regularly. Grass height should not exceed six inches.
 - 2. Proper edging and weed control shall be undertaken regularly. Overgrowth must be kept off of streets, driveways, sidewalks and paths.
 - 3. Shrubs and trees on each lot should be regularly pruned during the growing season. Pruning to control growth and for shape and style is encouraged. Shrubs and trees should never encroach onto or over any buildings on the lot.

X. Due Process Procedures

Due Process procedures will be followed, in the order stated below, for all violations to the aforementioned rules and regulations, master and sub-association covenants, or architectural guidelines. Homeowners are encouraged to review and be familiar with all documented rules and guidelines set forth for Planters Walk to avoid unknowingly committing any violations.

1. Violation Report - Violations can be reported either during management company inspections or by Planters Walk homeowners. Homeowners who wish to report violations must submit details and photographs where possible to the management company for review. **Note that results of violations reported and actions taken by the Homeowners Association cannot be legally shared with the homeowner(s) who reported the violation.*
2. 1st Violation Letter Sent – The 1st violation letter informs the homeowner of the violation and gives a certain amount of time to bring the violation into compliance or communicate a timeline for resolution. This time frame can vary based on the severity of the violation and the amount of work required for a proper resolution.
3. Inspection – This follow-up inspection is performed by the management company. If the homeowner has brought their home back into compliance, due process ends at this time and the violation report is closed.
4. 2nd Violation Letter Sent – If after the follow-up inspection the homeowner is still in violation, a second violation letter is sent warning of potential repercussions for not bringing their violation into compliance (fines of up to \$100 per day). This letter also gives the homeowner a detailed description of the violation as well as a (typically accelerated) time frame regarding compliance to the community guidelines and resolution of the violation.
5. Second Inspection – The second inspection is a follow-up inspection performed by the management company after the second violation letter is sent. If the homeowner has brought their home back into compliance, due process ends here and the violation is closed.
6. Due Process Hearing Letter – If after the second inspection the homeowner is still not in compliance, the homeowner is invited to a Due Process Hearing. This hearing is an opportunity for the homeowner to discuss the violation with the management company and the Board of Directors. Due Process Hearings are held during the Executive Session of the monthly Board of Directors meetings and are private and confidential. Homeowners are encouraged to attend with any relevant arguments or documentation involving the violation and plans for resolution.
7. Third Inspection – This inspection usually happens the day of the Due Process Hearing. This inspection is to review and determine whether the homeowner has corrected the violation prior to the hearing. This inspection is performed by the management company so they can make recommendations to the Board of Directors during the Due Process Hearing.

8. Due Process Hearing - At this hearing, the homeowner and the Board of Directors have an opportunity to discuss the violation, why it has persisted, and if there are any extenuating circumstances. After the hearing, the Board will discuss and make a ruling on how to handle the violation. If the homeowner opts not to attend the Due Process Hearing, the Board can still make a ruling on the violation, including whether to begin issuing fines. Homeowners are only offered one Due Process Hearing per violation, and the Board will make a hearing decision regardless of attendance.
9. Due Process Results Letter – After the Due Process Hearing, the management company sends a letter to the homeowner explaining the Board’s decision.
10. Due Process Fines – The day of the hearing, the Board can issue a fine. After the initial fine is issued, the Board must wait 5 days to issue another fine in order to allow the Due Process Results letter ample time to reach the homeowner. After the 5-day grace period, the Board can choose to fine the homeowner at a maximum rate of \$100 per day.
11. Closing Due Process Violations – Once the homeowner has notified the management company that the violation has been corrected by sending a picture of the violation’s resolution, the management company will then close the violation.

XI. A FINAL, IMPORTANT NOTE:

All Homeowners, Residents, and guests are subject to these Rules and Regulations. Violations may result in fines being levied against the Homeowner’s account. Said fines, by North Carolina General Statutes may be up to One Hundred Dollars (\$100) per day, per violation at the discretion of the Board of Directors. Written notice and a Due Process Hearing must take place before a fine can be levied. If the violation is still not corrected within a reasonable time, the Homeowners Association may take legal action to ensure compliance.