

Kirkwall Villas Homeowners Association, Inc.

Rules and Regulations

In accordance with the DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS, granting the Board of Directors of the Kirkwall Villas Homeowners Association, Inc. the power to publish and enforce reasonable rules and regulations governing the common areas, parking lot and properties of the Kirkwall Villas Community, the following RULES AND REGULATIONS have been adopted by the Board of Directors on this 8th day of March 2016.

The following RULES AND REGULATIONS are applied to all homeowners, tenants and visitors/guests of the Kirkwall Villas Community.

Homeowners who rent their units are responsible for any fines that may be assessed as a result of non-compliance to these RULES AND REGULATIONS. Owners are also responsible for providing a copy of these RULES AND REGULATIONS to all tenants.

I. GENERAL RULES

- A. Every resident is entitled to peace and quiet enjoyment of the community. Loud noise from television, music or any form of media from motor vehicles or inside/outside of the townhome unit is prohibited. Fighting, arguing, altercations or loud assemblies are prohibited. No loud noise after 10 PM.
- B. Each homeowner shall be responsible for the exterior maintenance of the townhome unit and Lot, including mowing of the Lot, and any cost incurred in connection with such upkeep.
- C. Window treatments shall be kept in good condition and appropriate as viewed from the front of the property. For example, no broken blinds and/or fabrics which are not curtains or drapes, such as blankets, sheets, aluminum foil, etc. Screens shall be free from damage and secured properly in the window.
- D. Christmas lights and decorations must be removed in a reasonable amount of time after New Year's.
- E. No improper, offensive or illegal behavior/actions shall take place on any individual property or common areas of the community, including parking areas.
- F. Children must be supervised while playing outside in the community. They must not trespass by running, walking or riding bikes through neighboring yards. They must never sit, stand or climb on telephone, cable, utility boxes or the community mailboxes. They must not play in the parking lot at any time.
- G. No animals of any kind shall be kept or maintained outside of the townhome unit. All animals must be restrained on a leash and controlled by a responsible person when outside of the townhome unit or fenced areas. Pet owners are responsible to collect and properly dispose of the pet's waste at all times, including pet waste located on individual properties as well as common areas.
- H. Lawns are to be maintained for each townhome unit by keeping grass mowed to a height of less than 6 inches and weeds are to be controlled. Flower beds are also to be kept free of weeds and dead plants. Lawns that are not maintained properly will receive a warning letter. If the lawn is not maintained after issuance of the warning letter, a hearing will be held which could result in the lawn being mowed/trimmed by the HOA landscape contractor, and the homeowner will be charged a minimum of \$25 per cutting.
- I. Yards must be kept free of personal items such as bikes, toys, garbage, tools, appliances, etc. Basketball goals and recreation equipment must be kept in the back of the townhome unit, not on the curb, driveway approach, sidewalk or parking lot.
- J. Every owner should protect his/her interest in the Common Areas. Disposal of trash and yard waste in Common Areas is prohibited. If you have yard waste or storm debris, it must be cut up into lengths of 6

feet or less and the owners is responsible for making arrangements with the Town of Garner for this pick-up.

- K. Patio areas must be kept neat and clean at all times and are not allowed to be used for storage.
- L. For Rent/Sale signs are allowed to be posted in yards or placed in windows of the townhome unit. Political signs are allowed to be posted in yards or placed in windows of the townhome unit 45 days prior to Election Day and must be removed within seven days after Election Day.
- M. Scheduled trash collection is on Tuesday. Trashcans and recycling bins must be stored out of sight from the front of the townhome unit and may be placed at the curb at dusk the day before scheduled trash collection and removed by dusk on the scheduled trash collection day.
- N. For all violations of the above-mentioned RULES AND REGULATIONS, one warning letter will be mailed to the homeowner. If the violation is not corrected by the due date indicated, a hearing will be held which can result in the assessment of fines in the amount of up to \$100 per occurrence/day.

II. PARKING LOT RULES

- A. Each townhome unit is entitled to the use of not more than two parking spaces – one numbered space to coincide with the townhome unit and one unmarked/visitor space as available.
- B. No motor vehicle, trailer, taxicab, truck or van having commercial license plate, commercial decals or lettering on the vehicle, or having any equipment (machinery, ladders, traffic cones, buckets, hoses, etc.) on the exterior of the vehicle may be parked or stored in the parking lot. Any exception to this rule must be approved by the Board of Directors through the process of submitting an Architectural Change Request (see section III.) Recreational vehicles, campers, boats, snow mobiles or the equivalent are prohibited from parking or storage in the parking lot. Commercial vehicles present for the purpose of doing work on a townhome unit, for most situations, are allowed only while the work is being performed. If the work vehicles take up multiple parking spaces, homeowner must contact the Management Company to seek approval.
- C. Vehicles must be parked in black-top parking spaces only, except for brief loading and unloading. Vehicles are prohibited from parking in the right-of-way of any private street, on the grass or sidewalk, or in front of the community mailboxes. Double parking or parking behind another vehicle is prohibited. Violators to this Section C will be towed immediately with no further warning.
- D. Parking in assigned parking spaces belonging to another townhome unit is strictly prohibited and the vehicle is subject to immediate towing with no further notice. Residents who find a vehicle in their assigned parking space should contact a Board Member or the Management Company to request that the vehicle be towed.
- E. Motor vehicles must be kept in good-working condition. Inoperable vehicles are prohibited from parking in the parking lot; including but not limited to expired tags, flat tires and leaking fluids. Vehicles are prohibited from being left on jacks or blocks while parked on the property.
- F. Automotive repair work on the property is strictly prohibited. Any damage, including oil spills, to the parking lot or any common area will be the sole responsibility of the homeowner.
- G. Children are prohibited from playing in the parking lot at any time.
- H. No adult or child is allowed to operate any motorized recreational toy vehicle around the parking lot or sidewalks that runs at a speed greater than 5 mph.
- I. Assembling of people or loitering is prohibited in the parking lot or by the community mailboxes and entrances.

- J. Vehicles found to be in violation of these Parking Rules and Regulations will be issued a warning sticker on the driver's side window. If the violation is not corrected by the due date indicated on the sticker, the vehicle will be towed at the owner's expense.

III. ARCHITECTURAL CHANGE REQUEST FORMS

- A. Architectural change request forms are required to be submitted and approved, prior to construction or installation, of the following exterior renovations, improvements or changes to any property:

- Structural unit changes
- Additional buildings
- Fences
- Signs
- Satellite dishes
- Landscaping
- Decks
- Exterior change in color to existing structures

Adjoining townhome units must match each other in color, styles and structure. This includes, but is not limited to, siding, shutters, doors and windows.

- B. The ARC form is available on the Management Company website or by contacting the Association Manager directly.
- C. Failure to obtain an approved ARC request for any of the above-mentioned charges or improvements may result in fines in the amount of up to \$100/day, in accordance with the Planned Community Act.

IV. N.C. PLANNED COMMUNITY ACT, N.C. GENERAL STATUTE 47F, AS AMENDED AS OF JANUARY 1, 2006

- A. Exterior home inspections will be conducted yearly by the Board of Directors.
- B. Homeowners will be given written notification, by the Management Company, informing homeowners of the date of the yearly inspection.
- C. Homeowners will be given written notification, by the Management Company, informing the homeowner of any repairs or changes required.

ADOPTED BY BOARD RESOLUTION AS PART OF THE MEETING AGENDA ON:
March 8, 2016

Board of Directors:

Angela Kneeshaw
Bonnie Clark

[Signature]