

COTTON MILL CONDOMINIUM HOMEOWNERS ASSOCIATION, INC.

RULES OF CONDUCT

Amended June 16, 2015

1. **NOISE:** No noxious or offensive activity shall be conducted upon any unit nor shall anything be done thereon which may be or may become an annoyance or nuisance or shall interfere with the peaceful possession of property by unit owners. Excessive noise shall be deemed a “noxious or offensive activity” for the purposes of this section. The Cotton Mill Condominiums are located within the City of Raleigh and as such conform to the City of Raleigh ordinances pertaining to noise. The Peace Disturbance Ordinance is in effect between 11:00 pm and 7:00 am. Excessive noise during these hours is prohibited. Where violations occur a complaint should be made to the property manager and/or the Raleigh Police Department.
2. **FLOOR COVERINGS:** Unit owners who shall have hardwood floors in their units shall install resilient floor covering (carpets or area rugs) over at least 75% of the floor area of any hardwood floors that are directly above habitable condominium units below.
3. **PARKING:** Homeowners who have purchased parking spaces have assigned parking under the building and all other residents and guests are prohibited from the use of such assigned parking without the express permission of the owner thereof. All other unit owners, lessees and guests shall park in designated spaces only. Vehicles parked in handicapped parking spaces must display the necessary handicapped permits or will be subject to towing. Towing may be enforced for any vehicle parked in other than a designated space. Vehicles that are inoperable or without a current license tag shall be subject to towing.
4. **PROHIBITED VEHICLES:** Unit owners, lessees and guests shall not park or store any motorcycle, camper, trailer vehicle or similar vehicle anywhere on the premises. No trucks shall be permitted except for standard 2-ton or less pickup trucks or smaller sized trucks.
5. **PETS:** The Cotton Mill Condominiums are located within the City of Raleigh and as such conform to all Raleigh ordinances pertaining to pets. Further, for the health, safety, welfare, comfort and convenience of all residents the following rules shall be observed governing pets:
 - a. Subject to the limitations set forth herein, generally recognized house pets, in reasonable number and size, may be kept and maintained in a living unit, provided such pets are not kept or maintained for commercial purposes.
 - b. An animal must be carried, be on a leash, or supervised and controllable with a leash by a responsible person whenever in or on any common areas.
 - c. No animal shall be unattended at any time in or on the common areas.
 - d. Pet owners are responsible for any property damage, injury and disturbances caused by their pets.
 - e. No dog shall be permitted to bark, howl or make other loud noises for such an unreasonable time as to disturb neighbors’ rest or peaceful enjoyment of their unit or the common elements.

- f. Pet owners or responsible persons are responsible for removing their pet's wastes from the common areas.
- g. Pet owners who permit an animal to relieve itself on railroad property are subject to fine and arrest by the CSX railroad police.
- h. In the event a pet owner fails to conform with this section, The Cotton Mill Condominium Homeowner's Association (CMCHOA) shall be entitled to fine the pet owner an amount equal to the cost of having an area cleaned.
- i. Please refer to "dog owner guide" enclosed.

6. **SIGNAGE & DECORATIONS:** No signs shall be permitted on or about the units. Any decorative items in common areas, such as hallways, doorways and entry areas must be approved in writing by the Board of Directors. Decorative items such as mats, plants, wreaths, etc., at or on the entry doors to units must not extend past the door frame or be visible when looking down the hallways.

Real Estate Signage and Lock Boxes: No real estate or other exterior signs shall be permitted on or about the property. Any realtor "Lock Boxes" must be located at a spot designated by the Board of Directors.

7. **LEASED UNITS:** Any lease or rental agreements involving the units shall be in writing and shall be subject to the requirements of the Association documents and Association rules and regulations governing the same. Property owners who lease their property must obtain from the lessee a written agreement to abide by these rules and submit a copy of such to the Board of Directors.

8. **SMOKING:** Smoking is not permitted in any of the indoor common areas by unit owners, lessees, guests, invitees or others. Smokers are responsible for properly disposing of all ashes and butts in or around any of the outdoor common areas. Disposing of ashes and butts in plant beds is prohibited and may result in a fine.

9. **TRASH DISPOSAL:** City of Raleigh Ordinances pertaining to waste disposal and recycling apply to the Cotton Mill Condominiums. All trash shall be disposed of in the Waste Industries dumpster located adjacent to the parking area in front of the building. All recyclable items shall be disposed of in the appropriate recycling receptacle. All cardboard must be disposed of at a Wake County recycling facility (the closest facilities are located on Capital Boulevard South across from the building and at the Jaycee Park on Wade Avenue). Trash or trash bags should never be left in the common areas of the building or property for any period of time.

10. **MOVE-IN FEE:** The move in fee is to cover the cost of reprogramming the entry system for the building, changing the name on the front directory and any minor damages to the common areas, such as paint touch up.

- a. **Fee for on site owners:** With the resale of a unit a \$250.00 move in fee will be collected at closing.

- b. Fee for absentee owners: Each time a unit is leased a \$250.00 move in fee will be charged to the owner of the unit.

11. **CONSTRUCTION & RENOVATIONS TO INDIVIDUAL UNITS**

- a. All contractor dumpsters to be placed in the closest parking space to our main dumpster facing Capital Boulevard.
- b. No parking of contractor vehicles along the back fence of the building for any length of time (loading and unloading of materials only is permitted).
- c. Vacuuming and general clean-up of the common areas is required **Every Evening** before the contractor leaves for the day.
- d. No staging work is to be performed in the hallways or inside the common areas of the building.
- e. A \$100.00/occurrence fine will be levied against any unit owner whose contractor(s) does not abide by the above regulations.
- f. A \$1,000.00 refundable deposit (payable by check) shall be deposited with the Cotton Mill HOA in advance of any major renovation requiring permits. This deposit will be used for repairing damage to the common area grounds, cleaning common area grounds when not completed every evening by the contractor and other similar situations where funds must be used to bring the common area grounds back to original conditions. Any unused funds will be returned at/after completion of the renovation.

12. **LANDSCAPING:** The association spends a lot of money maintaining the grounds. No vehicles are to be driven on the grounds of the community property other than street and parking lots. If unit owners or their visitors damage the grounds, they will be responsible for any costs incurred in repairing the damage. Homeowners do not have the right to plant on or landscape any common area. The association is responsible for all plantings & landscaping.

13. **ENFORCEMENT:** The Board of Directors has instituted a hearing and fining policy for violations of the Association's Declaration of Covenants, Conditions and Restrictions. The fine is reviewed and established on a per incident basis. The maximum fine allowed per North Carolina General Statutes is \$150.00 per day or per occurrence. Please be aware that this fine will become a lien against your property and may be foreclosed pursuant to Chapter 47C of the North Carolina Statutes.

Dog Owner Guide @ the Cotton Mill

The Cotton Mill HOA takes pride in having the most dog friendly multi-unit community in downtown Raleigh!

To maintain harmonious coexistence between people & dogs here, we'd like to refresh everyone's memory of the guidelines.

Guidelines apply to all dogs here, whether they belong to owners or to renters.

Clean up after your dog!

- There is a \$100 fine per incident per dog for not picking up your dog's poop anywhere on our property, inside or out.
- There are 4 gray boxes which have blue pet waste bags in them: 2 in the front yard (front parking entrance, dumpster area), and 2 in the back of the property (picnic table area, backyard fenced area).
- Spare rolls of the blue waste bags are on a shelf in Cage #15 in the storage area off the main lobby. Please help keep the gray boxes filled as needed. If you notice the bag supply getting low, let Becky Shankle (Unit 118) know so she can order more.

Keep 'em healthy!

- Make sure your pooches are up to date on vaccinations and flea/tick control meds as the seasons require.
- Quarantine your pooch adequately if they contract highly contagious ailments (e.g. kennel cough, parvo, worms, intestinal parasites like giardia).

Backyard Notes:

We're super lucky to have a safe grassy area for dogs to run & enjoy being off leash downtown! It's frequently one of the first things pointed out as a selling feature. A few things to keep in mind:

- **It's a shared area.** Be aware of others, dog owning and not, inside the building and out. Lots of people hang out back there for a bit that don't own dogs.
- Please discourage digging, plant damage or other destructive behavior. Holes especially look bad, and they're hazardous both to us and the landscaping folks.
- Caution: there are several awesome moonflower plants along the fence out back. They have big white flowers that open up at night, & very cool harmless hummingbird moths drink their nectar. The flowers and seeds (big spikey green balls at the end of the blooming season) are toxic to humans and dogs/cats, so don't ingest it!

Black waste bag can on the fence: Share the load!

- The black can on the fence in the backyard has a liner bag for used dog waste bags. It needs to be taken to the dumpster daily (especially in warmer weather – peeyew!).
- **DO NOT use the black can as a general garbage collector for cups, wrappers or trash.** Extinguished cigarette butts are ok.
- If you regularly contribute dog waste bags to it, please consider taking it down at least once every two weeks. It makes it a much easier task if several people take it down, & it keeps the

- load from being shouldered by two or three all the time.
- There are 26 dogs living in the building at this writing. Even if half that number took the bag down once a week, we could go almost 2 weeks with each dog owner taking it down only once!
- Empty liner bags are always welcome. Bags from Kroger, Target, WalMart, Harris Teeter, & Lowe's all work fine.

General Notes

All sizes, all breeds are welcome as long as their behavior is as described below.

Behavior:

- Dogs must be well mannered toward people and other dogs. If your dog doesn't play well with others, please invest in behavioral training with it if you want it to socialize here. Otherwise keep it leashed and at a reasonable distance between your dog & others. **Aggressive behavior is not acceptable at any time.**
- Occasional hello barking and barking at play is normal, expected, and ok. Sustained barking is not. Several people in the building work from home during the day. Please crate your dog if it helps keep barking minimal.

Visiting Pooches:

Occasionally, owners will dogsit an extra pooch for friends that don't live in the building. **Please remember that all guidelines apply to visiting dogs. The Cotton Mill is not a boarding facility.**

**RESOLUTION ADOPTING RULE REQUIRING CERTAIN RESTRAINTS AND
OTHER PRECAUTIONS FOR AGGRESSIVE DOGS**

WHEREAS, the Association was incorporated as a non-profit corporation on or about 28 February 2000;

WHEREAS, the primary function of the Association is to enforce the terms and conditions set forth in certain publicly filed documents dealing with the units in the Cotton Mill community;

WHEREAS, the Declaration of Condominium was recorded on 20 December 1995 at book 6789, page 351 of the Wake County Register of Deeds (hereinafter, "Declaration");

WHEREAS, the Bylaws for the Association were adopted shortly thereafter by the Declarant;

WHEREAS, N.C.G.S. §47C-3-102 (a) (1) allows the Board to adopt and amend bylaws and rules and regulations;

WHEREAS, recent incidents involving an aggressive dog attacking other dogs has caused the Board to decide to promulgate a rule requiring unit owners owning such dogs to take steps to prevent such incidents in the future;

WHEREAS, the Board of Directors desires to promulgate the following Rules and Regulations in order to protect the Owners and visitors and to ensure compliance with the Declaration and maintain and preserve the plan and scheme of development in the community and to preserve and enhance the community for all Owners;

NOW THEREFORE, the Board of Directors, effective 11/7/16, the Association promulgates the following rules and regulations pursuant to N.C.G.S. §47C-3-102 (a) (1):

1. Owners or tenants owning Aggressive Dogs shall keep such Aggressive Dogs muzzled and leashed at all times while on the Common Elements so as to prevent attacks on other animals or humans at the Cotton Mill Condominium. "Aggressive Dogs" are defined as those dogs that have been in one (1) or more incidents involving said dog attacking or biting another person or household pet owned by or visiting a tenant or another Owner on Cotton Mill Common Elements.

2. Nothing herein shall be deemed or construed to waive or modify any of the other provisions in the Declaration pertaining to household pets, including without limitation, those set forth in Article 11 of the Declaration.

CERTIFICATION OF VALIDITY OF RULES AND REGULATIONS
FOR THE COTTON MILL CONDOMINIUM HOMEOWNERS ASSOCIATION, INC.

By authority of its Board of Directors, the undersigned hereby certify that the foregoing instrument has been duly approved by a majority of the Board of Directors for the Association and is, therefore, a valid Rule for the Association in accordance with N.C.G.S. §47C-3-102 (a) (1)..

THE COTTON MILL CONDOMINIUM
HOMEOWNERS ASSOCIATION, INC.

By:


President
