

Rules and Regulations
Bent Creek Townhouse Homeowners Association, Inc.

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Bent Creek Homeowner's Association
Rules and Regulations
Revised 10-17-2017

I. ASSOCIATION DUES

Monthly installments of the annual assessment are due by the first day of each month, and considered to be late if received after the first. However, you are allowed a 15 day grace period.

A fee of \$10.00 will be assessed to defray the costs of collections for each payment of the monthly installment of the annual assessment not received by the management company by the 15th day of the month due.

II. GARBAGE RULES

In order to keep our community clean and neat, thereby protecting property values, the Board has instituted rules for when and where garbage can be set by the curb. Adherence to the rules is essential and will be enforced. THE BOARD CAN AND WILL IMPOSE MONETARY FINES for those residents who do not adhere to the rules.

GARBAGE RULES

- Garbage must be secured, either in your own container or in plastic bags.
- Garbage and recycling bins cannot be set out prior to dusk on the night before pick-up.
- Garbage and recycling bins must be placed in front of your own unit, NOT in any common areas.
- Garbage containers and recycling bins must be moved to the rear of units no later than the end of pick-up day.
- Garbage containers and recycling bins must be kept to the rear of units at all times (except pick-up days). Garbage containers and recycling bins will NOT be allowed in front of units.
- If your garbage bags are being ripped open by wildlife, it will be necessary to secure your garbage bags in containers.

GARBAGE NOTES

- a) Solid Waste Services phone number: 919-831-6890
- b) Additional information can be obtained at the above number or at the Raleigh government website, www.raleigh-nc.org
- c) Curbside garbage and recycling bins must be placed in front of your own unit, NOT in any common areas.
- d) Garbage containers and recycle bins can be requested from the city at the above number.
- e) Free bulky load pick-up service can be requested from the city at the above number.
- f) Backyard pick-up service is available for disabled and elderly at the above number.

III. APPEARANCE OF TOWNHOME EXTERIOR

Areas around the homes and on decks, as well as under porches and decks, should be kept neat and clear of debris. Items such as excess trash, recyclables and stored items should be kept in the proper containers or in storage rooms. Neglect of general maintenance and upkeep, including stray cigarette butts, animal feces, and other debris can result in a fee for cleanup by property management.

IV. DOGS AND CATS

All laws, ordinances, rules and regulations pertaining to dogs and other domestic animals adopted by the State of North Carolina, the County of Wake, and the City of Raleigh are adopted as rules and regulations of the Bent Creek Homeowners Association and are incorporated herein by reference, including but not limited to the following:

- a) All animals are required to be on a leash at all times.
- b) All animals are required to have the necessary City and Rabies tags.

c) All owners are required to pick up and properly dispose of their pet's waste.

V. DRIVING OR PARKING UPON NON-DESIGNATED COMMON AREAS

There shall be no driving or parking of motor vehicles or boats upon the common areas of the association not so designated for vehicular travel and/or parking. Those areas so designated for vehicular travel are streets/driveways and paved parking areas. Those areas so designated for parking are vehicular spaces which have been marked on or about the streets, driveways and paved parking areas.

Under no circumstances shall motor vehicles be driven or parked upon lawns, natural areas or any other undesignated common areas. This means that if your lawn is damaged due to a moving van, a load of firewood or any type of excessive wear or damage caused by negligence, you can and will be held liable according to the provisions in our Declaration of Covenants.

VI. PARKING UPON DESIGNATED COMMON AREAS

Vehicular spaces marked and designated for parking fall into two categories: 1) Assigned and 2) Unassigned.

1. Assigned Spaces – The Association has permanently assigned one (1) or two (2) vehicular parking space for each dwelling as provided by our Declaration of Covenants. The space is marked with the street address number of the dwelling it is assigned to and is for the exclusive use of the owner of the dwelling or the others that the owner may delegate. You can only have a total of two vehicles for each townhome on Bent Creek property at any given time. Additional cars will have to be parked or stored off of Bent Creek property.
2. Unassigned Spaces – Parking spaces not marked with a street address number of a dwelling are unassigned spaces and are not for non-exclusive use. Ownerships of a lot in Bent Creek entitles the owner or owners thereof to the use of one unassigned automobile parking space on a first come-first served basis.
 - a. The parking of boats, trailer or other such items is prohibited.
 - b. The parking of abandoned vehicles, disabled vehicles or vehicles without current, valid registration and license plates is prohibited.

VII. VEHICLE MAINTENANCE

Mechanical maintenance is prohibited.

VIII. PARKING ENFORCEMENT/TOWING

1. Vehicles parked on left standing in violation of our Declaration of Covenants or our Rules and Regulations as contained herein shall be towed from the premises of the complex and stored within a facility designated for such purpose.
2. Towing and storage fees shall be charged to the violator and are in addition to any fines that may be assessed for violation of the Declaration of Covenants, Conditions and Restrictions for Bent Creek Townhomes
3. Individual Bent Creek homeowners, the Bent Creek Homeowners Association, its management or agents shall have the right to enforce this rule and authorize towing and shall not be responsible for any damage to vehicles or the contents thereof, including theft, resulting from the towing and storage of the said vehicles pursuant to this rule.
4. Residents may call one of the numbers posted on the numerous signs that are located around the Bent Creek community, when a car is parked in their assigned space. Requests for removal of abandoned or nuisance vehicles located on Bent Creek property should be directed to a board member or the management company.
5. Homeowners using an outside portable storage unit, such as a POD, must make sure that the storage unit is placed within the assigned numbered parking spot of the homeowner. The storage unit may reside within this spot for no longer than two weeks. If more time is

required, the homeowner must provide the Bent Creek Homeowners Board with a justification.

IX. OPERATION OF CERTAIN MOTORIZED VEHICLES

1. The operation of storage of the following motorized vehicles shall be prohibited at all times within or upon the common areas of Bent Creek:
 - a. Go Carts, Mini Bikes, Dirt Bikes, ATV's, etc.
 - b. Any vehicles required to be registered, but not in fact registered with North Carolina Division of Motor Vehicles.
2. The operation of "Mopeds" or similar forms of conveyance shall be permitted only if such conveyance is used for the purpose of usual transportation. Specifically prohibited is the use of such conveyance for the purpose of recreation.

X. ARCHITECTURAL MODIFICATIONS

No window air conditioning units are allowed without board permission. Any damage caused by the installation or use of the unit, i.e. moisture damage, other wood damage, will be repaired at the owner's expense.

No building, fence, wall or other structure shall be commenced, erected or maintained upon the properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association as stated in our Declaration of Covenants, Article VI. An Architectural Request form is needed to request any of the above mentioned modifications and can be procured by calling York Properties. All applications will be added to the agenda for the next board meeting, except for those listed below, which may be immediately approved by management.

XI. LANDSCAPE MODIFICATIONS

Individual home owners shall not plant any vegetation in the common areas or the front yard of their lot or remove existing shrubs except with the prior written approval of the Association per Article VIII of our Declaration of Covenants. The owner of any lot may at his election plant shrubs, flowers and grass in his rear yard (of individual surveyed lot, not common grounds) and may also maintain portions or all of his rear yard provided that such maintenance by the owner does not hinder the Association in performing its maintenance of the exterior of the house and the remaining yard spaces. A Landscape Request form is needed to secure approval of the Association and can be procured by calling York Properties.

XII. SATELLITE DISH ADDITION

If a homeowners wishes to have a satellite dish installed, it must be in the back of the home, preferably under the roof line and must be properly installed. The homeowner must submit a Satellite Dish Request form, which can be obtained by calling York Properties and sent to the Homeowner's Association Board of Directors for review. No satellite dish shall be installed into the vinyl siding. Any damage caused to the building exterior or common property will be repaired at the owner's expense.

XIII. NOISE ORDINANCE (NUISANCE LAWS)

With more than 349 townhomes in Bent Creek, it is imperative that we be considerate of our neighbors. Noise, especially at night, can be a serious problem not only for those that have to hear it, but also for those making the racket. The City of Raleigh, whose laws and rules we fall under, enforces noise ordinances to help keep its neighborhoods pleasant places to live.

The City Code (see sec. 12-5007(c).Sec 12-5008) gives specific details of the noise-related laws in Raleigh. Furthermore, Section 13-3017 outlines the laws regarding nuisance parties. Both tenants and landlords should familiarize themselves with these laws.

Please remember that Raleigh places limited on loud music coming from automobiles. Under the ordinance, music must be contained to a distance of no more than 50 feet from the vehicle. Covered under the law are: radios, stereo receivers, cassette tape players, compact disc players, and other similar devices. The ordinance particularly is aimed at motorists who drive through the residential areas playing loud music. Violation of the ordinance is a misdemeanor that carries a jail sentence of up to 30 days and a maximum fine of \$500.

XIV. FIREARMS

Raleigh city ordinances prohibit the discharge of firearms within the city limits. Residents of Bent Creek are reminded that all of Bent Creek lies within the city limits of Raleigh, and that all laws and ordinances of the city and the government bodies with jurisdiction over our locality apply. In addition, within the rule making authority of the Bent Creek Board of Directors over common areas and the space of each individual lot, all laws and ordinances of the city and other government bodies of jurisdiction are adopted to the discharge of any type of firearm or weapons inclusive of but not limited to pellet guns, bows and arrows, or BB guns.

XV. SIGNS

No signs of any nature are allowed on Bent Creek common property except those specifically approved by the Board of Directors through written request. All signs including but not limited to political, directional, for sale or for rent must be contained within the surveyed portion of each individually owned unit property. Any signs found outside of a person's individual lot will be removed by the management company.

XVI. CONDITIONS CONDUCTIVE TO TERMITE INFESTATION

No lumber, firewood, paper or cardboard shall be stacked in the front of the townhome units. When storing firewood in the rear of a unit, residents are urged not to stack wood next to the foundation walls or in crawl spaces as this increases the risk of termite infestation. Also, wood may not be stored on the front porch or the rear deck of a townhome unit.

XVII. HOMEOWNER'S RESPONSIBILITIES WHEN ACTING AS LANDLORD

It shall be incumbent upon homeowners renting or leasing out their property to report to the Homeowners Association's management the fact that the unit is a rental and/or leased unit. It is further incumbent upon the homeowner to report to the HOA's management the name of renter and or leasers and maintain that information as current whenever there is a change in occupancy of the owned unit. It shall also be incumbent upon the homeowner to insure that the renter or leaser is fully informed regarding the HOA's Rules and Regulations and is duly informed of any changes to said Rules and Regulations. It shall be the homeowner's responsibility to insure that the renter or leaser abides by the established Rules and Regulations and changes thereto. The owner is always responsible for his/her tenant's actions with regard to the Rules and Regulations and maintenance of or damage to common area.

XVIII. INQUIRIES AND REQUESTS

Further rules, provisions, use restrictions, etc. are contained in the Declaration of Covenants, Conditions and Restrictions for Bent Creek Townhomes and are incorporated herein by reference by you. An additional, separate set of rules is provided regarding the use of the swimming pool and clubhouse area. Please refer to those rules when applicable.

Inquired and requests for consideration by the Board of Directors can be made by writing to:

BENT CREEK HOA BOARD OF DIRECTORS c/o Towne Properties Raleigh

PO Box 99149
Raleigh, NC 27624

XIX. FINES

Continued violations of any of these rules can result in a monetary fine levied by Bent Creek Homeowners Association.