

NEWTON PARISH RULES AND REGULATIONS

REV 03/23/2024

NEWTON PARISH TOWNHOME DECLARATION AND BYLAWS

At the time you (or the owner of your unit) purchased your townhome at Newton Parish, the closing attorney should have furnished the purchaser with a copy of the Declaration and Bylaws at the closing. When purchasing a townhome, the buyer signs a form at closing that acknowledges the townhome owner's/tenant's duty to abide by the Declaration of the Townhome Corporate Declaration and Bylaws. Per the Newton Parish Declaration:

" NOW, THEREFORE, Declarant hereby declares that all of the properties described above shall be held, sold, and conveyed subject to the following easements, restrictions, covenants, and conditions all of which are for the purpose of protecting the value and desirability of, and which shall run with the real property and be binding on all parties..."

THE BOARD OF DIRECTORS AUTHORITY

The authority to adopt rules for the Newton Parish Townhomes is granted to The Newton Parish Board of Directors under Article VII, Section 1 of the By-Laws: **"The Board of Directors shall have power to: (a) adopt, amend and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof..."**

TO BE AN INFORMED RESIDENT

To be an informed resident you should have, or have access to, the Declaration and Bylaws and the Rules and Regulations. In addition, take the time to read The Newton Parish Newsletters published and distributed periodically for updates.

These rules and regulations are in addition to the Declaration and Bylaws. These rules and regulations in no way change or override the Declaration and Bylaws. These rules and regulations are subject to change and will be updated from time to time.

If you failed to receive a copy of the declaration and bylaws at the purchase of your townhome, you can request a copy from the management company for a reasonable fee.

ASSESSMENTS

(The term assessment will be used in regard to the monthly assessments, Association Dues, and any special assessments.) Article VI of the Newton Parish Declaration states: "... every other owner of any lot by acceptance of a deed therefore, whether or not it shall be so expressed in any such deed or other conveyance, is deemed to covenant and agree to pay the Association: a) annual assessments or charges, and (b) special assessments for capital improvements..."

- Monthly assessment payments are due on the 1st (first) day of the month. Any monthly assessment payment not received by the 20th day following the due date shall bear a late fee in the amount of \$20.00 effective Jan 1, 2005.
- Owners who fall behind in their assessment payments will be subject to having their account turned over to an attorney for collection. If an attorney has to be used for collection purposes, his/her fees and associated charges will be charged to the delinquent owner.

GENERAL RULES

- The sidewalks and stairways shall not be obstructed by the residents nor used by them for any other purpose than for ingress or egress to and from their respective townhomes. Therefore, items may not be stored in these areas or on any common property.
- Article VI of the Declaration states: **"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..."** A request form must be submitted to the Property Manager who will forward it to the Board, along with required information, at least five days prior to the Board Meeting. Owners must obtain written permission from the Board before making any exterior changes such as painting, paint colors, planting trees, shrubs, and other plantings, installing a storm door, new windows, and doors, attic fans, gas tanks, lattice, satellite dishes, skylights, or solar light panels, deck, etc. Only the unit's owner can request any change. The owner will be responsible for any damage caused as a result of modifications made to the unit.
- Residents should not play stereos, TVs, or musical instruments loudly enough to disturb neighbors. Residents also should not have parties or gatherings that are loud and offensive. Article X Section 3 of the Declaration states: "No obnoxious or offensive activity shall be carried on upon the properties, nor shall anything be done which may

be or may become a nuisance or annoyance to residence within the property." The Police may be contacted by residents in the event of excessive noise and citations may be issued by the Police Department.

- To encourage a spirit of continuity at Newton Parish, occupants are to line colored drapes with white material or use white sheers or install blinds. Drapes, blinds, and screens must be kept in good condition.
- Firewood is to be stacked neatly in the rear of the units in a natural area at least 12 feet away from the structure, should be on cinder blocks, plastic, and/or other non-wood products to avoid contact with the earth, and should not impede grounds maintenance. No lumber, firewood, paper, or cardboard is to be stacked against the house, in the crawlspace, on the decks, porches, or under the decks, as this is conducive to attracting termites and other insects.
- **Homeowners are responsible for replacing, repairing, and maintaining their Back Decks.** Porches and decks must be kept in a clean and orderly manner. Patio-type furniture must be neutral in color, maintained in good condition. Patio-type furniture and maintained flowerpots are the only items to be placed on porches. Patio-type furniture, maintained flower containers, and barbecue grills are the only items that should be placed on decks. No alteration of any kind (including attaching wire fencing, gates, etc.) can be added to the porch or deck without permission from the Board of Directors.
- Toys, bikes, play equipment, gardening equipment, tools, etc. must be stored inside of the storage rooms, crawlspaces, or inside of the townhouses, not on porches or decks.
- No clotheslines may be erected on any portion of Newton Parish and clothing, towels, bath mats, rugs, etc. shall not be hung out on porches, decks, or railings.
- Holiday decorations are permitted as long as they are done in moderation and put up no earlier than one week before Thanksgiving and are removed by the end of the second week of January.
- Only one FOR SALE or FOR RENT sign can be placed on a property and must be placed as close to the front of the individual townhouse as possible and not interfere with the groundskeeping. No signs are allowed to be placed at the entrance to Newton Parish or in any of the common areas on the property. Management will remove and dispose of any signs placed in the common areas. There should be no political signs on Newton Parish property.
- Residents must contact the management company at least one week in advance of holding a yard sale to request approval. Signs are to be erected and removed on the

day of the sale. Yard sales may be held on Saturdays from 7 AM until 4 PM only. Neighbors are to be notified due to parking and traffic inconveniences.

PARKING RULES AND REGULATIONS

Article II section 4 of the Declaration states: "The owner or owners of each lot shall be entitled to the use of not less than two automobile parking spaces with additional spaces to be available as required by Raleigh City Code, (one of which may be designated for the use of the owner by the Association) and the parking spaces shall be as near and convenient to said lot as reasonably possible". NOTE: Because of limited parking space on Ashbury Court, those homeowners have been assigned two parking spaces per unit. The other parking spaces are on a "first come, first served" basis.

- Guests should be asked not to park in spaces that are located in front of a townhouse. Guests should be asked to park around the middle of a cul-de-sac or in spaces between townhouses if extra spaces are available after each unit's two are honored.
- Any vehicle in violation of these rules is subject to a warning and fine and/or being towed at the owner's expense including any storage charge.
- Vehicles may be towed for the following violations:
 - Parking up on a curb, on the sidewalk, or on any part of the Newton Parish grounds other than areas designated for parking. This will also cause the Association to charge any and all costs for damages that result from this activity to the responsible party.
 - Not having a current license plate and inspection sticker on your vehicle.
 - Not being in operable condition (flat tires, heavily damaged, etc.).
- No commercial vehicles, trailers, campers, boats, jet skis, mobile homes, or large vans (exceeding 18ft) will be privileged to park in Newton Parish. A commercial vehicle is one routinely used for business purposes, sometimes with exterior signage and/or modified for business use with special racks to hold materials or tools. Any vehicle not kept in good repair, such as those having excessive oil leaks, missing hub caps, excessive rust or graffiti will not be allowed to park on the premises. Any vehicle that excessively drips oil, gasoline, or other fluids must be immediately repaired or removed from the property. The owner will be charged for any damage to the parking lot or grounds.
- No vehicles may be stored in the parking areas (remain unmoved for 14 consecutive days). If a resident is going to be out of town for longer than 14 days, management should be alerted to prevent tagging and towing.

- No driving on the pine strawed or grassed grounds should occur. Repair of damage from such occurrences will be charged to the owner of the unit involved.
- There is to be no throwing of balls, frisbees, etc. in the parking lots.
- [You are strongly encouraged to read "Section 4. Parking Rights." in the Newton Parish Declaration.]

PET RULES AND REGULATIONS

- All pets must be leashed and not allowed to roam freely.
- No dog or cat is to be left unattended leashed or not.
- No pet may be tied outside whether the owner is present or not, not to railings, porches, decks, trees, or shrubs.
- Pets should be walked in the natural areas well away from buildings, mailboxes, sidewalks, playground, and flowerbeds. Accidents in one of these areas are to be cleaned up by the animal's owner.
- Pens and doghouses may not be erected on decks, under decks, porches, or any other area of Newton Parish.
- Violations of the city animal control codes may be reported to the City's Animal Control Officer (831-6311).

TRASH, RECYCLING, AND YARD WASTE DISPOSAL

Garbage, recycling, and yard waste are collected on the same day (currently Tuesdays at Newton Parish) each week by the City of Raleigh Solid Waste Services. Garbage carts, recycling bins, bundled or contained yard debris, and broken down cardboard boxes are to be placed in the grassed area in front of the unit by the street or at a nearby pick-up location on the night before or by 7 AM on the morning of collection day. The cart should be placed so that the cart handle faces your house and the front of the cart where the lid opens faces the street (see arrow on cart lid). The cart must be at least five feet from mailboxes, utility poles, parked cars, or other items that collection equipment can damage. Empty containers must be returned to the rear of the unit no later than the morning following the collection day. Containers must be stored at the rear of the unit. Use only city-issued carts; no other carts will be emptied.

Garbage must be placed in sturdy plastic bags inside the carts. Kitty litter should be double-bagged before being placed in the cart. City of Raleigh regulations state that loose garbage should not be placed in the cart. **NO PLASTIC BAGS ARE ALLOWED ON THE GROUNDS OUTSIDE OF THE CONTAINER.** Recyclables should be secured in the recycling

bin and placed next to the garbage cart. Cardboard boxes of reasonable size are to be broken down flat and placed near the pick-up location. (The City of Raleigh encourages recycling of all cardboard. Call the Solid Waste Service Department at 831-6890 for the nearest location of a recycling center for cardboard.) Yard debris (e.g. leaves and small sticks) must be placed in clear plastic bags and placed near the pick-up location. Limbs are to be tied in small bundles less than five feet long and placed near the pick-up location.

Residents 65 years old or older, having a handicap, or disability, or difficult terrain issue that prohibits moving the garbage container to the pick-up location may call the City or Raleigh Solid Waste Services Department at 831 - 6890 and request backyard pick-up of garbage.

The garbage schedule as established by the City of Raleigh must be followed by all residents of Newton Parish. Residents are responsible for complying with schedule changes due to holidays or inclement weather. The City of Raleigh Solid Waste Services Department may be called for schedule information at 831- 6890. Information is also available online at www.raleigh-nc.org.

SWIMMING POOL RULES

The swimming pool is normally open from Memorial Day weekend through Labor Day weekend. There is a twenty-five-dollar deposit required to obtain a pool key. Contact the Management Company if you need keys.

- The pool is for the exclusive use of Newton Parish homeowners, tenants, and their guests ONLY. Homeowners are responsible for all actions and conduct of their guests and tenants and for any damage or liability resulting from their actions or conduct.
- Each homeowner may have up to four guests at any one time and guests must be accompanied by an owner or tenant at all times.
- Newton Parish homeowners using the pool must have proper identification, which may be a valid driver's license with a Newton Parish address. Trespassers should be asked to leave. If they refuse, call the police (at 911).
- There is no lifeguard on duty. All persons using the pool and pool areas do so at their own risk and assume all liability. The Newton Parish Homeowners Association assumes no liability or risk for bodily injury or death of anyone using the pool facility or loss or damage to any personal property.
- The pool hours are: 10:00 AM to 8:00 PM daily. The pool may be closed at any time due to weather, breakdown, or other operational difficulties. No one is permitted in the pool area, when the pool is closed, not even to sunbathe.
- Everyone must shower before using the pool. The oils and sunscreens can build up in the pool and cause the temporary closing of the pool.

- No children under 6 years of age will be permitted in the pool area at any time except with a parent or guardian. Children under 14 years of age will not be permitted in the pool area unless accompanied by an adult at least 18 years of age.
- Beverages are allowed in cans or non-glass containers. No glass of any kind is permitted in the pool area. Smoking of any kind is not allowed in the pool area. Eating, and/or drinking is not allowed IN the pool. Pool users must dispose of trash appropriately in the receptacle provided.
- No pets are allowed in or around the pool area.
- No running, pushing, or horseplay is allowed in or around the pool. No abusive or profane language, or excessive noise will be tolerated. Radios, CD Players, or Tape Players should not be played at an excessive volume where they bother others.
- All pool equipment (rope, net, float ring, etc.) must be kept in its proper place. Emergency equipment is to be used and/or disturbed only in the case of an emergency.
- No one with any infectious disease, inflamed eyes, nasal or ear discharge, open wound or bandages will be allowed in the pool.
- Proper bathing attire is required. No "cut-offs" are allowed.
- Anyone can be barred from the pool area at the discretion of the Board of Directors for violations of these rules and regulations or for any reason which, in their judgment, constitutes a hazard to others or to the Newton Parish Homeowners Association and its members.
- For the safety of those using the pool and the facility, the gate must be kept locked and not propped open from the inside or opened for trespassers.
- In case of Emergency dial "911" on the pool phone and give the operator the information posted on the sign above the phone.

TENNIS COURT RULES

- The tennis courts are for the use of residents and their guests and for the purpose of playing tennis only.
- No wheeled toys or other play activity can occur on the tennis courts. The only shoes on the tennis courts should be soft-soled tennis shoes.

- No animals will be allowed on the tennis courts.
- For safety, the gate must be closed and locked at all times.

ENFORCEMENT

These rules and regulations shall be enforced by the Board of Directors, and its management agent, in the manner set forth in the Declaration and Bylaws, including but not limited to suit or other legal proceedings to enforce compliance, and/or by the assessment against the liable homeowner of a reasonable penalty in an amount no less than \$25.00 per day, to be imposed so long as such offense(s) continue(s) unabated, and to be added to and become a part of the monthly assessment imposed on the owner of the unit.

The liable owner will be notified by the Management Company of the violation, and a hearing will be scheduled in order for the affected owner to appeal the fine. If the owner fails to comply prior to the hearing date, and fails to appear at the hearing, fines will be imposed daily until there is compliance. If the owner appears for the hearing, a final decision on the outcome will be made to the owner by the Management Company.

THESE RULES AND REGULATIONS ARE SUBJECT TO CHANGE. NEW EDITIONS OF THE RULES AND REGULATIONS WILL BE PUBLISHED AND DISTRIBUTED FROM TIME TO TIME.

THANK YOU FOR YOUR UNDERSTANDING AND COOPERATION.

THE ASSOCIATION IS RESPONSIBLE FOR MAINTAINING OR REPAIRING THE FOLLOWING:

Townhouse Exteriors

- Building surfaces including: siding, roofing, gutters, front porches (not including deck), and front handrailing. (Homeowners are responsible for decks, external doors, door frames, windows and screens, light fixtures, electrical outlets and water faucets)
- Gutters, Gutter Guards, and Downspouts
- Gutter cleaning as needed
- Roof repair and replacement
- Painting of all previously painted surfaces at the time of regular painting cycle
- Back Decks are the Home Owners responsibility

The Grounds

- Common area plantings and mulching, including pine straw application as needed

- Grass cutting, edging, and weeding
- Lawn seeding and fertilizing
- Water and sewer lines from the meter or cleanout to the street
- (Sewer cleanout is defined as the junction at which the system services more than one home. The Homeowner is responsible for the sewer line from the home to this junction and the Association is responsible for the sewer lines beyond this junction.)
- Shrub and tree care
- Sidewalks
- Street and community signs
- Private streets and parking areas

Miscellaneous

- Annual termite inspection
- Electricity for street lights
- Insurance covering common areas
- Mailboxes (not locks or keys)
- Common area structures

NOTE: Exterior repairs required as a result of acts of nature, fire, willful acts of negligence by the owner(s), tenant(s), or their guest(s), or from damage resulting from "home" repairs (i.e.: those performed by the homeowner, tenant or contractor hired by the owner/tenant) are the responsibility of the homeowner. Homeowners are required to purchase homeowner's insurance to cover these costs.