# Incorporated Rules and Regulations

# For

# Sterling Ridge Homeowners Association (HOA)

**Approved by Sterling Ridge Board of Directors**

**October 1, 2008**

Sterling Ridge of Fuquay Varina Homeowner's Association, Inc.

Revisions:

1) October 26, 2010: Updated Management Contact Information & Format

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# STERLING RIDGE
# HOMEOWNERS ASSOCIATION (HOA),
# INCORPORATED RULES AND REGULATIONS

In accordance with the "Declaration of Covenants, Conditions and Restrictions for Sterling Ridge Subdivision" recorded with Wake County Register of Deeds on September 17,2002, as well as the "Sterling Ridge Bylaws" dated September 26, 2002, the Board of Directors of the Sterling Ridge HOA, are granted the power to publish and enforce reasonable Rules and Regulations concerning the entire Sterling Ridge community including all private and common properties.

In an attempt to make the covenants more easily understood, the following Rules and Regulations have been adopted by the Board of Directors this 1st day of October, 2008, and are applied to all homeowners, tenants, and visitors/guests of the Sterling Ridge Community.

**NOTE:** These Rules and Regulations DO NOT replace the covenants nor are they all encompassing. They are intended to clarify and enhance or otherwise improve the covenants. All covenant rules still apply unless otherwise noted in these rules and regulations. Homeowners must be familiar with the Sterling Ridge Declaration of Covenants, Conditions, and Restrictions. Unless otherwise noted the rules and regulations are based on the Sterling Ridge Declaration of Covenants, Conditions, and Restrictions.

Homeowners who act as Landlords are responsible for his/her tenants' violations of the Sterling Ridge Declaration of Covenants or the HOA Board Rules and Regulations and are responsible for any fines that such violations incur. Landlords are also responsible for providing a copy of the covenants and these rules and regulations to all tenants.

For all violations of the covenants and/or rules and regulations, a warning letter will be mailed to the homeowner. If the violation is not corrected by the due date indicated, a fine may be assessed after the homeowner has been given the opportunity to be present at a hearing before the Sterling Ridge HOA Board, pursuant to the North Carolina Planned Community Act. Fines will be assessed according to each individual offense and can range from $25.00 to $100.00 per day until the violation is corrected.

**General Reference/Ordinance Links:**
Town of Fuquay-Varina: http://www.fuguay-varina.org
Wake County: http://www.wakegov.com
[redacted]

# I. GENERAL RULES

A. **NOISE:** Every resident is entitled to peace and quiet enjoyment of the community. Loud noise, including music, from motor vehicles parked in or driving around the neighborhood is not allowed. Loud noise from television, stereos, or any form of media from inside/outside of the homes will be kept to a minimum. All such noise should cease by 8 PM on week days and 11 PM on weekends. If hosting a function then due consideration should be given to all neighbors. While not required, the courtesy of informing your neighbors of large gatherings or parties will go a long way in maintaining community relationships. It will also highlight any potential parking issues. Ref: Board determined rule; Applicable City and County Ordinances

B. **PROPERTY APPEARANCE:** All lots will be kept free from unsightly objects and cluttered appearances. Items listed below are not all inclusive and the board reserves the right to determine what would be considered an unsightly or cluttered appearance. The goal is to maintain a clean and pleasant looking neighborhood throughout:

1. Recreational vehicles, boats, trailers or campers shall not be parked at any time in the streets or driveways on a regular and consistent basis. These vehicles should be parked in garages or kept off site. Occasional parking in driveways is acceptable when prepping, transporting/moving, or cleaning these vehicles.

2. Garbage and recycling containers will not be visible from the front of the home. These items must be kept behind the home or in the garage. A small L shaped "privacy fence/wall" is acceptable to hide the items on the side of the home provided it is erected at least 15 feet back from the front edge of the home. As with any construction, approval must first be requested through the normal architectural request procedures. Corner lots are encouraged to build a privacy wall since there is a bigger burden to conceal containers. Corner lots if not fenced, should maintain their containers at the back side from the street address if not in the garage. Containers may be placed at the curb at dusk the day before trash collection and removed by dusk on trash collection day.

3. Front yards must be kept free of personal items such as bikes, toys, garbage, tools, basketball goals (see 4 below), recreation equipment, appliances, and general items that appear to be "just lying around" and

creating a cluttered appearance. This also includes, but is not limited to, items such as ladders, scaffolding, pressure washers, and grills. These items should be kept out of sight when not in use.

4. Basketball goals must **not be** permanent structures. This means they cannot be attached to any permanent structure or installed permanently on the property. Basketball goals can only be of the portable type. Basketball goals must be in a clean and serviceable condition. Rusted poles, broken backboards, broken hoops, and tattered or ragged nets are an example of unsightly objects and could constitute a cluttered appearance. A goal that cannot be used for its intended purpose is considered unserviceable (i.e. hoop missing, backboard missing, whole goal scattered in various pieces, etc.). Basketball goals must be located far enough inside the property so as to make it impractical to play in the street. Basketball goals must not be located adjacent to the street under any circumstances nor placed in the grass which would cause the grass to die leaving a "dead spot" in the front lawn.

C. **EXTERIOR MAINTENANCE:** Each homeowner shall be responsible for the exterior maintenance of his/her lot including that portion of the sidewalk, driveway, or easement located on the lot and any cost incurred in connection with such upkeep. This includes mowing to a height of 4 to 6 inches or less which presents an evenly cut appearance, edging and trimming, weed removal, fence upkeep, and exterior painting/cleaning. Flower beds are also to e kept free of weeds and dead plants. Any other maintenance issues considered necessary to maintain a clean and attractive lot will be enforced. Lots where maintenance is not maintained properly will be warned or fined appropriately. If the homeowner fails to correct the violation then the maintenance will be performed by an HOA contractor, and the homeowner will be charged the contractor cost on top of any fines levied. This includes a minimum of $35.00 per lawn cutting. Notice will be given before maintenance is scheduled.

D. **WINDOW TREATMENTS:** Window treatments will be kept in good condition and appropriate as viewed from the front of the property. No broken blinds and/or fabrics which are not curtains or drapes such as blankets and sheets. No inappropriate material such as posters derogatory in nature and any other items that could be considered offensive. All screens shall be free from damage.

E. **BEHAVIOR:** No improper, offensive or illegal behavior/actions shall take place or be tolerated on any private or common property areas of the community.

F. **LOITERING:** No fighting, arguing, altercations, loud assemblies, or loitering is acceptable or allowed in the community. Neighborhood watch committee or local residents will contact the authorities as appropriate to stop such behavior.

G. **CHILDREN SUPERVISION:** Young children must be supervised at all times while playing in the open community. They must not trespass by running, walking or riding bikes through neighboring yards. They must never sit, stand or climb on telephone boxes, cable boxes, utility boxes, community mail boxes or other common area equipment or property such as entrance signs and walls. It is advised that children should not play in the street at any time. This is not only unsafe but prohibits the flow of traffic. The HOA will not be held liable for any accidents resulting from failure to heed this advice. **Ref:** Applicable City and County Ordinances.

H. **MOTORIZED TOYS AND/OR UNLICENSED VEHICLES:** No adult or child is allowed to operate any motorized recreational toys or unlicensed motor vehicles (go-karts, remote control vehicles, mini-bikes, all-terrain vehicles, golf carts, etc.) in the street or on the sidewalks at any time. Remote control toys and items that run under 5 mph such as the battery operated children's "ride along" vehicles are fine on the sidewalks if supervised by an adult. Children on skate boards and push scooters should stay on the sidewalks and not in the streets. The HOA will not be held liable for any accidents resulting from failure to heed this advice. Destruction of property while performing "stunts" will not be tolerated.

I. **ANIMALS/PETS:** Animals kept outside the home in a private enclosed fence area will not be allowed to become a nuisance (barking, whining, animal waste odors noticeable to residents, etc.) as defined but not limited to the Wake County Animal Control Ordinance. Pets will not be at large as defined by the ordinance. All animals must be restrained on a leash and controlled by a responsible person when outside of the homes' fenced area. Owners are responsible to immediately collect and properly dispose of their pet's waste at all times in all common areas. Failure to clean up behind pets may result in appropriate warnings or fines.
**Ref:** http://www.wakegov.com/pets/safety/ordinance.htm

J. **SIGNS:** One For Rent/Sale sign is allowed to be posted in yards or placed in windows of the home. Political signs are allowed to be posted in yards or placed in windows of the home 45 days prior to Election Day and must be removed within seven days after Election Day.

K. **HOLIDAY DECORATIONS:** Holiday decorations are completely acceptable and encouraged. However, decorations should be removed within 14 days of the

completed holiday. This includes the removal of all holiday lighting extending from roofs. **Ref:** Board determined rule

# II. PARKING RULES

A. **RESIDENT VEHICLES:** Resident motor vehicles must be parked in driveways/garages only, except for brief loading and unloading. Motor vehicles are not allowed to be parked in the right-of-way of any street, on the grass, in back yards, in front of the mailboxes, or on sidewalks (including those that cross driveways).

1. Motor vehicles may not be parked in the public street except for short durations for loading and unloading. Motor vehicles parked in the street can prohibit access to Emergency Response vehicles responding to viable emergencies such as home fires or ambulatory needs. In the event of occasional gatherings the home owner is responsible to coordinate parking with neighbors and to ensure no motor vehicles block emergency access, public access, mail delivery, or access to any neighbor's driveway. Furthermore, motor vehicles will not extend beyond the driveway into the public street. Ref: FV Ordinance Book, 9-4080.2 (h) (7) F. ii. Parking along public streets that are not wide enough to accommodate two safe travel lanes is prohibited. Safe travel lanes are defined as one eleven foot lane in each direction.

2. The safety of all individuals, especially children, requires accessibility to sidewalks. Therefore, no motor vehicles can be parked on or across the sidewalks in the neighborhood. Furthermore, allowing public sidewalks to remain blocked may constitute a violation of title 11 of the Americans with Disabilities Act of 1990 (ADA). Ref: Applicable City, County, and State Ordinances; Title 11, Americans with Disabilities Act Of 1990.

B. **COMMERCIAL VEHICLES/TRAILERS:** No trailer, taxi/cab, truck/van having commercial license plate, or having any equipment (machinery, ladders, traffic cones, buckets, hoses, scaffolding, etc.) on the exterior of the vehicle/trailer, and no inoperable motor vehicles may be parked or stored on the street or in driveways. Any such motor vehicles must be kept in an enclosed parking area. Commercial vehicles present for the purpose of performing work on a home/lot, for most situations, are allowed only while work is being done. If the workers will take up multiple parking spaces, homeowner must contact the ***Management Company*** to seek approval.

C. **RECREATIONAL VEHICLES/TRAILERS:** No recreational motor vehicles, trailers, campers, boats, or the equivalent are allowed to be parked or stored on the street or in driveways. These motor vehicles must be parked in garages or stored offsite.

D. **INOPERABLE VEHICLES:** Inoperable or "broke down" motor vehicles, especially those leaking fluids, are not allowed to be parked in the street or driveways as this detracts from the overall appearance of the neighborhood and may create an environmental hazard from leaking fluids. Those motor vehicles that are inoperable, including having flat tires, and are not repaired in a reasonable amount of time will not be parked long term in driveways. All such vehicles should be parked inside garages.

**NOTE:** Homeowners will receive written warning when possible of all parking violations. Motor Vehicles that continue to be in violation will be turned over to law enforcement to be stickered prior to being towed at the owner's expense. Furthermore, if violations continue, a fine may be assessed to the homeowner after a hearing in accordance with the Planned Community Act.

# III. ARCHITECTURAL REQUEST CHANGE (ARC) FORMS

A. **REQUIREMENTS:** Architectural request forms are required for exterior renovations, improvements or changes to a property. For example: structural changes to existing exteriors such as porches, driveways, doors, garage doors, siding, shutters, and windows; additional buildings; fences; satellite dishes; significant landscaping changes; addition of private sidewalks; decks and porches; exterior changes of color. All exterior colors and finishes must blend with the current color palettes of the community. This includes, but is not limited to, the siding, shutters, doors and windows. All out buildings should blend with home exterior. If unsure please submit a request or contact the ***Management Company***. In general, anything that would change the outward/exterior view or appearance of your home should be coordinated through the Architectural Committee. Ref: Article VI, 6.1-6.2

**NOTE:** All required building permits and compliance inspections are the responsibility of the homeowner! Also, 6' stockade style fences are allowed. The covenants state 4' rail type or picket style only. The board has discovered that previous board members verbally decided during the 2006 annual HOA meeting that 6' stockade style fences is acceptable.

B. **PENALTY:** ARC form is available on the ***Sterling Ridge*** website [redacted] or by contacting the ***Management Company*** directly. Failure to obtain an approved ARC form for improvements may result in a fine of up to $100.00 in accordance with the Planned Community Act.

**Ref:** [redacted]

C. **ARCHITECTURAL & INSPECTION COMMITTEE (AIC):** All requests should be sent to the Architectural and Inspections Committee (AIC) via the ***Management Company*** by way of certified mail with return receipt requested, electronic mail (e-mail) with legible attachments, or by fax from a fax machine with a configured time stamp. The AIC and the board reserve the right to refuse any non-legible requests.

**Management Company:**
[redacted]
**Phone:** [redacted]
**Fax:** [redacted]
**Website:** [redacted]
**Email:** [redacted]

# II. NORTH CAROLINA PLANNED COMMUNITY ACT, CHAPTER 47F OF THE NORTH CAROLINA GENERAL STATUTES AS AMENDED AS OF JANUARY 1, 2006

A. **INSPECTIONS:** Exterior home inspections will periodically be performed by the AIC.

B. **NOTIFICATIONS:** Homeowners will be sent written notification of the findings. Items identified during the inspection should be resolved by the homeowner. The end result should meet or exceed the standards as defined in the HOA covenants.

C. **INSPECTION REQUIREMENTS:** Architectural inspections will be performed when required for compliance by the AIC. Letters will be sent to inform homeowners of the date of any inspections. Residents should make every effort to allow the AIC access to the rear of the home. AIC members will not trespass on property without consent but homeowners/residents may be sent warning letters and appropriate fines for failure to comply with inspection requests.