

## **PENDER CREEKSIDE HOA, INC.**

### **COMMUNITY RULES AND REGULATIONS**

To keep our community operating properly and looking its best, the following Rules and Regulations, as outlined by your Creekside HOA Inc. Board of Directors, must be followed by all resident owners, resident tenants, resident occupants, and guests. The intent of the rules and regulations is to protect the value and desirability of the property and to create a safe environment for all owners and residents of Creekside. By a majority vote of the Board of Directors, the Association may, from time to time adopt, amend, and repeal these Rules and Regulations with respect to all aspects of the Association's rights, activities, and duties under the Restrictive Covenants.

The Board of Directors, or an adjudicatory panel established by the Board, may levy a reasonable fine assessment, as a fine or penalty of violation of these Rules and Regulations, all in accordance with the Planned Community Act.

#### **1. Association Dues**

- a. The Monthly Association fees of seventy dollars (\$70.00) are due on the 1<sup>st</sup> day of the month. The grace period in which the Association may receive the payment without penalty to the lot owner is thirty (30) days.
- b. A late penalty in the amount of Twenty Dollars (\$20.00) per month for the unpaid assessment will be added to any account with a balance greater than zero.

#### **2. Residential Use**

- a. All lots are to be used for residential purposes ONLY. No home shall be used for business or an office for customers or clients. This is to prevent excess traffic, parking issues, etc.
- b. No mobile home or similar mobile dwelling including trailer, tent, shack, garage, barn, outbuilding or temporary structure may be used on any lot at any time as a residence or living quarters.
- c. No mobile home, trailer, recreational vehicles, camper, or similar vehicle may be stored or permitted to remain on any lot at any time for any purpose without written approval from the Association. Approval may be given at the Association's sole discretion and may be for a limited period of time determined by the Association. None of the above vehicles shall be parked on the sidewalk or in any common area at any time unless actively loading or unloading said vehicle.
- d. All boats and trailers that are permitted on any lot by the Association must be stored completely within the garage or fully in the backyard of the Lot Owner.
- e. Parking at the mailboxes is for visitor parking only. Lot owners are not to park any type of vehicle at the mailboxes.

3. Maintenance of Home
  - a. It shall be the responsibility of each homeowner or occupant to keep his/her home in good repair. Any necessary repair that is visible (Examples: siding, roofs, soffit & fascia, shutters, garage doors, windows, etc.) from the common elements or any other lot that is not addressed by the homeowner, after written notices, shall be repaired by the Association at the owner's expense.
  - b. The storage of household items in front of fences or the home is not permitted. This includes bicycles, barbeque grills, playpens, toys, chairs, or other items that would routinely be stored in back yards or in garages.
4. Lot Maintenance
  - a. Each lot owner is responsible for the maintenance and repair of his or her lot and any improvements added to the lot, including buildings, parking areas and landscaping in a manner consistent with the Declarations. In general, this refers to mowing, landscaping, edging, and clearing of clippings properly. It is against Burgaw town ordinance to blow grass clippings into the street and will therefore not be allowed.
  - b. If the owner fails to properly maintain his property, the Association has the right to have the maintenance work completed and assess all costs incurred by the Association to the Lot owner.
  - c. Any trees exceeding twelve (12) inches in diameter and measured one (1) foot above the ground must be removed by a professional tree removal company that is licensed and insured.
5. Trash Receptacles
  - a. Each Lot owner shall use the receptacles provided by the Town of Burgaw for trash and recycling collection. All receptacles shall be kept in an area that is not easily visible from the road. This may be accomplished by placing them inside the garage, behind the backyard fence, behind the home, or behind a built screen. All receptacles may be placed on the curb no more than 24 hours before scheduled pick up and must be returned to the screened area no later than 24 hours after the scheduled pick up.
  - b. All residents are expected to share in the responsibility of keeping all common grounds free of trash and debris.
6. Animals and Pets
  - a. No livestock or poultry of any kind shall be raised, bred, or kept on any lot.
  - b. Dogs, cats, or other household pets may be kept if they are not kept, bred, or maintained for any commercial purpose
  - c. All dogs, cats, and other household pets must be properly leashed and personally escorted at all times.
  - d. Pets must be restrained or confined within the Lot and shall not become a nuisance or offend the reasonable sensibilities of any other owners.

- e. Owners must promptly remove any and all animal excrement from any and all common areas and lots and must keep these areas free of all pet debris.
- f. All such animals must be tagged for identification purposes. Pets must be on a leash and personally escorted at all times. Pet owners are responsible for cleaning up after their pets and disposing of pet waste in proper trash containers.

7. Mailboxes

- a. All cluster mailboxes within Creekside will be provided by the Association and given keys for their allotted spot. If an owner loses their key a replacement key will be at the owner's expense to replace the lock through the US Postal Service or private contractor in accordance with the US Post Office style lock.

8. Yard Sales

- a. No yard sales are permitted within the community except on Fridays, Saturdays, and Sundays.
- b. Removal of all signs and advertisements must be done by the homeowner within 24 hours after the event.

9. Fencing

- a. No fence or wall over six (6) feet in height above the ground may be erected or permitted on any lot.
- b. Only wooden or solid white vinyl privacy fences will be allowed between the houses at the rear and sides of interior lots (non-corner lot homes), with either white solid or vinyl picket fencing tied into the house on the street facing portion of the lot. Fencing may be as far forward as the peak of the home with the approval of the Architectural Review Committee.
- c. Corner lot homes will be required to have a white vinyl picket fence up to five (5) feet on the side of the lot facing the street and also white vinyl picket fencing tied into the house. Fencing may be as far forward as the peak of the home with the approval of the Architectural Review Committee.
- d. Architectural Review Committee approval is required prior to construction for all fencing on any lot.

10. Signs/Decorations

- a. No yard statuary, sculpture, works of art or other similar types of objects are permitted above the size of 3'x3' unless permission has been granted by the Architectural Review Committee.
- b. With the exception of the United States Flag and the North Carolina flag with the maximum dimensions of four feet by six feet (4'x6'). Seasonally appropriate flags may be placed on any lot or dwelling.

- c. Exterior Holiday decorations cannot be put up more than 45 days in advance of said Holiday. Holiday decorations must be removed within 15 days after the holiday.
- d. “For Sale” and “For Rent” signs may be placed in a yard provided it is within typical industry size or within an area expressly permitted by the Board of Directors.
- e. Political signs of maximum size 24 inches by 24 inches (24”x24”) may be placed in Lots up to forty-five (45) days before an election and must be removed seven (7) days past election date.

11. Laundry or Rubbish and Open Fires in Common Areas and Facilities.

- a. No clothes, sheets, blankets, laundry, or any kind of other articles shall be hung out or exposed on any part of the Common Areas, or on any Lot in a manner visible from any Common Area, neighboring lot, or street. All lots shall be kept free and clear of rubbish, debris, and any other unsightly materials.
- b. No open fires shall be permitted in any part of the subdivision other than fires in charcoal grills or similar cooking devices located upon lots or grills owned by the Association.

12. Portable Basketball Goals

- a. Portable basketball goals are allowed in the driveway or backyard.
- b. All portable basketball goals will be in full working order (net, rim, full backboard) and cannot be placed where any part extends over the sidewalk or the road.

13. Antennas/Satellite Dishes.

- a. No outside antennas or satellite dishes shall be erected on any Lot or structure unless there has been an approval by the Committee or Declarant.
- b. Any antennas or satellite dishes shall be screened from view by adjoining property Owners and the users of any street or recreation area or Common Area.
- c. The design and location of the screening shall be approved by the Architectural Review Committee of the Declarant.

14. Fuel tanks

- a. No fuel tanks or similar storage receptacles may be openly placed outside of the backyard of the lot. Any such receptacle must be installed within an accessory building or within a screened area or buried underground.

15. Parking

- a. The residents of any one Lot may not collectively park more operative vehicles than reasonable per driveway design in the Subdivision as long as they do not block the sidewalk.

- b. No parking of any vehicles on the sidewalk is allowed in the Subdivision at any time.
- c. No overnight on street parking is allowed in the subdivision.
- d. Inoperative vehicles may not be parked within the subdivision unless they are parked in the garage and the garage door remains closed at all times. All vehicles must be road worthy per NCDOT (inspected, insured, registered, etc.).
- e. o auto maintenance and/or repairs may be performed in the subdivision except if performed inside the garage of a Lot owner.
- f. Vehicles in violation of the Rules and Regulations can be towed away and stored at the Owner's risk and expense. The Association shall not be obliged to try and determine the owner of a vehicle and first give notice before towing the vehicle.

#### 16. Nuisances

- a. Each lot owner is responsible for preventing the development of any unclean, unsightly, or unkept conditions of the building or grounds on his lot that may decrease the beauty of the neighborhood as a whole. The Association has the right to make any necessary repairs for unsightly, unrepaired damage to a home and the expense will become a lien against that property.
- b. No obnoxious or offensive activity shall be carried on upon any lot including anything that may become an annoyance, danger, discomfort, or nuisance to owners in the neighborhood.
- c. Acceptable hours for contract work unless in the event of an emergency. Acceptable hours are 7 AM to 6 PM Monday through Friday. Saturday hours are 8AM to 5 PM.
- d. No automobile or motor vehicle can be dismantled or repaired on any lot. No mechanically defective or inoperable automobile, motor vehicle, mechanical device, machinery, or junk car shall be placed or allowed to remain on any lot at any time. No automobile may be parked on the grass of any lot.

#### 17. Architectural Review Committee

- a. Before any structure or improvement, other than emergency repairs, may be constructed or changed upon any lot, a plan or drawing including location, orientation, construction materials, styles and exterior color schemes must be submitted and approved in writing by the Declarant or its Assignee (Architectural Review Committee).
- b. The Architectural Review Committee may approve or disapprove any plans, specifications or details submitted within thirty (30) days from the date of receiving.
- c. The Architectural Review Committee has the right to disapprove any plans, specifications or details submitted in the event they are not in accordance with the provisions of the Declaration or the Design Guidelines. All decisions of the Architectural Review Committee are final

- d. Once the plans, specifications and details have been approved by the Architectural Review Committee a copy of the signed approval will be returned to the lot owner. All construction must adhere to the plans, specifications and details that were submitted and approved by the Architectural Review Committee.

#### 18. Landscaping Committee

- a. The committee is to work with the contracted landscaping company to assist in keeping the front entrance up to the standard that is expected from the community using plant, flowers, pine straw, mulch, etc. All new designs for any common areas must go through the HOA board and agree with the contracted landscaper's scope of work. A budget has been set by the HOA for these items.
- b. The committee is to decorate the front entrance for all major holidays or local events in which decorations are warranted (Memorial Day, Blueberry Festival, July 4<sup>th</sup>, etc.). A budget has been set by the HOA board for these items.

Failure to abide or comply with the above items will result in action and fines by the Pender Creekside HOA, Inc.

1. First Violation- Written Letter or Email (Notice of days for compliance will be issued in each letter)
2. Second Violation- \$25 Fine
3. Third Violation- \$50 Fine
4. Fourth Violation- \$100 Fine

The Association shall the right to assess a maximum fine of \$100 per day per violation against any Owner who violated any provision of these Rules and Regulations, the Restrictive Covenants, and Bylaws of the Association after such Owner has been given notice of the violation and an opportunity to be heard with respect to the violation in accordance with such policies and procedures as may be adopted from time to time by the Board of Directors.

The Creekside HOA Board of Directors has the right to revise these Rules and Regulations as may be required from time to time in order to preserve the integrity of our community. The Rules and Regulations will be reviewed annually to update and modify any changes, to add or delete provisions.

Management Company Contact:

Community Solutions Southeast, LLC  
1213 Culbreth Drive  
Wilmington, NC 28405  
[chris@csshoamgt.com](mailto:chris@csshoamgt.com)  
910/799-9779 ext. 2  
910/408-3396 fax