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# LANDINGS AT LAKEMOOR RULES & REGULATIONS

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The board of Directors of The Landings at Lakemoor Homeowners Association is vested with the authority to establish rules and regulations deemed necessary to accomplish the directives of the Declaration of Covenants, Conditions, and Restrictions for the Landings at Lakemoor subdivision. (Article IX of Declaration of Protective Covenants, Conditions and Restrictions (hereinafter referred to as Covenants); Article VIII, section 2 (d) of the By-laws).

The following Rules and Regulations are designed to make living in The Landings at Lakemoor pleasant and comfortable for each member of the community. They have been established with an eye toward safety of the neighborhood residents and maintaining property values. The restrictions which are imposed on each member are for the mutual benefit of all. The cooperation and consideration of each member is vital.

## GENERAL

ASSESSMENTS — DELINQUENCY POLICY and PROCEDURE (Covenants Article VI):

1. Assessments are due to the Homeowners Association on a quarterly basis. Statements will be mailed to each homeowner in advance of the due date.
2. Upon a homeowner becoming 30 days delinquent, the Community Manager shall send a letter reminding them that their payment has not been received, and alerting them that a late fee of \$10 per quarter has been assessed.
3. Upon the homeowner becoming 12 months delinquent in assessments, the Community Manager shall send the homeowner notice (1) informing the homeowner that their assessment payment is overdue, (2) that late fees are being assessed, (3) that their voting privileges for the community are suspended until the account is paid in full, (4) that a lien will be placed on their property and the charges for placing and removing the lien will be added to their account balance unless the account is paid in full within 14 days of the date of the letter.
4. Upon receiving direction from the Board of Directors, the Community Manager shall initiate foreclosure proceedings as specified in the Covenants (Article VI, Section 8).

BURNING OF TRASH (Covenants Article X, Section 12):

Burning of trash is prohibited.

COMMON and BUFFER AREAS (Covenants Article X, Sec 13; Article IX)

1. Private property installed or stored in the common areas by any individual without express written consent of the Association is strictly prohibited and will be removed at owner's expense. (\*Note: please refer to section on Signs for regulations regarding placement of temporary signs on common property)

2. Alterations of soil grades on projects undertaken on private property which abuts common areas, shall be such that drainage patterns on common areas are not altered. Such alterations must be approved in advance by the ARC.
3. Residents are responsible for repairing any damage to common areas caused by their movement of materials and equipment through that area, or caused by their pets. Such repairs may be initiated by the board of the Association at the homeowner's expense.
4. Residents who destroy common areas are responsible to the Association for the costs of restoring that area to its original condition.
5. No motor vehicles of any kind (motorcycles, mini-bikes, mopeds, etc.) except those for lawn maintenance, are allowed on the common lawn areas or paved greenway trail at any time.

#### MAINTENANCE (Covenants Article VII and Article IX):

1. Homeowners shall maintain their respective grounds and dwelling in a neat and attractive manner at all times.
2. If necessary, the Board may make repairs and improvements to restore property to a neat and attractive manner at the homeowner's expense, immediately due and payable.
3. Such remedies may include, but shall not be limited to, the removal of debris or junked cars, the mowing of grass or cutting of bushes and the painting or repair of structures located on the lot.

#### NOISE (Covenants Article IX and Article X, Section 14):

1. Loud noises from television, stereo equipment, car stereo equipment, musical instruments, pets and other disturbances should be avoided at all times, **ESPECIALLY** between the hours of 11:00 PM and 7:00 AM.
2. Residents should not use motorized or loud lawn equipment prior to 7:00 AM.

#### PARKING (Covenants Article X, Sections 10 & 11; Article IX)

1. Streets should not be used by homeowners as an alternative to driveways and garages for the sake of convenience. Parking on the street should not interfere with neighbors' driveways or traffic right of way, including obstructing a driver's view of oncoming traffic.
2. Boats, campers, trailers and unlicensed or disabled vehicles shall be parked only within an enclosed garage or on parking pads with adequate screening (landscaping or permanent structure) approved by the ARC. Such parking pads shall only be in the rear or side yards.
3. All commercial vehicles and work trucks must be in compliance with Town of Garner Ordinances governing the parking of commercial vehicles on public streets. These ordinances dictate that no commercial vehicles may be parked in a public street. (\*Note: in consideration of your neighbors and the views from their yards, work trucks and trailers should only be parked in driveways on approved parking pads. Work vehicles include those with commercial plates and/or those that are rated 3/4 ton or more.)

PETS, PET HOUSES and PENS (Covenants Article X, Sec 5, Pg 24)

1. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose.
2. If dogs, cats or other household pets are kept outdoors, such animals shall be kept in the rear or side yard, enclosed by a fence approved by the Architectural Review Committee (hereafter to be called the ARC). Pets shall not be allowed to run free or otherwise interfere with the comfort and convenience of residents or their guests. All outside pets must be registered with tags in compliance with all county, city and state laws.
3. Placement of invisible fencing must be confined to the back and side yard only.
4. Pet owners are responsible for cleaning up after their pet in areas other than their own yard.
5. Pets may not be left unattended for an extended period of time, nor may they be permitted to create a nuisance or unreasonable disturbance.

RENTERS (Covenants Article IX):

1. Owners must provide Renters with copies of the Rules and Regulations and the Covenants.
2. Any violation or damage by the tenants shall be charged to the respective homeowners.

SALE OF HOME (Covenants Article IX):

Upon the signing of a contract for the sale of any residence, the current homeowner is required to provide to the prospective owner a copy of the Covenants and the Rules and Regulations.

SPEED LIMIT (Covenants Article IX; posted speed limits)

1. For safety throughout the neighborhood, please drive cautiously and do not exceed the posted speed limit.
2. Homeowners and their guests are encouraged to be alert to the presence of children, cyclists, pedestrians, pets and vehicles backing out of driveways. This is particularly vital given the excessive parking on the street, which often obstructs a driver's view.

TRASH and GARBAGE/RECYCLING PICKUP (Covenants Article IX):

1. All owners must use a covered garbage container, stored indoors, or at the side or rear of the residence.
2. Garbage containers may be moved to the street on the night before scheduled pickup and must be removed no later than the day following pickup.

## **ARCHITECTURAL/LANDSCAPING MODIFICATIONS**

### **ADDITIONS and/or CHANGES TO HOME EXTERIOR**

(Covenants Article IX, Article X, sections 4, 6, 8 & 9); Article VIII; By-laws, Article IX, Section 1 (3)).

1. Any additions or changes to the exterior of the house must be submitted to the ARC for approval prior to the commencement of any work. Such exterior changes include, but are not limited to decks, arbors, screened porches, porch railings, room additions, flag poles, major landscape changes, flood lights, mailbox post/support, mounted basketball goals, doghouses, animals pens, fences, parking pads, storage buildings, or changing the exterior paint color of the siding, trim, shutters or door of the house or additional buildings.
2. Procedure for submission to the ARC of proposed additions and/or changes is as follows. The homeowner shall complete a Request for Architectural Approval form (available from the Community Manager). The homeowner shall include scaled drawings showing the proposed improvements, including relationships to existing structures, landscaping and lot lines. The homeowner shall collect the signatures from all property owners having common lot lines with the affected property, and all property owners who reasonably view the improvement from their property. The completed form and associated documents should be submitted to the Community Manager who will forward the item for review by the ARC. Once approved by the ARC, the homeowner may be required by town ordinance to acquire a permit from the Town of Garner. Any changes to the original plan as required by the town must be resubmitted to the ARC for approval.

### **DETACHED STRUCTURES (Covenants Article IX, Article X. Sec 4)**

1. All detached structures require ARC approval prior to construction. (Examples include but are not limited to storage sheds, greenhouses, playhouses, doghouses, etc.)
2. Detached structures are permitted in the rear or side (beyond the rear corner of the house) yards.
3. All storage buildings or garden sheds must be constructed of wood, have shingle roofs, and match the house style and color scheme.
4. Metal buildings are prohibited.

### **DRIVEWAY IMPROVEMENTS**

1. All driveways shall be constructed of poured-in-place concrete and match the materials of existing driveway as closely as possible. No coloring or additives are permitted. Gravel, wood chips or any material except poured concrete is prohibited.
2. Height and grade must meet the requirements of the Town of Garner. The maximum height for driveways is at grade level.

3. The driveway must be constructed entirely on the subject property. No driveway improvement shall be constructed unless the property corners are clearly marked on the ground. The services of a professional land surveyor may be required if the iron pipes marking the existing property corners are not in place or found. Temporary driveways are prohibited unless they have been previously approved by the ARC.
4. A plan containing drawings of the proposed improvements should be submitted first to the ARC for approval. This plan should include the homeowner's original survey with improvements drafted to scale on the survey. If a copy of the original survey can not be located, a scaled drawing of the property showing all improvements and the existing boundary lines shall be required. After approval by the ARC, the homeowner may need to apply for a permit from the Town of Garner. Any changes to the original plan as required by the town must be resubmitted to the ARC for approval.

## FENCES

1. Fencing styles shall try to match the existing fencing in and around the neighborhood. Generally, wooden picket and solid fencing are the preferred types. Metal and chain link fencing is prohibited. Split rail fencing is prohibited. Temporary fencing is prohibited unless it has been previously approved by the ARC.
2. All plans for fences should be submitted for approval by the ARC prior to starting construction or installation.
3. The maximum height for fencing is six feet. Fencing should not block sight triangles or turning lanes within the subdivision.
4. No fencing shall extend past the front corner of the home. The fencing must be constructed entirely on the subject property. No fence shall be constructed unless the property corners are clearly marked on the ground. The services of a professional land surveyor may be required if the iron pipes marking the existing property corners are not in place or found.
5. Gates must be constructed to match the adjoining fence. The maximum width for a single gate is four (4) feet. The maximum width for a double gate is eight (8) feet.
6. A plan containing drawings of the proposed improvements should be submitted first to the ARC for approval. This plan should include the homeowner's original survey with improvements drafted to scale on the survey. If a copy of the original survey can not be located, a scaled drawing of the property showing all improvements and the existing boundary lines shall be required. After approval by the ARC, the homeowner may need to apply for a permit from the Town of Garner. Any changes to the original plan as required by the town must be resubmitted to the ARC for approval.
7. Placement of invisible fencing must be confined to the back and side yard only.

## PLAY STRUCTURES

1. Homeowners should submit all plans for swing sets, play houses, jungle gyms, trampolines and other play structures to the ARC for approval prior to the commencement of construction or installation.
2. Any play structures must be confined to the rear yard.

## POOLS, HOT TUBS AND SPAS

1. Above-ground pools are prohibited for aesthetic and safety reasons.
2. In-ground pools and hot tubs/spas must be approved in advance by the ARC.
3. Any pools or hot tubs/spas must be confined to the rear yard, and must be enclosed by a fence as a safety measure to keep unsupervised children from playing on the equipment.

## TREE REMOVAL (Covenants Article X, Sec 15)

1. No tree having a trunk diameter exceeding 4 inches (when measured at a height of 4 feet above the ground) shall be removed without the ARC approval, unless the tree is dead, diseased, damaged or poses an imminent threat or danger to persons or property.
2. Tree removal guidelines apply to all locations within each property, in common areas and along the greenway.

## MISCELLANEOUS

### BASKETBALL GOALS (Covenants Article IX, Article VIII)

1. All basketball goals mounted on the house or on free standing poled in the ground require prior ARC approval.
2. For aesthetic and safety reasons, all portable basketball goals must be stored away from the street when not in immediate use.
3. Homeowners are allowed only one portable basketball goal per street address.

### CLOTHESLINES (Covenants Article X, Sec 8)

Exterior clotheslines are prohibited.

### FIREARMS

In concordance with a Town of Garner ordinance, the discharge of firearms, fireworks, or other noise-making or explosive devices is not permitted within the boundaries of the Landings at Lakemoor community.

### GRILLS AND BARBECUES (Covenants Article IX):

Grills and Barbecues are permitted in the rear or side (beyond the rear corner of the house) yards.

## MAILBOXES

1. All new mailboxes or replacements shall conform to the mailbox and post style presently existing in the neighborhood.
2. Mailbox posts shall be left natural or painted white.
3. Planting around the base of the mailbox is allowed provided the street number remains visible.

## SATELLITE DISHES (Covenants Article X, Sec 8)

1. Satellite dishes larger than 18 inches are prohibited.
2. Where possible, please place dish in an area where it is not visible from the street.

## SIGNS (Covenants Article IX and Article X, Section 7):

1. No sign of any kind shall be displayed to the public's view except those displaying either the homeowner or street identification, or one professional sign of not more than five (5) square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sale period.
2. Political signs shall be posted no more than four (4) weeks prior to an election, and must be removed within two (2) days after the election.
3. Temporary signs (such as those providing notice of yard sales and block parties) can be posted in common areas so long as they are posted no more than two (2) days before the event and are removed within one (1) day after the event. The single exception to this rule are signs notifying the neighbors of Homeowners' Association meetings, which can be posted up to seven (7) days in advance, and must be removed within one (1) day after the meeting.
4. The Association shall have the right to enter the property to remove any sign in violation of these rules.

## **ENFORCEMENT POLICY**

1. The homeowner shall be notified by letter (sent through regular post) of any violation to the Landings at Lakemoor Rules & Regulations. This letter will include a description of the violation and a requested remedy for the problem.
2. The homeowner will have 30 days from the postmark on the letter to correct the problem or to appeal to the Board of the Landings at Lakemoor Homeowners Association. (Exceptions to this rule include lawn maintenance and parking violations which require a response within 7 days). An appeal should be sent to the Community Manager who will forward it to the Board.
3. Homeowners failing to respond appropriately within 30 days from the postmark on the original notice of violation will receive a letter from the Community Manager providing them with a date on which the Board of the Homeowners Association will meet to discuss the issue. Homeowners are invited to attend this meeting and can appeal their case at this time. At this meeting, the board may vote to impose a punitive fine.

4. Fines should be paid to the Landings at Lakemoor Homeowners Association, and sent to the Community Manager.
5. Homeowners failing to remedy violation within 15 days of board meeting will be subject to having a lien placed on the property, and the homeowner will be responsible for any attorney's fees and filing fees for the lien.
6. If necessary, the Board may make repairs and improvements to restore property to a neat and attractive manner at the homeowner's expense, immediately due and payable.