



Homeowner's Association, Inc.

## **Rules and Regulations**

Revised 5/2009

### **1. General**

Pursuant to the Declaration of Covenants, Condition and Restrictions and the by-laws, the following rules and regulations are presented to the residents of the Association. "Resident" is to mean, owner(s) of a unit, tenant(s), or guest(s). "Common property" consists of all landscaped areas, grassed areas, parking lots, dumpster area, and hallways to the buildings.

### **2. Renting**

Tenants are required to abide by the rules and regulations of the Association and it is the owner's responsibility to inform their tenants of these rules and regulations. Any violation of these rules and regulations is the responsibility of the unit owners. No homeowner is to enter into a rental agreement of less than 30 days. Homeowners are to provide the association with the names and telephone numbers and lease agreements of their tenants.

### **3. Nuisances**

No noxious or offensive behavior is to be conducted in any unit, nor is anything to be done to the property that may be an annoyance or nuisance to the community.

### **4. Pet ownership rules**

No animals, livestock or poultry of any kind shall be raised or kept within any Unit or on any portion of the Common Elements, except that dogs, cats and other household pets may be kept in Units provided that said animals not kept for commercial purposes and further provided that they are kept subject to the following rules and regulations:

- (i) No more than two (2) household pets may be kept or maintained within any Unit;
- (ii) No household pet in excess of 15 inches at the shoulder or in excess of 50 pounds in weight may be kept or maintained within any Unit;
- (iii) No household pet shall be permitted on any portion of the Common Elements unless properly restrained;
- (iv) No household pet shall be left unattended on any portion of the Common Elements;

- (v) No household pet shall be restrained or left unattended on any deck or patio;
- (vi) All household pets shall be kept and maintained in compliance with all applicable laws and ordinances relating thereto;
- (vii) Homeowners are responsible for cleaning up all animal waste created by their respective pets in the community common areas. All pet waste must be cleaned up immediately.
- (viii) No pet shall be permitted or allowed to remain within the Unit or Common Elements if it constitutes a nuisance due to loud and persistent noise levels or vicious behavior.

Pets are not permitted on or in the common area of the Association unless on a leash, carried, or under the direct supervision of the owner. Pet owners are responsible for cleaning up after their pets in the common areas. Pet owners who allow their pet to damage common property are responsible for paying to have such damage repaired. Pet owners are to indemnify the Association and hold it harmless against any loss or liability of any kind whatsoever arising from, or growing out of having any animal in the condominium. Excessive barking of a pet, vicious behavior by a pet or other annoyance to the residents will be cause for an order by the Association to remove the pet from the property. Homeowners should be mindful of the privacy of others when walking their pets.

## **5. Automotive Maintenance and Operation**

Vehicles are to be operated on in a responsible manner while on Association grounds for the protection of other residents. No Maintenance, with the exception of washing and waxing of homeowners' automobiles, motorcycles, or associated equipment shall be allowed on the common property.

## **6. Parking**

No boat, marine craft, hovercraft, aircraft, trailer, camper, truck greater than one ton in size or motorized van used for commercial purposes (as distinguished from a van used as a passenger car) shall be parked or stored in the Common Elements unless approved by the Board of Directors. No vehicles or similar equipment shall be parked or stored in the Common Elements except passenger automobiles, passenger vans, motorcycles, and pick-up trucks that are in operable condition and have current license plates and inspection stickers. The foregoing restrictions shall not apply to any vehicle, machinery or equipment temporarily parked and in use for the construction, maintenance or repair of a residence in the immediate vicinity of the parking area. No inoperative motor vehicle may be parked or stored on any space or any public or private street or other area within Delaney Crossing for a period in excess of 48 hours or it will be towed from the property at the owner's expense. Each vehicle will occupy one space. Parking diagonally across two spaces is not permitted. Parking on the yards is prohibited. Vehicle repairs are also not permitted.

**PODS or portable storage units may only be parked in the Delaney Crossing parking lots for no more than 48 hours unless approved for further use by the Board of Directors.**

### **7. Deck and Patio Maintenance**

It is the resident's responsibility to protect the structural integrity of the decks and patios. Residents are to keep their decks and patios neat and clean. No personal property (furniture, tiki torches, etc.) is to be stored in the common area. Residents are to refrain from hanging and/or draping clothing, blankets, towels, etc. from patio/deck railings.

### **8. Exterior Building Changes**

Any homeowner wishing to make additions or changes to his or her unit or common area must receive written approval from the Board of Directors prior to implementing the change(s) or addition(s). Additions or changes include, but are not limited to, fences, walls, planting shrubs, patio additions, storm doors, paint, satellite dishes, etc. Requests for approval of any change or addition should be made in writing, giving a complete description of the proposed change or addition. The request should be given to the property manager who will present it to the Board of Directors for approval.

### **9. Damage to Common Property**

Any resident who damages common property by driving on the grass, allowing a pet to damage the buildings or landscaping may be required to pay for the repair of such damage.

The homeowner is responsible for maintaining all any appliances or components contained in their unit such as their dishwasher, washer/dryer, bathtub, shower, toilet, sinks, lavatories, air conditioning unit, water heater, gas logs, and smoke detectors.

### **10. Conduct of Children**

Parents are responsible for the general conduct of their children at all times. Damage to the common property or personal property of other residents is the responsibility of the parent.

### **11. Use of Common Area for Recreational Purposes**

No resident or guest may use the common elements for recreational purposes that involve rollerblading, skate boarding, or using wheeled recreational vehicles such as bicycles or scooters.

Use of these recreational vehicles is a safety hazard to both residents and their guests. Any violators seen using wheeled recreation vehicles in the common elements are subject to fines pursuant to the North Carolina Planned Community Act (N.C.G.S.47F-1-101 et seq.).

## **12. Commercial Activity**

No condominium is to be used for commercial activity.

## **13. Fixtures and Articles on Common Areas**

No item of any kind such as bicycles, plants, furniture, shoes, etc. are to be left in the hallways or in the storage closets in the hallways. Articles such as these interfere with the proper maintenance of the buildings and common property. They also create the possibility of liability for injury.

Littering is prohibited on common areas throughout the community. This includes cigarette butts and pet waste.

## **14. Noise & Nuisance**

In general, it is the responsibility of each resident to exercise a “good neighbor” policy at all times. Houseguest and visitors should be reminded to respect the rights and property of others.

- (i) Community quiet hours have been firmly established from 10:00 P.M. to 7:00 A.M. During this time residents and visitors are to exercise extreme care with the use of musical instruments, radios, television sets, simplifiers or other bothersome activities that create excessive noises that may disturb other residents.
- (ii) At all times , no resident or visitor shall make, permit or cause disturbing noises, odors or vibrations inside individual Units or in any common area, or permit anything to be done therein which unreasonably disturbs other residents or unreasonably interferes with the right, comfort or convenience of other residents. Residents are to refrain from loud talking, running up the stairs or slamming any doors when entering or exiting the buildings. All household noises shall be kept to a minimum at all times.
- (iii) No discharge of firearms or fireworks shall be permitted inside individual Units or in any common area at any time.
- (iv) No noxious, offensive, dangerous or unsafe activities shall be carried out in any Unit affecting common areas, or in the common areas, nor shall anything be done therein either willfully or negligently which may be or become a nuisance or annoyance to the other residents or interfere with their peaceful enjoyment of the common areas for the purposes for which they were designed.
- (v) No construction or repair work or other installation involving noises, smell or vibration shall be conducted in any Units, except on weekdays and Saturdays (not including legal holidays) and only between the hours of 8:30 A.M. and 6:00 P.M.

- (vi) Residents shall at all times comply with the all governmental laws and ordinances regarding sound and noise.

Any complaints regarding non-compliance are to be submitted in writing to the Association Management Company, for the consideration of the Board to act as a mediator. Written complaints should include the date, time and place of the alleged violation, and if known the names of the parties involved. Violations will be handled according to Section XXX of the Declarations of Condominium for Delaney Crossing and Sections 10 and 11 of the Bylaws of Delaney Crossing Condominium Homeowners Association, Inc. Specifically, violators may be fined up to \$100.00 per day for each violation of the rules and regulations.

### **15. Grills**

Grills are to be used in accordance with the NC Building Code which states that Charcoal burning grills, gas grills, or any open flame cooking grills are prohibited on upper level porches and balconies in multi-family building. Portable electric grills containing loose heat storage material such as lava rocks are also prohibited. These grills may not be used or even stored on any upper level porch. The first floor units may use grills only if they are located 10 feet away from the building.

### **16. Signs for Soliciting Business or Signs used to Advertise Available Units (ex: For Sale Signs and Rental Signs)**

Any kind of sign for soliciting business or sign used for advertising available units such as “For Sale” signs or “For Rent” signs are prohibited on the property. These signs are also prohibited in the windows of any units in the complex. A real estate information center located in the center of the complex has been provided for real estate advertisements. The information holders on this structure are to be used for these purposes.

### **17. Dumpsters**

No garbage, trash or discarded furniture shall be thrown, stacked, or deposited outside the dumpsters. All boxes are to be broken down before being deposited in the dumpsters.

### **18. Snow Removal**

The association’s snow removal policy is as follows: If it snows more than three inches, the Association will clean the parking lot and walkways. If it snows less than three inches, no snow removal will take place.

### **19. Bird Feeders**

There can be no bird feeders in the common area, except for humming bird feeders. Although they are attractive and bird watching is enjoyable, bird feeders attract squirrels, chipmunks and rats.

## **20. Guests**

Residents are responsible for their guests' actions that violate any of the above rules and regulations, or any further regulations that the Association may enact.

## **21. Front Entrance Doors**

The main front entry doors to each building may not be propped open and left unattended with the exception of moving large objects in or out of the units or service calls requiring equipment access. In order to maintain security of the residents, please take your front door key with you upon exiting the building and use your key to re-enter the building.

## **22. Water Heaters**

The water heater for each unit must be equipped with an expansion tank and a new pop off valve. In addition to an expansion tank and valve, all first floor units must have their emergency overflow pipe directed to the outside of their storage building.

## **23. Vehicle Speed**

The speed limit is 15 mph in the common elements. Any violators seen speeding or driving recklessly in the common elements, are subject to fines pursuant to the North Carolina Planned Community Act (N.C.G.S.47F-1-101 et seq.).

## **24. Keyless Entry System**

The new front door entry system was installed for the security of all residents. With the new system each owner has a personal 4 digit code that he/she selected as a means of entering the building without having to use a key.

Please remember that your personal code needs to be guarded and monitored closely. We cannot reprogram this code for you unless there is a malfunction in the equipment.

Should any owner decide to change their 4 digit personal code for any reason, management reserves the right to charge a \$40.00 fee for this service.

## **25. Rule Changes**

The Board of Directors of the Association reserves the rights to change or revoke existing rules and regulations, and make such rules and regulations from time to time, as in their opinion, are necessary.

## **26. Violations**

Residents are encouraged to report violators to the Association Manager. Any complaints regarding non-compliance are to be submitted in writing to the Association Management Company, for the consideration of the Board to act as a mediator.

Written complaints should include the date, time and place of the alleged violation, and if known the names of the parties involved. Violations will be handled according to Section XXX of the Declarations of Condominium for Delaney Crossing and Sections 10 and 11 of the Bylaws of Delaney Crossing Condominium Homeowners Association, Inc. Specifically, violators may be fined up to \$100.00 per day for each violation of the rules and regulations pursuant to the North Carolina Planned Community Act (N.C.G.S.47F-1-101 et seq.).

## **27. Conclusion**

Residents of the Association are requested to cooperate by adhering to the Rules and Regulations. These regulations were not set up in an arbitrary fashion nor were they created to inconvenience anyone. Their purpose is to protect the investment and ensure the safety and comfort of everyone using these facilities, so that the maximum amount of pleasure will be enjoyed by all the residents and their guest.