

# Rules & Regulations For the Calabash Lakes Community



**Revised Rules and Regulations  
Effective August 2023**

# CALABASH LAKES

## Homeowners Association, Inc.

NOTE: Users of this RULES & REGULATIONS document should understand that Calabash Lakes is a dynamic community and, as such, many influences (e.g., local/state/federal laws) have the potential to influence and encourage future changes to certain sections of these RULES & REGULATIONS.

### PREFACE

These Rules and Regulations have been duly adopted by the Board of Directors for Calabash Lakes Homeowners Association, Inc. (hereafter referred to as "Calabash Lakes" or the "Association") and are applicable to all Common Elements, Common Areas, Common Facilities, and Association-owned properties. Additionally, all residential property within the Association is subject to enforcement of those rules and regulations applicable to residential property in conjunction with the Articles of Incorporation of Calabash Lakes Homeowners Association, Inc. (hereafter referred to as the "Articles of Incorporation"), Declaration of Covenants, Conditions and Restrictions for Calabash Lakes and any amendments thereto (hereafter collectively referred to as the "Declaration"), and Bylaws of Calabash Lakes Homeowners Association, Inc. (hereafter referred to as the "Bylaws").

These Rules and Regulations, their limitations, restrictions, covenants, and conditions, are binding upon all entities including, but not limited to, property owners, tenants, transients, invitees, and guests, who have, or may acquire, an interest in property identified within Calabash Lakes Homeowners Association, Inc. Any conflict between these Rules and Regulations and the Declaration or Bylaws shall be resolved in favor of the Declaration. All local, state, and federal laws take precedence over the Calabash Lakes Rules and Regulations. Failure to

follow the Rules and Regulations may result in loss of common area use, loss of voting rights, and/or fines.

The Board of Directors may add, amend, or repeal any portion of this document. Be advised that failure and/or refusal of a property owner to comply with the provisions of these Rules and Regulations can result in fines, suspension of privileges, and costs levied against the homeowner for monies spent by the Association in the event the Association retains legal services to the violating property in compliance with these Rules and Regulations. All such consequences shall be properly noticed and comply with all provisions of the Declaration, Bylaws, and North Carolina Law.

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**1. USE OF MOTOR VEHICLES, STORAGE, PARKING, AND STREETS:**

Motor Vehicles: Golf carts and mopeds which comply with North Carolina statutes for street operation are permitted on public streets. Dirt bikes, all-terrain vehicles, or similar off-road vehicles not properly licensed and registered as required by North Carolina statutes may not be operated within Calabash Lakes. Exhaust systems shall be muffled so as not to create a nuisance.

**2. STORAGE, PARKING AND STREETS:**

**A - STORAGE**

Storage and/or parking of a mobile home, trailers (with or without wheels), motor homes, tractors, trucks (other than pick-up trucks), commercial vehicles of any nature, campers, motorized campers or trailers, recreational vehicles.

**B - LOADING/UNLOADING**

For purposes of loading or unloading, the foregoing restricted vehicles may be temporarily parked on an owner's property if pre-approval is given by the Board of Directors. Refer to the Architectural Guidelines for more information on applying for Board of Directors' pre-approval. Storage units commonly referred to as "PODS," or similar type mobile storage units, are not permitted to exceed 14 days' presence at a residence without Board of Directors' pre-approval.

**C - CONSTRUCTION**

During active construction on a residential property, commercial vehicles required to remain in connection with that construction (e.g., dumpsters) may remain on the site of the construction for only so long as may be reasonably required to complete the construction. Refer to the Architectural Guidelines for more information on applying for Board of Directors' pre-approval.

## **D - OVERNIGHT & UNLICENSED & NON-WORKING**

No vehicle shall be parked overnight within any street or right-of-way. No unlicensed, stripped, partially wrecked or junked vehicle or part thereof may be visible to the public on any property, street, or street right-of-way. No vehicles shall be parked on the lawn of any residential property, vacant lot, or vacant property. No vehicle displaying "For Sale," or any other similar signage, shall be parked at or on residential units, nor on any Association Common Elements (including roads).

## **E - GUESTS**

Guests may use the community overflow spaces for up to 14 days without HOA approval. There is no overnight parking on the streets.

## **3. SOLICITATION:**

Solicitation within the development is prohibited. The solicitation of contributions of money or property or otherwise canvassing for the contributions of money or property, offering of goods for sale by calling out in the street, and the selling, bartering, exchanging or the offering for sale of any tangible personal property along the streets or from private property, or from any wagon, truck, pushcart, concession stand, tent, or other moveable receptacles of any kind is prohibited. The distribution of pamphlets, brochures, or handbills for the purpose of soliciting or advertising business is prohibited.

## **4. YARD/GARAGE SALES:**

Yard sales require permission of the Calabash Lakes Homeowners Association, Inc.'s Board of Directors. A request must be sent to the management company. Yard sales may not occur more than two times a year. Display and sale of personal household goods property, commonly known as a "yard" or "garage" or "estate" or similar sale, is permitted. A Yard/Garage Sale shall only be permitted on premises owned or controlled by the owner. Signs for such sales are not permitted more than 48 hours prior to the sale, and must be removed at the end of the day of the sale. Only one YARD/GARAGE SALE sign is permitted on-site. No more than two directional YARD/GARAGE SALE signs are permitted at strategic locations off-site (e.g., street intersection). Each sign shall not exceed 4 square feet in area, shall be neatly painted or printed, and attractive.

A Yard/Garage Sales community organizer and the responsible lead for a community yard/garage is advised to contact, the Town of Carolina Shores for a permit to be issued in awareness of any traffic surge in the area.

## **5. APPLICABLE ORDINANCES:**

All Ordinances of the Town of Carolina Shores, Brunswick County and the State of North Carolina are applicable to all properties.

## **6. PROPERTY USE:**

### **DEFINITION**

A. Individually owned residential property including, but not limited to, Single-Family Homes, Townhomes, or Duets shall be used solely for single family residential living.

B. COMMERCIAL ACTIVITIES ARE NOT PERMITTED.

## **7. DETACHED STRUCTURES:**

All detached structures including, but not limited to, tents, trailers, mobile homes, or any other structures, shall not be permanently or temporarily maintained, created, erected, commenced, or improved on a Lot without written approval from the Architectural Review Committee or the Board of Directors.

## **8. CONDUCT:**

All residential property owners, tenants, guests, and invitees shall conduct themselves with respect and regard toward all members of the community. All noxious, vulgar, offensive, or illegal activities are prohibited. No residential property owner, tenant, guest, or invitee shall engage in any conduct which constitutes an unreasonable annoyance or nuisance to any person within Calabash Lakes.

## **9. DISTURBANCE OF NATURE:**

Activity that materially disturbs or destroys vegetation, wildlife, water, or air quality is prohibited within the Common Elements of Calabash Lakes.

## **10. FIREARMS:**

Discharging of any firearm as defined in the statutes of the State of North Carolina including, but not limited to, revolver, rifle, shotgun, BB gun and paintball gun is prohibited within the Common Elements of Calabash Lakes.

## **11. FIREWORKS:**

Discharging of fireworks or any incendiary device within the Common Elements of Calabash Lakes is prohibited.

## **12. OUTSIDE BURNING:**

Refer to the Architectural Guidelines.

## **13. PROPERTY MAINTENANCE & LANDSCAPING:**

Property owners shall maintain all homeowner-installed landscaping on their property at the level specified in the Architectural Guidelines. Accumulations of trash, debris, and/or other unsightly litter is prohibited. Depositing or dumping of any yard waste (such as grass clippings, shrubbery clippings, tree branches, etc.) on any lot or on any common area is prohibited.

## **14. EXTERIOR LIGHTING:**

Refer to the Architectural Guidelines.

## **15. DAMAGED AND REBUILT IMPROVEMENTS:**

The residue of any building or improvement must be removed within a reasonable amount of time as determined by the Architectural Guidelines.

## **16. REAL ESTATE RESALES SIGNS:**

Only one sign per property, facing the road, is permitted. The sign must be in accordance with the Architectural Guidelines.

## **17. POLITICAL SIGNS:**

A Political sign is defined as a sign which attempts to influence the outcome of an election, including supporting or opposing an issue or candidate. Political signs are permitted as long as they are placed no more than 45 days before the election and removed no later than seven days after the election. Such signs must be placed in the property owner's yard, and may not be attached to trees, fences, or utility poles. Political signs may not exceed 4' x 6'. Only one sign per candidate/issue is permitted.

## **18. EXTERIOR AMENITIES:**

Refer to the Architectural Guidelines.

## **19. PAINTING AND EXTERIOR ALTERATIONS:**

Refer to the Architectural Guidelines.

## **20. CONCEALMENT:**

Refer to the Architectural Guidelines.

## **21. GARBAGE, TRASH AND RECYCLING DISPOSAL:**

Refer to the Architectural Guidelines.

## **22. WATER RUN-OFF:**

Refer to the Covenants.

## **23. PETS:**

A person must accompany his/her pet(s) when the pet(s) is outside the boundary of the owner's house. Pets will be leashed when they leave the boundary of the owner's house. The owner will always have control of his/her pet(s). The person accompanying the pet shall carry pet waste bags or utensils to immediately clean up pet waste. Refer to the Covenants for complete information.

With the exception of certified service animals, pets are prohibited in the clubhouse, tennis/pickle ball courts, the pool, and the pool area.

## **24. HOMEOWNERS CONTACT INFORMATION TO THE MANAGEMENT COMPANY:**

All homeowners are required to provide current contact information to the management company. To maintain up to date records, a mailing address, home telephone number, cell phone number and an e-mail address are required. It is particularly important that this information be available in case of an emergency.

## **25. RENTERS CONDUCT AND PROPERTY RENTAL:**

### **RENTAL USE DESCRIPTION**

All rental agreements are subject to Town of Carolina Shores, Federal and North Carolina State regulations. For purposes of these Rules and Regulations, a tenant shall be defined as anyone in possession of a property owner's residential unit in exchange for any sort of consideration.

### **A - RENTER RESPONSIBILITY**

Property owners shall be responsible for the actions of their tenants while they are at Calabash Lakes, and shall be held responsible for their conduct and any damage to the common areas, facilities and equipment or furnishings of the common facilities, and violations of the Rules and Regulations and Architectural Guidelines.

### **B- COPY OF LEASES**

All Leases must be forwarded to the Calabash Lakes management company for review. The owner shall provide a copy of the Calabash Lakes Rules and Regulations and Architectural Guidelines to the tenant. The owner will ensure that the tenant has read and understands the Calabash Lakes Rules and Regulations and Architectural Guidelines.

The owner will have the tenant sign an acknowledgement form and submit it to the management company.

### **C-RENTAL TIME LIMIT**

Single-family, townhomes and duets shall not be for a period of less than one year. This includes individual rooms as well as the entire home.

## **26. OWNERS GUESTS:**

Property owners shall be responsible for the actions of their guests while they are at Calabash Lakes, and shall be held responsible for their conduct and any damage to the common areas, to the equipment or furnishings of the common facilities, and for any violations of the Rules and Regulations and Architectural Guidelines. Guests shall not be entitled to reserve any of the common facilities.

## **27. USE OF COMMON FACILITIES:**

### **A - COMMON AREA / CLUB HOUSE USAGE**

The common element and facilities are established and maintained for the benefit of the residential property owners. Anyone using the Calabash Lakes common elements and Facilities or any of their components, shall do so at their own risk. Use of the club house by anyone under the age of fourteen (14) years is prohibited without adult supervision (18 years or older).

Club house hours are 6am to 10pm.

Common elements include, but are not limited to, the swimming pool, club house, tennis courts/pickle ball courts and all common areas of Calabash Lakes.

Gambling for money is not allowed on the premises.

### **B - CLUBHOUSE RESERVATIONS**

Reservation of the club house is for owners only. There is a required deposit fee to reserve the club house and an hourly based fee. Written permission is required by the Board of Directors of Calabash Lakes. Contact the management company for instructions. The Board of Directors of Calabash Lakes reserves the right to deny reservation rights to any property owner for any event it determines in its sole discretion to be an event not within the intent and purpose of the existence of these common facilities. The reserving owner is responsible for all damage to the clubhouse and grounds. The reserving owner is required to ensure that the club house is cleaned and free of all garbage at the end of the event. The reserving owner will incur fees to clean the club house if it is not returned to original condition.

### **C - SMOKING**

Smoking, Vaping, or use of chewing tobacco at the club house, tennis/pickleball courts or pool area is prohibited.

## **D - COMMUNITY BULLETIN BOARD**

A bulletin board is provided in the club house for the sole purpose of posting information of interest to property owners. Posting or circulation of commercial advertisements on the bulletin board is prohibited.

## **E - ALCOHOL POLICY**

The responsible consumption of alcoholic beverages by those of legal age is permitted in the club house and at the pool area. The statutes and regulations of the State of North Carolina dealing with alcohol, smoking, use of controlled dangerous substances and illegal drugs are applicable and any conduct which would constitute a violation of those statutes and regulations is prohibited. No Glass containers allowed within the pool area.

## **F - COMMERCIAL SOLICITATION**

Commercial solicitation and/or sales are prohibited in all the Common Elements and facilities.

## **G - SKATEBOARDING & ROLLER BLADING**

Skateboarding and roller-skating area prohibited at all common elements and facilities.

## **H - KAYAKING & BOAT USE**

There shall be no kayaking or boat use on any common elements and facilities including, but not limited to, ponds within Calabash Lakes.

# **28. FITNESS CENTER:**

## **A - OVERVIEW**

To use the Fitness center, individuals must be at least 14 years of age; anyone 14-17 must be in the presence of a responsible individual at least 18 years of age. Individuals under 14 years of age are not permitted in the Fitness Center for any reason and may be asked to leave for safety purposes. Anyone using the Fitness Center is responsible for his/her own safety. There is no attendant on duty. Calabash Lakes is not responsible for any injuries.

## **B - USAGE**

- All equipment is on a first come, first served basis. Equipment may not be reserved.
- Instructions posted on or in proximity to each piece of equipment must be followed.
- Use of cardio equipment is restricted to thirty (30) minutes when others are waiting.

## **C - ATTIRE**

Proper attire must be worn while using the exercise equipment. Shirts and proper athletic footwear are required. Wet swimwear and flip-flops are prohibited.

## **D - CLEANLINESS**

Contact surfaces (anything you touch) on or near equipment shall be wet wiped after use.

## **E - FOOD**

Eating in the Fitness Center is prohibited.

## **F - COURTESY**

Individuals using the Fitness Center shall be considerate and respectful of other users. The volume of the television, radio, recorders, and CD players shall be kept at a level not to interfere with the peaceful enjoyment of others.

## **G - MISUSE**

Misuse of equipment may result in possible rules violations and fines. All hand weights, mats and balls are to be returned to their respective places when not being used. No equipment is to be removed from the Fitness Center.

# **29. POOL AREA:**

## **A - DATES & USAGE**

The pool area is open from May 1st to October 31<sup>st</sup>. Pool hours are 7:00 am to 10:00 pm. Violation notices can be issued by the management company if owners are swimming outside of the permitted hours.

The pool areas may not be reserved for private parties. The use of the swimming pool is always at the users' own risk. No lifeguard is present. Use of the pool by anyone under the age of fourteen (14) years is prohibited without adult supervision (18 years or older).

There is no smoking, vaping, or chewing of tobacco in the pool area. Intoxicated persons may be asked to leave the pool area. No pets or animals of any kind are allowed in the pool or pool area except for a certified service dog. The pool is for private use of members and their guests.

The Board of Directors reserves the right to deny use of the pool and pool area for any reason. Guests must be invited by a member. Members are required to maintain the areas they use and remove all garbage and refuse.

## **B - POOL USE & SHOWERS**

Showers are required prior to entering the pool. Running and/or horseplay, diving or cannon balling is prohibited. Use of any of these facilities under the influence of illegal drugs/ substances, or prescription medication which may impair normal activities is prohibited. Use of any of the pool by persons with any condition or disease transmittable via water is prohibited. Use of any of the facilities discussed in this section by persons with communicable diseases, eye, ear, or nasal infections is prohibited.

## **C - EQUIPMENT**

Use in the pools of snorkeling or scuba equipment, other than a mask is prohibited. The use of small floats, toys, balls, or other similar objects is permitted; however, the use of such objects must not interfere with the peaceful enjoyment of others. Noisy or hazardous activity, boisterous or rough play, and excessive splashing are prohibited. The volume of audio equipment shall be always kept at a low level to not interfere with the peaceful enjoyment of others.

## **D - GLASS**

Use or possession of glass or breakable objects in the pool area is prohibited. Broken glass in a pool will require draining and cleaning, the cost of which will be charged to the property owner(s) responsible.

## **E - LOUNGE CHAIRS AND TABLE POLICY**

As a courtesy to others, reserving lounges, chairs and/or tables is prohibited, Umbrellas shall be kept closed when not in use, and closed when departing the pool area.

## **F - ATTIRE AND CHILDREN REQUIREMENTS**

Appropriate attire should be always worn. Infant children not potty-trained must wear swim pants/diapers. (A product similar to Huggies Little Swimmers disposable swim pants).

Diaper changing is limited to the restrooms.

For health reasons, swimming pools must be closed for up to 24 hours after anyone defecates in the pool, and the pool will be made safe by chemical shock. Parents and those responsible for younger children are encouraged to provide a degree of due diligence to ensure children are taken to restrooms periodically to prevent accidents.

## **G - SAFETY**

Swimming in the pools during inclement weather conditions is prohibited. No safety procedures or storm warning systems are being utilized to protect individuals from lightning strikes or other dangerous weather conditions. Responding to changing weather patterns is the responsibility of the users.

## **30. TENNIS/PICKLE BALL COURTS:**

The courts shall be open Monday through Sunday 7:00 am until dusk. Proper attire shall be always worn. The courts shall be used for tennis or pickle ball only. There is no reserving the courts.

## **31. Golf Cart Policy:**

In an effort to promote safety within the community regarding the use of golf carts, the following policies and procedures have been established:

- a. Drivers must have a valid driver's license and must be observant of, and attentive to, the safety of themselves and others including passengers, other motorists, bicyclist, and pedestrians.
- b. North Carolina drinking and driving rules will apply while operating a golf cart.
- c. Golf carts must adhere to the same driving and parking rules as automobiles.
- d. Driving or parking on sidewalks or grassy areas is prohibited.
- e. Golf carts must be parked inside the garage or covered in the driveway.