

Valleygate Villas HOA - Rules and Regulations

Effective: October 1, 2016

Fire Safety

1A As per North Carolina State Statute and Wilmington Fire Department, **no grills may be used within ten (10) feet of the building** or any other flammable surface. No grills are allowed to be stored in the common areas except when in use. No grills are to be stored on the front porch. In addition, fire pits will not be allowed for use anywhere within the community. Violations will be reported directly to the Wilmington Fire Department.

1B No owner or tenant shall or permit to be brought into the unit any flammable liquids such as but not limited to propane, gasoline, naphtha or benzene. No unit owner or occupant shall permit hazardous materials to be kept in their unit or common areas that will result in the cancellation of insurance maintained with respect to the HOA, or that would be in violation of any law, or that would result in the damage, abuse or destruction to or in their unit or the common elements. Nothing shall be done to or kept in any unit or common elements that cause an increase in the rate of insurance maintained with respect to the HOA without prior written consent of the Board.

1C The Board of Directors highly recommends each unit have a smoke detector and fire extinguisher installed and checked periodically on the premises.

Porches, Stairwells and Common Areas

2A Porches, patios, stairwells and common areas are not to be used for storage. No trash, whether loose or bagged, may be left on the porch. Bicycles, scooters, recreational items, toys, baby strollers and other such personal property are not permitted to be stored in the common areas or front porches.

2B Any Owner and/or Tenant hanging items on porches will be held responsible for any damages or injuries should these items fall.

2C Under no circumstances will anything be permitted to be mounted or attached to the building which would result in penetration of the siding, trim or roof. This includes holiday decorations and lighting on front and back porches.

2D No Owner and/or Tenant shall build or install any exterior improvement, or in any manner, change any part of the common elements unless provided for in the Covenants of Valleygate Villas HOA. To begin the improvement process, an Architectural Review Request form must be completed and submitted to CEPCO for the Board's review and consideration. Included are sample improvements which require Board approval prior to installation:

- Carpet or other floor covering(s) on the front and/or back porch floors;
- Painting of any exterior floor surfaces;
- Back porch screen enclosures (These must adhere to the community design standard for framing, screen type and door specifications).
- Casement windows need to match those used in the community.
- The installation or removal of any flowers, shrubs or plant material on the front, back porch areas or Common Areas.
- The installation of exterior retractable screen door.
- Examples of what is NOT ALLOWED to be on the porches, stairwells and in the common areas are:
 - No permanent strings of lights allowed on the front or back porches.
 - No hanging items allowed on the front porches.
 - No potted plants allowed on the back porch half wall.

IMPORTANT: Once the exterior improvement has been installed, it is the condominium owner's responsibility to maintain the installed exterior improvement.

2F It shall be the duty of each Owner, Occupant and/or Tenant to keep the Valleygate Villas property in a neat and tidy condition with no unsightly debris or storage of items in view. This also includes the back porch areas.

2G No Owner and/or Tenant shall display any kind of statue, sculpture or any other similar type of decorative object beyond the front porch area, (as marked by the downspout). No Owner and/or Tenant shall display any kind of statue, sculpture or any other similar type of decorative object in the common areas, (which includes the sidewalks leading up to front porches and the landscaped area in front and behind the condo).

IMPORTANT: Any existing decorative or structural items currently visible or displayed on the Owner's property prior to September 1, 2016, must be submitted for Board review and approval.

2H The display of temporary holiday and/or patriotic decorations is permitted, providing the display(s) does not create any nuisance or distraction to the community and/or its members. Decorations of any intended permanent nature must be submitted for Board review and approval.

Holiday Decoration Display Dates are as follows:

- **Halloween:** October 15th – November 5th
- **Christmas:** December 1st – January 7th
- **Other Observed Holidays:** Five (5) days before and Five (5) days afterwards

2I Damage caused to Common Areas or any other Unit(s) as a result of any activity by the Owner and/or Tenants, shall be the financial responsibility of that Unit Owner. This includes any damage to exterior building(s), grounds areas, trash enclosures, private roads and other amenities owned by the Association. The resultant repairs shall be performed by the Association at the expense of the Unit Owner.

2J No owner and/or tenant shall place a swimming pool on the grassy common areas or on the porches.

2K Light bulbs in the mounted front porch light shall be white or bug light yellow. No other light shall be used on the front porches except the mounted front porch light.

2L Five (5) medium potted plants are allowed on the front and back porches. Plants no more than twenty-four (24) inches tall.

Vehicle/Parking Area/Dumpsters

3A Parking spaces are numbered with the assigned Unit Number. One (1) parking space is assigned to each unit. Care should be exercised to not park in such a manner to prevent access to any Unit. Please use your assigned space before parking in another parking space. Non-numbered spaces are made available for Occupants and Guests throughout the community. As a consideration to Owners and Occupants, please direct Guests and/or Visitors to utilize the Non-numbered parking spaces away from the buildings whenever possible.

3B Parking is prohibited on any grassy areas or in front of the Trash Dumpsters.

3C Recreational vehicles such as boats, personal watercraft, campers, and trailers are not permitted in the community.

3D Storage containers (i.e. PODS) can only be used for moving purposes and must be approved by the Board in advance. Time limits for the use of PODS will apply.

3E Vehicles must have current registration and license plate tags at all times. Inoperable vehicles are not permitted (i.e. flat tire(s), leaking oil or other fluids, not running its own propulsion).

3F Any oil stains or similar spills shall be immediately cleaned up by the Owner and/or Tenant responsible for such stain or spill. If the stain or spill is not promptly removed, the Association will have the clean-up work performed and the amount will be charged to responsible Unit Owner's assessment account.

3G No repairs to any vehicle may be made in the parking lot unless such repairs can be completed in one day. If extenuating circumstances exist, the extended repair schedule must be presented to the Board for review and approval.

3H Violation of the above vehicle and parking requirements contained in 3A through 3G above may result in the towing of the vehicle(s) or recreational vehicle at the Owner's expense. Exceptions are utility, contractor, health care provider and/or emergency service vehicles while actively performing service or maintenance.

3I Washing vehicles is limited to passenger cars, vans and trucks belonging to condominium owners and/or tenants. No washing of vehicles on the grassy area or landscaped areas. Washing of vehicles is restricted to the owners and/or tenants assigned numbered parking space.

3J No trash is to be placed outside of the Dumpsters. No recycling is to be placed outside of the recycling bins. The homeowner may contact CEPCO to find out how to properly dispose of items too large or bulky to be placed in the dumpster. Material(s) left outside of the dumpster and recycling bin by an owner and/or tenant will result in the homeowner being issued a violation and/or fine.

Pets

4A Every Pet Owner and/or Tenant is responsible for the activity and behavior of their pet(s). This includes ensuring all pet waste is accounted for and their animals are under control at all times.

4B Pets of any kind are not allowed to roam free in the community (including cats). All pets must BE properly leashed and escorted at all times. Pets are not permitted in the island plaza and in the bedded areas.

4C All Pet Owner and/or Tenant shall indemnify the Association and hold it harmless against any loss or liability of any kind or character arising or resulting from having such animal on the property.

4D Owners and/or Tenants are encouraged to notify the New Hanover County Animal Services Division in any instances where an animal is running loose, barking continually or creating a nuisance or issue in the community. Owners can also alert CEPCO if a habitual problem exists, such as pets off leash or any failure to pick up pet waste. In these situations,

the identity and address of the pet's Owner will be required so Management can notify the Unit Owner directly.

Neighborhood Courtesy

5A No Owner and/or Tenant shall create any excessive noise, light level or disturbance which will interfere with the rights, comfort, or convenience of others in the community. Examples include any of the following: Loud stereos, radios, televisions, musical instruments, parties with excessive noise and barking dogs.

5B Unit Owners are responsible for the behavior and activities of the Tenants and/or guests. It is the Owner's responsibility to provide a copy of these Guidelines to any Tenant of their Unit and ensure their Tenants and/or Guests adhere to these Rules and Regulations of the Association.

Additional Rules

6A Satellite dishes and antenna, not over 18" in diameter, while permitted, must not be mounted to the roof, fascia or soffit areas, etc. An Architectural Review Request form must be completed and submitted to CEPCO for the Board's review and consideration prior to satellite dish/antenna installation.

The Board has the authority to require the satellite provider or contracting unit occupant to remove and/or relocate the dish improperly attached to the building or installed in the common area grounds. If discontinuing service or moving, the Owner must ensure the satellite equipment is removed. Any damage caused by the satellite device will be repaired by the Association and charged to the Unit Owner's assessment account.

6B No industry, business, trade, yard sales, occupation or profession of any kind shall be conducted, maintained or permitted within any part of the community.

6C "For Sale" and/or "For Rent" signs may only be displayed in the window of the unit.

6D Window blinds shall be white or off-white as originally installed in each unit and must be maintained in such windows at all times unless written permission for variance has been received from the Board of Directors. Shades are not allowed on the front porches.

6E No climbing in the trees on the Valleygate Villas property.

6F Homeowners may contact the HOA Exterminator company if they need pest remediation, this is offered at no charge to the homeowners. Contact CEPCO for HOA Exterminator information and contact information.

Conflict

7A In the event of any irreconcilable difference between the Rules and Regulations and the Declaration, the Declaration shall control; in the event of any irreconcilable difference between the Bylaws and the Rules and Regulations, the Bylaws shall control; and in the event of any irreconcilable difference between the Articles of Incorporation and the Rules and Regulations, the Articles of Incorporation shall control.

Adopted by the Board of Directors: September 28, 2016

Effective Date: October 1, 2016

Revised: July 25, 2018

SUPPLEMENT to VALLEYGATE VILLAS RULES & REGULATIONS

Board Pre-Approved Items

The following items have been pre-approved by the Valleygate Villas Board of Directors; however, a submittal must be provided to ARC prior to installation to ensure consistency and proper materials.

8A – Casement Windows -

Product Line: Vantage Pointe 6500 Series Coastal Windows

Frame Color: Bronze exterior with white interior

Where to Purchase: Home Depot

Important to Note: Since other windows at Valleygate resemble the bronze finish, it is necessary to have the bronze finish, which will be an extra expense. Windows cannot be painted, or it will void the window warranty per most window suppliers.

8B – Window Screens -

Screen material: Fiberglass mesh

Screen color: Charcoal mesh

Where to Purchase: Kraft Hardware or Home Depot

8C – Window Cranks -

Where to Purchase: BiltBest (866-305-5577)

Important to Note: The buildings were constructed with BiltBest windows. Homeowners may contact BiltBest for information about replacement cranks for original casement windows. Since the buildings were built in three different phases, these cranks may not work on all buildings.

8D – Rear Patio Sliding Glass Door -

Manufacturer: Jeld-Wen

Product line: Premium Atlantic Vinyl

Frame Color: Bronze exterior with white interior

Screen material: Fiberglass mesh

Screen color: Charcoal mesh

Optional: Internal tilt/rise white blinds installed between the panes of glass

Where to Purchase: Lowe's

8E – Screened-In Rear Patios -

Important to Note: Proposals must be submitted to the ARC Committee for approval prior to installation. The plans/blueprint must be included with the submittal.

8F – Front Door -

Where to Purchase: Lowe's

Paint Color: Benjamin Moore - Classic Burgundy

Important to Note: Front doors, with or without blinds inside, are acceptable.

8G – Invisible Retractable Door –

Important to Note: Proposals must be submitted to the ARC Committee for approval prior to installation. The door needs to match other existing invisible retractable doors in the community. Painting of the door is the homeowner's responsibility.

8H – Stairs and Decks -

Manufacturer: Trex

Color: Winchester Grey

Where to Purchase: Home Depot or Lowe's

8I – Paint Colors -

- Trim and Hardyboard Paint
 - Use Sherwin Williams Duration Gi Extra 6504-06390 K34W251; or
 - Use Duration SA Extra 6504-05822 K33W251
 - **Please contact CEPCO for paint color formulas**
- Front Door Paint
 - Use Benjamin Moore - Classic Burgundy