

## **WINDERMERE RULES AND REGULATIONS (January 2018)**

Rule Changes: Any request for a rule change must be made to the Management Company for consideration by the Board of Directors.

\*It is the responsibility of the homeowner to inform their tenants of the Windermere rules and regulations.

### **Pet Ownership:**

- All household pets shall be kept and maintained in compliance with all applicable City of Burlington laws and ordinances.
- No pet shall be permitted or allowed to remain within any unit if it constitutes a nuisance and/or annoyance as dictated by city/county ordinances.
- No animals, livestock or poultry of any kind shall be raised or kept on any Lot, except that dogs, cats or other household pets may be kept on Lots provided that said animals are kept in compliance with applicable local ordinances and are not kept for commercial purposes and further provided that they are kept and maintained in compliance with all laws and ordinances of the State of North Carolina and Alamance County relating thereto. Each Owner owning or having possession, charge care, custody or control of any pet shall keep such pet exclusively upon his or her Lot; provided, however, that such pet may be off the Lot if it is under the control a competent person and restrained by a leash or other means of adequate physical control. Each Owner will be responsible for cleaning up all waste deposited by animal upon any Lot.

### **Motor Vehicles and Parking:**

- No boat, marine craft, hovercraft, aircraft, trailer, camper and/or 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 nor in any parking lot within the Windermere community.
- No vehicles or similar equipment shall be parked or stored in approved parking areas except passenger automobiles, passenger vans, motorcycles and pick-up trucks that are in operable condition, have current license plates and inspection stickers. These 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 in any lot or on any public or private street within the Windermere properties for a period of more than 48 hours.
- Vehicles are to be kept in proper working condition in order not to create a nuisance or hazard, which includes environmental, noise or appearance. No repairs are to be conducted in the common elements including the removal of any automobile fluids.
- Vehicles parked in driveways cannot protrude on the street in any way. Each Lot shall contain sufficient off-street parking space for at least two (2) automobiles.
- Parking spaces in the multi-level units are not assigned parking spaces but are not to be used to store vehicles that are not in operation.

- Parking at the dumpsters is allowed for trash drop-off only. All other parking is prohibited.
- Parking on Sweetbay Circle on a regular basis is prohibited. However, in the event of special occasions, neighbor to neighbor communication is encouraged and if all agree to allow parking on Sweetbay, adequate access must be allowed for emergency vehicles such as a large fire truck. Overnight parking on Sweetbay is strictly prohibited.

**Installation of Satellites, Antennas, Flags or any other structure:**

- No unauthorized attachment to privacy fences or to the external siding/brick of any unit is permitted.
- One small decorative flag, no more than 2 ft. x 2 ft. in size may be displayed per unit. In the villas and in the two-story units, the bracket for holding the flag pole may be attached to the brick side of the garage. In the multi-level units, nothing may be attached to the external siding or balcony.
- According to Federal law all owners are allowed to fly the American flag as long as it is attached to their personal property and not the common area.
- No a-framed swings are allowed on front porches.
- No basketball or other sports goals or playground equipment is allowed in any area.
- Exercise equipment may not be left on porches or balconies.
- Storage buildings/sheds in the Villas fenced patios must not exceed the height of the fence.
- Satellite dishes require architectural committee approval prior to installation. Owners must submit an architectural modification request to the committee prior to installation. Approval will be determined based on the Restrictive Covenants Section 7 and Federal Laws.

**Exterior Modifications:**

- Exterior modifications by an owner or resident shall not be completed without the written permission of the Architectural Committee. This includes, but is not limited to, painting of exterior surfaces, removal or planting of flowers, shrubs, trees, etc. The Association maintains all exterior surfaces.

**Replacement of Windows/Screens:**

- All replacement windows and screens must be pre-approved by the Architectural Committee. Front storm door screens may be allowed as long as the screen does not obstruct the full view, white baked enamel look of the door.

### **Water Usage, Trash/Littering and Articles left in the Common Areas:**

- The Association is responsible for the water bills of the community. Excessive usage of water is not permitted. The washing of cars that do not belong to the homeowner is not permitted.
- No in-ground or above-ground sprinkler systems may be installed.
- Garbage and trash shall not be placed on or in any common area except for the dumpsters.
- Homeowners are responsible for breaking down all cardboard boxes before placing them in the dumpsters.
- No furniture, appliances, carpets, grills, construction materials, electronic equipment, etc. are to be put in the dumpsters or left outside of the dumpsters or in any of the common areas. Removal of these items is the responsibility of the homeowner.
- Bicycles of any sort, cans, storage bins, recreational items, motorized equipment and similar equipment or any personal property may not be placed or operated in any common areas of the villas and flats, including the space underneath the stairs in the multi-level units.

### **Signs/Posters:**

- No sign shall be placed or allowed to remain on any Lot except for one (1) "For Sale" sign, or one other temporary sign to advertise a yard sale or other temporary activity on the Lot. Any other temporary sign shall not be permitted to remain on any Lot for more than SEVENTY-TWO (72) consecutive hours.
- Only one sign or poster may be displayed per unit and must be placed in the shrubbery area or balcony or window so as not to interfere with the landscaping maintenance.
- No signs are to be placed in common areas of multi-level units. When a unit is for sale, one sign may be placed in a window or on a balcony of multi-level unit.
- No posters of any kind will be allowed in the common areas except for one For Sale sign.

### **Noise/Nuisance:**

- No owner or resident shall make or permit to be made loud, disturbing or objectionable noises nor using or playing musical instruments, radios, stereos, television or any other device in such a manner as to disturb their neighbors. This rule applies to any guests and includes the parking areas.
- In addition, no activity deemed noxious or offensive shall be carried on upon any Lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. Examples of such offensive activities shall include, but not be limited to, the origination or emission of any loud or disturbing noise or vibrations, the

maintenance of an auto repair site, the maintenance of unsightly outdoor storage of personal property (including toys, motorcycles or other motor vehicles, tricycles, bicycles, wood piles or other miscellaneous items) on porches, patios, terraces or yards, or similar unsightly activity not in keeping with the aesthetic character and high level of appearance of the community.

- No harmful or offensive activity shall be conducted in the common areas, nor shall anything be done that may be or become an annoyance to the neighborhood, the definition of which is at the discretion of the Board of Directors.

### **Landscaping/Yard:**

- No shrubs or trees should be added or removed without written approval from the Board of Directors through the Architectural Committee.
- Homeowners may add small annual flowers to existing shrubs. Pinehurst units may extend the existing shrub bed line on the owners' brick side of the garage not to exceed 3 ft. width from perimeter wall of garage to intersection of driveway with plantings of annuals only.
- Flowers planted by the homeowners are the responsibility of the homeowner, in maintaining and seeing to their care, including removing them when they die. If flowers with bulbs are in the ground, owner must maintain and keep them tied or cut so as not to fall over in the grassy area. The Architectural Committee will regularly check on the maintenance of flowers and if necessary, removal of flowers will be requested.
- Vines that attach themselves to the external brick are not allowed, example ivy.
- No plant, vine or tree in back courtyard or patio areas can grow taller than the fence.
- No more than 12 landscape/ground lights with a maximum height of 24 inches may be installed in existing flower beds at the front of the villas, but none in the mowing area. Installation must not interfere with underground utilities and HOA landscaping duties. Maintenance of lights is the responsibility of the villa owner. The use of the lights must not adversely impact quality of life in any way to the attached or neighboring units.
- No yard art, flower pots or decorative fencing and /or borders shall be placed in or around the landscaping beds or trees in the common elements. This includes but is not limited to any plastic, ceramic or metal decorative fencing/borders. The placement of such could cause injury to persons or equipment of landscaping crew.
- One bird bath and one bird feeder, no taller than 3 feet high, is allowed in the front of the villas as long as they are in the flower bed area and not in the way of the landscaping needs. Birdhouses should only be placed in the back-courtyard area.
- No flowers and/or decoration may be displayed in any of the common areas. Seasonal wreaths are acceptable on front doors and elsewhere during applicable periods. Wreaths are not acceptable on windows other than during the holidays.

- Any statue must be displayed on porch or in a corner of the common area as long as it does not interfere with landscaping maintenance. HOA will not accept responsible for any damage to said statues, including damage from the landscaping crew or any other maintenance.
- No hanging baskets are allowed in the front of a unit unless they are on a “shepherds hook” type plant hanger in front of the utility meters or in the common area as long as it does not interfere with the landscaping maintenance. Hanging baskets may not be hung from trees.
- Vinyl or metal trellises are allowed in front of the utility boxes as long as they are not attached to the brick wall.

### **Smoking:**

- Smoking is not allowed in the breezeways of the Flats. All cigarette butts are to be disposed of properly and not discarded in the common areas.

### **Water Hoses:**

- Water hoses and hose reels are not to be stored in any common area when not in use. Hoses left in common areas are subject to removal without notice when interfering with the landscaping maintenance.

### **Enforcement Policy and Procedure:**

Fines: A violation of these Rules and Regulations shall subject the owner(s) of the property to the following assessments:

- First offense – warning letter (certified and regular mail) with 5 days to comply.
- Subsequent offense – hearing with a judiciary panel/Board of Directors
- Up to \$100 fine per day/per incident

The HOA will have further right to seek legal remedies in a court of law as ask the costs and attorney fees be paid by the offending Association member. Fines shall be handled in the same manner as unpaid Association dues.

***Please note that this document is not all inclusive. For more information on the Rules and Regulations of the Windermere Condominium Homeowners Association, please refer to the governing documents of the HOA.***