NORTHCHASE



NorthChase Homeowner's Association Handbook

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NORTHCHASE HOA GUIDELINES

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MANAGEMENT COMPANY: CEPCO 910-395-1500

Important Contacts

NorthChase Website & Facebook
www.northchasehoa.com or search NorthChase on Facebook

NorthChase Property Manager:

CEPCO (Consolidated Estate & Property Control Corp.)	910-395-1500
Fax Number	910-395-6229
www.cepco-nc.com	

Emergency

Fire/Rescue/Police	911

New Hanover County Sheriff's Department

Non-Emergency	910-798-4200

Cape Fear Public Utility Authority

Water/Sewer	910-332-6550
Emergency & Service (Nights/Weekends)	910-332-6565

Cable TV

Time Warner	910-763-4638
www.timewarnercable.com/easterncarolina	

Telephone

AT&T	888-757-6500
Repairs (Residential)	611
Time Warner	910-763-4638
www.timewarnercable.com/easterncarolina	

Electricity

Duke Energy Progress	800-452-2777
Outages	800-419-6356

Trash Removal

Pink Trash	910-313-2556
Go Eco	910-399-4400
Waste Industries	910-762-7563
Waste Management	910-799-2655

Pool House

NorthChase Pool	910-793-0370

Introduction to the NorthChase Homeowner's Association Handbook

Welcome to the NorthChase community! The NorthChase Homeowner's Association Handbook is provided to all members of the Association to acquaint homeowners with the organizational structure of the Association, and to provide a quick reference to our governing rules, regulations and covenants.

The NorthChase Homeowner's Association is subject to the Planned Community Act of North Carolina General Statutes, Chapter 47F. It is from this Statute, and others, that the Association's governing Covenants, By-Laws and other regulations were derived. This handbook is intended to be a consolidated, quick reference guide of the governing rules and restrictions for the Association as well as to clarify and specify governing regulations not otherwise clear and/or well-defined in content. All members are encouraged to familiarize themselves with the content of this handbook, the Declaration and Restrictive Covenants, and all other governing rules and regulations for the NorthChase Homeowner's Association. This handbook does not supersede any state or federal laws and is only meant to be an extension of the Association Covenants, By-Laws, etc. Recommendations for its improvement are welcomed and comments should be directed to:

NorthChase Homeowner's Association
c/o CEPCO
1628 Doctors Circle
Wilmington, NC 28401

Our Association

The NorthChase Homeowners Association is made up of all the property owners within our community. The land parcel within which the community exists was dedicated to a subdivision plan which was approved by local authorities. Restrictive covenants for the subdivision were developed to set out restrictions on homeowner conduct and property use, as well as conditions for maintenance and improvements to individual property. Common areas were established for homeowners' use and community enhancement. A corporation was formed to embrace the entire community and the Articles of Incorporation for NorthChase Homeowners Association, Inc. were filed with the State. Under the terms of the Articles of Incorporation, the Association established Bylaws for its governance and a Board of Directors to administer the operation of the corporation.

The Association functions as a representative democracy; the Directors, elected by its membership, manage the functions of the association. The Declaration authorizes the Board of Directors to formulate and enforce rules concerning the use and enjoyment of common areas and to implement the established covenant restrictions on private lots.

The Board of Directors has contracted a property manager, Consolidated Estates & Property Control Corp., hereafter referred to as CEPCO, to facilitate the management of the Association. The property manager reports to the Board of Directors and handles the daily activities of the Association including accounting, maintenance of the common areas, administering capital improvements and property surveillance.

The Bylaws created a number of committees to address specific functions or concerns of the Association. These committees function under and report to the Board of Directors. These committees are made up of members from the association who volunteer to bring community spirit and sentiment into the operations of the Association. Serving on these committees allows each of us an opportunity to contribute to the overall well-being of our community.

As prescribed by the Covenants, an annual meeting is tentatively scheduled for each January to elect three Board Members and discuss/vote on issues that affect the community. Open Board meetings may be held quarterly to discuss and resolve in a timely manner, community operational issues. Please make an effort to attend these meetings. Time, date and place of the meetings will be advertised on the community website, in the newsletter and on signs placed throughout the community.

Please remember, this handbook is meant to give an overview of the rules and regulations of the NorthChase Homeowner's Association. For a more conclusive review of the rules and regulations, please read the Bylaws and Protective Covenants. These documents are available on our website at www.northchasehoa.com, under the "Documents" link, or they are available through CEPCO.

We are glad to have you as a part of NorthChase and look forward to working together to keep our neighborhood a wonderful place to live!

Sincerely,
The NorthChase Board of Directors

Architectural Guidelines

To provide consistency and harmony within each neighborhood and the community as a whole, the Protective Covenants were established. The following guidelines provide a ready reference to these covenant restrictions and NCHOA procedures to implement these rules and regulations.

Architectural Review Committee: The Architectural Review Committee was established under Article XI of the Bylaws of NorthChase Homeowners Association to assure compliance with the Protective Covenants. It is responsible for reviews of proposed construction and modification to the exterior of homes and lots as described in the Protective Covenants. The purpose of the Committee is to assure architectural compatibility within each section of NorthChase. Specifically, this Committee:

a. **Implements architectural guidelines.**
b. **Reviews architectural change** requests for compliance with the protective covenants
c. **Maintains records** of architectural applications and approved changes.
d. **Architectural Review Purpose**: The purpose of the architectural review is to ensure that alterations and additions are consistent with the Protective Covenants in harmony with the existing improvements and to enhance and protect the quality of the neighborhoods and the value of the real properties.
e. **Applicability**: As provided in Article III of the Protective Covenants, mandatory review and written approval is required before architecturally controlled changes can be made to any home or lot. No construction, erection or installation of any improvements shall be undertaken upon the properties and no subsequent alteration or modification of any existing improvements nor construction, erection or installation of additional improvements may be undertaken on any of the properties without prior review and express written approval of the architectural committee.
f. **Application Process**: Homeowners desiring to make any changes (including repainting or roof replacement that is the same color/type as what is existing) to the exterior of their home or lot are required to complete an Architectural Request Form (blank forms are available at the Property Manager's office and on the NCHOA website) and submit the request along with the following information to the Architectural Review Committee by mailing, faxing, emailing, or delivering the request to the Property Manager's office:
g. **Information Needed**: Survey or plot plan indicating existing improvements, property lines, existing easements and the proposed improvements. The

survey or plot plan shall provide all required dimensions of the proposed improvements, offsets from other structures and setbacks from property lines to document compliance with the Protective Covenants. b. Drawings of plan and profile views, pictures or similar information indicating construction details and final appearance of the improvements. c. Description of color (provide color samples) construction materials and other relevant information.

h. **Applications lacking required** information will be disapproved without further review. Please ensure all required information is provided to expedite the approval process.

Schedule: The Architectural Review Committee generally meets the first Tuesday of each month. Requests received before the regularly scheduled meeting will be processed at that meeting. Later submissions will be reviewed at the following month's meeting.

Appeals: In the event the homeowner is not satisfied with the determination of the Architectural Review Committee, the homeowner may appeal the decision to the Board of Directors by notifying the Association Manager in writing within seven (7) days. However, appeals should only be made if a homeowner believes the committee's decision was not in compliance with Association governing rules and regulations.

Guidelines and General Considerations:

All proposed improvements must comply with the Protective Covenants. Proposed improvements shall not interfere with area easements, drainage ditches, utilities or line of sight for vehicles.

The following guidelines and general considerations cover many of the common types of improvements made by homeowners. These are general guidelines and should not be considered as pre-approval of the application. Homeowners should refer to the Protective Covenants for the applicable subdivision in which the property is located when considering any modifications or improvements.

a. Use Restrictions: Article II of the Protective Covenants states that no lot shall be used except for single family residential purposes. No business, manufacturing, commercial or professional use is allowed within the bounds of the NorthChase Homeowners Association per Article VIII of the Protective Covenants. Fraternity houses, room houses, boarding houses or retail operations are also prohibited. No trade materials or inventories may be stored or regularly parked on the premises. No garage or accessory building shall be used for human habitation. (*Example:*

Service-related business that could has multiple customers that cause parking problems or disturbs neighbors)

b. Buildings and Structures: Each detached single-family dwelling, which shall not exceed three stories in height, may have one garage structure, either attached or detached, with space for no more than three cars. In addition, each lot may contain one non-metal accessory building which shall be constructed in the rear of the dwelling and not exceed 250 square feet in area. No structure or improvement shall be constructed within easements, or within required setbacks or offsets from other buildings. Refer to the specific Protective Covenants for the applicable subdivision. All exterior changes (including but not limited to) roof replacement and painting must be approved.

Major Additions: Major additions include improvements such as rooms, garages, greenhouses, screened porches, sunrooms, storage buildings, workshops, swimming pools, decks, patios, driveway extensions, etc. that are permanent installations to the property. The design of major additions must be similar in style and appearance, including color, to the existing structure. The location of the addition must not unnecessarily restrict the view or enclose the property of adjoining owners. No clotheslines, satellite dishes or any outside antennas shall be permitted without express written consent of the Architectural Committee.

Fencing: Fencing has a greater potential impact on adjoining property owners than most other types of improvements. All external barriers or enclosures, whether fences, walls or hedges, must obtain approval of the Architectural Review Committee. All such fencing, walls or hedges are only permitted in the rear of the dwelling, and may not extend forward of the rear corners of the dwelling, except with approval of the Architectural Committee. Fences must be between 36 and 72 inches in height, constructed of a non-metal material. Fencing, external walls and hedges shall be maintained in good repair and appearance. Chain-link fences and enclosures are prohibited in NorthChase.

Landscaping and Plantings: Landscaping and plantings should be designed to complement the house and property. They should be in harmony with the surrounding neighborhood and not be detrimental to the neighboring properties. Landscaping plans in general do not require architectural review unless they include the installation of hedges, screening, gazebos, ponds, fountains, permanent planters and pergolas or other structural or decorative elements. All plantings and lawn areas must be compatible with the neighborhood and properly maintained in good repair and neat appearance. Trees, hedges and shrubs that

restrict sight lines for vehicular traffic are not allowed. Any such existing intrusive vegetation shall be removed.

Mailboxes & Newspaper Tubes: In order to maintain a uniform look, the location and design of all mailboxes and newspaper tubes must be preapproved by the Architectural Committee. Failure to follow this procedure will result in removal or repositioning at the homeowner's expense. For community consistency, mailboxes and newspaper tubes (if used) are to be black and no decorative painting or covers are permitted, except for non-permanent seasonal decorations. Likewise, mailbox posts are to be treated wood in material, remaining 'wood' in color with no decorative painting. Clear sealants or wood protectants are permitted. Mailboxes, newspaper tubes, and posts cannot be painted to match the house to which it is adjoined. Replacement mailboxes must be of an approved type. Whenever the Architectural Committee-upon the direction of/notification by the Board of Directors or Property Management-makes a determination of needed maintenance or replacement, the homeowner will be notified. It is the homeowner's responsibility to ensure that the mailbox is in proper, working order. The box, door and flag must be in proper, working condition which includes not being rusted and of required color. Warning will be given to any homeowner whose mailbox is defective or dilapidated. Long term care, maintenance and replacement of all mailboxes and newspaper tubes will be the responsibility of the homeowner.

****Reflective Address Sign Program*: Recently, in an effort to find homes quicker in the event of an emergency, the Fire Departments and the U.S.P.S. have co-sponsored a program to supply reflective signs to be attached to the mailbox post. This is not a mandatory requirement for NorthChase residents to obtain. However, in an effort to continue to provide community consistency, these signs must be attached in the following manner: The sign itself is 6" by 18" with mounting holes inset 1" from the sides, mount the sign on the LEFT side of the post immediately beneath the newspaper tube with 4" being visible from the RIGHT side. If a newspaper tube is NOT being used, mount the sign in the same manner, 6" from the BOTTOM of the mailbox arm, not the brace.

****Requirement of Mailboxes, Newspaper Tubes, and Posts are pictured: **1.** Mailbox-Large, Black T2 (Metal); Home Depot #RO1 SKU 438-673. **2.** Mailbox Post-Plain Treated Post; Home Depot #RO2 SKU 866-628 o Newspaper Tube-6" dia. Pipe (ABS or PVC-painted black), attached underneath the arm with a 45-degree cut made from the mid-point as shown; this prevents rain water accumulation. If used, the cross brace MUST be removed and the post reinforced. **3**. Reflective Sign-6"x18" with 3" numbers, green in color, normally available stores that carry hardware supplies.

Metal Roofs: The Protective Covenants were established to promote harmony throughout NorthChase and maintain a residential appearance compatible with existing structures. Metal roofs have been a durable addition to buildings in commercial and industrial applications. Metal roofs are an acceptable addition to our community provided they present a residential appearance. Therefore, architectural type metal roofs that appear like asphalt shingle similar to other roofs in the neighborhood are acceptable subject to review by the Architectural Committee.

Solar Panels: The use of solar panels in the NorthChase Community will be approved for installation on the rear of the home or in the backyards. Installation must adhere to, and conform to, any and all county rules and regulations. Care should also be given to assure that they are as aesthetically pleasing to the community as possible. This includes surrounding the solar panels that are mounted on the ground with a fence to shield them from view of neighbors.

Architectural guidelines are based on interpretation of the Covenants and long-term past practices. This handbook is intended to familiarize the owners with the fact that guidelines do exist. Failure to comply with the guidelines for the community, whether they are printed in this handbook or not, will result in the homeowner being responsible for any corrective action that needs to be taken. Homeowners will be notified in writing by the NorthChase Association Manager, CEPCO, of any violation(s) of NCHOA Covenants and/or other governing rules and regulations. The letter will serve notice the homeowner is to take immediate action to correct the violation(s) to prevent the imposition of penalties or the institution of legal action to gain compliance. Any homeowner questions in regards to an alleged violation will be directed to CEPCO at 910-3951500. Homeowners will be notified in writing of any problem and will have thirty (30) days to comply with the requirements. If, after thirty days, the situation is not corrected to the satisfaction of the Architectural Committee, CEPCO will intervene on behalf of the Association at the homeowner's expense.

Vehicles & Parking:

Article IV of The Articles of Incorporation of NorthChase Homeowners Association, Inc. dated 1/16/1986 outlines the purpose and powers of the Association and states in part"…the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the Lots and Common Area…and to promote the health, safety and welfare of the residents…" To this end, the Protective Covenants have been written to prohibit certain activities upon all Lots and Common Areas that come within the purview of the association. One

such restriction, Article VIII of the Protective Covenants, applies to the parking of vehicles and reads as follows [in reference to Lots]:

Parking. **Adequate off-street parking** shall be provided by the owner of each lot for the parking of automobiles owned by such owner, and owners of lots shall not be permitted to park their automobiles on the streets in the development. Owners of lots shall not be permitted to park boats, trailers, campers and all other similar property on the streets in the development, and such property shall be parked in a garage or screened area. The Homeowner Association may make parking available for recreational vehicles and boats. No unlicensed vehicle or junk cars shall be parked on any lot, in the street or common area."

The NorthChase Association community leaders have defined the term "adequate off-street parking" to mean any hard surface of consistency, strength and structure as the existing lot driveway/parking area. Additional off-street parking surfaces must have the approval of the NorthChase Architectural Committee. Surfaces not considered as adequate off-street parking are any part of a lot lawn (seeded or unseeded).

In addition to the foregoing restrictions, the following parking restrictions apply to lots:

1. All Class A, B and C Commercial Vehicles, as defined by the U.S. Government Statue 383.91 and the U.S. Department of Transportation Federal Motor Carrier Safety Administration, and all motor vehicles, including but not limited to, having more than 2 axles, box trucks, cargo trucks, tow trucks, and vehicles for hire (*generally described as licensed for more than ¾ ton)* are banned from parking on any lot, common area, street or right of way in NorthChase at any time unless they are actively involved in servicing the lot or common area. **1.** If there is work being done on a home or property that has been approved by the Architectural Committee or HOA Management, and the temporary need arises to have such a commercial vehicle (as stated above) or dumpster parked during the hours from dusk until dawn or, approved time period, the homeowner shall request prior approval, in writing, from the Architectural Committee, which may grant or deny the request in their good faith discretion. **2.** Go-carts, golf carts and like vehicles must be screened from the view of neighbors and street traffic**. 3.** No automobile of any type may be parked on the seeded area of a lot screened or unscreened.

The following clarification applies to NO on-street parking: **1.** Parking on the street at any time is discouraged as it hampers emergency operations and places children at risk of being hit by oncoming traffic. **2**. Brief (short in time, duration,

length, or extent) resident on-street stopping/standing is allowed. There is no overnight parking on a street by a NorthChase resident/non-resident at any time. **3**. Short-term (involving or lasting a relatively brief time) on-street visitor parking is allowed but is not to be extended to overnight and is not allowed on a continuous basis.

The following clarification applies to Boat/Trailer/RV parking: The Board of Directors of the NorthChase Homeowner's Association recognizes that there are circumstances whereby homeowners may and should be able to utilize their respective homes for purposes of maintaining, cleaning, loading and unloading of boats, trailers, campers and all other similar property without keeping such property in a garage or screened area. In an effort to achieve a reasonable accommodation for owners of Boats, RVs or other recreational vehicles, and by means of clarification, the Board recognizes that the presence such property on an individual lot without being in a garage or screened area shall be allowed if the presence of such property conforms to the following:

1. Any towable boat, trailer, camper or other similar property shall remain at all times hitched to the vehicle bringing such item to a homeowners' lot while it is outside a garage or screened area; and
2. No boats, trailers, campers and all other similar property shall be located outside of a garage or screened area for more than 48 hours at a given time; and
3. In addition to the above, no boats, trailers, campers and all other similar property shall be located outside of a garage or screened area for more than a total of 4 days within any 30-day period. The above exceptions to the "Parking" provision of our Restrictive Covenants shall be strictly construed and any deviation from the above will be subject to the appropriate warnings, fines and other remedies available to the Association for violations.

Parking/Driving Vehicles on NorthChase Common Areas Article VIII of the Declaration of Covenants, Conditions and Restrictions for NorthChase, Section 1, states in part "…The Board of Directors of the Association have the power to formulate, publish and enforce reasonable rules and regulations concerning the use and enjoyment of the Common Area". Under this authority the Board of Directors publish the following restrictions in regards to parking/driving a vehicle on any NorthChase Common Area:

1. Parking/driving of a vehicle is allowed only at/upon designated areas of Common Areas.
2. Parking/driving of a vehicle on any Common Area adjacent to a NorthChase pond is forbidden.

3. Un-motorized bicycles and tricycles are allowed to traverse, stop/stand on any NorthChase Common Area not otherwise prohibited by other NorthChase rules and regulations**.** Motorized bikes, motorcycles, etc. are not to be ridden on the ball field area or walking paths.
4. No golf carts are allowed on common areas or walkways. No golf carts will be allowed on NorthChase residential streets unless it is a street legal, licensed and registered golf cart being operated by a licensed driver.

Overflow Parking: The Association provides a designated area at the community recreation center for additional overflow parking for residents and their guests. The restrictions that apply to the overflow parking lot are posted at the entrance to the lot. In short, the period of time that a vehicle may be left in the overflow lot is 5 days. HOA Management should be notified when any vehicle is to be left in the recreation center lot for more than one day; otherwise it is subject to being towed at the owner's expense. Also, unlicensed vehicles (*to include trailers*) and/or junk cars shall not be parked on the Common Area lot or other Common Area at any time. Access to vehicles in the lot is restricted from dawn to dusk due to the gate of the recreation center being locked at night. Vehicles are left in the Recreation Center parking lot at owner's risk. The Association takes no responsibility for vehicles left in the area and provides no security for the area.

Business Use of Lot Prohibited

Reference: Article VIII of the Protective Covenants. The Article states:

"BUSINESS, MANUFACTURING, COMMERCIAL AND PROFESSIONAL USES PROHIBITED; NUISANCES PROHIBITED. No part of the said property shall be used for business, manufacturing, commercial or professional purpose. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. No signs or billboards shall be erected or maintained on the premises, except real estate (no for-rent signage) subdivisions signs or other related type signs. No business activity or trade of any kind whatsoever, which shall include but not be limited to the use of any residence as a doctor's office or professional office of any kind, a daycare, a fraternity house, a rooming house, a boarding house an antique shop or gift shop, shall be carried on upon any lot. No trade materials or inventories may be stored or regularly parked on the premises." In addition to the prohibitions stated in Article VIII of the Protective Covenants above, the following applies: Real estate signs are limited to placement on homeowner lots. A maximum of two (2) signs per lot will be allowed. No real estate signs shall be placed on NorthChase Common Areas. This includes common area street corners, or the like. This prohibition excludes realtors' one day "Open House" signs.

Political signs on lots are allowed during elections but may not be placed on any common area. Two (2) signs per candidate will be allowed but may not be displayed any earlier than 45 days prior to an election and must be removed no later than seven (7) days after an election.

Yard Sales In an effort to provide residents with a means to unburden themselves from the collection of unwanted items, the NorthChase Homeowners Association shall allow yard sales under the following conditions:

1. Yard sales may only be held on Fridays and Saturdays.
2. Yard sales may begin as early as 7:00 am and shall conclude by 7:00 pm. Yard sales continuing after this time shall be deemed in violation of these rules and regulations and may result in fines being imposed on the homeowner.
3. Yard sale notification signs may be erected on NorthChase common area and may be erected as early as 12:01 pm the day prior to the sale and must be removed by 7:00 pm on the night the sale ends. Any signs left up after that time will be deemed in violation of these rules and regulations and fines may be imposed on the homeowners.
4. During the conduct of a yard sale, the association noise ordinance must be observed at all times so as not to become a nuisance to neighbors. The resident hosting the yard sale is responsible for insuring that the conduct of their customers and all local ordinances are kept.
5. All yard sale merchandise must be placed back in the home at the conclusion of each day's sale.
6. Reservations may be made for the Recreation Center pavilion for group or community yard sales. Contact the NorthChase Association Manager (CEPCO at 910-395-1500) for reservations.
7. Failure to comply with the above rules and regulations may result in monetary penalties and other legal action being imposed against the offending homeowner.

Rubbish/Trash Containers/Carts

1. Rubbish containers (including trash carts) are to be kept in the garage, screened from road view or at the rear of the home. Containers are to be taken to the curbside for pickup and removed the same day that rubbish is picked up. This also applies to containers or bags of yard debris. If you are going out of town, please have a neighbor put your container away.

2. If a container is left out for more than 24 hours, the homeowner may be given a written notice. Any further occurrences may result in a monetary penalty being levied against the homeowner.
3. Debris piles are not to be placed on common areas or in any drainage ditch or swale. Debris piles can be placed at the curb of a residence no more than 2 days prior to pick up. Offending owners will be charged the cost of cleanup and disposal. The only exception to this rule is in case of natural disasters such as hurricanes, severe storms and wind damage, when it is known that emergency funds have been given for clean-up and lot owners are encouraged to place trash off-lot only where directed after the emergency. No debris is to be placed on the side of the NorthChase Parkway unless prior Association approval and locations have been given. Official notification will be posted at www.northchasehoa.com.

Landscape Care

1. In an effort to maintain the community appearance and provide neighborhood consistency, the following rules and guidelines are established:
2. Lot maintenance is the responsibility of the homeowner. Lots must be kept free of debris and the lawn and all plant growth shall be properly maintained. Lots must be mowed on a regular basis during the growing season and should not exceed 6 inches in height, March through October.
3. Lots are to be maintained to the street and the middle of any easement or drainage area that may be on the property.
4. The lot owner is responsible for any maintenance required to keep drainage easement areas clear unless the ditch is maintained by the Association.
5. Common area drainage will be the responsibility of the community and will be administered by the Association.
6. In an effort to keep the drainage channels performing as intended, do not dump any yard waste or other trash into these ditches/swales or channels. This includes grass clippings blown into the streets by mowers, trimmers, blowers, etc. Clippings should be cleaned off the streets by the homeowners and not allowed to wash into storm drains. Pine needles are also a problem and should be removed so they don't cover the street drains and contribute to street flooding. Failure to abide by these guidelines causes the debris to wash downstream and become a problem for the neighbors and the community.
7. Lot owners who fail to perform landscape maintenance on their lot will be notified of the need for such care. Failure to timely respond to such notice may result in the Association hiring a landscape contractor to perform necessary lawn care, with the cost of the same being added to the homeowner's account. In such event, collection of lawn care charges are subject to the Association's adopted collection policy.

Property and Home Appearance

All houses and lots must be kept from developing any unclean, unsightly or unkempt conditions. All exteriors of the houses must be properly maintained. This may include but is not limited to, power washing, siding, trim and other repairs, cleanliness of house and/or lot.

Control of Pets

In order to provide a harmonious neighborhood, residents must recognize the need to properly restrict household pets. No animals or poultry of any kind, other than house pets, shall be kept or maintained on any part of a lot/property. All laws, ordinances, rules and regulations pertaining to dogs and cats adopted by New Hanover County are hereby adopted as rules and regulations for NorthChase. (A copy of the New Hanover County Code appears below.)

1. **Leashes**. All animals must be on leashes or similarly restrained at all times when outside the dwelling. This applies to animals on all private lots and on Common Property. Animals are not to be left unattended in the Common Areas. This includes the chaining of animals to posts, doors, electrical boxes, etc.
2. **Defecation**. Do not let your pet defecate on the lawn areas of others. Please carry bags to clean up with you when walking your animals. You are responsible for cleaning up after your pet in all Common Areas and disposing of the excrement at your residence.
3. **Enforcement.** Enforcement of the leash law and other local ordinances will be done by the New Hanover County Animal Control Office. Additionally, there will be a monetary penalty imposed and enforced by the Homeowner's Association against the owner/landlord for any dog that is allowed to run free.
4. **Barking Dogs**. The homeowner's first recourse is to speak to the offending pet owner. If this does not resolve the problem, notify the New Hanover County Animal Control and HOA Management will issue a notice to the homeowner. If the disturbance continues, a monetary penalty will be imposed and enforced by the Association against the owner/landlord of the barking dog. (*Note: Tape record noise*)
5. **Cat Ownership.** The owner of cats must demonstrate a measure of control over their cats so they do not disturb neighbors. Failure to comply with the above guidelines will result in the homeowner being notified of the problem in accordance with the fine policy. (*Additionally, Animal Control can be notified by the complaining homeowner.) (Off lot – pet must be leashed*)

New Hanover County Animal Control Code SEC 5-8:

1. Wearing of collar, tag and identification required…. **(b)** It shall be unlawful for any dog or cat
   owner to fail to provide his dog or cat with a collar or harness to which current county license/rabies vaccination tag shall be securely attached. (Code 1978,3-8)
2. SEC 5-9: Dogs and cats running at large prohibited; (**a**) It shall be unlawful for any owner of a dog or cat to allow it to run at large off the premises of its owner. (**b**) Upon an animal control officer's observation of a dog running at large or off the premises of it owner and not under the restraint of a competent person, or a cat running at large or off the premises of its owner and not under the control of a competent person, the officer may, at his discretion, impound said dog or cat or return it to its owner. (**c**) Upon an animal control officer's receipt of a complaint that a dog is running at large or is off the premises of its owner and not under the restraint of a competent person, or that a cat is running at large or is off the premises of its owner and not under the control of a competent person, the officer shall investigate the complaint; and upon finding that there is probable cause that a violation has occurred, the officer may issue a citation or a warning or take any other action contained in this chapter or any state law as the circumstances may require. (**d**) Any owner cited for a violation of this chapter may discharge the citation upon payment of the current fee schedule adopted by the board of health. If the dog or cat is impounded, the owner may redeem the dog or cat under the provisions of section 5-17, provided the owner is in compliance with all other applicable provisions of this chapter. If the owner is charged under a warrant, summons, or bill of indictment and convicted, the provisions of section 5-23 shall apply. (Code 1978, 3-7)
3. **SEC 5-10: Vicious Animals**. It shall be unlawful for any person to keep any vicious, dangerous or fierce animal within the county unless the animal is confined within a secure building or secure enclosure, or unless the animal is securely muzzled and under restraint by a competent person who, by means of a leash in hand, has such animal totally under control at all times. (Code 1978, 3-10)
4. S**EC 5-11: Barking Dogs.** It shall be unlawful for any dog owner to keep or have a dog that habitually or repeatedly barks in such a manner or to such an extent that it is a public nuisance (Code 1978, 3-11)

Financial Policies

1. NorthChase Homeowners Association operates on a fiscal year that begins on January 1st of each year. The Treasurer presents a recommended budget to the Board of Directors in the fall of each year. The budget is the basis for the annual maintenance fees (dues) on each lot. In order to provide a standardized method for collecting delinquent maintenance fees, the following policy was adopted by the Board of Directors:
2. **Collection Policy 1**. Annual maintenance fees for the Association are due on or before the 1st day of January of the year for which they apply. Other assessments and charges are due when billed.
3. **A grace period**, within which payment may be received by the Association without penalty, is allowed until the 40th day following the billing date.
4. **A late payment penalty** in the amount of Twenty Dollars ($20.00) will be added following the grace period and again on the 10th day of each month thereafter, to each account with a balance greater than zero.
5. **Once a late charge is added** to an account it becomes a part of the balance due on that account and subsequent late charges will continue to accrue until such time as the account no longer has a balance greater than zero.
6. **A lien can be placed on any lot**, the account for which has an unpaid balance continuing for a period exceeding 100 days. As provided in the governing documents of NorthChase, the cost of this proceeding will be added to the delinquent account and will become part of the balance due.
7. **All accounts that have an unpaid balance** continuing for a period exceeding 150 days shall be subject to all remedies provided for by the North Carolina General Statutes and the governing documents of the Association. Remedies shall include but not be limited to a suit for sums owed, foreclosure of the lien, including the cost of those proceedings and suspension of Association privileges.
8. **Rule violation fines may be added** to owner's maintenance (dues) accounts and are subject to all of the above provisions. 8. The Association may accelerate all provisions of this policy at any time it suspects that probability of collection is threatened.
9. **Fine Policy** consistent with the applicable provisions of NCGS 47-F, the NorthChase Homeowner's Association has promulgated the following fine policy to be applied to violations of the Covenants, Restrictions and Rules and Regulations.
10. • **1st Violation** - Written Notice of Violation (warning)
    • **2nd Violation** - Written Notice of Violation and $25.00 monetary penalty
    • **3rd Violation** - Written Notice of Violation and $100.00 monetary penalty
    • **Subsequent Violations** - To be determined by adjudicatory panel

(Monetary penalties may be levied if multiple violations have occurred during the prior 12 month period)

11. Property owners are entitled to a hearing upon receipt of violation before the Hearing Committee before a fine is applied to the owner's account. Following the opportunity for a hearing, subsequent violations are subject to the above fine policy without further warning or hearings. Such fines are applied for each observation of a violation.

Ponds & Drainage Storm Water Management System

NorthChase manages storm water runoff through a series of ditches, pipes, swales and retention ponds. It is important that these drainage features and the adjoining properties are kept clear of trash, debris, grass cuttings and other vegetation that can inhibit water flow. All personal solid waste materials must be properly disposed through the appropriate private waste management companies. No liquid or chemical waste should be deposited on NorthChase properties, since these materials have a detrimental effect on the drainage systems and landscape.

The ponds are an aesthetic feature to be enjoyed by all homeowners, family and guest. However, guests must be accompanied by the homeowner. The Association stocks these ponds with fish to reduce algae and weed growth, and maintain their quality and appearance with minimal use of aquatic herbicides. The fish also provide recreation for our residents. Fishing is allowed for homeowners and residents only. Any fish caught shall be released back in the pond to help maintain the stock and thereby reduce the maintenance cost to the homeowners. The ponds are on NorthChase common property; any non-member found fishing is considered trespassing and will be turned in to the proper authorities.

The grassed areas adjacent to the ponds have been damaged by vehicle traffic and parking. This detracts from the landscaping on our common areas and increases our homeowners' costs for maintenance. It also can result in contamination of and erosion of our ponds. Vehicles shall only be allowed on roads and shoulder areas along common areas and approved parking areas. Violators will be held responsible for all resulting damages.

At no time may any kind of motorized watercraft, rafts, canoes, kayaks, rowboats or vessels be used on the ponds. NorthChase ponds were not created for boating purposes.

Easements and Pond Usage To avoid trespassing on property of NorthChase Residents, the following addendums are being made to the "Ponds and Drainage"

section of the NorthChase HOA Handbook in order to clarify any misunderstandings about easements and pond usage:

1. If a property owner has an easement on their property (*a drainage easement surrounding a pond or ditch, utility easement, etc.*), this **ONLY** allows specific personnel such as someone working for NorthChase or an authorized utility company, permission to access the easement. It does NOT give any NorthChase resident the right to use the easement as a thoroughfare. Anyone using an easement as a thoroughfare or place to fish is in fact trespassing on a homeowner's property. The ponds are on NorthChase common property. This statement does NOT refer to the area surrounding a pond in a property owner's yard. Instead, it refers to the pond itself, as well as ponds located in the designated common areas.

We ask that all homeowners take note of these clarifications, and that they also communicate this information to their children and guest.

NUISANCE: (Defined Dictionary.com Unabridged (v 1.1) "Law **(If something is offensive or annoying** to individuals or to the community, especially in violation of their legal rights." Article VIII, Section 2 of the Declaration of Covenants, Conditions and Restrictions for NorthChase states "…[*you are entitled to] Quiet Enjoyment*.**)** No obnoxious or offensive activity shall be carried on upon the Properties which may be or may become a nuisance or annoyance to the neighborhood." In addition, Article VIII of the Subdivision's Protective Covenants states in part "…No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood." The Board of Directors may in its good faith discretion what constitutes obnoxious or offensive activity, a nuisance or annoyance to the neighborhood.

Failure to comply with the above rules and regulations that apply to a nuisance violation may result in fines and/or other legal actions being imposed against the homeowner of the property on which the nuisance occurs.

NorthChase Homeowner's Association Website

The NorthChase website is found at the web page address www.northchasehoa.com. The website is established for the use of all NorthChase homeowners/residents. Its purpose is to provide homeowners/residents a forum from which to view the Association's governing rules and regulations, current events and other community activities. The website also has a News and Notices Board for HOA official postings of information and notices pertaining to Association

business. Residents may direct questions or concerns to the appropriate recipient under the Requests/Questions section of the website. There are additional links on the website for posting personal information such as classifieds, garage sales, homes for sale, etc.

Prior to entering the official NorthChase Website, residents must have been assigned a user name and password. The user name and password can be obtained by opening the above website link and completing the "Request Login" link found on the "menu" of the main website page. Along with your login information, you will be provided additional instructions as to how you can remain logged into the web site without having to remember your login information each time you visit the web site.

Upon entering the website, residents should complete the personal information form to add or remove information you want or do not want published. Please include an email address (*even if it is not to be published*) so you can receive bulletins about postings to the website and other email bulletins published by your community leaders. To receive automatic News and Notices postings via email, residents must go to the News and Notices screen, scroll to the bottom of the page and check the "Subscribe to the News and Notices" box. Once this has been accomplished, all new postings on the board will automatically be sent to your email account.

The above outlines only a few of the amenities associated with the NorthChase Website. Sign on today! NorthChase owners pay for the website, please use it? For additional information/questions about the NorthChase Website, please contact the Association Manager.

NorthChase Homeowner's Association Pool & Recreation Facility

The following rules and regulations have been adopted for the benefit of the homeowners and for an enjoyable and safe environment for all. These rules are condensed; please see the website or the Pool Manager for complete guidelines. Please respect each homeowner's right to a clean, healthy and safe environment; it is everyone's responsibility. (*In the event unusual circumstances arise such as CV-19, pool rules and/or procedures can be changed immediately for variable time periods*.)

The pool will generally be open from Memorial Day weekend through September. Hours will be adjusted and posted as needed. Privileges are extended to those

homeowners who have paid the annual assessment fee, have no outstanding fines and who can present the recreation pass.

Pool management reserves the right to close the pool when necessary due to weather, maintenance or other problems.

By signing and accepting your recreation passes, you agree to abide by the Pool Rules and Regulations. Recreation passes may be required for events other than pool check in. Homeowner privileges are non-transferable, except to renters of the property if the lot owner so chooses. Recreation passes may be replaced at a cost of $5.00 each.

All people entering the pool must present their recreation pass. No pass, no admittance. All guests must be signed in/accompanied by the homeowner.

Homeowners who are found to have abused the rules of the Association, including those pertaining to the transferability of recreation pass and the registration policy, are subject to loss of privileges.

It will be the Pool Manager's discretion when to evacuate or close the pool due to weather. The general rule will be re-admittance if there has been no thunder for 30 minutes or lightning for 45 minutes.

Homeowners are personally responsible and liable for their own conduct and safety along with that of any children or guests brought to the pool. Homeowners are required to stay on the premises as long as guests and children under 14 are at the pool. Children under 14 using the pool must be accompanied and closely supervised by a homeowner or responsible caregiver of at least 18 years of age. Children of homeowner's families who are 14 years and older may use the pool unaccompanied by an adult based on the successful completion of a swimming test. The test will be administered at our pool by one of our pool attendants.

Abusive language and/or profanity will not be tolerated. Homeowners requesting to bring four (4) or more guests to the pool at one time must seek prior approval from the Pool Manager.

Food and non-alcoholic beverages are to be consumed in designated areas only. Small coolers are permitted. Alcohol is not permitted. Glass containers, including suntan lotions, are prohibited anywhere in the pool and recreation area. Trash and recyclables must be deposited in appropriate containers. Chairs and lounges are required to be kept at least six feel away from the pool. Swimming lessons will be coordinated by the Pool Manager. No one with a cough, cold, fever, inflamed eyes, skin disease or wearing a bandage will be permitted to use the pool.

Any person, child or adult who is incontinent, must wear a swim diaper when using the pool. Parents are responsible to impress upon their children the necessity of using the toilets (*not the pool)* when the need arises. Children under age 15 are not permitted in the deep end unless they have passed a swimming test administered by one of our pool attendants.

Running, pushing and horseplay of any kind are prohibited. No individual is permitted to use the pool outside regular hours or when no attendant is present. Being in the pool after closing will be considered breaking and entering and is grounds for prosecution.

Nothing shall be taken into pool area that may pollute the water, clog the filters or injure pool users. Large floats, rafts, etc. are prohibited. Exceptions may only be made by the Pool Manager. Diving will be permitted ONLY on the diving area red line.

No chewing gum on pool premises. No parking at front gate (*5 minute load/unload only*). The Pool Manager can restrict use of the pool to only lap swimming for ten (10) minutes every hour during open pool hours at which time all swimmers age 17 and under must get out of the pool. Worn swimming devices such as life preservers, or 'swimmies' are permitted in the two-foot area only and with adult supervisors.

Proper bathing attire is required (*i.e. bathing suits; no thongs or cutoffs allowed*). Everyone is required to shower before entering the pool water.

Pool attendants are there for general supervision of all users. They are not babysitters and are not be asked to do so for any individual.

Pets are not permitted at the pool. Smoking will be permitted only in designated areas outside of the pool. (*on left immediately after exiting pool gate*)

Bicycles are to be parked at bike racks and are the responsibility of the owner. Items in Lost and Found will be disposed of at the end of the season.

Pool attendants are authorized and empowered by the Association to enforce these rules and any other rules and regulations as may be necessary for the proper operation of the pool. The cost of any Association property damaged or destroyed by a homeowner, their family member or guest will be billed to the homeowner responsible.

Failure to adhere to rules and regulations will result in loss of pool/recreation area privileges.

The NCHOA is not responsible for loss or damage to any personal property left anywhere at the recreation areas.

For children 17 and under, a warning will be given to each child who exhibits unacceptable behavior or infraction of rules. If the behavior is exhibited again, the child will be given a warning and asked to remain in the pool shelter for 15 minutes. After three warnings, the child will be suspended from the pool area for one week. A note will be documented in the Pool Manager's file and a letter will be sent to the child's home/parent. The child may then return to the facility accompanied by a parent. Parents will be held responsible for their children's behavior.

In cases of adult misconduct, only one warning will be given. Thereafter, the adult will be asked to leave the area. The inappropriate behavior will be noted in the daily log by the recreation manager or attendant. Unacceptable behavior will be referred to the Sheriff's Department. If the homeowner feels he/she has not been fairly treated, he/she may appeal their case to the Board of Directors by contacting the Management Company.

Basketball & Tennis Courts

1. During pool season, tennis court reservations can be made with the Pool Manager during normal operating hours by showing ID cards. Hours of play will be limited to one hour for doubles and/or singles. Play may be continued beyond one hour if no one else is waiting for a court. Reservations will be held for 15 minutes only. Please cancel a reservation if you find you will not be using it.
2. Only tennis shoes on the tennis courts; no bare feet or sandal-type shoes. No food or soft drinks are allowed on any of the courts. Water is permitted.
3. Basketball team play is limited to one hour. Play may be continued beyond one hour if no one else is waiting for the court.
4. Misuse of equipment, including vandalism of any kind, will not be tolerated in the recreation areas.
5. The fencing around the tennis courts is to be kept locked when not in use. Call the Management Company or ask the Pool Manager for the combination to open the gate or get it when you make your reservation. It is the homeowner's responsibility to lock the gate when finished using the courts.
6. If you turn the outside lights on to use the courts in the evenings, it is your responsibility to turn them off before you leave; please help keep the electricity costs down. (*See large gray box outside TC gate*) **7**. Homeowners are personally responsible and liable for their conduct and for the conduct of anyone they bring to the recreation areas. (*Lighting is operational for only five (5) hours nightly*)

General Recreation Center Information: The recreation center gates will be closed and locked from sundown to sunup on a daily basis. Any cars left in the recreation center area when the gates are locked may be retrieved the next morning when the gates are opened.

These rules have been adopted by the NorthChase Board of Directors and may be amended at any time as deemed appropriate by the Pool & Recreation Committee. They will be reviewed and updated periodically. Any changes in rules will be posted on the NorthChase media site[s].

MANAGEMENT COMPANY: CEPCO 910-395-1500

Rights and Responsibilities for Better Communities
Principles for Homeowners and Community Leaders

Homeowners Have the Right To:

1. *A responsive and competent community association.*
2. *Honest, fair and respectful treatment by community leaders and managers.*
3. *Participate in governing the community association by attending meetings, serving on committees and standing for election.*
4. *Access appropriate association books and records.*
5. *Prudent expenditure of fees and other assessments.*
6. *Live in a community where the property is maintained according to established standards.*
7. *Fair treatment regarding financial and other association obligations, including the opportunity to discuss payment plans and options with the association before foreclosure is initiated.*
8. *Receive all documents that address rules and regulations governing the community association—if not prior to purchase and settlement by a real estate agent or attorney, then upon joining the community.*
9. *Appeal to appropriate community leaders those decisions affecting non-routine financial responsibilities or property rights.*

Homeowners Have the Responsibility To:

1. *Read and comply with the governing documents of the community.*
2. *Maintain their property according to established standards.*
3. *Treat association leaders honestly and with respect.*
4. *Vote in community elections and on other issues.*
5. *Pay association assessments and charges on time.*
6. *Contact association leaders or managers, if necessary, to discuss financial obligations and alternative payment arrangements.*
7. *Request reconsideration of material decisions that personally affect them.*

8. *Provide current contact information to association leaders or managers to help ensure they receive information from the community.*
9. *Ensure that those who reside on their property (e.g., tenants, relatives, friends) adhere to all rules and regulations.*

Community Leaders Have the Right To:

1. *Expect owners and non-owner residents to meet their financial obligations to the community.*
2. *Expect residents to know and comply with the rules and regulations of the community and to stay informed by reading materials provided by the association.*
3. *Respectful and honest treatment from residents.*
4. *Conduct meetings in a positive and constructive atmosphere.*
5. *Receive support and constructive input from owners and non-owner residents.*
6. *Personal privacy at home and during leisure time in the community.*
7. *Take advantage of educational opportunities (e.g., publications, training workshops) that are directly related to their responsibilities, and as approved by the association.*

Community Leaders Have the Responsibility To:

8. *Fulfill their fiduciary duties to the community and exercise discretion in a manner they reasonably believe to be in the best interests of the community.*
9. *Exercise sound business judgment and follow established management practices.*
10. *Balance the needs and obligations of the community as a whole with those of individual homeowners and residents.*
11. *Understand the association's governing documents and become educated with respect to applicable state and local laws, and to manage the community association accordingly.*
12. *Establish committees or use other methods to obtain input from owners and non-owner residents.*
13. *Conduct open, fair and well-publicized elections.*
14. *Welcome and educate new members of the community—owners and non-owner residents alike.*
15. *Encourage input from residents on issues affecting them personally and the community as a whole.*
16. *Encourage events that foster neighborliness and a sense of community.*
17. *Conduct business in a transparent manner when feasible and appropriate.*

18. *Allow homeowners access to appropriate community records, when requested.*
19. *Collect all monies due from owners and non-owner residents.*
20. *Devise appropriate and reasonable arrangements, when needed and as feasible, to facilitate the ability of individual homeowners to meet their financial obligations to the community.*
21. *Provide a process residents can use to appeal decisions affecting their non-routine financial responsibilities or property rights— where permitted by law and the association's governing documents.*
22. *Initiate foreclosure proceedings only as a measure of last resort. 16. Make covenants, conditions and restrictions as understandable as possible, adding clarifying "lay" language or supplementary materials when drafting or revising the documents.*
23. *Provide complete and timely disclosure of personal and financial conflicts of interest related to the actions of community leaders, e.g., officers, the board and committees.*

Responsibilities sections information furnished by: Community Associations Institute (CAI) is a national organization dedicated to fostering vibrant, responsive, competent community associations. Founded in 1973, CAI represents association-governed communities, such as condominium and homeowner associations, cooperatives, and planned communities.

