

Lincoln Place Townhomes – Rules and Regulations

Adopted 01/2024

All Lincoln Place Townhome Owners, Residents, and Guest are required to follow the Rules and Regulations as detailed in this policy.

Architectural: No structure shall be commenced, erected, or maintained upon any Lot. Nor shall any exterior addition, change, or alteration be made to the Lot without written approval from the Lincoln Place Board of Directors.

Restrictions on Use and Occupancy:

1. All Lots shall be used for single family residential purposes.
2. Only one family may occupy a house at a time.
3. Each Owner shall comply with all stormwater runoff and other governmental regulations as required by NC State Stormwater Management Permit SW 051028.
4. Fishing is not permitted in the Lincoln Place storm water pond. Feeding alligator(s) in the pond is prohibited by NC Wildlife Commission and Lincoln Place HOA.
5. Nothing shall be stored on the Common Areas or Limited Common Areas without prior written approval from the Lincoln Place Board of Directors.
6. There shall be no obstruction of any Common Areas or Limited Common Areas.
7. Nothing shall be done in any Townhome, Common Area or Limited Common Area that will increase the rate of insurance.
8. In the event that the need for maintenance, repair or replacement is caused through the willful or negligent act of the Owner, their family, guest or invitees, the cost of such maintenance, repair or replacement incurred by the Association shall be added to and become a part of the assessment to which such Townhome is subject.
9. Grills are allowed but they must be used 10-14ft away from the building. When grills are not in use they need to be covered and neatly stored along the fenced in back patios.
10. No personal items are allowed to be kept on the front patios for extended periods of time. *(This excludes designated outdoor décor.)*
11. No signs or other advertising devices shall be displayed upon any Townhouse which are visible from the exterior of the dwelling or on the Common Area, or in the facilities thereof, without the written permission of the Association. Homeowners, however, may post temporary For Sale signs on the properties until such time the unit has been sold.
12. All Christmas/holiday lights and decorations must be removed **by January 15th**. All other holiday (i.e., Halloween) decorations may be displayed 2 weeks prior and 1 week after the holiday.
13. No immoral, improper, illegal, noxious, or offensive activity shall be carried out in any Lot, Common Area, or Limited Common Area.

14. Windows and doors are the responsibility of the Townhome owners and should be replaced or repainted as needed to maintain an attractive appearance. Color changes require ARC approval.
15. All window treatments or coverings are to be 2" white blinds and kept in good conditions. No screens should be damaged, no fans or air conditioners in windows, and broken or warped blinds should be repaired immediately.
16. No satellite and/or radio receiving stations or outside television, or ham radios antennae shall be permitted, except as shall be approved or specifically permitted by the Board of Directors.
17. No garbage shall be stored outside of each homeowner's designated cart. It must be properly bagged and placed inside the trash cart.
18. Trash carts and Recycling carts are to be brought to the street for trash collection the night before trash collection and brought back to the Lot within two days trash is collected. Trash carts must be kept clean.
19. Each Owner shall repair, maintain, and replace at their own expense, when necessary, the heating and air conditioning systems servicing their dwelling.

Pets:

1. No animals, livestock or poultry of any kind shall be kept or maintained in any Townhome, except that household pets such as dogs and cats may be kept or maintained provided that they are not kept or maintained for commercial purposes. Further, all such pets must live indoors and may be outside any townhome only when kept under control on a leash.
2. Pets must be properly leashed at all times.
3. Pets shall not become a nuisance to others.
4. All pet waste must be picked up IMMEDIATELY and disposed of in the homeowner's personal trash cart.

Vehicles:

1. None of the following vehicles are permitted within Lincoln Place Townhomes: inoperable vehicles, vehicles that are unsightly in appearance, trucks, and other vehicles in excess of ¾ ton capacity, boats, motor boats, trailers, motor homes, ATVs, or similar vehicles or apparatus.
 - a. The Lincoln Place Board of Directors has the right to allow certain vehicles mentioned above with prior written approval from the Lincoln Place Board of Directors.
 - a. Boats must fit in 1 parking space and must be covered.
 - b. Trailers must be enclosed or covered neatly.
 - b. If you are given permission to park one of the vehicles mentioned above, you will be directed as to where you can park your vehicle. They will not be allowed in the numbered parking spots.
2. Vehicles are to be parked within the spaces provided. Two (2) parking spots are designated for the exclusive use of each Lot within Lincoln Place.
 - a. Additional personal vehicles must be parked in unlabeled parking spots.

3. Visitors' parking is on a first-come first-served basis and not occupied for more than 1 week.
4. Major vehicle repair/maintenance is not allowed within Lincoln Place. Minor vehicle repair must be complete within 3 days and cause nuisance to the neighborhood.

Lincoln Place Fine Policy

An excerpt from NCGS § 47F (North Carolina Planned Community Act)

§ 47F-3-107.1. Procedures for fines and suspension of planned community privileges or services.

Unless a specific procedure for the imposition of fines or suspension of planned community privileges or services is provided for in the declaration, a hearing shall be held before the executive board or an adjudicatory panel appointed by the executive board to determine if any lot owner should be fined or if planned community privileges or services should be suspended pursuant to the powers granted to the association in G.S. 47F-3-102(11) and (12). Any adjudicatory panel appointed by the executive board shall be composed of members of the association who are not officers of the association or members of the executive board. The lot owner charged shall be given notice of the charge, opportunity to be heard and to present evidence, and notice of the decision. If it is decided that a fine should be imposed, a fine not to exceed one hundred dollars (\$100.00) may be imposed for the violation and without further hearing, for each day more than five days after the decision that the violation occurs. Such fines shall be assessments secured by liens under G.S. 47F-3-116. If it is decided that a suspension of planned community privileges or services should be imposed, the suspension may be continued without further hearing until the violation or delinquency is cured. The lot owner may appeal the decision of an adjudicatory panel to the full executive board by delivering written notice of appeal to the executive board within 15 days after the date of the decision. The executive board may affirm, vacate, or modify the prior decision of the adjudicatory body. (1997-456, s. 27; 1998-199, s. 1.)

1st Violation “Courtesy Notice”

2nd Violation “Reminder Letter”

3rd Violation Official Notice of Infraction and Opportunity to Be Heard \$25 fine
4th Violation Notice of Recurring Violations \$50 fine

5th Violation Notice of Recurring Violations \$75 fine

6th Violation Notice of Recurring Violations \$100 fine

Subsequent Violation Will be determined by the Board of Directors.

Property owners are entitled to a hearing before an adjudicatory panel appointed by the Board of Directors 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 on a per diem basis for each observation of a violation.

Policy revised 12/2023.