

THE VILLAGE AT COLLEGE DOWNS HOMEOWNERS ASSOCIATION RULES AND REGULATIONS

The Board of Directors of The Village at College Downs Homeowners Association has adopted these Rules and Regulations to assure compliance with the Declarations and Bylaws of the Association. These Rules and Regulations are applied equitably to all units in order to protect property values, and to ensure quiet enjoyment for everyone who lives at The Village at College Downs. For those of you who make The Village at College Downs your home, we ask that you read these policies and comply with the rules. Each owner has the ultimate responsibility to ensure that all occupants of the unit receives a copy of the most current Rules and Regulations; that all such occupants are fully informed of their responsibilities; and will comply with the Rules and Regulations.

I. RESIDENT ACTIVITIES

1. **Sidewalk and Parking Lot Use:** The sidewalks and parking areas are not to be used for any activity such as, but not limited to: playing sports; throwing balls and/or Frisbees; riding bicycles; rollerblading; bicycling; skateboarding; jumping rope; riding scooters; etc.
2. **Prohibited Activities:** Climbing on mailboxes, trees, or shrubs; throwing of rocks, bottles, or other types of projectiles; discharge of any and all types of firearms/guns.
3. **Operation of a Business:** The operation of any kind of business is prohibited.
4. **Rocks Placed for Erosion Control:** Movement of rocks which have been placed to control erosion is prohibited.

II. QUIET ENJOYMENT

1. **Noise:** Keep the volume of your TV, music, etc. at a reasonable level. Noise audible from outside the unit is prohibited. In the event a neighbor disturbs you, first contact your neighbor. Immediate compliance is expected after any reasonable request to control noise. If neighbor contact fails, you may call 911 for a police officer to respond.
2. **City Ordinances:** Prohibit excessive noise both day and night, especially between the hours of 9:00 p.m. to 7:00 a.m., and provide for police fines of \$100. Barking of dogs is included.
3. **Parties:** Gatherings are not permitted in the parking lots or common areas at any time. Noise must be controlled according to city ordinances.
4. **Alcohol and/or Drugs:** Alcohol and Drug Law Enforcement officers investigate allegations of alcohol being served to minors and/or sold without a permit, and allegations of drug usage on the property. Legal age to purchase alcoholic beverages in NC is 21. Violations of the law are handled by law enforcement authorities and can be severe. Any violation of these laws is an automatic violation of these rules and regulations and the owner/tenant may be assessed as explained in section VIII.

III. PARKING

1. **Spaces:** There are 2 numbered parking spaces available for each town home unit.
2. **Illegally Parked Vehicles:** Vehicles must be properly parked in marked spaces only. Vehicles parked on the grass, sidewalks, or curbs are subject to tow at the owner's expense.
3. **Visitor Parking:** Visitors may only park in the numbered space of the unit they are visiting, or in spaces marked "Visitor." It is the responsibility of the owner and/or tenant to inform visitors of the parking policy.
4. **Towing:** The Village at College Downs utilizes Action Recovery and Transport (704) 537-7355.

IV. VEHICLES AND TRAFFIC

1. **Condition of Vehicles:** All vehicles on the property must be currently licensed, inspected, and operational.
2. **Speed Limit:** Vehicles shall not exceed 15 MPH within the property limits.
3. **Washing and Repair:** Washing cars is limited only to those belonging to the owner and/or tenant. Maintenance (oil changing, etc.), repair, or conversion of vehicles on the property is prohibited.
4. **Type of Vehicle Allowed on Property:** No vehicles, other than private passenger vehicles, shall be parked on the property. Boats, boat trailers, campers, RV's, travel trailers, storage trailers, large trucks, etc. are prohibited from being parked on the property.

V. TRASH, GARBAGE, AND LITTER

1. **Bags:** According to city regulations, all trash/garbage must be placed in bags inside the rollout cart. The city has advised that bags full of trash placed beside the rollout cart will not be picked up. Contact 311 for additional rollout cart.
2. **Storage of Rollout Cart:** Store the rollout cart in the rear of the unit until the night before trash pickup. At no time should it be placed on the sidewalk or grass. Place it in your assigned parking space for pickup. The rollout cart must be removed from the front of the unit by midnight of the day of the pickup. **Normal pick up day is Monday.**
3. **Large Items:** Each owner/tenant must remove from the property (at their own expense) items such as discarded furniture, mattresses, large appliances, and any other items too large to fit inside the rollout carts. These items must not be left in the back yard. Schedule a bulk item collection by calling 311. Move the item curbside on the night before pickup. Glass on the item should be secured with tape. In the event that the glass is broken, responsibility for clean-up rests with the homeowner or resident.
4. **Litter:** Everyone has the responsibility for keeping the grounds neat and clean, especially around the entry to the unit. Owners and/or tenants are jointly and severally responsible for preventing cigarette butts and other debris from accumulating on the porches, steps, grounds, sidewalks, lawns, and parking areas. Please cooperate with your neighbors and do not allow children, occupants, or guests to litter the grounds.
5. **Cost of Removal:** In addition to an assessment as described in section VIII, the responsible party will be charged the cost of removing debris of any kind in and around the front porches, in the patio areas, or spilling out onto common areas.

VI. RECYCLING BINS

- 1. Labeling:** Label bin with your unit number.
- 2. Placement:** Place the bin in your assigned parking space. City regulations require that the bin be placed within 2' of the edge of the curb and at least 3' between rollout carts and other recycling bins.
- 3. Removal:** Remove by midnight on the day of pickup.
- 4. Storage:** Store in the rear of your unit. Do not store them on the porch or at the front of the unit.
- 5. Restrictions:** The city will not collect construction debris, paint, oil, or any other hazardous material. It is the responsibility of the homeowner or resident to dispose of these items off premises.

VII. WINDOWS, DOORS, AND WINDOW COVERINGS

- 1. Windows:** All window shades, blinds, drapery linings, and other window treatments visible from the exterior of a unit—on any window or door—shall be white or off-white. Foil, cardboard, towels, sheets, and similar coverings are prohibited.
- 2. Window Screens:** Screens for windows shall be kept in good condition. Torn screens are to be repaired or replaced. Missing screens are to be replaced.
- 3. Storm Doors:** If glass storm doors are used, they shall be kept in good condition at all times. Sagging of the doors, rust, and inoperable handles or hinges are unacceptable.

VIII. SIGNS AND STICKERS

- 1. Approved:** Security and realty (For Sale and For Rent) only.
- 2. Prohibited:** Solicitations of any kind; advertisements of any nature; garage sales; decorative stickers, etc.
- 3. Realty:** Only one sign no larger than 24"x24" per unit is allowed, and may only be displayed in a window.
- 4. Security:** Only one small security sign may be placed near the entry. Only one security sticker may be placed on one door or window.
- 5. Stickers:** Stickers, including all decorative stickers, shall not be affixed to doors, storm doors, or windows.

IX. WATER USAGE

- 1. Overuse:** Conservation of water is the responsibility of every homeowner. Homeowners are encouraged to report to management any witnessed instances of misuse. Water is for residential use only.
- 2. Toilets and Faucets:** Routine checking is encouraged. Toilets that constantly run need to have the seal-cock replaced immediately. This repair is inexpensive, simple, and usually can be done by the individual. Any leaking faucets should be replaced or repaired.
- 3. Storage of Water Hoses:** At no time may water hoses be stored in the fronts of the units, in the landscape beds, or within the bushes.

X. PETS

- 1. Pets:** Allowed at the discretion of the homeowner.
- 2. Courtesy Required:** Please be courteous and confine your pet to your own yard. Allowing your pet to void in other Homeowners yards, or in the common areas, is not allowed. This is a health hazard and violators may be fined up to \$100.00.
- 3. Dog Poop:** Charlotte City Ordinance (#1419, Chapter 3, Nuisance, Section 24) also requires citizens to remove waste deposited by dogs in their possession. If you allow your pet to "do its business" in your yard or back patio, you must clean up its waste deposits.
- 4. Leash Law:** Dogs must be on a leash when taken outside, per city ordinance.

XI. COMMON AREAS, PATIOS, AND GROUNDS

- 1. Articles on Common Areas:** Articles found stored, placed, or left on common areas, grounds, or on the lawn near unit doors or patios will be deemed litter. The unit owner may be assessed as explained above. The Association will use its discretion as to whether or not to remove such property and charge the unit owner a reasonable cost for the removal.
- 2. Patios:** Each owner/tenant is responsible for keeping patio areas clean and free of trash and debris.
- 3. Landscaped Areas and Grass:** Reseeding of grass and replacement of plantings damaged by children's (resident or guest) play activities are NOT considered "maintenance". The homeowner is responsible and will be assessed the expense of correcting the damage.
- 4. Alteration:** No alteration or addition to any part of the common areas is allowed.
- 5. Vandalism:** Vandalism has no place in this community. Violations may result in court costs, sentencing, civil fines, and damage cost in addition to assessments imposed by the HOA. All incidents of vandalism will be reported to the Charlotte Police Department and will be investigated. Vandalism is a criminal act and vandals will be prosecuted for destruction of property and, if found guilty, will be liable for damages and assessments by the HOA, in addition to any other fines or sentencing by civil authorities.

XII. SATELLITE DISHES AND CABLE

- 1. Satellite Dish Antennae:** HOA approval is required before any satellite dish antennae may be installed. No satellite dish shall be permanently mounted in any manner to any exterior part of any building, roof, or fencing maintained by the HOA. No mounting holes are to be made in any building, roof, or fencing maintained by the HOA to secure the dish. Satellite dish antennae may not encroach in any way on the common areas. Generally the best solution is installing the dish on a pole in the patio area. The dish must be professionally installed (no wires on the ground). The dish cannot be installed in front of the unit. Removal of improperly installed dishes will be at the homeowner's expense. Any damage caused by the removal of improperly installed dishes will be assessed to the homeowner's account.
- 2. Cable:** It is the responsibility of the homeowner to coordinate proper installation of cable with the cable company. Cable cannot be punched into the siding to access upper stories. Expense to correct damage caused by improper installation will be assessed to the homeowner's account. After installation, cable must be buried within 30 days. The homeowner is responsible to monitor the cable company. Exposed cable is considered a danger for our homeowners, maintenance workers, and landscaping crews. The HOA will have unburied cable removed.

XIII. OTHER OWNER/OCCUPANT RESPONSIBILITIES

- 1. Owners/Occupant Responsibilities:** Owners and occupants are responsible for their own action and for the actions of their tenants and/or guests. Any violation by an owner, his tenant, or guest places the owner in violation of these Rules and Regulations. The owner may be subject to penalties and assessments up to \$100 per violation as set forth in the town home documents. Owners of rental units may be required to have repeat offenders evicted.
- 2. Verbal Abuse:** In the event the owner, an occupant, or guest should verbally abuse the management or the management's associates when management is verbally requesting compliance with these rules and regulations, the owner may be assessed per incident. Owners of rental units may be required to have repeat offenders evicted.
- 3. Declaration Applies:** *Nothing in these policies shall limit the obligation of the owners and occupants under the declaration.*
- 4. Fines/Assessments:** After notification and the opportunity to be heard, the Board may, through its designated representatives, levy reasonable assessments not to exceed \$100, or as prescribed in these Rules and Regulations for each violation of the Declaration, the Bylaws, or these policies. Each day, subsequent to the day of notification that an assessment has been imposed, that the violation continues uncorrected or unresolved, will be treated as a separate and additional violation, carrying with it an additional assessment equivalent to the original assessment imposed. In addition to any assessment(s), owners and occupants shall be responsible for the actual cost of damages resulting from violations. The Board may also act to recover damages, suspend voting rights, impose fines, and, in the case of rented or leased units, the owner could be required to evict the offender. Any continuing breach or failure to evict could result in additional penalties and fines.
The Board of Directors enforces the Rules and Regulations under the authority of the North Carolina General Statutes. Under the Declaration of Condominium and Bylaws of the association, the Board is obligated to create, publish, and enforce the Rules and Regulations. **Neither of the above documents requires the Board to provide warning notices prior to issuing a notice of hearing.**
- 5. Violation of Law:** The violation of any law, statute, or ordinance shall be a violation of these policies. Premises may be used for residential use only. If any residential unit is used for any illegal purpose or activity, any applicable lease would be in default and could require eviction.
- 6. Rental Units:** In the event a town home is rented, the owner is obligated to provide a copy of these Rules and Regulations as an attachment to each lease and to include such language in such lease to bind lessee to these Rules and Regulations. Failure of the owner, lessor, or his authorized agent, to provide tenant with a copy of these Rules and Regulations does not absolve the owner or tenant of the obligation of compliance with these Rules and Regulations.

CHANGES

The Board of Directors may make changes to these policies as it deems necessary and it holds its managing agent responsible for the enforcement of these Rules and Regulations. Any questions should be directed to the Property managing agent, by calling (704) 578-6583 or at collegedowns@bellsouth.net, for referral to the Board of Directors. Owners, tenants, and agents may copy these Rules and Regulations for distribution.

The Board of Directors will enforce these Rules and Regulations fairly and uniformly. The Board encourages each owner and resident to fulfill their individual responsibilities as citizens of The Village at College Downs by reporting violations of these policies to the managing agent as soon as possible. All complaints will be kept in strict confidence.

Thank you for your cooperation.
The Village at College Downs Homeowners Association

Dated December 15, 2006