

HALLS CREEK NORTH SECTIONS I and IIA HOA

RULES, REGULATIONS, AND ARCHITECTURAL GUIDELINES

1. Holiday Decorations. Holiday decorative lighting shall be allowed from Thanksgiving to January 15th of each calendar year. Other seasonal decorations are approved no more than 30 day prior to the holiday and until two weeks after the holiday.

2. Maintenance and Yards. Each Owner shall at all times be responsible for maintaining, repairing, and otherwise ensuring that his or her Lot and any improvements located thereon are kept in good condition. Owners shall be responsible for ensuring that improvements are kept free from dirt and grime, mildew or other conditions that cause the improvements to deviate from their original, new condition. Any paint shall be periodically refreshed to prevent peeling, discoloration or other conditions that detract from the overall condition of the improvement.

Owners shall ensure that fences, shutters, doors, and lights are kept in good, working order and periodically cleaned, painted, or stained to prevent discoloration, peeling, discoloration or other conditions that detract from their overall condition.

Yards shall be periodically seeded with grass to avoid bare spots or exposed dirt, except during periods of drought. Lawns must be trimmed and shall be mowed at regular intervals to appear neat and attractive. No weeds or dead or dying vegetation shall be allowed to accumulate on yards.

3. Pet Waste. Fecal waste deposited by any pet on portions of any area of the subdivision, except on the pet owner's Lot, shall be immediately removed and properly disposed of by the pet's owner. Pets are not permitted to roam free at any time and all dogs must be kept on a leash at all times unless in a fenced yard.

4. Inoperable Vehicles. No unlicensed, unregistered, or inoperable vehicles may be left outside on a Lot outside of a garage.

5. Outdoor Furniture and Temporary Structures. Each Lot owner shall be responsible for ensuring that any furniture placed outside is kept in good condition, consistent with its original appearance to avoid a soiled or dilapidated appearance. No homeowner may leave abandoned or discarded furniture outside the residence except for a limited duration to allow said furniture to be picked up or removed (e.g., no discarded sofas or chairs are permitted to remain on yards or porches except when the owner is placing the items outdoors for removal). All trampolines, playsets, or temporary structures of any kind must be properly secured to prevent such items from overturning or becoming dislodged in high winds or storms.

6. Violations. The Board may adopt a covenant violation policy consistent with the Declaration and the policies herein. Violators will be entitled to notice of the violation and a hearing whereupon the Board, should it determine that a violation occurs, will be permitted to levy fines, or suspend privileges, or both and/or to take any other action allowed at law or in equity.

7. Single-Family Residential Dwellings. As set forth in the Declaration, all residences are single-family residential dwellings:

“Occupancy restricted to one single-family, defined as two or more persons related by blood, marriage, civil union, adoption, guardianship, duly-authorized custodial relationship, or same-sex couples and their children and/or parents or whom customarily and continuously reside together as a single housekeeping unit.”

“At no point will occupancy by any group of people be permitted whose association with the subdivision is temporary or seasonal, such as a group of college students sharing a house or any group providing a framework for transients or transient living.”

8. Pets. Pursuant to the Declaration, no Owner may have greater than two (2) cats, two (2) dogs, four (4) rabbits.

- Owners shall be permitted to have no more than two (2) birds, which birds must be caged inside a heated residence
- The following additional requirements shall apply:
 - All pets must remain within the confines of the owner’s property
 - Cats are not allowed to roam freely
 - Dogs must be on a leash if off the owner’s property

9. Vehicles/Parking. The following shall apply to parking of vehicles or property throughout the Subdivision:

- No unlicensed, unregistered, inoperable vehicles may be left outside a garage
- No vehicle, trailer or other personal property may be parked or left on any street (exception for temporary guests, contractors)
- A temporary guest is a person who is at an Owner’s property for no greater than eight (8) hours during a twenty-four (24) hour period.

10. The Board reserves the right to amend these rules and regulations at any time without prior written notice.

ARCHITECTURAL GUIDELINES

The following architectural guidelines are intended to set forth the parameters upon which the Association's Member's must follow when submitting architectural requests, and upon which the Board shall use when considering improvements to any Lot:

1. **COMPLIANCE WITH GOVERNMENTAL REQUIREMENTS**

- Owners shall be strictly responsible for compliance with any applicable governmental requirements
- Owners shall be responsible for obtaining all building permits prior to construction

2. **OUTBUILDINGS / SECONDARY STRUCTURES**

As referenced in the Declaration, page 4, paragraph 2a, and page 16, paragraph 4y:

- There shall be a maximum of one (1) outbuilding or secondary structure per lot
- Any outbuilding or secondary structure must be a minimum of 10 feet from rear and side property lines, per Town of Swansboro regulations
- All outbuilding/secondary structures shall meet the following criteria:
 - Maximum size 1,000 square feet with a maximum height of 18 feet at roof peak
 - Minimum size 144 square feet
 - Same siding material and color as residence
 - Same roof material, pitch, and color as residence
- No outbuilding/secondary structure may be used as a residential dwelling, nor shall any outbuilding/secondary structure be occupied on a temporary or short-term basis (i.e., no overnight occupancy)

3. **PROPERTY FENCES**

As referenced in the Declaration, page 8, paragraph 3e, and Board Policies adopted 7/21/2016:

- All fences must meet the following criteria:
 - Must be located behind the front face of the home
 - Pressure-treated wood or vinyl only
 - Maximum height 6 feet
 - Maximum height 8 feet allowed to enclose an area not greater than 160 square feet
 - Must be maintained and painted or stained as necessary
- NC fence code for swimming pools does not allow shadow-box fences, and accordingly, the Association shall not approve such fences

4. **SWIMMING POOLS**

- Above-ground swimming pools are not allowed except for portable children's/kiddie pools that are emptied and stored after each use.
- All pools are required by NC code to be enclosed by an approved fence

5. **ROOFS**

As referenced in the Declaration, page 7, paragraph 3b, and page 9, paragraph 3h:

- Roofs must have at least a 5/12 pitch
- All roofs must be constructed of architectural style or three-dimensional asphalt shingles
- No barn-style (also known as gambrel style) roofs

6. **SOLAR PANELS OR OTHER SOLAR COLLECTORS**

- Pursuant to the North Carolina General Statutes, the Board may reject plans that reflect solar panels that are or would be visible by a person on the ground:
 - On the exterior (i.e., the façade) of a structure that faces common areas or streets.
 - On a roof surface that slopes downward toward the common areas or streets; or
 - Within the area bounded by a line running across the front face of the residence, that extends to the side lot line; or
 - Within the area formed by extending a line running across the façade of the structure, which line extends to the property boundaries on either side of the façade, and the area from that line to the common areas or streets faced by the structure
- Owners shall request the Association's prior written approval to ensure compliance with these Guidelines

7. **DRIVEWAYS**

As referenced in the Declaration, page 13, paragraph 4q:

- Minimum driveway width shall be 9 feet
- No driveway may be constructed greater than twenty (20) feet in width
- No Lot shall be accessible by more than one driveway, in such a location as depicted on the Subdivision's plat maps

8. **RECREATIONAL VEHICLES**

As referenced in the Declaration, page 11, paragraph , and page 12, paragraph:

- Trailers and campers of any kind cannot be used as a residence while parked on a Lot or within the subdivision
- RVs and boats on trailers must be parked behind the front face of the home and a minimum of 10 feet to any side or rear Lot line
- No trucks over 1-ton capacity or buses may be parked overnight except in an enclosed garage

9. **POST-DISASTER REPAIRS**

As referenced in the Declaration, pages 11 and 12, paragraph f

- Post-disaster repairs should be completed with "reasonable promptness."

- Reasonable promptness means that construction shall be commenced within ninety (90) days from date of the damage or destruction, and construction (along with the removal of temporary storage of materials or property) shall be completed within one hundred eighty (180) days from the date of the damage or destruction. The Board may, upon an owner's written request and a showing of hardship, grant reasonable extensions to the completion deadlines, provided that the owner is diligently pursuing completion
- Window-unit Air conditioners are allowed only for the duration of a power outage and must be removed within twenty-four hours after the restoration of power