

**THE HILLS OF AVERY'S CREEK PROPERTY OWNERS' ASSOCIATION
RULES AND REGULATIONS**

1. No unit may be occupied by more than four (4) permanent residents. One resident must be 55 years of age or older. Occupancy by persons under 18 is prohibited. Extended visits by children under 18 must be approved by the Board.
2. Owners/residents shall promptly pay all dues levied by the Association when due. Thirty days after the due date, any unpaid dues shall bear a late charge at 18% per annum. The management company will notify owners/residents of the amount due including the late charge.
3. Owners/residents shall maintain their unit in good condition and repair. Maintenance of the inside of the unit is the responsibility of the owner. All porches and front lawns are to be kept neat, clean, and free from clutter.
4. No more than two generally recognized house or yard pets per household will be allowed. Pets must weigh less than 25 pounds, unless written approval is given by the Board. No commercial breeding of animals is allowed. The care and restraint necessary to prevent animals from being obnoxious or offensive due to noise, odor, unsanitary conditions or other nuisance shall be provided by the owners at all times. Whenever pets are outside, they must be on a leash and under the direct supervision of someone at all times. Leash lines are *not* allowed. All animal droppings must be **immediately** collected and sanitarily disposed of. All pet owners must complete a Pet Registration Form each year. Registration forms may be obtained from the management company and must be kept on file as long as the owner allows pets in their units. The Association is not to be held responsible for any loss, damage, or liability resulting from the presence of pets.
5. No owner/resident shall do anything or allow any conditions to exist that would increase the insurance rates of other units.
6. No owner/resident shall allow loud noises or other nuisance factors to emanate from their unit, nor do anything that will interfere with the rights, comfort or convenience of others. No owner/resident shall allow any musical instruments, stereo, television or other electronic devices to be played or operated in a manner that disturbs the occupants of other units. No unlawful use shall be made of any unit or the common areas, and all valid laws, ordinances and regulations of all governmental bodies having jurisdiction shall be observed.

7. Exterior radio or television antennas, satellite dishes and other external reception devices may be installed on units. However, the Board reserves the right to regulate the placement of such devices. Owners/residents shall be held liable for roof or other damage caused by virtue of the installation of said devices.

8. No sign, advertisement, notice or other lettering shall be exhibited, inscribed, painted or affixed on any part of the outside or inside (if visible from the outside), with the exception of a small name (house or occupant) sign. **One** "For Sale" (18 X 24in.) may be placed on the interior of the living room window.

9. No permanent awnings, sun blinds or other projections shall be attached to the outside of the unit and no other permanent modifications shall be permitted to the exterior unless approved by the Board.

10. Garbage service is provided by WASTE PRO. Garbage can be in bags or in cans. Regular garbage pick-up is limited to 5 bags (15 to 32 gallons). Bags must weigh no more than a person of normal build and weight can lift into a truck. Bags must be sturdy enough to resist tearing and must be closed securely. To prevent bags from tearing, do not place broken glass in bags unless it is otherwise contained. Cardboard boxes will be picked up if they are broken down and placed under garbage bags or recycle bags. If the pickup day falls on a federal holiday, garbage will be picked up the next day. Call WASTE PRO at 684-7790 to arrange for pickup of larger items or small broken items. The owner/resident is responsible for the cost of picking up these items. See back page for pick-up days and times.

11. Exterior clothes lines or clothes drying racks are not permitted.

12. Each unit is provided two (2) parking spaces, one in the garage and one in the driveway. (Visitors may park on the road in front of the unit or in the overflow parking area, the paved area on the west side of Pocono Court between units 402 and 403, and the paved area on the west side of the entrance to Rocky Mountain Way at unit 201.) All wheels must be kept on the pavement, **not on the grass**. Refer to Article VI, Sections 5 and 6 of the Declaration regarding vehicle parking. Temporary parking on common areas may be necessary for road or driveway repair. Parking in the paved area leading to the fire hydrant between 410 and 411 Pocono Court is **strictly prohibited**. Except for emergencies, no vehicle repair or maintenance is permitted anywhere on the property. Recreational vehicles (i.e., motor homes, boats and campers) may not be parked on the property without obtaining approval from the Board. Do not park in a manner which would impede the free movement of vehicles throughout the community.

13. Garage doors should be opened **only** when the garage is in use. However, the door may be raised approximately 18 inches (one panel) for ventilation, if desired.

14. No owner/resident shall direct, supervise, or in any manner attempt to assert any control over any employee of the Association or the management company. Questions concerning actions by employees should be directed to the Management company.

15. Owners/residents shall not allow anything to fall or be impelled or expelled from the windows or doors of the units.

16. No personal equipment or supplies shall be placed in the common areas by any owner/resident. No linens, clothing, curtains, rugs or mops shall be hung from any of the windows, doors or porches.

17. Owners/residents may place temporary, seasonal, decorative items in and around their homes. However, no items may be placed on roofs or any area that would hinder maintenance. Owners/residents may not place any decoration in common areas unless approved by the Board.

18. No new plantings or changes in existing planting or landscaping in the common areas may be made without approval of the Board.

19. All door-to-door solicitation or distribution of materials designed to encourage the purchase, or involve individuals in the distribution of any product or service is **strictly prohibited**.

20. Owners may add a patio, deck or sunroom to the back of their unit with the approval of the architectural committee and Board. The owner must provide a description of the addition (including materials to be used, shape, etc) and a current survey of his/her property to the Board. Under no circumstances should any addition/alteration extend into the common area.

21. The Board regulates the use, maintenance, repair, replacement, modification or improvement upon the common areas. Use of common areas for private functions must have **prior** written approval from the Board. Any damage to common areas becomes the responsibility of those in charge of the activity.

22. No more than ten (10) of the units can be leased at any one time except in case of hardship, which shall be determined by the Board in its sole discretion. A list of owners and lessees will be maintained by the management company. The Board shall have the authority to make and enforce reasonable rules and regulations in order to enforce this

provision. Units may not be sold or purchased as a rental. **The cap will be strictly enforced.**

23. All owners/residents shall conform to and abide by all terms, conditions and obligations imposed by the Declaration, By-Laws, the Rules and Regulations, any management agreement and any other document or amendments thereto executed pursuant to the Declaration, By-Laws or the Rules and Regulations. Residents found in violation of the Declaration, By-Laws, or the Rules and Regulations will receive written notice from the management company. **Appropriate penalties will be imposed.**

24. Pursuant to any management agreement between the Association and any managing agent, routine enforcement of the Rules and Regulations shall be the responsibility of the Board and the managing agent. They should have full authority to implement, interpret, apply and modify these rules and regulations in accordance with established procedures set forth in the Sixth Amendment to the Declaration.

Approved 6/2012

Monthly Dues are directed to:

In general, pay any and all bills incurred and approved by the association. Monthly dues are due on the first of the month. Any dues not paid by the fifth (5th) of the month will have a late fee added by the management company. Arrangements have been made with the management company to pay dues through bank draft. Residents should contact the management company directly to make this arrangement

- Water and sewer
- Garbage pickup
- Exterior pest control
- Street lighting
- Portion of entrance/gate maintenance
- Management company fees
- Maintenance of lawns and common areas
- Maintenance of exterior surfaces of homes (siding and roofs, excluding outside faucets, windows, doors, and additions added by the owner)
- Repair or replacement of mailboxes
- Mulching of plants in the common areas
- Insurance fees
- Necessary legal fees
- Snow removal
- If necessary, rental fees for quarterly and annual meetings

6/2012