



***RULES  
AND  
REGULATIONS***

***PEBBLE CREEK PRESERVE  
HOMEOWNERS ASSOCIATION***

***July 2, 2021***

The Rules and Regulations of the Association are intended to provide for reasonable control standards in order to sustain harmony, safety, and to protect the assets of the homeowners.

In order to be enacted by the Board of Trustees these rules have to confirm to local, state and federal laws. The recorded Covenants and Restrictions always govern these Rules and Regulations. Additionally, these Rules and Regulations have to carry out the purposes of the Association, and must be documented in Board meeting minutes. Finally, these Rules and Regulations must be reasonable. If at any time there are concerns regarding these Rules and Regulations the President of the Board of Trustees should be contacted.

## DWELLINGS

1. Each dwelling is defined as a "parcel" which is defined as the exterior limits of the concrete foundation upon which the residential unit sits. All areas "beyond the limit of the "parcel" are deemed as "common areas" and are managed by the Association.
2. No parcel or dwelling may be used for other than residential purposes.
3. Renting – See Covenants!  
No "For Rent" signs are permitted to be displayed.
4. Businesses of any kind may not be present in any dwelling. A portion of the dwelling may be used for a home office by any occupant as long as it does not become a nuisance to neighbors, and does not cause the dwelling to become anything as distinct from a residence.
5. No building or structure (including without limitations tents, shacks, and storage sheds) shall be erected or placed upon the Common Area. In addition, no such temporary building or structure nor any trailer, camper, recreational vehicle, basement, tent, shack, garage, barn or other building shall be used on any Parcel or Dwelling at any time as a residence either temporary or permanent.
6. The outside storage of property (including but not limited to tools, toys, lumber, wood, debris, trash, junk, paper, bottles and cans) is prohibited. Building materials for parcel modification to common areas may be temporarily stored at a parcel site immediately before the work is to commence and must be removed once the work is completed.

7. No clothing or any other household fabric shall be hung outside of any dwelling unit.
8. No window air conditioners shall be permitted.
9. No noise, vibration, or odor, offensive, or irritating to a person of ordinary sensibilities, shall originate on and thereafter emanate from any parcel.
10. No noxious or offensive activity shall be carried on or upon any Parcel, nor upon the Common Areas, nor shall anything be done thereon, either willfully or negligently, which may become an annoyance or nuisance to the neighborhood.
11. All Owners shall maintain the exterior of their dwelling units in a manner consistent with the general standards of the community.
12. The exterior walls, siding, trim, face, brick and roof of a Dwelling Unit shall be maintained in their original condition and in a manner in conformity with the standards of maintenance of other Parcels in the Property and no change of color shall be permitted on any exterior surface. The intent is to maintain uniformity of the exterior appearance of each building as in its original condition.
13. No building landscape (including but not limited to trees, shrubs, landscape beds, grass, etc.), fence, wall or other structure shall be erected, placed or altered within the Properties until the plans and specifications showing the nature, kind, shape, height, materials, colors, and location of the same shall have been submitted to and been approved in writing by the Architectural Control Committee of the Board.
14. Satellite Dishes – Federal law prohibits of the regulation of the placement of satellite dishes. It is preferred that the placement of dishes in the community not detract from the community visual standards while being consistent with good signal reception. Dishes must be of the smaller variety and of a factory original color which is neutral (gray, etc.).

#### **COMMON AREAS**

1. Parking –
  - a. Each homeowner is entitled to four (4) vehicle parking spaces, two (2) inside the homeowner's garage, and two (2) in the driveway attached to the home.

b. Parking pads are reserved for temporary visitor parking only. If a visitor's vehicle needs to be parked for more than five (5) days the visited homeowner must notify the Board President and state the length of time needed, an emergency phone number where the vehicle owner may be reached, and the owner's name. A visitor's vehicle may not be parked in these areas for more than a period of two weeks (14 days).

c. The Board reserves the right to have all vehicles removed from the parking pads in case of emergency (snow, accident etc.)

d. Street Parking - No Street parking is allowed except for overflow from the parking pads and only on a short term basis (less than 24 hours) for events, parties etc. During events when street parking is necessary, vehicles may only be parked on the side without fire hydrants to allow access by emergency vehicles.

e. No vehicle shall be parked on the sidewalks or grassy areas.

f. No vehicle, boat recreational vehicle of any kind, licensed or unlicensed, may be stored on any street, driveway in or upon any parcel or common area except inside the confines of a parcel garage. Only machinery customarily required for the maintenance of parcels or for in home hobbies may be placed or operated on a parcel. Permitted machinery must be stored out of sight of adjacent Dwelling Units at all times.

2. Retention basin – boating, swimming, fishing, wading or any use requiring entry into the retention basin is prohibited unless expressly approved by the Board. Dumping of refuse or any other form of pollution into the retention basin or common area is prohibited.

3. There will be no discharge of guns, ammunition, or explosives. No hunting, trapping, or poisoning of wildlife except for rodent control.

4. No motorized vehicles (mini-bikes, motorcycles, all terrain vehicles, etc.) shall be permitted to operate on any area of the property except in the street.

5. No dumping is permitted on any part of the property unless necessary for construction or improvement as authorized by the Board.

6. Flags/Flagpoles – Hanging of flags is permitted from the garage door perimeter and/or the front entrance of the dwelling. A flag pole may be installed within the rear exclusive area of the dwelling or in the common grassy area in front of the dwelling. Only one (1) flag pole is permitted per dwelling, and is not to exceed thirty (30) feet in height. A maximum of two (2) flags may be flown from one (1) pole. Flagpoles (except on the garage) must be planned and submitted for approval to the Architectural Control Committee **before being installed.**

7. No activity, improvement, or alteration may be made in the areas designated "Wetlands"

8. Watering – Owners are responsible for watering the landscaped areas around their dwelling. Shrubs, flower beds, trees etc. are to be watered as necessary. Grassy areas in front of the dwelling and half of the distance between dwellings on the sides and rear are to be watered by the homeowner. Watering all landscaped areas around the dwelling is the responsibility of the homeowner.

#### **PETS**

1. No animals or birds of any kind shall be raised, bred or kept on any Parcel except that dogs, cats, and other household pets may be kept on a Parcel provided they are not kept, bred or maintained for commercial purposes nor permitted to cause or create a nuisance or disturbance. All pet owners shall be responsible for the waste of their pets and any damages to the common property or property of others.

2. Exercising – Pets are not permitted in any area of the properties other than the dwelling unless they are on a leash, being carried, or otherwise transported and they are permitted on those portions of the Properties as shall have been designated for them by the Board.

3. Before walking a pet the pet should be allowed some time for duties to be performed in the common grassy area at the pet owner's residence. Pet owners are responsible for cleaning up and disposing of their pet's waste wherever it shall be deposited. Any damage caused by pets is the responsibility of the pet owner.

4. No pets shall be kept, housed or otherwise outside the dwelling.

#### **LANDSCAPING**

1. All landscaping services are contracted for and are administrated by the Board. The Board shall be responsible for soliciting for services, selecting sub-contractors, contracting for services, and administrating contracts as needed.

2. The Association is responsible for landscaping in all common areas except:

a. Board approved landscaping projects by the homeowner; it is the responsibility of the homeowner to maintain these areas.

b. Any Board approved landscaping done in the “exclusive right to use” easement areas including flower beds along the side of the dwelling (two 2 foot easement) and the (twenty 20 foot easement) in the rear of the dwelling.

3. Maintenance of the landscaping in front of the dwelling is not only part of the landscaping plan of the community but it is also a major factor contributing to the architectural balance and harmony of the community. It is the homeowner’s duty to keep the landscaping in front of the dwelling watered. Any planted flowers are to be maintained by the homeowner. Dead shrubbery and trees are the homeowner’s responsibility for replacement. All woody shrubbery and tree replacements are to be approved by the Landscaping Committee of the Board.

4. Watering in the common areas –

a. It is the responsibility of the homeowner to insure the health and vitality of the landscaping by watering when necessary. This includes all common areas as well as any privately owned flowers, plants, etc,

b. Each homer is responsibility for watering the grassy areas around his/her dwelling to a distance of half the areas around the sides and behind each adjacent dwelling. Dwellings with common areas bordering of the community are responsible for watering to the perimeter (woods, etc.). Dwellings with common areas bordering the retention basin are to water the grassy border of the basin.

c. Watering the cul-de-sacs of each street shall be the responsibility of the homers of the cul-de-sac.

d. Underground automatic sprinkler systems are permitted but must be submitted to the Landscaping Committee of the Board before being installed.

5. All individual homeowners may not implant or contract for landscaping services without Board approval of the landscaping plan. Plans must be drafted by the homeowner and submitted to the Landscaping Committee of the Board **BEFORE ANY WORK IS PERFORMED**. If using an outside contractor for landscaping the contractor must provide proof of insurance before performing any service.

6. The only landscaping exempt from Board approval is the installation of flower beds in the easement "exclusive use areas" of the dwelling, i.e. the (20 twenty foot) rear area and the (2 two foot) allowance on the sides of the dwelling, and the landscaping in front of the dwelling. Planting of any kind in any areas outside the above must be approved by the Landscaping Committee of the Board. Care and replacement of the flower beds is the responsibility of the homeowner.

### **ARCHITECTURAL CONTROL**

The architectural entities of the community are generally considered to relate to the exterior appearance and material of any streets, sidewalks, dwellings, and structures permanent or temporary. This also includes symbols, statuary, outdoor equipment, etc. in any area outside the dwelling.

1. The Association is responsible for maintaining architectural control and standards in the community. The Board's duties are as follows:

a. Appoint a (3) three member Architectural Control Committee on the Board of Trustees to receive, review, and make decisions concerning requests for architectural projects.

b. To require the Architectural Committee publish a set of guidelines and procedures for processing, reviewing, and deciding upon implementation of architectural projects in the community. These guidelines must be made available to the Members and may be included in the Rules and regulations.

2. No modification to the fixed exterior elements of any structure is Permitted unless approved by the Board (including alteration or modification of any permanent surface areas such as streets, sidewalks, driveways, patios, etc.).

3. The Architectural Control Committee of the Board may approve proposals submitted by homeowners which already have "precedent" in the community (such as fences) but any unprecedented projects or requests require Board approval.

4. Fences or walls of any kind may not be erected or permitted unless approved by the Architectural Control Committee of the Board.

5. No building, landscaping (including but not limited to trees, shrubs, landscape beds, grass, etc.), fence wall or other structure shall be erected, placed or altered within the Properties until the **plans and specifications showing the nature, kind, shape, height, materials, colors and location of the same shall have been submitted to and approved in writing by the Architectural Control Committee of the Board.**

6. The Architectural and Landscaping Committee of the Board will work closely to insure that the visual standards of the Properties are preserved and maintained.

7. Any contractors, subcontractors or any other persons performing, services, work, etc. in the community must show proof of insurance and a contract including a reasonable deadline for the works completion. Any volunteers must be self insured.

8. The homeowner is responsible for returning the area where work has been perform to its original state immediately after the work has been completed.

9. Architectural Guidelines –

a. Plan Submission – The homeowner will submit a written request to the Architectural Control Committee showing the plans elements.

b. Plan Review – The Architectural control Committee will review the plans to see if the project has precedent and conforms to precedent. A vote for approval or further research will be made. If the plan does not have president then the committee will present the plan to the Board during the next Board meeting or call a special meeting of the Board if necessary. Verbal review of the Board is permitted without a meeting and it is the responsibility of the Chairperson to record the votes of the Board and submit the notes to the Secretary of the Board for inclusion in the minutes of the next Board meeting.

## ELECTIONS

The Board of Trustees shall consist of three (3) to seven persons (7), all of whom must be Owners or Spouses of Owners, provided however that no dwelling may be represented by more than one (1) person on the board at any one time.

Upon expiration of the term of each Trustee a successor shall be elected to serve a term of one (1) to three (3) years unless filling an expired term.

## **RULES AND REGULATIONS**

### **AMENDMENTS, CHANGES, MOFIFICATIONS**

The Board of Trustees is responsible for creating, maintaining, and preserving the rules and Regulations of the Community according to the following guidelines:

1. Rules and Regulations modifications, changes, and amendments, etc. may only be made after a process of review and a majority vote of the full Board of Trustees. The changes will be recorded in the meeting minutes and published to the Membership within ten (10) days after the meeting.
2. The petition for Rules and Regulations changes, modifications, amendments, etc. may be made by the general Membership with a Special Meeting called by the Membership (Defined as one (1) vote per parcel)
3. No Rules and Regulations changes, modifications amendments, etc. can be in conflict with Federal, State and local codes as well as the recorded Covenants, and Restrictions of the Association.

Prepared by:

Board of Trustees  
Pebble Creek Preserve Homeowners Association

July 1, 2021