



**RULES AND REGULATION
OF EDENTON RESIDENTIAL, A CONDOMINIUM**

September 1, 2015

(Revised August 22, 2018)

FORWARD

Edenton Residential is a Condominium Community. As members of the Community we are fully expected abide by the rules, provide common courtesy to all neighbors, remain respectful of members Limited Common Elements; the right of all neighbors to enjoy peace, comfort and privacy by controlling noise at all times and abiding by the establish Rules and Regulation of the Community.

Section 1 Condominium Documents:

These Rules and Regulations shall be supplementary and in addition to the provisions of the Declaration of Edenton, A Condominium, The Articles of Incorporation and The Bylaws of Edenton Residential Owners Association, Inc. Capitalized terms used in these Rules and Regulations are as defined in the Declaration of Condominium of Edenton, A Condominium. The Board of Directors may alter, amend, delete, or change these Rules and Regulations at any time.

Section 2 Use:

The Units shall only be used for private residential use. The foregoing restrictions as to use shall not, however, be construed in such a manner as to prohibit a Unit Owner from:

- (a) Maintaining a personal or professional library in his or her Unit.
- (b) Keeping personal business or professional records or accounts therein; or
- (c) Handling personal or professional telephone calls or correspondence therefrom.

Such uses are expressly declared customary and incidental to the principal resident use and shall not be deemed a violation of these restrictions. All use of Condominium Property and Units therein shall conform to applicable zoning ordinances, and all other laws and regulation of the state, county, and municipal authorities have jurisdiction thereof.

The Common Elements and Limited Common Elements shall be used only for access, ingress and egress, invitees, from the respective Units by the person residing therein and their respective family members, guests invitees, household help and other authorized visitors, and for other purposes incidental to the designated use of the respective Common Elements and Limited Common Elements. **Designated walkways and paved areas shall be used at all times, shortcuts across grasses, climbing of steeple in Edenton traffic circle or on any retaining wall is strictly prohibited.** Sidewalks, driveways, and parking areas must not be obstructed or encumbered at any time.

No equipment, toys, or similar items may be kept overnight on the Common Elements or Limited Common Elements; including driveways (alleys), sidewalks, entrances, or pool area for the safety of our residents, their guests, family members, and to prevent damage to commercial vehicles and employees thereof.

Except in cases of an emergency the association access by the Association must not “unreasonably interfere with the Unit Owners permitted use of the Unit” On a non-emergency basis the Board of Directors and their authorized

employees, agents, and representative shall provide advance notice to Unit Owner prior to access to any Units as may be necessary for the repair, maintenance, replacement, alteration, care or protection of the Common Elements or Limited Common Elements, the Units or any portion thereof as so defined in the Declaration of Edenton and Bylaws. Any alteration or repair of the Common Elements or Limited Common Elements is the responsibility of the Association, except for those matters which are stated in the Declaration to be the responsibility of the Unit Owner. No Part of the Condominium Property shall be used for the commercial activities of any character, including solicitation of business.

Section 3 Nuisances:

No unlawful, immoral, noxious, or offensives activities shall be carried on in any Unit, the Common Element, or Limited Common Elements, or elsewhere on the Common Property, nor anything be done therein or thereon which shall constitute a nuisance or which shall, in the judgment of the Board of Directors, cause unreasonable noise, orders, lights, or other disturbance to others. Radios, televisions, recorders, speakers, musical instruments, or other nuisances as continuous barking of animals within a Unit or in the Common Elements or Limited Common Elements which causes excessive noise shall be prohibited and/or maintained at a level that does not annoy, or interfere with, other Unit Owner's enjoyment of the Property. Residents are urged to first remedy any nuisances between themselves and, if unable to do so, then notify the Management Company, Neighborhood Management (NM), in writing to determine through the Board appropriate action to be taken.

Section 4 Trash Disposal:

Trash, garbage, and other waste shall be disposed of only in designated areas and in containers and bags specified by the refuse company servicing Edenton Residential and from time to time, by the Board of Directors or NM. Refuse containers/bags shall be stored only in the Units Owners garage or corridor to rear entrance. **Storage of refuse cans in driveways (alleys), concrete aprons, rear sidewalks or on grasses is strictly prohibited.** Lids on refuse containers must be closed at all times. Refuse cans may be left out at designated pick up point the night before and must be picked up and returned to non-visible area on the designated day of pick-up. No trash, garbage, rubbish, refuse, waste or other debris of any type shall be dumped, placed or permitted to accumulate on any portion of the property and **shall not be visible from any street.** The Board shall have the right to approve storage of a refuse can at the rear of a dwelling in a location close to the building, having minimum visual impact on adjoining properties. A detailed written request must be submitted to NM for the Board's review.

Section 5 Storage:

Articles of personal property belonging to any Unit Owner shall not be stored or kept in the Common Elements or Limited Common Elements at any time except that furniture, plants or like items on porches, patios and decks are approved by the ARC or are in compliance with ARC rules and regulations. All other such personal property shall be confined to the inside of the Owners Unit when not in use.

Section 6 Pets:

- (a) No animals, livestock, reptiles, poultry or any domestic household pets of any kind shall be raised, bred, or kept on any Lot or in any Unit, except that dogs, cats, or other customary domestic household pets may be kept provided they are not kept, bred, or maintained for any commercial purpose and that the animals do not violate any applicable law, ordinance or regulation.
- (b) Pets must be kept on a short leash at all times, are not permitted to run free at any time and are **prohibited to encroach on any Lot/Units Limited Common Elements including all planting beds and sidewalks**

at the front and side of each Unit. Pets shall not be allowed to be unattended or off leash at any time or in any part of the Common Elements or Limited Common Elements including fenced in areas.

- (c) Fenced Limited Common Elements are for and to the sole benefit of the Owner and are not pens to secure pets.
- (d) Pet owners **MUST IMMEDIATELY** clean up when pets foul the Common Elements or Limited Common elements, including fenced areas. Pet owners are required to remove and straighten any pine straw on sidewalks/walkways as a result of a pet's action.
- (e) Pets creating a disturbance or annoyance to the general community or an immediate neighbor be the pet located inside or outside a Lot/Unit is strictly prohibited.
- (f) Any resident who has a pet on any portion of the Condominium Property shall indemnify and hold the Association and each of its members, guests and employees, free and harmless from any loss, claim, damage, or liability of any kind or character whatever arising by reason of any act of said pet or of keeping or maintaining such pet with the Condominium Property.
- (g) All pets shall be required to wear an identification tag at all times. The Board of Directors at its discretion may require registration of all pets or require DNA samples from each pet housed at Edenton at the owner's expense.
- (h) Service animals may require special consideration if a resident has a qualifying disability and uses a service animal. The use and accommodations of service animal requires a case by case factual analysis.

Section 7 Signs and Flags:

- (a) No commercial signs, including "for sale," "for lease," "for rent," campaign and other similar signs, shall be erected or maintain on any Common area or Limited Common area unless authorized in writing by the Association, except the Association may erect a sign from time to time to announce Community Events or similar information to the benefit of the Community. Signs advertising a Unit "for sale," "for lease," "for rent," shall be permitted to be displayed in the lower front window of the Unit without ARC approval so long as the sign is less than five feet square. Standard size 12" x 9" realtor boxes for holding Unit sales information is acceptable in front of the Unit in the planting area only.
- (b) The American flag should be no larger than 3' x 5'. American flags larger than 3' x 5' shall be permitted in accordance code of the State of Alabama with prior written approval from the ARC as to its location. **Sport Team signs/flags are permitted only the day before, the day of, and the day after an event.** Signs are not permitted in the grass area at any time. Damage to the sprinkler system from placing a sign/flag in the ground will be the full responsibility the Unit owner.
- (c) **NO** signs shall be attached to any building, tree, light pole, street pole, or other Common Element or Limited Common Element.

Section 8 Parking and Driving:

Preface

Edenton Residential has four hundred ninety-five (495) designated parking locations. Four Hundred Ten (410) parking locations are within each Unit in the form of a two (2) car garage. Eighty-five (85) parking locations are provided on Portobello Road designated for resident's families and invited guests and not for continued use by Edenton residents!

- (a) All Owners and residents are required to have an Edenton Parking Decal *visibly displayed* in each resident's vehicle; inside lower left hand corner of the front windshield.
- (b) All Traffic regulations, including but not limited to the 15mph speed limit, stop signs and an egress stop to Portobello Road from all alleys must be adhered to by each Owner and each Owner's family members, guests, tenants or employees. All vehicles must have current license plates with dated state provided decals.
- (c) All Parking regulations must be adhered to by each Owner and each Owner's family members, guests, tenants or employees. Vehicles must park in designated parking areas identified by white stripping and offsetting curbs on Portobello Road; vehicles must be parked parallel to the curbs in designated locations with front and rear wheels not greater than 12" from the curb.
- (d) No vehicle shall be permitted to be parked on the Common Elements or Limited Common Elements, except in a designated parking space.
- (e) Driving over or parking any grassy area or sidewalk is strictly prohibited.
- (f) No Vehicle shall be permitted to park in any driveway (alleys) behind any building at any time, except a vehicle may be parked **perpendicular** to a garage door on the concrete garage apron so long as all four wheels are on the concrete/blacktop apron to the garage.

NOTE: The Cahaba Valley Fire Marshall has request "No Parking" in these certain locations to prevent hindrance of rescue vehicles and fire coverage. In the event of an emergency such vehicle may be removed by the fire department!

- (g) No automobiles or any other vehicles shall be parked or stored on any Common Element or Limited Common Element for more than twenty-four (24) hours even though said vehicle may be parked in an authorized parking location; except by written approval from the Board of Directors for a specified period of time. Boats, utility trailers, recreational vehicles, sports vehicles, travel trailers, off road vehicles, or similar other types of vehicles must either be parked or stored in the garage of a dwelling. Temporary parking of a commercial vehicle providing service to a Unit is permitted; they shall, however, be mandated to park such vehicles in designated park locations and if none are available are required to place orange safety cones on at the front and rear of the vehicle.

Section 9 Common Elements:

- (a) Maintenance: Only authorized maintenance personnel designated by the Board of Directors or NM are allowed to address any Common Element equipment, building, road way, sidewalk, landscape swimming pool, lighting or all other similar related objects/items. Residents are not authorized to request any alterations or exceptions to any work being conducted in the Common area or Limited Common area by a contractor or agent of the HOA or NM unless written permission is received.

(b) Approval: Each Unit Owner recognizes that the porches, patios, and terraces are assigned to the Unit as Limited Common Elements and are highly visible from other Units and surrounding properties. Further, each Unit Owner recognizes the need that the furniture, plants, and other decorative items be tasteful and unobtrusive. Therefore, the Architectural Review Committee has the authority and the obligation to approve all items placed on the porches, patios, decks and terraces and will from time to time adopt Rules and Regulations as to what may be placed on the porches, patios, decks, and terraces. Any such additions/alterations to the exterior of any unit must be submitted to the Edenton Architectural Review Committee for review and potential approval. This includes any furniture, planters, decorations, landscaping, etc.

(c) Decorative Items: No items may be installed on an exterior wall of a building other than that which is inside a front entry way porch. All items on the porch and any items attached to the exterior building must be under the portion of the overhang of the front entry porch. The size of any item attached to the exterior building must not be larger than four square feet. Only (1) wreath can be placed on the front door. No additional wreaths may be placed in any other location. Items must be hung on the wall or door by a single hook or nail. String lights hanging from decks, gutters, overhangs, eaves, or roof lines are strictly prohibited.

(d) String Lights: String lights or any similar type of lighting is prohibited from being installed on decks, gutters, overhangs, trees, shrubs, eaves, or roof lines or any other Common or Limited common area.

(e) Storm Doors: Storm doors at the front entrance to any building/unit are strictly prohibited. Storm doors are permitted at the rear or side entrance of a building/unit so long as the storm door is a single full view dual pane insulated glass, non-screened, in a bronze or darker color that blends the finish trim. **ARC approval is required prior to installation.**

(f) Advertising: No article placed on the property shall have any slogan or representation of any business, university, political views, religion, or heritage.

(g) Furniture: All furniture must be approved by the ARC. Only two pieces of furniture are allowed on a front entry porch (i.e. two chairs, one chair and one table, etc.). Folding chairs and tables are not permitted on the front porch. Furniture cannot be bright colored, made of plastic, PVC, rubber, concrete, or fabric. Furniture that replicates twisted wood or tree stumps are not permitted. No hammocks, swings, tents, canopies, or awnings are allowed on the porch, deck, patio, or terrace.

(h) Planters and Flower Containers: Decorative flower containers of subtle and subdued colors are permitted. Flower containers should contain healthy flowers (no artificial flowers or artificial plants are permitted) and be free of weeds or other plant material. Electrical or solar lighting cannot be added to the plants. Containers should be located on front porches, decks, patios and terraces only. The ARC limits the number of planters to four, no greater than 2' in height on a property. No planters or containers of any type are permitted to be placed on Common area or Limited Common area grasses. Window boxes and window planters are prohibited. ARC Approval is required.

(i) Statuary/Fountains: No more than two pieces of statuary are allowed. Statuary must be placed on the front porch, deck, patio or terrace only and should not exceed 3' in height. Statuary must be removable and not set in concrete. Statuary should not be painted. Fountains are not to exceed 3' in height, must be of stone or natural material and should not be painted. Fountains must be removable and not set in concrete. Statuary Fountains or any other similar items are not allowed in the foundation bed. ARC approval is required.

(j) Feeders: No type of animal feeders is allowed on the front or side property, including hanging in trees (i.e. bird feeders, bird baths, squirrel feeders, hummingbird feeders, etc. even as a statuary item.) ARC approval is required.

- (k) Vines: No plant material is permitted to grow along handrails, brick, siding, overhangs, windows, porches, gutters, etc. and cannot be mechanically attached to any of same.
- (l) Other accessories: Wind chimes, woodcrafts, sun catchers, rain sensors, address markers, banners, and any other accessory is not allowed on the front or side of property. Jungle Gym, Moonwalk, Castles, Water Slides, or similar type blown ups are prohibited in the Common or Limited Common areas with the exception of rental of the Common Element park areas for birthdays and similar activities after approval by the Board of Directors or NM. A copy of the Liability Insurance by those companies renting such equipment must be on file with NM prior to the event.
- (m) Foundation Beds: Nothing is permitted in the foundation/planting beds other than one security sign per residence. One small security sign no larger than one square foot (1') mounted on a stake no higher than thirty-six inches (36") and located adjacent to the front of the home in the foundation bed is allowed
- (n) Grilling: Charcoal or gas grills are strictly prohibited in all common areas. Use of grills in any covered area or building overhang is strictly prohibited. Grilling is permitted on a resident's concrete garage apron and concrete patios.
- (o) Fireworks: **Fireworks are STRICTLY PROHIBITED** in Edenton Residential. Violators and not the Edenton Residential HOA are fully responsible for any and all damages to the Common Area, Limited Common Area, and Buildings

Section 10 Structures:

No structures or appurtenances, such as a doghouse, tent, shack, tree house, trailer, aerial antenna, or playground equipment shall be placed or erected on any part of the Condominium Property, including patios, decks, planting beds, grass, and terraces. Outdoor clothes lines shall not be maintained upon any portion of the Common Elements or Limited Common Elements at any time.

Section 11 Satellite Dishes:

Only satellite dishes of less than one (1) meter shall be allowed on portions of the Condominium Property **with the express written approval of the Board or NM as to location of the dish**. Satellite dishes are prohibited from being attached to brick, fascia, overhang, or window/door frames of any building and cannot be visible from the street. All Satellite dishes not in use by Units Owner/Renters **MUST BE Removed** from Unit.

Section 12 Fences:

Fences shall not be erected on any Common or Limited Common Element where in the full length of the fence is parallel to Portobello Road. All fences must be permanent black metal and no more than 52 inches in height. Fences are only permitted in select areas of the Common and Limited Common Elements and must be approved by the Board ARC prior to installation. No Exceptions.

Section 13 Lighting:

Use of flood lighting is prohibited. Low voltage sidewalk lighting or professionally installed down lighting is acceptable. Low voltage up lighting is acceptable so long as it **DOES NOT** create a disturbance or nuisance to neighboring Units. String lighting is prohibited. Lighting in the grasses is strictly prohibited. **ARC approval is required for all lighting.**

Section 14 Landscaping:

Residents are prohibited from removing or planting shrubs, plants, or trees, whether living or dead, from any planting bed without the express approval of the HOA, Landscape Committee, or NM except that residents may plant seasonal flowers so long as they do not interfere with other plants and shrubs in the planting beds or maintenance to a wrought iron fences if applicable

Section 15 Window Treatment:

Draperies, shades, or mini-blinds used to cover windows in the Units shall be lined in white, beige, or another neutral color approved by the Board. No types of stickers, decorations, signs, etc. are allowed to be placed on the windows.

Section 16 Holiday Decorations:

- A. Lights attached to gutter, roof lines, overhangs, or any other part of a building/unit is Prohibited
- B. Only twinkling or solid lights are allowed, no racing lights.
- C. No musical lights.
- D. No lights or decoration are permitted on the roof.
- E. No blowups are allowed beyond the covered porch front stoop
- F. Christmas lights are not permitted prior to Thanksgiving and must be removed no later than January 5
- G. Lighting and decorations for all other Holidays are permitted 15 Days prior to and up to 5 Days after the Holiday

Section 17 Approval of Sale:

A letter of approval from the Edenton Board of Directors or Management Company (NM) is required prior to the purchase on any Unit. The Unit will be inspected by a designated representative of the HOA or Management Company to insure there is no damage or alteration to the exterior of the Unit by the current owner's action that may create an additional expense on the part of the HOA after closing. Should such a circumstance exist the HOA may require funds held in escrow to repair the damage or unauthorized alteration. It shall be the sole responsibility of the owner, their real-estate or closing attorney to secure the letter of approval.

Section 18 Estate and Yard Sales:

Estate sales, yard sales, or similar types of events are permitted on occasion upon **PRIOR** written approval by the HOA through Neighborhood Management. An individual associated with the event must be designated to monitor and control all applicable traffic and parking issues related to the event. Parking in an Edenton designated parking location is required first; if none is available short term parking on one side of the street only will be allowed. Parking on both sides of the street, in any alley, or driveway or within 200' of the intersection of Edenton Street and Portobello Road or on any grass is **STRICTLY PROHIBITED**. Designated or attempted allocation of parking locations for said event is **STRICTLY PROHIBITED**.

All events must conclude by 2:00pm the day of the event, all refuse resulting from the event must be cleaned up, the unit owner is fully responsible for any damage to a building, Edenton Residential Common area or Limited Common area. If the resident holding of the event leases stated Unit from an owner; the owner remains fully responsible for noncompliance of this regulation.

Neighborhood Management, upon request, will provide the required form the must be submitted to secure approval. Noncompliance of this regulation will result in an immediate \$200 fine and/or additional punitive action.

Section 19 Rules and Regulation:

There shall be no violation of any of these Rules and Regulations or of the terms and provision of the Condominium Documents, or other supplemental Rules which may, from time to time, be adopted by the Board and may be promulgated among the Membership in writing. Any consent or approval given under these Rules and Regulations may be added to, amended, or repealed at any time by resolution of the Board. Any changes or addition to the exterior of any home in Edenton is subject to ARC review and approval.

Section 20 Enforcement of Rules and Regulations:

The Association may, but is not required at its discretion, to provide notification to residents and/or Owners regarding violation of these Rules. The Board may set up a fine schedule pertaining to the Rules and Regulations. Any fines assessed pursuant to the fine schedule adopted by the Board will be assessed against any Owner who violates, or allows to be violated by his family members, guests, invitees, or pets any Rule or Regulation. Any owner leasing his Unit is fully responsible for any fines resulting from violation of the tenant. The fine is deemed to be a special assessment and will become a lien against the Unit where the violating Owner or pet lives, or where the violating family member, guests, invitees or pets visit. Fines may be assessed to cover any cost of repairs and damages resulting from any violation. All charges and fines imposed by the Association are due and payable on the first day of each month unless otherwise specified. Failure to pay the fine by the first of each month will be added to the violators monthly assessment and consider past due with appropriate fines and fees applied. Payment shall be made to the Management Company's office by check or money order made payable to the Association. Failure to pay any fine or assessment shall constitute a violation and be turned over for collection with a lien against the Unit of the Unit Owner

Section 21 On file with Management Company and www.Edentonliving.com web site

Past Due Monthly Assessment Policy and Regulation

Edenton Swimming Pool Rules and Regulations

Unit Rental Policy and Regulations

Common Area Usage Rental Policy

ARC Form

Schedule of Fines and Fees

NOTE: It is the responsibility of any Unit Owner leasing his/her their property to notify the Lessee of all Edenton Rules and Regulation as the Lessor is totally liable for any and all fines, fees or damages resulting from any violation of Edenton Rule and Regulation or action of the lessee resulting in damage to the Common area, Limit Common, or exterior of any building. All Owners are encouraged to report noted violations to the Management Company with dates, time, address, and photo of the violation. All information is held in the strictest of confidence.