

Sparger Springs Homeowners Association

Policies and Procedures

Spring 2012

Prepared By:
Allenton Management
PO Box 3250
Durham, NC 27715-3250
Office Phone: 919-490-9050
Office Facsimile: 919-493-1506
Email: arnolds@allenton.com

SPARGER SPRINGS HOMEOWNERS ASSOCIATION NEIGHBORHOOD POLICIES AND PROCEDURES

Pursuant to Article XI, Section 4, of the Sparger Springs Homeowners Association (SSHA) Declaration of Covenants and Restrictions, adopted March 20, 1987; the SSHA Board of Directors has formulated the following Policies and Procedures for the protection and general welfare of the neighborhood. Owners and Residents of Sparger Springs are expected to conduct themselves and to maintain the property in a manner to ensure that the community remains a desirable neighborhood. These policies and procedures are intended to supplement the provisions of the Declaration of Covenants and Restrictions of the Association and to ensure a safe, sanitary, and pleasant environment for all Owners, Residents and their Guests.

The Board of Directors may amend any policy. Failure by the Association or any Owner to enforce any of the policies or procedures herein contained shall in no event be deemed a waiver of the right to do so thereafter. Invalidation of any one of these policies or procedures by judgment or court order shall in no way affect any of the other policies and procedures, which shall remain in force and effect.

Owners are responsible for reporting any damage to the outside of their townhouse, land, or adjacent common area to the Board or the Management Company. Please submit the request in writing. This will insure good documentation, review and timely response.

The policies and procedures became effective on 10th day of July, 2000 and were amended in February 2012.

COMMON AREAS AND SANITATION

1. Curbside trash collection is provided by the City of Durham on **Thursday** of each week. A rollout container is provided for your use. All trash should be bagged and securely tied before placing it in the container. The container should be rolled out to the street and placed on the edge of the pavement, with the opening facing the street, only on pick-up days. At all other times, it should be placed at the back of your townhouse. If you are out of town, please ask a neighbor to remove your container from the street.
2. Large items are picked up at curbside by the Solid Waste Department. These items include things such as bicycles, furniture, televisions, and exercise equipment. It also includes "white goods" such as appliances and window air conditioners. To have items collected, contact the city's Solid Waste Department at 919-560-4186 to determine the appropriate days and times for collection. Residents are responsible for contacting the city for this service.
3. Curbside recycling pick-up is provided by the City of Durham on Thursday every other week, and Owners and Residents are strongly encouraged to participate. Make sure your recycling cart items are secure.
4. Recycling carts should be put out only on scheduled pickup day. If you are out of town, please ask a neighbor to remove your cart from the street. (Examples are: Newspaper, magazines, phonebooks, paperboard, cardboard (cut up in 3' X 3' pieces), plastic bottles, aluminum and metal cans, glass bottles (green/brown/clear). You may not place any container that has been used for prepared foods, like pizza

boxes. For a more information, visit the City of Durham Solid Waste Web site at:
<http://www.durhamnc.gov/departments/solid/>

5. Owners and Residents must respect the common areas adjacent to their neighbors' property.
6. No sports equipment shall be displayed or erected in a permanent or temporary way. Toys or other personal items used in the common areas must be removed after use and not left overnight.
7. An outside storage building is permitted inside the area of an enclosed privacy fence, provided it does not extend above the height of the fence and only with written approval from the Aesthetics Committee or the Board of Directors.
8. Lawn maintenance is provided by the SSHA. However, if you have the need for the disposal of yard waste, a brown container for this purpose, may be purchased from the City of Durham by calling the Solid Waste Management Division at Durham OneCall at 919-560-1200. Your yard waste container should be placed at the curb the same day as your trash container. The city will make a note of the yard waste container and arrange for it to be picked up.

MONTHLY MAINTENANCE FEE

Our only source of operating income is from our monthly maintenance fees. It is the obligation of every Owner to pay the monthly maintenance fee on time. **Direct draft service is available.** Fees are due on the first day of the month without notice, and **are considered late if not received by the end of the month and will be subject to a \$15.00 late fee each month they are not paid.** Fees should be paid to the Management Company as follows:

By Mail

Allenton Management
P.O. Box 3250
Durham, NC 27715

In Person

Allenton Management
3500 Westgate Drive, Suite 901
Durham, NC 27707

ARCHITECTURAL DESIGN AND CONTROL

1. Owners are not permitted to make any additions or changes to any part of the exterior of their townhouse unless submitted in writing to the Aesthetics Committee appointed by the Board or Directors and approved in writing as per Article VIII, Section 1 of the SSHA Declaration of Covenants and Restrictions. Under no circumstance will a verbal request be considered. The Aesthetics Committee will have thirty (30) days to approve the request from the date it is submitted by the Owner.
2. No antennas shall be permitted in Sparger Springs. Satellite Dishes consistent with the Telecommunications Act of 1996 (updated in 2009), i.e., 21" or less, are acceptable. It is the board's

intent that satellite dishes are installed on individually mounted poles within the 6' property line at the rear of the unit. If the professional opinion of the installation company is that the mounted pole installation will not provide acceptable reception, the homeowner must submit a written proposal for the installation procedure to the Aesthetics Committee or the Board for action within 30 days of submittal.

3. Patio Fences, Storm Doors and Patio Covers have been approved for installation; however, they must be maintained on a regular basis and in keeping with the original design and appearance of the manufacturer. Please refer to the Aesthetics Committee Modifications page found later in this document for specific guidelines as to the specifically approved design, style and color.
4. Permanently attached equipment, including but not limited to swing sets, picnic tables and grills, is not permitted without prior written approval from the Board of Directors or Aesthetics Committee.
5. The painting of exterior building surfaces is permitted with the existing colors only.

BUILDING EXTERIORS

1. No sign, ***including but not limited to political signs***, shall be placed on the common grounds, including the Sparger Springs entrance, without written permission of the Board. Each unit owner may erect one "For Sale" sign directly in front of his or her home **only**. "For Lease" signs must be placed inside the townhouse and visible from the window.
2. Exterior decorations shall be limited, modest, and unobtrusive **and must be placed on the Owner's property only and not on common property. This includes holiday decorations which must be removed after the holiday season.**
3. Temporary storage containers (PODS) that are used when moving or for repairs or renovations are permitted for thirty (30) days and may only be placed in the Owners parking space. Any damage to the road or pavement caused by the placement of the container on Sparger Springs property will be the responsibility of the Owner to repair.

LANDSCAPING

The Sparger Springs Homeowners Association is responsible for landscaping and maintenance of the common grounds. Any comments, problems, or questions relating to these matters should be directed in writing to the Maintenance Committee or the Management Company.

1. The Association intends to preserve and enhance the appearance of the grounds by providing maintenance of the grounds and assuming responsibility for all plantings, unless otherwise noted. Owners assume responsibility for anything they plant.

2. The Owners may plant bulbs, annuals, perennials and shrubs in the area directly in front of, beside, or behind their home. Flowers may also be planted in containers.
3. The use of artificial flowers and plants is *not permitted*.
4. No statuary, outdoor furniture, grills, hoses, containers, pet chairs, or other objects are to be placed in the common area or in any green space where they interfere with lawn mower access. They can be hazardous for lawn and maintenance workers.
5. The Board has the right to remove and/or repair any unauthorized changes to the grounds that an Owner refuses to correct after being notified of such. The cost of the removal and/or repair will be billed to the Owner.

PARKING

1. **PARKING SPACE RIGHTS:** Ownership of each townhouse shall entitle the Owner or Resident thereof to the use of **not more than two (2) designated** parking spaces for approved vehicles. An approved vehicle shall include any conventional passenger automobile, motorcycle, or truck of less than one and one-half (1½) tons in gross weight.
2. Regardless of the number of people residing in each living unit or dwelling, **only 2 vehicles** are permitted per unit on a permanent or ongoing basis.
3. If you need additional parking **for special occasions**, you may park at the edge of the pavement for a period of no longer than 72 hours. You may also ask neighbors for temporary use of their unoccupied space. In return, please cooperate with your neighbors' parking needs. Your guests should be advised of parking regulations.
4. Parking, even temporary, is prohibited on grassy areas. Motor vehicles parked along the street should have *all* wheels on the pavement. Rocks have been placed along the street to protect the grass.
5. No-parking areas have been marked, including those near fire hydrants and in the entrances to cul-de-sacs. Towing procedures are in place. The owner of the vehicle will be charged for towing and storage costs if a violation occurs.
6. The parking of trailers, boats, campers, and other recreational vehicles and heavy trucks is prohibited. Streets should be left unobstructed for emergency vehicles to pass through if necessary.
7. The SPEED LIMIT shall be **20 MPH** throughout Sparger Springs.
8. Motorcycle Owners shall provide metal plates for kickstands to prevent damage to the pavement.

9. The Board of Directors reserves the right to enforce towing, **at the expense of the Owner or Residents**, for any parking violation.

VEHICLES

All motor vehicle laws of the State of North Carolina shall be observed on all roads in Sparger Springs. Parking is permitted only in areas marked for that purpose. All roads are considered "fire lanes" and must not be obstructed by parked vehicles.

1. Automotive repairs, including but not limited to oil changes, are prohibited in the complex.
2. Inoperable or unlicensed vehicles are prohibited in Sparger Springs and must be removed from the property. All vehicles found not in compliance, including those in violation of the 72-hour rule, will be towed. Non-compliance will result in towing and storage expenses to the vehicle owner of record.
3. Owners of vehicles leaving a chemical or oily residue are responsible for immediate cleanup. Any significant or on-going leaks or spills will be reported to the City Storm Water Division. The operation of a motor vehicle by anyone other than a licensed operator is prohibited.
4. Washing of a vehicle is permitted in the homeowner's assigned space only, and should in no way interfere with others.

PETS

All residents and guests will adhere to city and county leash ordinances for both dogs and cats. Copies of these laws can be obtained from the respective agency. Also, refer to the Declaration of Covenants and Restrictions, Article XI, Section 4, for authority concerning rules.

1. All pets must be on a leash. Any pet running loose shall be considered a stray and may be reported to the Durham County Animal Control Officer at 919-560-0360. A pet is considered a stray when it is off the property of its owner and not under restraint by means of a chain, leash, or other device. **Please note this provision also applies to cats.**
2. Animals may not be tied or staked outside or left on patios/porches **unless in direct constant view of the Owner**. At no time shall any tethering device be affixed to any exterior portion of a living unit. Tying or restricting your pets to rear patios is your option; however it is the responsibility of the pet owner to ensure that the area in which the pet stays is cleaned *on a daily basis*.
3. Barking or other noises made by pets must not interfere with others' rights to reasonable enjoyment of their homes. Such noises constitute a nuisance under the Durham County Animal Control Ordinance and the Animal Control Department (919-560-0360) may be contacted.

4. When you walk your pet, excrement is to be cleaned up immediately, which requires a scoop and container in which to place the excrement when you walk your pet. Failure to comply can result in a substantial fine. **We encourage all residents to police this issue with their fellow residents.**
5. Do not leave unattended pets, chains or hooks on common property. Any resulting *damage* or *injury* is the pet owner's responsibility.
6. All pets should be vaccinated and properly licensed with the appropriate governing agency.
7. The breeding of animals for commercial purposes is PROHIBITED.
8. **The Board of Directors shall have the right to order any person whose pet is a nuisance and who does not comply with the above rules to remove such pet from the premises.**

WATER ISSUES

1. Harmful substances: Current Storm Water regulations prohibit runoff of any harmful substance. This includes but is not restricted to automotive maintenance as referenced in these policies under "Vehicles."
2. Pressure reducing valves: In 1996 the City of Durham put into use a new water tower in Durham County to correct low water pressure in the northern area. Just before this event, all customers who were to be affected by this were notified that the increase in water pressure could cause damage to water pipes. To prevent damage, it was recommended that each service (homeowner) install a pressure-reducing valve on the incoming line after the meter location. Having been notified, any damage caused by water pressure where a service does not have such a device would be chargeable to the owner, not the Association or the City. It is the *homeowner's responsibility* to ensure that this valve is in place.

GENERAL

1. Any suspicious activity should be reported immediately to the Durham Police Department by calling 911.
2. All personnel hired by the Board or Management Company shall be the responsibility of the Board or Management Company. Any related concerns should be directed to the Board or the Management Company for action.
3. While the North Carolina Fire Codes do not apply to townhouses when regulating charcoal or gas grills, Owners and Residents are urged to keep these as far from the homes as possible. The NC Fire Code recommends at least 10 feet from any living area.

4. Termite protection: Termite protection and remediation does not fall under the guise of exterior maintenance as referenced in the covenants and restrictions and is the responsibility of the homeowner.
5. Dryer venting: Due to the danger of fire, all residents are strongly encouraged to have dryer venting cleaned periodically by a specialist.

Any Owner or Resident found in violation of any of these rules and regulations will be notified in writing prior to any fines or remedies by the Sparger Springs Board of Directors.

IN ADDITION, THE SPARGER SPRINGS DIRECTORS MAY IMPOSE FINANCIAL PENALTIES, AS SET FORTH IN THE NORTH CAROLINA GENERAL STATUTE:

47C – 3 – 102, SECTION a (11).

SPARGER SPRINGS AESTHETICS COMMITTEE
Approved Exterior Architectural Design Modifications:

1. Privacy Fences - Alternate Board or Shadow Box design. Posts must be capped and all boards cut with a dog-eared appearance. Location must be no more than 6 feet beyond concrete patio. Maintenance of privacy fences is the responsibility of the homeowner. Fences may not be painted but must be maintained with wood preservative to prevent deterioration. (Roland Lee at Gibson Fence & Window – Phone 598-9277 has installed several fences in SS and installs a quality product).
2. Storm Doors - There are three approved styles. All doors are to be "Almond" in color.
 - Sparger Springs original style door purchased from Orange Glass Company
 - Anderson Storm Doors (2 styles) can be purchased from Home Depot
 - 3000 Series - Full View with Clear Glass
 - 3000 Series – TruEase Self Storing Door(Sparger Springs Board recommends the "Anderson" brand door for its durability)
3. Patio covers - There are two approved styles. Each style must but made of aluminum material and be "almond" in color. Two styles are:
 - full patio cover (different measurements due to varying patio sizes)
 - back door awning (approximately 3' x 5').

The maintenance of patio covers is the responsibility of the homeowner, i.e. gutter cleaning, washing, etc. (Roland Lee - of Gibson Fence & Window, (489-9277) is aware of the color guidelines for these patio covers and installs a quality product).

4. Screened in Patios - These must be purchased and installed through Kingsford Home Improvements at 688-5006 (Kevin Jones is aware of the Sparger Springs Guidelines). The maintenance is the responsibility of the homeowner. Any damaged screen must be repaired to its original state. Make shift repairs such as ply wood, metal sheeting, mesh wiring may not be used.
5. Replacement Windows - Window sashes must be Gray/Taupe in color. Window facing trim must be covered in aluminum and the color should match the approved Sparger Springs trim work. (We recommend anyone wanting replacement windows contact Kingsford Home Improvements).
6. Front Porch light fixtures may be replaced but must have an antique or polished brass or black finish and must be replaced with a fixture comparable in size to the original. These lights may also have a built in motion detector if the homeowner prefers.

SPARGER SPRINGS HOMEOWNERS ASSOCIATION
Aesthetics Committee or Board of Directors

REQUEST FOR AESTHETIC APPROVAL

NAME: _____

ADDRESS: _____

PHONE: Work: _____

Home: _____

Mobile: _____

EMAIL: _____

Type of Modification: **(Check One)**

_____ Addition _____ Storm Door

_____ Deck/Patio _____ Patio Enclosure

_____ Other: _____

_____ Landscape Modification (Describe) _____

IMPORTANT: PLEASE ATTACH A DETAILED DESCRIPTION OF IMPROVEMENTS & MODIFICATIONS, INCLUDING THE FOLLOWING, WHEN APPLICABLE:

- | | |
|---|---|
| 1. Location | 7. Plans/Drawing |
| 2. Size | 8. Roof Design |
| 3. Color | 9. Exterior Finish |
| 4. Material | 10. Dimensions |
| 5. Contractor | 11. Utilities |
| 6. Copy of Property Survey, with proposed changes & additions shown | 12. Types of plants, quantities, addition or removal existing or new planting bed, edge treatment |

Estimated Start Date: _____ Estimated Date of Completion: _____

The Aesthetic Committee Reserves The Right To Request More Information For Clarification And Requests For Multiple Changes Should Be Submitted Separately. Mail Applications To: Allenton Management, C/O Arnold Spell, PO Box 3250, Durham, NC 27715-3250

Reviewed By Management: _____ Date: _____

Approved By Board/AC: _____ Date: _____

Sparger Springs Homeowners Association

NON-RESIDENT OWNERS, TENANTS AND RENTAL OF PROPERTY

THIS RENTAL OF PROPERTY REGULATIONS AND RENTAL INFORMATION FORM WILL INCLUDE SPECIFIC REQUIREMENTS, INCLUDING A RENTAL INFORMATION FORM THAT MUST BE SUBMITTED TO THE SPARGER SPRINGS HOMEOWNERS ASSOCIATION BOARD OF DIRECTORS OR MANAGEMENT COMPANY PRIOR TO OCCUPANCY OF ANY TENANT.

RENTAL OF PROPERTY

Sparger Springs is a residential community of private single-family townhomes. While renting for any reason is discouraged, the Board recognizes that personal circumstances do change and Owners may find themselves contemplating renting their units for a period of time. Before making the decision to rent and certainly before having a rental agreement drawn up, Owners need to be aware of the following:

1. A copy of the executed lease and rental information form (furnished by the Sparger Springs Property Management firm) must be submitted to the Board of Directors of the Sparger Springs Homeowners Association before the property is occupied.
2. The lease should address these matters of interest to the Homeowners Association:
 - a. The right of the Association to enforce the governing documents and more specifically the Policies and Procedures against both Owner and Tenant. The Owner is responsible for supplying Tenant with a copy of these prior to signing of the lease and the Tenant must execute a lease addendum that the Sparger Springs Property Manager will provide.
 - b. The responsibility of both Owner and Tenant to maintain the grounds, common areas as well as private property, in keeping with the Association's Architectural and Grounds maintenance policies.
 - c. The liability of the Owner and Tenant for any damage to property and common areas owned by the Association.
 - d. The responsibility of Owner for all Homeowner dues and assessments, regardless of what arrangement Owner and Tenant may make between themselves for payment of these monies.
 - e. A provision prohibiting subletting.
 - f. Tenants shall comply with all provisions of parking rules as stated in the Policies and Procedures document provided.

Sparger Springs Homeowners Association - Rental Information Form

For: Unit # _____ Sparger Springs Lane

Owner's Name _____

Owner's Address: _____

City: _____ State: _____ Zip: _____

Phone: (Home) _____ (Work) _____

(Mobile) _____

(Email) _____

Tenant's Name _____

Phone: (Home) _____ (Work) _____

(Mobile) _____

(Email) _____

Lease Terms: _____
(Month) (Day) (Year) to (Month) (Day) (Year)

Name's Of Other Occupants: _____

Emergency Contact: (Name & Phone) _____

Vehicle #1:

License Plate: _____ Type Vehicle: _____

Vehicle #2:

License Plate: _____ Type Vehicle: _____

Management Company (If applicable) _____

Phone: (Work) _____ Facsimile: _____