

Cole Mill Townes

Policies and Procedures

Adopted – July 2003

COLE MILL TOWNES HOMEOWNERS ASSOCIATION NEIGHBORHOOD POLICIES AND PROCEDURES

Pursuant to Article VI, Section 4, of the Cole Mill Townes Homeowners Association (CMTHA) Declaration of Covenants and Restrictions, adopted August 21, 1997, the CMTHA Board of Directors has formulated the following Policies and Procedures for the protection and general welfare of the neighborhood. Owners and Residents of Cole Mill Townes 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, Conditions, 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 1st day of July, 2003 and last amended on May 1, 2024.

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 metal bar 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 for to remove your container from the street.**

No large items such as furniture should be left for curbside pick-up. Call the City of Durham Solid Waste Dept. at 560-4185 for pickup of these items.

2. Curbside **recycling pick-up is provided** by the City of **Durham on Thursday of every other week**, and Owners and Residents are strongly encouraged to participate. Make sure your bin is secure to prevent newspapers and other items from spreading by the wind or other means. **Recycling bins should be put out only on scheduled pickup day. If you are out of town, please ask a neighbor to remove your bin from the street.**
3. Owners and Residents must respect the common areas adjacent to their neighbors' property.
4. 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.
5. Outside storage buildings are not permitted.
6. Lawn maintenance is provided by the CMTHA. 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 560-4185. Yard waste is picked up on Friday of each week.

MONTHLY MAINTENANCE ASSESSMENT

Our only source of operating income is from our monthly assessment fees. It is the obligation of every Owner to pay the monthly assessment fee on time. **ACH draft service is available by contacting the management company.**

Assessments are due on the first day of the month without notice, and are considered late if not received by the last day of the month they are due. Consistent with the NC General Statute: 47-F-3-1020 (11), you may be charged a late fee of ten (10%) of the monthly assessment for any month it is not paid. Fees should be made payable to Cole Mill Townes HOA and sent to the Management Company as follows:

<p><u>By Mail</u> Allenton Management P.O. Box 3250 Durham, NC 27715</p>	<p>or</p>	<p><u>In Person</u> Allenton Management 3500 Westgate Drive, Suite 800 Durham, NC 27707</p>
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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 CMTHA Declaration of Covenants, Conditions, 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. All landscaping is to be left undisturbed unless approved in writing by the Aesthetics Committee or Board of Directors. All requests for additions or changes to the landscaping must be submitted to the Aesthetics Committee or Board in writing. No verbal request will be considered.
3. No antennas shall be permitted at Cole Mill Townes. Satellite Dishes consistent with the Telecommunications Act of 1996, i.e., 21" or less, are acceptable, PROVIDED THAT THEY ARE NOT VISIBLE FROM THE FRONT OF THE TOWNHOUSE, ARE NOT MOUNTED TO ANY PRE-EXISTING SURFACES, INSTALLED ON INDIVIDUALLY MOUNTED POLES WITHIN THE SIX-FOOT PROPERTY LINE IN THE REAR OF THE UNIT AND THAT THE AESTHETICS COMMITTEE OR BOARD OF DIRECTORS HAS APPROVED THE PLACEMENT, IN WRITING, PRIOR TO INSTALLATION.
4. **Storm Doors and Awnings** 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. Contact the Aesthetics Committee for specific guidelines as to the specifically approved design, style and color.
5. 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.
6. The painting of exterior building surfaces is permitted with the **existing colors and only after permission from the CMTHA Board of Directors.**

BUILDING EXTERIORS

1. No sign shall be placed on the common grounds, including the Cole Mill Townes entrance, without written permission of the Board. Each unit owner may erect one "for sale" or "for lease" sign directly in front of his or her home **only**.
2. Exterior decorations such as seasonal decorations shall be limited, modest, and unobtrusive.
3. Yard, Estate or Tag sales are prohibited in Cole Mill Townes.

LANDSCAPING

The Cole Mill Townes 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 individual unit Owner.
6. Owners' concerns regarding the grounds should be directed to the Management Company. Special requests should be made through the Management Company, not to the landscaping contractor.

NON-RESIDENT OWNERS AND TENANTS

Owners may delegate their rights of enjoyment of our common properties to any tenant with whom they have negotiated a written lease provided these conditions are met:

1. **THE OWNERS MUST INFORM THE BOARD OR MANAGEMENT COMPANY IN WRITING IMMEDIATELY OF THE NAME AND TELEPHONE NUMBER OF ANY NEW TENANT.**
2. The Lease must be for a period of at least six (6) months,
3. Requires the lessee to comply with the CMTHA policies and procedures and governing documents.
4. Provides that failure to comply constitutes default under the lease.
5. Leasing shall not relieve Owners from their obligations of ownership hereunder.

VEHICLES and PARKING

1. Owners and residents must park in their garage or on their own parking pad.
2. **Parking along the street should only be short-term (30 minutes or less).**
3. Overnight parking along the street is not allowed. In case of an emergency, it would be difficult, if not impossible for emergency vehicles to access the neighborhood.
4. **Limited Marked "Visitor Parking", is located beside 404 Culpepper Lane.** Please direct your visitors to this area, especially if they are staying overnight and there is not enough room for them to

park on your pad or in your garage. The church across the street has been good to let us use their lot for temporary overnight parking only.

5. **The posted speed limit is 15 MPH.** As a reminder, we have a lot of blind spots in the community. Please watch your speed when entering and leaving the development.
6. Please observe the marked "no parking" areas along the streets. Most of them are marked so Owners can back out of their spaces without hitting someone. As weather permits, we will have them repainted to make them more visible.
7. All motor vehicle laws of the State of North Carolina shall be observed on all roads in Cole Mill Townes. Parking is permitted only in areas marked for that purpose. All roads are considered "fire lanes" and must not be obstructed by parked vehicles.
8. Automotive repairs are prohibited in Cole Mill Townes.
9. Parking is prohibited on all grassy areas. Motor vehicles parked along the street should have *all* wheels on the pavement.
10. Inoperable or unlicensed vehicles are prohibited in Cole Mill Townes. All such vehicles are subject to being towed and the towing and storage expenses will be the responsibility of the vehicle owner of record.
11. Owners of vehicles leaving a chemical or oily residue on streets are responsible for immediate cleanup. The operation of a motor vehicle by anyone other than a licensed operator is prohibited.
12. Washing of a vehicle is permitted in the homeowner's individual space only.
13. The Board of Directors reserves the right to enforce towing, at the expense of the Owner or Residents, for any parking violation.

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, page 14, 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 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. 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. 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.
4. Do not leave unattended pets, chains or hooks on common property. Any resulting *damage* or *injury* is the pet owner's responsibility.
5. All pets should be vaccinated and properly licensed with the appropriate governing agency.
6. Animals may not be tied or staked outside or left on patios/porches unless in direct view of the Owner. 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 (560-0360) may be contacted.

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.**

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 inspection and treatment is the responsibility of the homeowner's association.
5. Dryer venting: Due to the danger of fire, all residents are strongly encouraged to have dryer vents cleaned periodically by a specialist.
6. **Please respect the privacy and peace and quiet for your neighbors at all times and especially between the hours of 10:00 PM and 7:00 AM, as per the City of Durham noise ordinance.**

PENALTIES AND FINES

**The Cole Mill Townes Board of Directors will notify Owners of a violation of these rules and regulations in writing prior to the assessment of fines or other remedies.
Violations & infractions may be subject to fines and penalties as provided for under
The Planned Community Development Act - NC General Statute: 47F.**