

MALLARD COVE HOMEOWNERS' ASSOCIATION

RULES AND REGULATIONS

Effective April 20, 2017

1. Any common driveway, sidewalk, passageway or entrance shall not be obstructed or used by any unit owner, guest or renter for any other purpose than to enter or leave the units.
2. Unit owners, guests or renters may not use driveways or passageways for play areas, nor to park or store recreational equipment including bicycles, scooters, or motorcycles. They can park these mopeds by the far end of the tennis courts.
3. No vehicle belonging to or under the control of any employee, owner, guest or renter shall be parked in such a manner as to impede or prevent ready access to any entrance or exit from any building. No diagonal parking will be allowed, just straight in parking within the 10 feet areas between the seams of the curbs.
4. Please be aware of where your neighbors park and have your guests park in spaces across from the front spaces. Each unit has two spaces but unfortunately there is not enough room for both to be directly in front of each unit, therefore we ask that you be considerate and not take another's spaces. Contact the manager if you are unable to settle any parking problems.
5. Abandoned and untagged vehicles will be towed away after notification to the owners. Boats, trailers and recreational vehicles are allowed to park in a designated area when approved by the Board of Directors. Contact the Manager or President of the Association, should the need arise. All movers' trucks must not obstruct or hinder access to parking at any time and may not be parked on curbs, sidewalks or grounds. Moving activity shall not begin prior to 8:00 am nor continue past 8:00 pm.
6. Except as to the area termed "limited common areas", no article shall be placed on or in any of the general "common areas", except for those articles of personal property that are the common property of all the unit owners.
7. No owner, resident or renter may install wiring for electrical or telephone installation for any other purpose, nor shall any television or radio antenna or dish, machines or air conditioning units be installed on the exterior walls of the building. Also any similar improvements that protrude through the walls such as doors and windows or skylights on the roof of the building be replaced except as may be expressly authorized by the Association.
8. No work of any kind may be done upon the exterior building walls or upon the general or limited common areas by any owner, resident or renter. All such work is the responsibility of the Association. If an owner requires the installation of any handicapped ramp, steps or special railings, the plans must be approved by the Board and the construction paid by the owner.
9. Owners and occupants must exercise reasonable care to avoid making or permitting to be made loud, disturbing or objectionable noises and in using or permitting to the playing of musical instruments, radios, televisions, stereos, amplifiers or any other instruments or devises in such a manner as may disturb or tend to disturb others. Excessive noise is NOT permitted after 11:00 pm to 7:00am in accordance with Hickory City Codes. If a request is made by an owner or resident that the disturbance be reduced and the owner or resident does not comply, the owner or resident has the right to call the Hickory Police Department to ask for assistance.

10. Disposition of garbage and trash shall be only by the use of the trash dumpsters as provided by the City of Hickory. All trash shall be placed in plastic garbage bags, secured and then set inside the dumpster. Residents shall not leave the garbage bags on the porches or sidewalks for more than one hour. Recycling bins are placed close to the dumpster and available for those who wish to recycle. The city has restrictions as to what can be placed in these bins so contact the city public works department or use the city's website for reference. For large items such as old furniture, appliances, etc. call the City of Hickory at 828-323-7500 for instructions to when the items can be picked up.
11. One 30 lb. domesticated animal and no more than two smaller animals weighing no greater than 40 lbs. are allowed per residence so long as they don't create a nuisance or are not on the dangerous animal list. No dog houses or pet pens are allowed to be erected. Dogs are not allowed to running loose or left on the front entry of the units. Owners are responsible for cleaning up after their pets in any part of the common area.
12. No additional buildings, sheds or separate storage buildings may be erected on the premises.
13. Front porches and stairways are to be kept neat, clean and orderly as to keep the buildings presentable. No grills, storage bins, firewood, bicycles, athletic and sport equipment, clothes and appliances are allowed. BBQ grills are not to be used on the front or rear porches or garages nor near the building. A large grill is available at the pool for your convenience. Reservations for the use of the grill shall be reserved through the resident manager. The Hickory Fire Code states there can be no open flame grilling within 10' of a structure or mulched areas.
14. No unit shall be occupied by more persons than the size of the unit comfortably allows. The occupant limits are within the discretion of the managing agent and the Board of Directors and will be determined on the merits of each case if violated.
15. Any damage to the general common areas or common personal property of the HOA caused by a unit owner, their tenant or their guests shall be repaired at the expense of the unit owner. This includes but not limited to shrubs and trees, pool furniture and damage of the parking areas due to leaking oil and antifreeze. Owners must repair the automotive leaks so further damage does not occur.
16. Monthly dues, fines, penalty fees and HOA insurance premiums are due within 30 days of the charge date. If not paid within the 30 days a late fee is added to the unpaid balance. (See Schedule of Fines detailed below) If unpaid after 60 days legal action will be taken including the issuance of a property lien, foreclosure and reports to the credit bureau. All legal and attorney fees will be paid by the offending unit owner.
17. All unit owners are required to have copies of the Mallard Cove Homeowner's Association Declarations, By-laws and Rules and Regulations and Pool Safety Rules. Owners that lease

their units are responsible to make sure their tenants have copies of the Rules and Regulations.

18. The appeal process for challenging any penalties or fines requires that the owner charged submit a written letter detailing why they feel the decision by the Board is in error and the Board will consider the challenge.

SCHEDULE OF FINES TO ADDRESS RULES VIOLATION

At the direction of the Mallard Cove Board of Directors warnings, fines and/or suspended privileges will be issued when deemed appropriate by the Board. This will be done for the safety, protection, and right to enjoyment of our other Owners and Residents and to maintain property values.

Schedule of Fines

1st Violation ...\$20.00

2nd Violation ... \$40.00

3rd Violation ... \$60.00

4th Violation ... \$100.00

Upon receipt of the initial Warning the Owner / Renter will be given an opportunity to correct the Rules Violation. If they fail to correct the violation there will be a \$20.00 fine payable within 10 days. If they fail to pay the fine and correct the violation after the 1st 10 day period there will be a \$40.00 fine added to the 1st fine and so on until the violation is corrected. NC State General Statutes state that a violator in a HOA can only be fined a maximum of \$100.00. After the end of the 1st 30 days the fines will begin again if the violation has not been corrected and the fines paid. Additionally, the amendment to our By-laws approved on July 28, 2011 allows that water service to the Violators unit be shut off and the valve locked if the violation(s) and fines go unpaid after 30 days.

Appeal Process

N.C. General Statutes 47C3101.1

The unit owner charged shall be given notice of the charge, opportunity to be heard and to present evidence, and notice of the decision. If it is decided that a fine should be imposed, a fine not to exceed one hundred dollars (\$100.00) may be imposed for the violation and without further hearing, for each day more than five days after the decision that the violation occurs. Such fines shall be assessments secured by liens under G.S. 47C3116. If it is decided that a suspension of condominium privileges or services should be imposed, the suspension may be continued without further hearing until the violation or delinquency is cured.