

BROOKSIDE GARDENS HOMEOWNERS ASSOCIATION RULES AND REGULATIONS

October 2024 (supersedes May 2024)

Always consult the covenants for specifics and additional homeowner requirements. These rules replace all earlier rules distributed for Brookside Gardens HOA.

ACC request forms can be found at csshoamgt.com (New Hanover Associations/Brookside Gardens/ Architectural request form).

1. Home Improvements

- a. **Architectural Changes:** All exterior changes, alterations, or additions must be submitted in writing to the Architectural Control Committee (ACC) for approval prior to beginning the requested project. Some examples are solar panels, front doors, screen/storm doors, windows, shingles, gutters, fences, patios, back porch enclosures, hot tubs, awnings, handrails, bushes or trees, painting, and staining.
- b. **Windstorm Shutters:** Residents may install windstorm shutter panels for temporary, short-term use as protection during severe storms only. All shutter panels must be removable and stored in the house or garage when not in use. The permanent mounting hardware may not alter the outside appearance of the home and should be painted to match the outside trim. All shutter panel installation requires prior written approval by the ACC.

2. Landscaping and Architectural

a. Landscaping

- i. Significant landscaping projects that are clearly visible from the road must obtain prior approval from the ACC and/or HOA Board, including removal/addition/replacement of trees and/or shrubs in the front or side yards that are visible from the street.
- ii. Trees are to be maintained by the property owner. Branches or limbs of trees or bushes hanging into the street must be kept limbed up high enough to allow trucks of all sizes to pass without impediment. *Standard Delivery Trucks and Front Load Garbage Trucks are 13 feet, 6 inches.*
- iii. No exposed stumps are allowed on any property. Tree stumps must be removed as well as surface roots. All debris must be removed from the site. ACC and/or HOA Board approved trees or shrubs removed that are visible from the street must be replaced or the remaining bed can be filled in with sod or treated as a garden bed with mulch and plantings. It is advised not to plant trees next to the home, driveway or sidewalk as roots can cause damage.
- iv. Shrubs and plants under windows shall not be higher than the bottom of the brick window frame to maintain a neat appearance and ensure safe exit and entrance during an emergency/fire, as recommended by law enforcement and fire professional.
- v. Pruning of shrubs higher than 8' *to maintain a neat appearance* must be taken care of at the homeowner's expense.
- vi. The addition, expansion, or removal of landscape beds (including pine straw beds) in the front or side yards visible from the street require prior approval from the ACC and/or HOA Board with submission of the ACC Approval Request Form. All planting and initial ground cover application are at the expense of

the homeowner. Beds must be laid out in a pattern/design which does not hamper the landscaper mower while cutting grass.

- vii. Lawn areas void of grass must be replaced with sod or seed. Replace dead or damaged lawn areas with Zoysia, Centipede or St. Augustine grass.
- viii. Dead bushes and trees must be removed promptly.
- ix. Flower beds are to be kept free of weeds and debris.
- b. **Maintenance.** All homes will be maintained in a suitable state of repair. Gutters must be cleaned and maintained by the owner.
- c. **Fences.** All fences must be in good working condition and be maintained with the design and materials that were originally approved. Fences must also be stained using the HOA approved stain brand and color.
- d. **Exterior Light Fixture & Light bulbs.** An ACC Request is required for any replacement light fixtures. They must be of similar size & bulb wattage to the original. Light fixture finish must be either black or bronze. All exterior lights bulbs must be clear, white, or non-frost.
- e. **Installations.**
 - i. **TV & Satellite Dishes.** All TV satellite dishes need ACC approval. The satellite dish should be placed in the least conspicuous place possible. The ACC has 30 days to respond to all requests.
 - ii. **Air Conditioner Units:** Window air conditioner units are allowed only on a temporary basis in the event that the home's central air system breaks down. Please notify the ACC within 48 hours and provide a timeframe estimate for repairs.
 - iii. **Athletic Goals:** There is to be no permanent installation of athletic goals.
 - iv. **Skateboard Ramps:** No skateboard ramps are allowed.
 - v. **Playground Equipment.** Swing sets shall be limited to wooden sets and shall only be allowed inside fenced yards.
 - vi. **Outdoor Garden Adornments.** Statuary, metal sculptures, trellises, garden benches, decorative rocks, slate, or other garden adornments may be placed in or on flower beds, front porches, decks and patios, provided that they enhance the attractiveness of the property and provided they do not hinder the maintenance of lawns and shrubbery. If a written complaint is received regarding garden adornments, final approval or denial will be made by the Board. Lawn ornaments visible from the street and larger than 30 inches in height or width must obtain prior ACC approval.
 - vii. **Flags.** Maximum size: Decorative Flags – 2 1/2' x 4'; American Flags – 4' x 6'
 - viii. **Signs.** NO commercial signs shall be permitted on any lot or in the common areas except for "For Sale" and "For Rent" signs, which are allowable on residential lots with the written permission of the Board. Political signs are permitted within the confines of the Planned Community Act of NC. All other signs must be no larger than 12 x 12 inches. Residents must obtain prior written permission of the Board and signs must be placed within landscape beds (so as not to inhibit lawn servicing). Residents must also receive prior ACC approval to install house numbers or house number signs anywhere on their property that is visible from the street.
- e. **Parking of Vehicles / Motor Homes / Pods / Boats / Trucks / Dumpster**
 - i. It is prohibited to park any vehicles, pods or dumpsters on the grass or parking on the grass of any lot or common area.
 - ii. No inoperative or unregistered vehicles are allowed on any lot unless stored in enclosed garages.

- iii. No motor homes, boats, or trucks rated over one (1) ton are to be parked on a lot for more than 24 hours without prior written approval from the ACC, and for no more than 72 hours with approval. When parking on the street is necessary, no vehicle is to be placed so as to prohibit the free flow of traffic, especially emergency vehicles.
 - iv. No pods or dumpster are to be parked on a lot without prior written ACC approval and for no more than 7 days.
- f. **Outdoor Fires.** No open fires, burning of leaves or trash is permitted.

3. Noise. There is to be no obnoxious behavior or excessively loud or long-lasting noise which may become a nuisance in the community (i.e., barking dogs, loud music, band practice, motorcycle, and vehicle noise).

4. Common Property

- a. **Trash.** Trash cans must not be placed at the curb before 4 pm the day before pickup. They must be removed by 12pm the day after pickup. All other times, trash cans must not be visible from the street.
- b. **Dumping.** The wildlife area and lots are not to be used for dumping grounds. The Association will have the ability to remove debris from the lot and the cost will be charged to the homeowner.
- c. **Swimming Pool.** A key fob is required to enter the pool facility. One pool fob per household will be issued. Replacement fobs will be \$25.00 and may be requested from Chris Blake at Community Solutions SE.
- d. **Littering.** No littering of any kind in the community, including cigarettes or cigarette butts.

5. Animals. No animals other than domesticated dogs, cats, or other household pets are to be kept or housed on any lot. All animals are to be on leashes when leaving the homeowner's private property. No animals may be kept for any commercial purposes in any home or on any lot. When walking animals, the homeowner is responsible for immediately picking up any waste left by the animal. Dog and cat feces must be removed from your outside personal property within 24-48 hours. Landscape contractors will not mow lawns with feces as it is unsanitary for their personnel and their equipment. Please make sure that pet feces are removed before mowing day. It is also a health hazard to the neighbors in our community.

NOTE: It is also mandated by New Hanover County that dog and cat waste in public areas be cleaned up immediately.

When it rains, bacteria and pathogens in pet waste wash directly into the storm drainage system, into your neighbor's property, then into our waterways – untreated! Also, dog and cat waste can cause illness and disease in humans and other pets. This law is enforced under the Nuisance Statute by the New Hanover County Sheriff's Department.

NOTE: Be aware that you are required to conform to the New Hanover County laws regarding animals, including but not limited to licensing, adequate shelter, barking and leash laws.

Violation Schedule –The additional steps after the first violation notice will be taken no sooner than at 15-day intervals. A single type of violation which incurs no action for a period of 12 months will be restored to a no-violation category.

1st written notice (email) – *respond with a plan by the date included in the email*

2nd written warning – *respond with a plan by the date included in the communication*

3rd written invitation to a hearing with the HOA Board

4th written notice of \$100 fine, payable within 15 days

5th written notice of \$100 fine per day and/or other consequences as per covenants can be imposed at the discretion of the Board of Directors