

**Article VI**  
**Use Restrictions and Rules**

**Section 1. General.** The Board of Directors may, from time to time, without consent of the members, promulgate, modify, or delete use restrictions and rules and regulations applicable to the Lots and the Common Property. This authority shall include, but shall not be limited to, the right to limit the type and size and to set the maximum and minimum speeds of vehicles within the Community. The Board shall also have the authority to impose all other necessary traffic and parking regulations and to restrict the maximum noise levels of vehicles in the Community. Such regulations and use restrictions shall be binding upon all Owners and occupants until and unless overruled, cancelled, or modified in a regular or special meeting by the vote of Owners holding a Majority of the total votes in the Association.

**Section 2. Use of Lots.** All Lots shall be used for single-family residential purpose exclusively. No ongoing business or business activity shall be carried on or upon any Lot at any time except with the written approval of the Board. Leasing of a Lot shall not be considered a business or business activity.

**Section 3. Signs.** The Board shall have the right to remove any sign that is deemed unsightly or offensive at any time. The Board shall have the right to erect reasonable and appropriate signs.

**Section 4. Vehicles.** Vehicles shall not be parked on any subdivision street for more than twenty-four (24) continuous hours. Motor homes, boats/watercraft, trailers, motorcycles, scooters, trucks, campers, buses, and commercial vehicles, shall not be parked on any lot, including the driveway, so as to be visible from the street for periods of more than seventy-two (72) continuous hours. Exceptions are to be approved in writing by the Board.

**Section 5. Leasing.** Lots may be leased for residential purposes.

**Section 6. Occupants Bound.** All Declaration provisions and Use Restrictions and Rules, which govern Owner conduct and provide for Owner sanctions, also apply to all Lot occupants.

**Section 7. Animals and Pets.** No animals, livestock, or poultry of any kind may be raised, bred, kept, or permitted on any Lot, with the exception of dogs, cats, or other usual and common household pets in reasonable number, as determined by the Board; provided, however, those pets which are permitted to roam free, or, in the sole discretion of the Board, endanger the health, make objectionable noise, or constitute a nuisance or inconvenience to the Owners of other Lots or the owner of any property located adjacent to the Community may be removed by the Board. No pets shall be kept, bred, or maintained for any commercial purpose. Dogs which are household pets shall at all times, whenever they are outside a Lot, be confined on a leash and all solid waste shall be promptly removed by the owner. Without prejudice to the Board's right to remove any such household pets, no household pet that has caused damage or injury may be walked in the Community.

**Section 8. Nuisance.** It is the Owners' responsibility to prevent any unclean, unhealthy, unsightly, or unkempt conditions of his or her Lot. No lot shall be used, in whole or in part, for the storage of any property or thing that causes the Lot to

appear in an unclean or untidy condition. No substance, thing, or material shall be kept upon any Lot that emits foul or obnoxious odors. No substance, thing, or material shall be kept upon any Lot that causes noise or other conditions that disturbs the peace, quiet, safety, comfort, or serenity of the occupants of surrounding property. No noxious or offensive activity shall occur on any Lot tending to cause embarrassment, discomfort, annoyance, or nuisance to any person using any property adjacent to the Lot. There shall not be maintained any plants or animals or device or thing of any sort whose activities or existence in any way is noxious, dangerous, unsightly, or unpleasant that diminishes or destroys the enjoyment of the Community.

**Section 9. Unsightly or Unkempt Conditions.** Hobbies or other activities causing disorderly, unsightly, or unkempt conditions shall not be allowed in any part of the Community. This includes the assembly and disassembly of motor vehicles and other mechanical devices.

**Section 10. Architectural Standards.** No exterior construction, alteration, addition, or erection of any nature whatsoever, including without limitation, fences, shall be commenced or placed upon any part of the Community, except as is approved in accordance with this Section, or as is otherwise expressly permitted herein. No exterior construction, addition, erection, or alteration shall be made unless and until the plans and specifications showing the nature, kind, shape, height, materials, and location shall have been submitted in writing to and approved by the Board or its designee. The Board or its designee may promulgate written guidelines for the exercise of this review.

The Board or its designee shall be the sole arbiter of such plans and may withhold approval for any reason, including purely aesthetic considerations, and it shall be entitled to stop any construction in violation of these restrictions. Representatives appointed by a majority of the Board shall have the right with 24 hours notice, to enter upon any Lot during reasonable hours for the purpose of ascertaining whether or not projects approved by the Board have been or are being complied with. Such persons shall not be deemed guilty of trespass by reason of such entry. In the event the Board or its designees fail to approve or to disapprove such design and location within sixty (60) days after the plans and specifications have been submitted to it, approval will not be required, and this Section will be deemed to have been complied with.

**Section 11. Antennae.** No exterior antennae of any kind, with the exception of satellite dishes, shall be placed, allowed or maintained upon any portion of the Community, including any Lot, without the prior written consent of the Board or its designee. Homeowners are urged to install satellite dishes in such a manner as to be least visible from the street. If in the opinion of the Board, the device may be placed in a less visible location without a significant increase in the cost of installation, maintenance or use, the homeowner may be required to move it to a less visible location, or alternatively, screen it or paint it to blend in with the architectural design of the home or site.

**Section 12. Gardens, Play Equipment, and Pools.** Ornamental plants and shrubbery (and only ornamental plants and shrubbery) may be planted between the rear of the dwelling and any street line. Any vegetable garden, hammocks, statuary, play equipment, or pools must be located between the rear of the dwelling and the rear Lot line. All in-ground swimming pools shall be surrounded by fence in accordance with this Article. Permanent above-ground pools are not allowed. Exceptions are

permissible with prior written approval of the Board or in accordance with guidelines previously established by the Board.

**Section 13. Tree Removal.** No trees which are left on the Lot at closing shall be removed without the express consent of the Association, except for (a) diseased or dead trees; and (b) trees needing to be removed to promote the growth of other trees.

**Section 14. Lighting.** Exterior lighting visible from the street shall not be permitted, except for (a) one decorative post light; (b) a street light in conformity with the established street lighting program of the Community; (c) seasonal decorative lights; (d) low-intensity garden lights; and (e) with the prior written consent of the Board, house illumination that does not, in the opinion of the Board, detract from the appearance of the Community.

**Section 15. Drainage.** Catch basins and drainage areas are for the purpose of natural flow of water only. No obstructions or debris shall be placed in these areas. No Owner of any Lot may obstruct or rechannel the drainage flows after installation of drainage swales, storm sewers, or storm drains. It is the responsibility of each homeowner to keep the curbs, gutters and road frontage along their property free of all debris (including grass clippings and leaves) and disposed in a proper waste receptacle.

**Section 16. Sight Distance at Intersections.** All Lots at street intersections shall be so landscaped as to permit safe sight across the street corners. No fence, wall, hedge, or shrub planting shall be placed or permitted to remain at the corner of a Lot where this would create a traffic or sight problem.

**Section 17. Clotheslines, Garbage Cans, Woodpiles, Etc.** All clotheslines, garbage cans, woodpiles and other similar items shall be located or screened so as to be concealed from view of neighboring Lots, streets, and property located adjacent to the Lot. All rubbish, trash, and garbage shall be regularly removed from the Lot and shall not be allowed to accumulate thereon.

**Section 18. Subdivision of Lot.** No Lot shall be subdivided or its boundary lines changed except with the prior written approval of the Association. Any such division, boundary line change, or replatting shall not be in violation of the applicable subdivision and zoning regulations.

**Section 19. Guns.** The use of firearms in the Community is prohibited. The term "firearms" include "B-B" guns, pellet guns, paint-ball guns, and small firearms of all types.

**Section 20. Solar Devices.** No artificial or manmade device which is designed or used for collection of or heating by solar energy or other similar purposes shall be placed, allowed, or maintained upon any portion of the Community, including any Lot, without the prior written consent of the Board or its designee.

**Section 21. Fences.** No fence or fencing type barrier of any kind shall be placed, erected, allowed, or maintained upon any portion of the Community, including any Lot, without the prior written consent of the Board or its designee. The Board may issue guidelines detailing acceptable fence styles or specifications, but in no event may a chain link fence or hog wire fence be approved.

**Section 22. Exterior Colors.** All homeowners are responsible for submitting any exterior improvements to the Board for approval. This includes changing the exterior color of paint, the roof materials or color, changes to the style or type of windows, and any other exterior improvements as described in section 10.

The Board reviews the submission and makes a decision using their best judgment of what will be compatible with the character and appearance of the community. If the Board disapproves a request, the homeowner may not proceed with the improvements. If they do, the Association will proceed to make the homeowner correct the violation.

**Section 23. Mailboxes.** All mailboxes and posts shall appear to be of the same type and design with the post being a 4x4 dimension with or without a support, or hanging sign for the house number. The mailbox shall be of USPS standard of 6½ inches wide 8½ inches high and 19 inches deep. Mailboxes shall be installed at a height of 41–45 inches from the road surface to the bottom of the mailbox.

**Section 24. Lake.** The Association is responsible for the maintenance of the lake, lakebed, and shoreline, which are within the Community. Such maintenance shall be performed with a minimum of interference to the quiet enjoyment of property adjacent to the lake, reasonable steps shall be taken to protect the Community, and damage to the Community shall be repaired by the Person causing the damage at their sole expense.

The lake may be used by any Member. All non-members must be accompanied by a current Member of the Association. Owners of Lake Lots may access the lake from their own property. All other members are to access the lake from Common Property. No ice-skating or swimming shall be permitted on the lake. Boating is permitted, provided, however, boats with internal combustion engines shall not be allowed on the lake. Fishing in the lake is permitted with such licenses as may be required by any governmental entity.

No landscaping, vegetable gardens, hammocks, statuary, swing sets or similar play equipment, basketball goals or similar athletic equipment, or boating equipment, pools, fences, clothes drying equipment, dog houses, dog runs or other pet enclosures, signs, retaining walls or any other structure or thing which in the sole discretion of the Board, tends to detract from the appearance of the Community shall be permitted on any Lake Lot, and any such item shall be removed immediately upon request of the Board. Boats must be screened to be concealed from view of neighboring lots and lake view property. Garbage containers on Lake Lots shall be screened as to not be visible from the street, lake or adjoining Lots. No private docks shall be permitted on the lake.

Nothing other than landscaping and improvements originally installed by the Declarant and Vegetation growing naturally shall be planted, placed, erected, or permitted to remain on any Lake Lot in the area between the dwelling and the lake except with the prior approval of the board or its designee, and then only in the area lying between the two (2) planes forming either side of the dwelling and extending toward the lake a distance of thirty (30) feet from the dwelling. For purposes of this Section, the thirty-foot distance shall be measured from the exterior wall of the dwelling closest to the shoreline, regardless of the presence of a deck, patio or screened porch.