

Brighthurst Homeowners Association, Inc Rules and Regulations (Amended May 31, 2019)

1. **Noise:** Each unit may be used solely as a single-family residence and for no other purpose. No owner will permit anything to be done or kept in the unit or in the common areas and facilities which would be in violation of any municipal law or ordinance, or which would result in the cancellation of insurance on the unit or on any portion of the common areas and facilities. No noxious or offensive activity shall be conducted upon any unit nor shall anything be done therein which may be or may become an annoyance or nuisance or shall interfere with the peaceful possession of property by unit owners. Excessive noise shall be deemed a "noxious or offensive activity" for the purposes of this section. The Brighthurst Condominiums are located within the City of Raleigh and as such, conform to the City of Raleigh ordinances pertaining to noise. The Peace Disturbance Ordinance is in effect between **11:00 p.m. and 7:00 a.m. Excessive noise during these hours is prohibited. Where violations occur, a complaint should be made to the property manager and/or the Raleigh Police Department.**

Construction and demolition noise is permitted only between 7:00 AM and 8:30 PM. Violations of this rule should be reported to the Property Manager and/ or the Raleigh Police Department.

2. **Smoking:** Smokers are responsible for properly disposing of all ashes and butts in or around any of the outdoor common areas, including the parking area. Disposing of ashes and butts in plant beds is prohibited and may result in a fine not to exceed an amount of \$50.00 per occurrence.
3. **Trash Disposal:** All trash shall be disposed of in the dumpsters located in the parking lots. No garbage bags, trash cans or garbage of any type is allowed at front doors or on patios or decks. Any trash left outside of a unit will be picked up at the owner's expense. All recyclables should be put in the recycle bin(s). If these bins are full, please take your items to the Jaycee Center located on Wade Avenue. No items of any kind are allowed next to dumpsters or recycle bins. The disposal of oversized items (mattresses, furniture, construction debris, etc.) at these residential dumpsters is prohibited. **Owners will be fined \$100 should they or their tenant leave items next to dumpsters or recycle bins.**
4. **Grills:** Cooking with an open flame appliance fueled by charcoal, wood, propane, etc. on decks, balconies or porches in a multifamily dwelling is a violation of the City of Raleigh Fire Code Section 504.8. The code prohibits the use of charcoal grills, hibachis, smokers, and portable electric grills that contain loose heat storage material such as lava rocks. **Owners will automatically be fined \$150 should they or their tenant light an appliance fueled by charcoal, wood, propane, etc. on decks, balconies or porches.** Any resident observing this violation is obligated to report the violation to the Raleigh Fire Department immediately at 919-831-6311 and the following business day to Grandchester Meadows as this jeopardizes the safety of all who reside in the building.

The City of Raleigh Fire Code Section 504.8 also prohibits the storage of propane tanks on decks, balconies or porches in a multifamily dwelling. Owners will be automatically fined \$150 and required to remove the tank (s) from the premises immediately. Any resident observing this violation is obligated to report the violation to the Raleigh Fire Department at 919-831-6311 and to Grandchester Meadows as this jeopardizes the safety of all who reside in the building.

5. **Additions, Alterations or Improvements by Owners:** No owner shall make any structural addition, alteration, or improvement in or to his Unit or to any Limited Common Element, or any change (including a satellite dish or antenna) in the exterior appearance thereof, until the plans and specification showing the nature, kind, shape, height, materials and location of the same have been submitted to and approved in writing by the Board of Directors.
6. **Windows and Doors:** All exterior windows, window screens, front doors, back doors, sliding glass doors, storm doors, etc. installed after December 1, 2010 shall be of uniform style and color and **must be approved by the Board before installation is allowed.**
7. **Architectural Changes and Additions:** Any changes or additions to the common or limited common area, including landscape additions must have the prior written consent of the Board of Directors.
8. **Pets:** No animals, livestock or poultry of any kind shall be kept or maintained in any unit or any dwelling except that dogs, cats or other household pets may be kept or maintained. The Brighthurst Condominiums are located within the City of Raleigh and as such conform to all Raleigh ordinances pertaining to pets. Further, for the health, safety, welfare, comfort and convenience of all residents the following rules shall be observed governing pets:
 - a. Subject to the limitations set forth herein, generally recognized house pets, in reasonable number and size, may be kept and maintained in a living unit, provided such pets are not kept or maintained for commercial purposes.
 - b. All pets of homeowners, residents, and/or their guest must be on a leash while on common or limited common areas.
 - c. No animal may be leashed to any stationary object in or on the common areas.
 - d. Pet owners are responsible for any property damage, injury and disturbances caused by their pets.
 - e. No pet will be regularly allowed to urinate or defecate in flower beds or on bushes as this causes the plant to die. Pet owners or responsible person are responsible for removing their pet's wastes from the common areas, parking areas, and units. In the event a pet owner fails to conform to this section, the Brighthurst Homeowners Association shall be entitled to fine the pet owner an amount equal to the cost of having an area cleaned and a fine not to exceed an amount of \$ 100.00 per occurrence.
 - f. No pet shall be permitted to bark, howl or make other loud noises for such an unreasonable time as to disturb neighbors' rest or peaceful enjoyment of their unit or the common elements.

9. **Signs:** No signs shall be permitted on or about the units unless it is a real estate For Sale sign and only one real estate sign is allowed per unit. The real estate sign shall not be in excess of 18" by 24" in size in the window of the seller's unit. No signs are allowed in any common areas or on the grounds of the Brighthurst Condominium complex. Posters or other sign types shall not be permitted in unit owner windows.
10. **Leased Units:** Any lease or rental agreements involving the units shall be in writing and shall be subject to the requirements of the Association documents and Association rules and regulations governing same.

All owners are required to send contact information for their lessees to the management company, including their names, phone numbers and email addresses. The date of their move-in and date of departure must be sent to the management company. Please tell a lessee that furniture, mattresses, etc. cannot be left by the dumpsters. They need to donate the items or take them to the city dump. If items are left, the owner will be fined.

Each unit shall be used for a single-family residence and for no other purposes. No Unit Owner may lease his unit for less than a 30-day term.

11. **Parking:** Only current Unit Owners, verifiable Lessees, and their guests may park in the Brighthurst parking lot. Unit owners shall not park or store any camper trailer, trailer vehicle, motor home, travel trailer, camper, boat, boat trailer or any other recreational vehicle, etc. anywhere on the premises. No moving PODS of any type shall be put anywhere on the grounds of the Brighthurst Condominium complex without the prior approval of the Board of Directors. No trucks shall park overnight except for the standard 2-ton or less pickup trucks or smaller sized trucks. Unlicensed vehicles, vehicles with expired license, and vehicles considered not "road worthy" (e.g., inoperable, with flat tires, excessive oil leaks, etc.), are not allowed in the Brighthurst parking lots. Vehicles illegally parked in "Handicapped" or "No Parking" areas are subject to immediate towing, and all others are tagged and given 10 days' notice before towing. If extenuating circumstances exist, please contact Grandchester Meadows immediately after your vehicle has been tagged.
12. **Yard Sale:** No use of common areas for yard/ moving/ estate sale purposes shall be allowed.
13. **Litter:** No littering of any type is allowed on the grounds of Brighthurst Condominium complex. If a unit owner is caught littering, a fine of up to \$100 will be imposed.
14. **Elevator:** The Building 1000 elevator is designed and rated as a passenger elevator, not a freight elevator. Because it will malfunction if over weighted, the elevator is for use by residential passengers and their guests only. Contractors are prohibited from using the elevator. Move-ins/ move-outs are prohibited from using the elevator.
15. **Enforcement:** At such time as a violation may occur or be reported in writing to the property manager, it is necessary to record the date, time and unit number as well as the violation, and in turn the Property Manager will adhere to the following procedures:
 - a. The Property Manager shall send notice to the party in violation (and the unit owner if the violator is a lessee) stating the violation and the corrective measures to be taken as well as a compliance date, therefore.

- b. If the corrective measures are not taken or a response is not received by the Property Manager on or before the compliance date, then the Property Manager may take all measures reasonable and necessary to correct the violation with the costs of such to be borne by the violator. If the costs are not paid, it shall constitute a lien against the property in question pursuant to the Association documents.
 - c. Parties reporting violations are encouraged to provide a specific description and/ or photographic evidence (when applicable) of violations.
 - d. Violations will be confirmed by the board.
 - e. All violation reports, including the identification of the party who reported the violation, will be kept confidential
16. **Process for Rule Violations:** Pursuant to NCGS 47C (The Planned Community Act), the Board may levy fines up to \$100 per day/per violation for Rule Violations. Two (2) letters requesting compliance will be sent to the owner of the unit. The third letter will be a Notice of Hearing with the Brighthurst Board of Directors.