# Jackey’s Creek Plantation Homeowners Association

### Rules and Regulations (issue date July 2021)

#### Website - [www.jcphoa.com](http://www.jcphoa.com) Facebook - @jcphoa

#### Email - jackeyscreekleland@gmail.com

## Summary of Changes

July 2021 – Added fences may not extend forward of front door.

## Architectural

No dwelling, wall or other structure shall be commenced, erected or maintained upon any lot without prior approval in writing by the Board of Directors or the Architectural Committee (which is empowered to act for the Board of Directors.) Sheds must have board approval and are not to exceed 12 ft in any dimension, the color of the shed must match house, and roof must have shingles that match house.

All requests for exterior additions or exterior alterations must be submitted in writing and approved by the Board of Directors or Architectural Committee. Exterior alterations include, but are not limited to: additions, storage buildings, garages, walls, fences, roofs, swimming pools, painting and repainting of exterior surfaces.

All service utilities, fuel tanks, clothes lines and wood piles should be enclosed behind a fence or plant screen approved by the Board of Directors or the Architectural Committee to preclude from causing an unsightly view.

No fences shall be permitted without the approval of the Board of Directors or the Architectural Committee. The accepted standard fence may be between 3’ and 6’, comprised of wood boards or panels, and may not extend or be placed forward of the front door.

All lots shall be used for single family residential purposes only.

No obnoxious or offensive conditions shall be allowed to exist upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.

All requests for satellite dishes or antennas must be submitted in writing to the Board of Directors or Architectural Committee to obtain approval for placement and size of the dish or antenna.

## Lot Maintenance

All improved lots must be properly maintained. In the event that any lot owner fails to keep the premises free from weeds, underbrush, refuse piles, unsightly growth, unsightly objects or tools, after notification, the Board of Directors may correct the situation at the lot owners’ expense. Driveways should be kept free of debris.

Owners of unimproved, wooded lots shall maintain the cleared shoulder as necessary to provide a neat, trim appearance.

Owners of any lot, whether improved or unimproved, shall take precautions to preclude the washing or erosion of soil onto adjacent lots, common areas or streets. If the lot owner fails to do so, the Board of Directors may correct the situation at the lot owners’ expense.

Objects not permitted on any lot include, but are not limited to: play furniture, swing sets, toys and similar type items. If these items can be placed in backyards where they are not offensive to neighbors, they will be permitted.

All garbage and trash shall be kept in containers and stored in garages or backyards, concealed from view except the night before or on garbage collection days when the containers are to be placed near the street for collection. Containers shall be returned to garages or backyards, concealed from view, the same day after collection.

## Vehicles

Recreational & Commercial Vehicles; No boat, camper, trailer, motor or mobile home, or similar type vehicle shall be permitted to remain on any lot or on any street without the written consent of the Board of Directors. Commercial vehicles with significant signage must be parked behind and enclosure or inside the garage.

A boat (boat size must be approved separately) may be stored in the backyard, behind a 6-foot fence. If the boat is still visible from the street, it must be covered with a neutral colored tarp to hide the exposed area. A boat may be left on the driveway while cleaning, but must be removed (and tarped, if necessary) within 24 hours.

No truck or other vehicle in excess of one (1) ton capacity shall be permitted except as may be permitted in the above Recreational Vehicle rule. Utility Trailers will not be parked in the front yard; nor side area unless hidden from view.

No trailer, motor home, camper, boat, basement, tent, shack, garage, barn, or any other outbuilding, temporary or permanent, shall be used as living quarters, on any lot.

Vehicles must be parked on pavement or stone surfaces, not on lawn areas.

No inoperable vehicles, or vehicles without current registration and insurance are permitted. Vehicle repairs must be completed, and materials removed from driveway within 24 hours.

Extended or overnight parking on the street is not allowed and is subject to fines and/or towing. This is a Town of Leland ordinance.

Drivers are to be cautious on all roads throughout the community and obey the speed limit of 25 miles per hour.

## General Issues

No animals other than domesticated dogs, cats and other normal household pets may be kept or housed on any lot. No pets may be kept, bred or maintained for commercial purposes. All pets shall be properly constrained at all times. No pet owner shall allow their pet to roam, unattended off the owner’s lot. Pet owners shall clean up after and remove all litter via poop-scoop, etc. Any damage caused by pets will be the responsibility of the pet owner.

All drapes, curtains or other similar materials hung at windows visible from the outside, shall be of a white or neutral background material, i.e., an embroidered likeness of a dirty old woman giving the observer the “moon” is not allowed.

Exterior Lights: All light bulbs or other means of illumination installed in any fixtures located on the exterior of any building should provide predominantly white light.

Owners must obtain written approval from the Board of Directors prior to placing or displaying any signs, flags, or advertising of any kind on or near any lot, common area, or street. Exception will be made for “For Sale” signs placed by a real estate agent contractually bound by the lot owner. Signage will be limited to one sign per lot. No signs greater than 24”x24” or flags greater than 4’x6’ are allowed. Following approval, signs must be placed only in the front yard with the writing/picture facing the street and no less than 10’ from the street.

Political signage may only be placed 45 days prior to, and must be removed within one week of an election. Political signs may not exceed 24”x24” and may be placed only in the front yard with the writing/picture facing the street and no less than 10’ from the street. Any flag indicating political positions or opinions are considered political signage and will be counted in the limit of one. (See NC regulation Planned Community Act 47F-3-121)

## Burning

Burning cannot occur during high hazard conditions such as low humidity or high wind. We currently use the Brunswick and State of NC regulations for Open Fires, which requires a burn permit for open burning. No permit is required if a noncombustible container is used. Only leaves, branches and other plant growth can be burned.

*Any burning in violation of the Burning Rules will result in an immediate fine of $100.00 and the fire will be immediately put out.*

**NOTE: UNDER NO CIRCUMSTANCES SHALL ANYTHING OTHER THAN PLANT GROWTH BE BURNED (See Regulation 15A NCAC 2D.1900 “Open Burning” for details.)**

Any violation of the rules and regulations by an owner, their guests or tenant, will subject the owner to fines. Frequency and amount to be determined by the Board of Directors, however, not to exceed:

1st offense - Warning letter; unless it is for violating the Burning Rules, which is an immediate $100 fine.

2nd offense - $50.00 fine (per day and/or occurrence until the violation is corrected) and any costs incurred for collection of fines (including attorney and filing costs.)

Fines

Statute of limitations of two years - Any violation of any Homeowner, 2 or more years from the last occurrence, cannot be immediately fined. If the Homeowner has gone two years without a repeated occurrence, then the correction process should start over with a warning letter. (Occurrences apply to violations of the same thing).

Occurrence Based Fines – Since Noise and Parking violations can be immediately corrected, they do not require a 30-day waiting period from receipt of the warning letter to the fine letter. Once the Homeowner has received the Warning Letter for either of these violations, the board can institute an assessment for any new occurrences. Should a special situation hinder the correction of a violation, an appeal can be made to the board of directors.

Appeals of a violation can be made to the board of directors. The fine letter will state the timing requirement to appeal the violation (normally 5 days from the date of the issuance of the fine letter). Send an email to JCP HOA (jackeyscreekleland@gmail.com) requesting the personal appeal. The board will schedule a meeting to discuss and judge the appeal. If the appeal is not granted, fines will be assessed from the date indicated in the fine letter.