

# BRAELOCH HOMEOWNERS ASSOCIATION

## RULES AND REGULATIONS

*In accordance with Article VII, Section 1 of the Declaration of Restrictive Covenants the following rules and regulations have been formulated and published by the Board of Directors and are effective as of September 1, 2024.*

1. **GENERAL:** The following rules and regulations are designed to make living at Braeloch pleasant and comfortable for each member of the association. The restrictions which the Board imposes upon the members are for the mutual benefit of all to preserve, enhance, and protect the value of our community. The cooperation and consideration of each member of the Association is vital.
2. **ANNUAL ASSESSMENTS:** Homeowners Assessments are due and payable on the 1<sup>st</sup> of January and considered late if not received by the 31<sup>st</sup> of January. Payments may be made online, by check, or bank draft. Any homeowner who is in arrears will be subject to a \$20 per month late fee and may be subject to legal action and lien, judgment, and foreclosure administered by the Wake County Court System. All legal fees and court costs shall be the owner's responsibility.
3. **ARCHITECTURAL CONTROL:**
  - A. The Architectural Control Committee (ACC) is composed of volunteers that live in the community. The ACC interprets and implements the property restrictions published in the Braeloch Declaration of Restrictive Covenants for the purpose of protecting the investment of all homeowners with Braeloch.
  - B. Prior to **any** exterior alterations, additions, or house color change such as, but not limited to:
    - gutters
    - siding
    - windows
    - garage doors
    - exterior doors
    - room additions
    - fences
    - pet homes
    - storage buildings

an **architectural change request form** for approval must be submitted to the Architectural Control Committee (ACC) of the Board of Directors. The ACC or Board, at its sole discretion, may or may not approve any changes. A written reply to any request will be made within thirty (30) days after said request has been received.

Examples of items that do require approval:

- Major hardscaping (examples: patios, landscaping walls)
- Parking pad addition
- Grading changes on the property

Examples of items that do not require approval if the guidelines noted are adhered to:

- installation of outside security lighting
- installation of sprinkler system
- tree removal with stump ground or cut flush with ground and covered with mulch/ground cover
- flower gardening and/or minor landscaping

NOTE: Should you have any questions, regarding what does or does not require approval or what constitutes minor examples of items that do not require approval if the guidelines noted are adhered to, please speak with an ACC, management company or Board representative.

NOTE: For projects exceeding \$5000, the Board recommends homeowners always submit an Architectural Request Form to provide the homeowner assurance that the project is in compliance with Braeloch's covenants and Rules and Regulations.

**4. YARDS & HOMES:**

- A. Homeowners are required to keep their yard in a neat and orderly appearance – free of tall grass, weeds, undergrowth, dead trees, clutter, trash and rubbish. Any homeowner that does not maintain their yard so as to present a pleasing appearance may be subject to the ACC having the required work done at the homeowner’s expense or fines imposed by the Board.
- B. Commercial signs are not allowed unless company is actively working on home. Only standard size, (3’ by 3’ maximum) “For Sale” or “For Rent” signs are allowed on the property and only one sign per home is permitted. Signs are not allowed to be placed in the common area. One Political sign is allowed but may not be displayed more than 45 days before the election and must be removed within 7 days after the election. All signs must comply with Town of Cary ordinances.
- C. Building and/or landscaping materials for construction on the property may only be stored on a lot for a reasonable amount of time while the project is in progress.
- D. Home exteriors should be kept in a state of good repair and maintenance performed on a regular basis, including but not limited to paint, pressure washing, woodwork, siding, roofing, decks, and all other exterior improvements and surfaces.
- E. Above ground tanks of any type are not allowed including above ground swimming pools without the written approval of the ACC.
- F. Holiday decorations are permitted, provided that the length of time they are displayed is in accordance with the Town of Cary ordinance and the decorations are installed and removed within a reasonable period of time. (Generally 30 days before and after the holiday)
- G. Outside clothes lines of any type are not allowed.
- H. No construction or plantings may be placed within any easements, which may damage or interfere with maintenance of utilities and/or the flow of water through the drainage facilities. Please be aware of easements on your property before planting.
- I. All trash and recycling containers must be stored on the homeowner’s premises in such a manner that they are not visible from the street. Garbage/trash must be kept in a suitable sealed container to prevent intrusion by animals and prevent loose debris from being blown into streets and lawns.

**5. STREETS AND PARKING:**

- A. The streets within Braeloch are owned and maintained by the Town of Cary. Every effort should be made to park all vehicles in the driveways instead of the street. No vehicle of any type is allowed to be parked on the grass, sidewalk, or any unpaved area on the lot. Homeowners can submit an architectural change request form to add a parking pad to their driveway. Note: Town of Cary parking information can be found at [www.townofcary.org](http://www.townofcary.org)
- B. Boats, trailers, campers, jet skis and other recreation vehicles are allowed, provided they are parked in a garage or screened area and are not visible from the street in Braeloch.
- C. All vehicles parked within Braeloch must be in operating condition both legally and mechanically. (Current license plate, no flat tires, broken windows, major accident damage, etc.)
- D. Commercial vehicles are not allowed to be parked on the property without written approval of the ACC or Board.
- E. Minor vehicle repairs (oil changing, tire changing, spark plug replacement, etc.) are allowed; however major repairs (engine overhaul, transmission repair, brake replacement, rear end repairs, etc.) are not allowed. Vehicles are not allowed to be left on jacks or blocks. No mechanical device may be assembled or disassembled on any lot for more than 24 hours.

**6. ANIMALS AND PETS:**

- A. Dogs, cats, and other domestic household pets are allowed. Livestock and farm animals of any nature or classification whatsoever are not allowed. (Horses, chickens, cows, roosters, goats, pigs, etc.)

- B. Any inconvenience, damage, excrement or unpleasantness caused by any pet shall be the sole responsibility of its owner. All dogs and cats shall be kept under the direct control of their owners at all times and shall not be allowed to run free or otherwise interfere with the comfort and convenience of any resident or guest. These requirements are in accordance with the Town of Cary Leash Ordinance. The Town of Cary requires each resident to remove and dispose of pet excrement. Please report all issues promptly to the Town of Cary Animal Control or Police Department. Dog runs or dog pens are not allowed. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on the property for commercial purposes. No structure to house animals may be constructed or installed on the property without the approval of the ACC or Board.
7. **COMMON AREAS:** Every homeowner should protect his interest in the common areas. Please do not abuse these areas by way of littering or in any way restricting the enjoyment of these areas. The common areas within Braeloch are maintained by the association. No modifications may be made nor vegetation planted in or removed on the common area without the approval of the ACC or the Board. The Association maintains insurance coverage for the common areas only.
  8. **MAILBOXES:** Federal law prohibits any unauthorized entry of mailboxes. Any person in violation will be reported to the Federal Postal authorities. Mailboxes and posts should be maintained and in a state of good repair. Please see the attached mailbox specifications document for acceptable design standard.
  9. **SATELLITE DISHES:** Satellite dishes greater than 24 inches in diameter are not allowed. If possible, the installation of a satellite dish should be in the back of the property. ACC approval is not required to install a satellite dish that is less than 24 inches in diameter.
  10. **RENTAL PROPERTY:** All tenants are expected to comply with the rules, regulations, and restrictive covenants of Braeloch and should be informed of their responsibility by the owner of the home. The Association will hold owners responsible for the actions of the tenants. Homeowners are required to include full-service yard maintenance for the entire property in their rental agreement. Services should include but are not limited to regular weed control of the yard and beds, mowing and appropriate annual sod maintenance. Home rentals need to be registered with the property management company. Braeloch covenants prohibit Airbnb or room rentals.
  11. **PROHIBITED ACTIVITIES:** Noxious, offensive, or loud activities shall not be carried on upon any lot. Each home shall be used for residential purposes only. No part of the property shall be used for business, manufacturing, commercial or professional purposes. The discharge of firearms, fireworks, or any other noise making device is not permitted at any time within the community of Braeloch.
  12. **FINES:** The Board may impose fines against any lot and such fines shall be treated as a Special Assessment due to the Association. Fines shall be paid not later than 30 days after notice of the imposition or assessment of the fines. Fines shall be as follows: First non-compliance or violation \$50. Second non-compliance or violation \$100. The third and all subsequent non-compliance or violations that are of a continuing nature will be \$100 for each week of violation.

### BRAELOCH MAILBOX SPECIFICATIONS

- ✓ Mailboxes and posts must always be kept in a state of good repair.
- ✓ The mailbox is to be black metal with a red flag and should not be heavily faded, damaged or rusted.
- ✓ The mailbox size is to be medium or 1.5.
- ✓ The mailbox post should not be rotten or damaged and should be freshly painted white in color.
- ✓ Mailbox posts may be of vinyl or wood material.
- ✓ A decorative post cap or finial ball is required, preferred is the “Maine Ornamental 4x4” style which is available at Lowes.
- ✓ Address numbers should be white when applied on the mailbox or black when applied on the post.
- ✓ Novelty mailboxes are not allowed.
- ✓ Original style replacements are available through Posts and Pickets at 215 Tryon Road, Raleigh, 919-772-7170.

## **BRAELOCH ARCHITECTURAL GUIDELINES**

### **Fences**

- Maximum height is 6 feet; gate height must not exceed the fence height.
- All fence material shall be treated wood or black aluminum/metal. Vinyl and chain-link fencing is not allowed.
- All wood fencing must be unpainted natural wood.
- All fences must have the finished side facing out (posts and cross beams not visible from the outside),
- Picket dimensions may not exceed 1x6.
- Maximum allowable distance the fence may extend forward from the rear corner of the home towards the front is 10 feet.
- When tying into existing fences, the new fencing must be of similar height, design and color. Homeowner should obtain approval from their neighbors before planning on tying into existing fences.
- A birds-eye view diagram showing the lot, the location of the home, with the location of the proposed fence clearly marked must accompany your architectural change request form.

### **Home Exteriors**

- Must be muted colors that blend in with the existing feel of the neighborhood.
- Trim and garage doors must be light neutral color or white.
- Gutters must be light neutral color to blend with existing trim or white, exceptions may be made for black gutters if the gutters will blend with existing roof and home exterior.
- Roofs must be standard shades of black, grey, or brown. Brightly colored roofs are not permitted. Roof material should be standard Asphalt Shingles in coordination with the rest of the neighborhood. Metal accents may be approved on case-by-case basis.
- Driveways must be standard color/texture concrete. Brick or paver accents that coordinate with existing home may be permitted on case-by-case basis.

### **Storage Sheds**

- Storage sheds need to be constructed to compliment the architecture of the house.
- Shed needs to be made with the same siding, trims, material and paint color as the house. Metal sheds are not allowed.
- Peaked or cottage type roof with asphalt shingles to match the house. Flat, barn type and metal roofs are not allowed.
- Shed must be constructed on a brick foundation to match the home. Shed cannot sit on concrete or wood blocks. There can be no open space between the ground and shed floor that could harbor rodents.
- Shed door(s) must be residential quality exterior doors. Plywood panels on hinges are not allowed.
- Shed windows (if any) must be paned glass in a style to match the design of the house.
- Maximum size of shed allowed is 10 ft x 10 ft.
- A birds-eye view diagram showing the lot, the location of the home, with the location of the proposed shed clearly marked must accompany your architectural change request form.

### **Screened in Porches**

- Screened in porches must be attached to the home. No free-standing structures.
- Screened in porches should be constructed to compliment the architecture of the house and must have the same siding, trim material, and paint as the house.
- Peaked or cottage type roof with asphalt shingles to match the house. Flat, barn type and metal roofs are not allowed.
- If a deck is built off the screened in porch it must be setback from the property line in accordance with the Town of Cary ordinance.
- The town of Cary requires a permit before building a screened in porch. For information on building permits call 919-469-4340 or visit [www.townofcary.org](http://www.townofcary.org)
- A birds-eye view diagram showing the lot, the location of the home, with the location of the proposed screened in porch clearly marked must accompany your architectural change request form.

### **Decks**

- Decks may only be painted with the approval of the architectural committee (you do not need approval to stain your deck).
- Decks must be setback from the property line in accordance with the Town of Cary ordinance.
- The town of Cary requires a permit before building a deck. For information on building permits call 919-469-4340 or visit [www.townofcary.org](http://www.townofcary.org).