

2015

# Heritage Pines Rules & Regulations





HERITAGE PINES COMMUNITY ASSOCIATION
RULES AND REGULATIONS

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## **USE OF THE HERITAGE PINES FACILITIES**

### **GENERAL**

1. Within this document the term "Resident" shall refer to "Resident," "Owner," "Homeowner" and/or "Tenant."
2. Residents are expected to exercise proper decorum, wear proper attire and respect HPCA property at all times.
3. Individuals who are leasing a home in the Heritage Pines Community and have the appropriate documents filed in the Clubhouse office may use the facilities the same as a Resident homeowner, provided that the property owner has waived his/her use of the facilities.
4. All community Residents, including owners, renters and other occupants must go through an orientation with the Clubhouse Manager within 60 days of new occupancy. The purpose is to acquaint them with the rules and regulations of the community and to receive their Clubhouse entry fobs. Extra or replacement fobs may be purchased, but are not refundable.
5. The Heritage Pines facilities are provided for the enjoyment of all the Residents and their guests.
6. Guests must be accompanied by the Resident when utilizing any Heritage Pines facility.
7. Smoking is not permitted in the Clubhouse or on the recreation complex.
8. Firearms, weapons of any type and all explosives including fireworks, are not permitted in the clubhouse or on the recreational complex.
9. Residents must adhere to the Cary laws regarding leash laws for pets. In addition, when outside the owners dwelling, all animals must be on a leash with the owner present at all times. This is stated in the Association Covenants, Conditions and Restrictions (CCRs). The common areas where pets are restricted are: the Clubhouse, pool area and the fenced recreational area.
10. The Association Board will do its best to keep Heritage Pines a safe and enjoyable community. Please assist by doing the following:
  - a. Call the Police (911) if anything of a suspicious nature is observed.
  - b. Obey the posted speed limits.



- c. Exercise caution when entering or exiting the community.
  - d. Residents must keep post lights in front yards operational during dusk-to-dawn hours for safety, security and appearance purposes.
  - e. Residents should report outages of street lights in our community. Notify the power company and provide the number found on the light. The phone number is 1 800 419-6356.
11. Residents may make use of the arts, crafts and electronic equipment, provided they are proficient in the use of said equipment. Residents are asked to report any damage or malfunction to the HPCA office ASAP.
12. Proper attire is required at all times. Shoes and shirts are required when on the Clubhouse property, with the exception of the pool area.
13. No gambling (betting money on the outcome of a game or contest) may take place in the Clubhouse or on community grounds. Gambling is illegal in the state of North Carolina.
14. Clubhouse open hours are **5:30 am – 11:30 pm**. The police will be alerted and will respond to any violation of the closed hours due to the Clubhouse alarm system's automatic setting. Exceptions may be granted with the approval of the Board.
15. No one under the age of 18 is permitted to use the pool table or any Heritage Pines electronic equipment (except the Wii under the supervision of an adult.)

### ***CLUBHOUSE (OPEN EVENTS)***

- 1. Participation in regularly scheduled social events is restricted to Residents and their guests. These events may be open to guests as space allows. Resident attendance at a social event takes priority over guest attendance.
- 2. Consumption of alcoholic beverages on Clubhouse property is limited to certain events that are approved by the Association Board.
- 3. Clubhouse events (other than private parties) are subject to the following rules:
  - a. Open events must be approved and scheduled by the Social Committee.
  - b. All events (except Ladies' Luncheons and Men's Breakfasts) must be open to all Residents and advertised in the newsletter.



- c. Any event that includes a presentation by a profit-making business must benefit the Residents and has to be approved by the Association Board.
- d. All attendees, including Residents participating in programs, must pay full price for an event. No meal sharing will be permitted. Special diet requests will be accommodated, if possible, before the event deadline.
- e. Payment and registration for each event must be made by the deadline as stated in the newsletter.
- f. Name tags will be provided for all paid attendees. You must display these name tags when you attend.
- g. No religious, political or exclusionary organizations (Elks, Kiwanis, etc.) will be allowed.
- h. The Clubhouse may be reserved at no charge for memorial receptions following the death of a resident. Check with the Clubhouse office for availability and guidelines.

***CLUBHOUSE (PRIVATE EVENTS)***

**Heritage Pines Clubhouse Rental Rules**

The Clubhouse may only be rented by a resident member of the Heritage Pines HOA:

- **The Heritage Pines homeowner responsible for the rental must be present at the event, failure to do so will result in function being terminated and forfeiture of deposit.**
- The Clubhouse may not be reserved on a "sub-lease" basis.
- The Renter must be current on all HPCA dues and obligations.
- The Renter will be responsible for the actions and behavior of their guests.
- No one under age 21 is allowed to consume alcohol on the premises
- No animals are allowed inside of the Clubhouse, with the exception of service animals.
- No smoking allowed inside the Clubhouse.
- The Clubhouse may not be used for personal gain.
- The Clubhouse is for Members and their guests.
- The Clubhouse rentals may not be used for functions that are "Open to the Public" or for "fund-raising" events.
- The Board has established a limit of 85 persons in the Clubhouse at any one time. Violations may result in forfeiture of the deposit.
- Doors to the Clubhouse should **never be propped open**; this will cause the alarm to go off and forfeiture of deposit.
- No spa, pool, fitness center or other amenity privileges come with the Clubhouse rental.
- The Renter must be present whenever a caterer or guest is in the Clubhouse.
- You have a choice of Saturday or Sunday rental hours:  
 .....Afternoon: **12 noon until 5 pm** or Evening: **5 pm until 10 pm.**

- Reservations will be accepted on a first come first served basis, but will not be accepted more than 120 days prior to the rental date nor less than 30 days prior to the event.
- Rental of the Clubhouse is handled through the Clubhouse office. To check availability dates and initiate the rental process contact the Clubhouse office by phone - 919-466-0016 or email – [cheritagepines@nc.rr.com](mailto:cheritagepines@nc.rr.com).
- Reservation forms may be picked up at the office during these same hours. Forms are also available online at [www.heritagepinesnc.com](http://www.heritagepinesnc.com) under forms.
  - **Reservations are not confirmed until the Clubhouse office receives a signed Reservation Form, a rental check of \$200 and a security deposit check of \$250. These checks (2) should be made payable to Heritage Pines Community Association** and along with the reservation form must be received at least 30 days prior to the rental date. The rental fee includes set up, break down and cleaning the Clubhouse.
  - The security deposit check will be returned to the Renter if there is no damage to the property or rules broken during the rental. Any rental cancelled less than 30 days prior to the booked event will forfeit a \$50 holding fee.
  - A copy of the Resident's Homeowners Insurance policy must accompany the application. The policy must have at least \$250,000 in general liability insurance. A copy of the Renter's homeowner insurance policy naming the Heritage Pines Community Association as an 'Additional Insured' must accompany the application.
  - Included in your fee is table set up, break down, and deep cleaning after the function, you are responsible for removing trash and any other items you brought for your function.
  - Table cloths may be rented for a fee. Check with the Clubhouse office for details.
- A volunteer from the Clubhouse Committee or someone from the Clubhouse office will contact the renter at least 3 days prior to the rental to arrange for the pre-rental walk-through. If you have not been contacted 3 days prior to your rental, please contact the Clubhouse office at 919-466-0016 for help in scheduling an appointment.



## **HERITAGE PINES POOL RULES AND REGULATIONS**

Pool hours are dawn to dusk.

Children under 18 swim time is 2:00 pm to 5:00 pm.

Aquatic exercise is as scheduled, see calendar for dates & times.

1. All Residents and guests must sign in and have pool passes in plain view. The sign-in sheet is located near the Clubhouse pool entrance.
2. Guests must be accompanied by a Resident when using pool and/or spa.
3. Posted rules for pool and spa must be followed at all times.
4. North Carolina law prohibits:
  - a. alcoholic beverages in spa,
  - b. entering pool or spa while intoxicated,
  - c. using pool or spa with an open wound or infectious disease,
  - d. swimming after dark, due to lack of sufficient lighting,
  - e. using the pool or spa before 30 minutes after the last thunder.
5. North Carolina law suggests use of a shower prior to using pool and/or spa. Showers are available in Clubhouse.
6. Safety regulations prohibit:
  - a. diving or jumping—pool depth is 4-5 ft.,
  - b. running or horseplay in pool area,
  - c. pets in pool area,
  - d. use of spa by children under 18,
  - e. babies/toddlers in disposable diapers; only swim diapers are allowed.
7. Food and beverages are allowed, but no glass containers.
8. Large floats and toys are not permitted. Swim aides are allowed.
9. Radios and other music listening devices are permitted with the use of headphones.
10. Proper swimming attire is required for all Residents and guests. Always dry off and wear a cover and shoes when entering clubhouse.

- Rules are not negotiable and will be enforced.
- Residents and guests who are diving, jumping, running or engaging in horseplay will be asked to leave the pool.
- Avoid using suntan oil. Use sunscreen and let it absorb completely after application before entering pool or spa.
- Familiarize yourself with the location of safety equipment and the emergency phone in the pool area. Any questions or concerns, please contact the office.

### ***Recreational Complex Rules and Regulations***

1. The Recreational Complex comprised of the tennis and pickleball court, practice backboard, bocce court, horseshoe pit, and driving net is for the use of Residents and guests only.
2. Guests must be accompanied by a Resident when using the Recreational Complex.
3. The key to the Recreational Complex is located on the Clubhouse door handle inside the rear entrance to the kitchen.
4. All gates must be locked when not in use.
5. Hours are from dawn to dusk.
6. Athletic shoes must be worn in the fenced Recreational Complex.
7. No pets are allowed within the fenced Recreational Complex.
8. No game(s) may be played, other than the designated activity or sport.
9. Glass containers are not permitted within the Recreational Complex.
10. Rollerblades, skateboards, bicycles and/or scooters are prohibited in the Recreational Complex.

### ***Fitness Room Rules and Regulations***

1. The exercise room is for the exclusive use of Residents and their guests. A Resident must accompany guests.
2. Use exercise equipment at your own risk. Heritage Pines Community Association, Inc. is not responsible for injuries relating to equipment use. Anyone using the fitness equipment assumes full responsibility for any injury or loss that might be suffered as a result of such use.
3. It is recommended that you consult your physician before beginning any exercise program.
4. Please use the sign-in sheet in the fitness room.
5. No one under the age of 18 is allowed in this room.





6. No eating, smoking, alcohol or horseplay is permitted in this room. Drinks must be in closed plastic containers. Proper exercise attire and footwear must be worn. No swimsuits, wet clothing, sandals or bare feet are allowed. Please remove personal items when you leave.
7. This room is unsupervised. It is recommended that Residents exercise with someone.
8. Use the equipment only as directed by the manufacturer. Improper use may result in bodily injury or equipment damage.
9. Do not over exercise. At the first signs of discomfort or stress, discontinue exercising.
10. Please wipe down equipment after each use. Reset or turn off any electronic exercise equipment and the TV after completing your workout.
11. Please report any misuse or damaged equipment to the Clubhouse office immediately.

## ***ARCHITECTURAL REVIEW COMMITTEE PROCEDURES***

### ***INTRODUCTION***

1. In accordance with the Association Bylaws, the Architectural Review Committee (ARC) has been established by the Association Board of Directors. The Association Board is responsible for monitoring and regulating the external appearance and use of private property and the enforcement of the provisions as designated in the CCRs of Heritage Pines Community Association, Inc. and the community Rules and Regulations.
2. As part of its responsibility, the Association Board monitors changes including modifications, improvements and landscaping at each residence. The ARC, with the consent or approval of the Association Board, serves to protect the interests of the community by establishing and maintaining the standards and criteria set forth.
3. Disregarding or violating any of the ARC Rules and Regulations will result in violation letters sent by the Management Company.
  - a. The first letter will state the problem and the number of days the Resident has to correct it. Please note - if a Resident has any questions regarding a letter, contact the management company and not **the H.P.C.A. Board**.
  - b. If necessary, the Resident will receive a second letter.

- c. If the problem is still not resolved, the Resident will receive a third letter asking the Resident to appear before the Association Board for a Due Process Hearing. Resident may appeal the violation and give reasons for eliminating the violation. The Association Board will make a ruling and, if the appeal is denied, a per diem fine or other penalties may be levied until the problem is corrected.

### ***Application Process***

1. It is the responsibility of Residents to familiarize themselves with the CCRs and Community Rules and Regulations (may be found on the HP web site – [www.heritagepinesnc.com](http://www.heritagepinesnc.com)) before considering any external changes.
2. A Resident MUST NOT proceed with changes before receiving written approval and any required permits. Any unapproved changes that violate these rules and restrictions may have to be removed at the expense of the Resident.
3. Copy of the applicant's plat plan must accompany all applications for structural and/or landscape changes. The plat plan must show all changes to be made with all necessary dimensions noted. Copies of plat plans are available in the Clubhouse office.
4. A Resident desiring to make changes to the exterior of his/her home or landscape must file an Architectural Request Form (available in a rack on the wall outside of the Clubhouse library or at [www.heritagepinesnc.com](http://www.heritagepinesnc.com)). The ARC generally meets every two weeks to review applications. Check your newsletter for specific meeting dates. The ARC requests that applications be turned in to the office at least seven (7) days before its meeting. After the ARC reviews the application and makes its recommendations, it is forwarded to the Association Board. At the next Board meeting it is either approved, sent back for additional information or denied because it does not comply with the community CCRs or Rules & Regulations.
5. Approval of ARC for any changes, additions or alterations does not preclude the need for Residents to apply for a required building permit, etc. from the Town of Cary.
6. All projects must be completed within one (1) year of the approval date. If not completed within one (1) year, a new application must be submitted.
7. The Resident is responsible and may be held liable for any damage caused to utility or cable lines resulting from landscaping or exterior modifications. Please call "NC Call Before You Dig" ([Central Locating at 1-800-632-4949](http://www.nccallbeforeyoudig.com)) before beginning any work in the yard. Central Locating will send representatives to mark the utility lines free of charge.

8. Any change or modification requires written approval even if the identical change or modification has been approved and/or installed somewhere else in the community. Each application is considered independent of another.

### ***GRADING/DRAINAGE ISSUES***

1. Wetland/conservation areas may not be disturbed in any way.
2. Any addition/alteration, including landscaping, which affects the grading and drainage pattern of the home site, will void the warranties, if any, relative to grading and drainage. Such changes are prohibited.
3. Any requested grading/drainage changes must not adversely affect the neighboring properties. The homeowner should notify any neighbors who might be affected.

### ***ARCHITECTURAL CHANGES***

1. All architectural changes require prior ARC approval and if not in compliance you may face a penalty of \$100.00, unless noted otherwise herein.
2. Room extensions or additions, decks and patios:
  - a. Rear yard set-back requirements for room extensions or additions, decks and patios must meet Town of Cary zoning codes.
  - b. Infringement of easements is prohibited.
  - c. The width of room extensions, additions, patios or decks may not extend beyond the width of the house.
  - d. Flat and/or shed type roofs are not allowed on any structure of any kind.
  - e. Decks that are elevated above the ground must be composed of wood or other material as approved by ARC and must have a wood, vinyl or metal railing that is in compliance with the Town of Cary building codes. A full description of the deck and railing must be submitted to ARC.
  - f. Patios at ground level must be constructed of natural-colored concrete, brick or stone. Concrete may be painted or stained. A sample of color and/or design must be provided with the application for approval by ARC.



3. Any addition to roofing, siding, gutters, fascia, etc. must match the color, texture and material of the house. If the same colors, texture and material are not available, substitutions must be approved.
4. The installation of a room air conditioner or heating unit in any window or wall of the house is prohibited.
5. Outdoor carpeting previously installed may be removed without ARC approval, but replacement or new outdoor carpeting may be installed only with ARC approval.
6. Awnings must be retractable and attached to the rear of the house or deck and not free standing. Awning covering material must be fabric only and must blend with the basic color of the house. Upon deterioration, the awnings must be repaired, replaced or removed.
7. Solar tubes and roof-mounted attic fans may be placed on the dwelling roof, as long as they do not extend above the ridgeline of the roof.
8. Pergolas, arbors and trellises will require individual review.
9. A satellite dish may be installed provided that:
  - a. The dish is not more than 24 inches in diameter. Exceptions may be approved by ARC in special cases.
  - b. The dish is preferably roof mounted.
  - c. The dish is located or screened in such a way that limits its view from nearby streets within the subdivision.
  - d. The dish is in accordance with FCC regulations.
10. Front and back storm doors must be white or match the door color. Front storm doors must be a single-pane, full-view glass or a single-view, self storing type (not mid-view).
11. Lightning rod systems may be allowed if they are installed and maintained by a qualified contractor, who follows all national safety standards of the National Fire Protection Association Board (NFPA), the Lightning Protection Institute (LPI) and Underwriters Laboratories (UL). Care must be taken when installing the minimum of two required ground rods, as they must be buried at least ten (10) feet deep into the earth. Rooftop rods, including the height of the house, must meet the Town of Cary's height requirement of no more than thirty-five (35) feet. An ARC application must be submitted along with a copy of the contract and maintenance agreement. Proof of professional, renewed maintenance must be kept in the Clubhouse office.

12. Solar panels make use of renewable energy from the sun, and are a clean and environmentally sound means of collecting solar energy. "Green" technology, such as solar panels (photo-voltaic) is normally permitted, as long as previously approved by the Architectural Review Committee. However, they must be installed only on the roof of the house by professional, licensed contractors.

Panels are to be flush mounted and all mounts need to be secured onto the roof with stainless steel lag bolts bolted through into rafters.

Ideally, the panels should be invisible from the street, installed on the back roof. No systems will be allowed to be installed on the side of the home or yard. **If a system cannot follow the above guideline and the homeowner has to select a different location for the panels, they must submit a written reason from the contractor with their justification.**

If you own a villa and install solar panels, you must first fill out a solar panel application and agree to be responsible for removing the solar panels at your expense when the common roofs are replaced and also, for reinstalling them. Any and all leaks caused by the solar panels are the villa owner's responsibility and have to be repaired within thirty (30) days.

All applications require submission of side and top views of the house, including the placement, dimensions/number of the panels and specifications of cells. In addition, the contractor must provide a copy of the installation plans and a copy of the building permit.

### ***LANDSCAPE CHANGES***

1. The landscaper will prune crepe myrtles and trees less than 12 feet in height on lots as well as non-flowering shrubs around foundations, utility boxes, and villa driveway strips. Refer to our landscaper's Pruning Standards for Heritage Pines (which is provided separately to homeowners) for a detailed list of excluded locations for pruning, and species of flowering shrubs, trees, and vines that will not be pruned. Homeowners can opt in or opt out of this pruning service once a year and this must be done in writing on the approved form available in the Clubhouse office every January.
2. Only hedgerows installed by the builder are permitted. The landscaper will maintain these at a height of no more than 10 feet and no less than 6 feet. A hedgerow is defined as a line of closely placed shrubs or trees that form a barrier or boundary. Any hedgerow that is on the line between two properties is the joint responsibility of those homeowners. This includes removing/replacing dead bushes and mulching the area.
3. Pruning, removal/addition of trees or plants in the common ground is strictly prohibited. If a tree on common ground constitutes a risk to a homeowner's property, a request must be made to the Board to have it removed.

4. Tree and bush planting or removal

a. Front Yard Changes

- i. A homeowner must request approval to remove any tree in the front yard of their residence. The Town of Cary requires one shade tree and one ornamental tree (or a second shade tree). Normally, the tree must be replaced with a similar planting. In some cases an exception may be granted (e.g. when another tree is in close proximity to the one being removed or if the tree is too close to the house, driveway or sidewalk).
- ii. The homeowner should request approval for the removal or replacement of shrubs.

b. Side and Rear Yard Changes

- i. Trees and shrubs in these areas may be removed with the approval of the ARC committee. In some cases, the tree or shrub will not have to be replaced. If such a tree is in a riparian buffer area, please contact the Clubhouse office for contact information. Riparian is defined as "the interface between land and a natural watercourse such as a stream". Stumps of removed trees must be eliminated. Trees, if replaced, must be approved by the ARC.

5. Proposed Plantings

- a. Applicants must indicate the location of any proposed plantings on the plat plan, applying the scale to the plat plan. The width and height of each planting or bed must be included.
- b. When applying to plant trees or bushes, include the name/variety as well as the expected mature height and width of the proposed trees/bushes. Such plantings must be located so they do not infringe on a neighbor's property or the landscapers ability to mow properly around it. For example, a tree with a mature diameter of 20 feet must be planted at least 10 feet from the property line.

6. Landscape islands will be permitted if they do not interfere with mowing or block drainage patterns.

7. Fences are not permitted. Electric fences and underground and/or invisible fences are not allowed. (as stated in the CCRs)

8. Fruit bearing trees and shrubs are prohibited.

9. Vegetable garden plants may be planted in rear yards in a mulched bed within four (4) feet of the house. Side vegetable gardens may extend only ten (10) feet up the

side of the house from the rear. No vegetable garden plants are allowed in the side yard abutting a neighbor's home that has a side-entry front door. Vegetable garden plants must not exceed forty-eight (48) inches in height (e.g.: no corn).

10. Plants or flowers may be placed in hanging containers on porches, lamp posts and decks or on the mailbox post.
11. Plants planted in a yard by the Resident must be contained within the property. If the Resident fails to maintain and/or contain such plants, the Association Board has the right to control them at the expense of the Resident.
12. All grasses will receive normal yard services, which includes mowing, edging, fertilization, aeration, and the application of pre/post emergents. Fescue lawns will also receive overseeding. If you intend to replace your lawn with a warm weather grass (i.e. zoysia, etc.), adjoining neighbors should be informed.
13. Please note- common ground is the exclusive property of the Homeowners Association and may not be used by Residents for any purpose.
14. All landscaping issues should be reported to the Clubhouse office and not to the landscaper.
15. **EDGING POLICY**  
Planting bed, tree ring, or mailbox edging will be limited to stone or brick materials. Existing edging using metal, vinyl, and wood material may remain until replacement is needed. All edging material will be securely installed with either adhesives such as mortar, or installed to a suitable depth to prevent movement and remain upright. The homeowner is responsible for maintaining installed edging in a state of good repair and appearance at all times.

## ***EXTERIOR PROPERTY MAINTENANCE***

### **1. Trees:**

All trees, but especially crepe myrtles, shall be trimmed so that they do not adversely affect a neighbor's adjacent property, i.e. not hanging over roofs, eaves, driveways, etc. Trees shall be maintained so that they do not encroach upon a neighbor's trees or other landscaping.

### **2. Mulch:**

Landscaping shall be mulched as necessary.



**3. Homes/ Roofs:**

Home siding/brick and roofs shall be kept clean of mildew, algae or any growth which darkens the façade. If cleaning does not resolve the problem, power washing is recommended. Roofs should be chemically treated/washed to prevent recurrence of mold/mildew/algae.

**4. Concrete Driveways/Walkways/Patios:**

Concrete surfaces shall be kept free from oil and rust stains.

**5. Mailboxes and Posts**

Mailboxes and posts shall be kept clean and replaced if necessary.

**6. Security Lights**

Security light posts should be black and lights should be kept lighted from at least dusk to dawn.

**7. Villa Privacy Fences**

Villa privacy fences shall be maintained by the homeowner.

***EXCEPTIONS***

No application or approval is required for the following unless otherwise noted:

1. Planting annuals and perennials in existing mulched beds. The landscaping company is not responsible for weeding these beds, or for inadvertent damage to these plants when nearby shrubs are pruned.
2. Trimming, planting or replacing bushes, perennials, ground cover and annuals in mulched beds up to 4 feet from the foundation of the house.
3. Mulching beds with pine straw or bark mulch. Villas owners cannot use pine straw within ten (10) feet of the dwelling as stated in the Cary ordinances. (Stone or rock beds require ARC approval.)
4. Repainting house, house trim, deck or anything on the outside with the same colors.
5. Painting current outside light fixtures black.
6. Installing a newspaper box on the mailbox post.
7. Earth-tone stepping stones may be placed in the lawn area or mulched bed, if they are at or below grade level and do not interfere with lawn mowing.



8. Mailboxes are allowed as follows:
- a. No decorative design may be placed on the mailbox or mailbox post except temporary holiday decorations. Do not cover the number with the decorations. Growing plants are permitted on the mailbox or mailbox post, unless prohibited by the US Postal Service. Plants must be maintained at a height no higher than the bottom of the mailbox.
  - b. No modifications may be made to the mailbox or post. New posts must be identical to those which are currently installed or can be replaced with the Board-approved post. Mailboxes may be replaced with an identical mailbox or with the Board-approved mailbox up to 8 inches W X 21 inches L.
  - c. Names may not be placed on the mailboxes, unless required by the US Postal Service.
  - d. House numbers on mailboxes must be the standard size, font and color. The standard color is white and the standard size is 3 inches in height. The numbers may also be replaced with 3 inch reflective white vinyl (commercial grade). Contact the Clubhouse office for the current source for replacement numbers.

## **MISCELLANEOUS GUIDELINES AND RESTRICTIONS**

### ***SIGNS***

1. Signs are not permitted, except as allowed under Article XI, Section 10 (Signs) of the Heritage Pines CCRs as well as the Town of Cary Ordinance.
2. A uniform sign standard for "decorative signs" has been created to allow a maximum of one small decorative sign no more than one square foot (144 square inches) and located in a mulched bed adjacent to the foundation of the house.
3. No construction signs or other signs advertising work being done in a Resident's house or on a Resident's property may be displayed.
4. No stickers, decals or signs on the exterior or in the windows of any dwelling may be displayed (e.g. college/sports decals, pictures or for sale signs).

#### Exceptions:

- a. One American flag.
- b. Stickers from a security company hired by the Resident.

- c. Etched plastic film (no colors) or stained glass on side lights and transoms (windows surrounding front doors) is acceptable if approved by ARC.
- d. A maximum of two security company signs may be placed in a mulched bed area in the yard or on the mailbox post. Faded or worn signs should be replaced.
- e. A sticker indicating the presence of a pet or a severely handicapped person is permitted. The size must be no larger than 3 inches by 4 inches and no more than two colors.

### ***FLAGS/FLAGPOLES***

1. One flagpole, not to exceed six (6) feet in length and supported by a bracket is permitted when attached to the dwelling. The flagpole must be removed when a flag is not displayed. Only the American or North Carolina State flag may be displayed. Free-standing and ground-supported flagpoles are not permitted.
2. One (1) small flag, approximately 12 inches by 18 inches, in good taste and in good condition and no more than thirty-six (36) inches in height may be placed in a mulched bed, on the lamp post or immediately adjacent to the mailbox.

### ***WINDOW COVERINGS***

Cardboard or aluminum foil is not permitted in or on any windows of any dwelling.

### ***IRRIGATION SYSTEMS***

Irrigation systems require the prior approval of the ARC. Backflow valves shall be placed in a mulched bed, in a landscaped, mulched bed or under a "fake rock." If unprotected backflow valves installed in grassy areas are damaged by lawnmowers, the Resident will assume all repairs.

### ***OUTDOOR STORAGE***

1. Garbage pails, recycling bins, trash barrels, gardening equipment and supplies, lumber, firewood, and other miscellaneous items shall not be stored or left outdoors. Such items must be kept within the house or garage. Garbage carts should be placed at the curb by 7 AM the day of collection, but no sooner than 5 PM the previous day. They should be removed from the curb as soon as possible after collection. Please note- garbage must be placed in a Cary provided container. Paper or plastic bags may not be used for curbside pickup of garbage. Paper bags can be used curbside for yard clippings.

2. Portable outdoor grills shall be stored behind the house, not visible from the front yard.
3. Commercial rain barrels are allowed in the rear of the house, not visible from the front yard, on the patio, in a mulched bed or on a stone, brick or concrete slab the size of the perimeter of the barrel. Requires prior approval by ARC.

### ***ORNAMENTS AND PLANTERS***

1. Lawn ornaments and planters are allowed as follows:
  - a. There may be a maximum of three (3) lawn ornaments, sculptures, statues, or combination thereof, located in a mulched bed in the rear or side yard. Three (3) planters with live plants may be located on each patio and deck in the rear yard.
  - b. A total of three (3) planters with live plants may be placed on the front porch/stoop or on the edge of the driveway close to the dwelling. In each instance the planter may not exceed 24 inches in height.
  - c. There may be a maximum of one lawn ornament or sculpture of not more than twelve (12) inches in height in a black, gray, white or earth-tone color placed in a mulched bed or planter in the front yard.
  - d. Artificial silk or similar fabric plants or flowers are permitted. The artificial plants or flowers may not be plastic. They must be seasonally appropriate and naturally colored. Discolored or faded artificial plants/flowers must be removed or replaced.
2. Lawn furniture is permitted as follows:
  - a. Chairs, tables and benches or combination thereof, may be placed on front porches/stoops. Any other location in the front of the residence must be approved by ARC on an individual basis.
  - b. No furniture of any type may be placed in the grass.
  - c. Chairs, tables, benches and lawn-type furniture may be placed in the rear yard on patios or decks or in mulched beds.
  - d. Lawn furniture is not permitted in side yards.

3. Outside decorations are permitted only during the appropriate holiday season upon the exterior and/or in a mulched bed of any house on a temporary basis. Temporary shall mean that such decorations may be installed no earlier than thirty (30) days prior to any given holiday and removed no later than fourteen (14) days following such holiday.
4. Mobiles, pinwheels, windsocks and rotating weather vanes may be in the rear yard only in a mulched bed or on the patio or deck. Wind chimes or other noise-making devices are not allowed.
5. The following may be located on the rear patio, deck, mulched beds or tree in the rear yard:
  - One (1) birdhouse
  - One (1) freestanding birdbath
  - Two (2) feeders
6. Fountains no taller than thirty (30) inches and water gardens may be in the rear yard only in a mulched bed or on the patio or deck. Requires prior approval by ARC.
7. Yard accent lighting must not exceed eighteen (18) inches in height and must be installed in mulched beds. Requires prior approval by ARC. Reflectors are not allowed.

### ***Dwelling Access Ramp***

Access ramps must meet overall community standards and aesthetic compatibility with the neighborhood.

Guidelines are:

1. The ramp must be made of treated lumber or composite material – not metal, including aluminum.
2. The treated lumber must be stained or painted a natural wood color.
3. The ramp must be kept in good condition.
4. Lawn maintenance around and under the ramp is the homeowner's responsibility.
5. A Cary building permit is required.
6. The ramp must be removed upon the sale of the property.

The restrictions above are not intended to replace any restrictions which appear in Article VIII (Architectural Review) or Article XI (Use Restrictions) of the Heritage Pines CCRs.

*In the event there is a conflict between the above Rules and the CCRs, the CCRs shall rule.*

The above procedures, Rules and Regulations may be subject to change by the Association Board of Directors at any time.



Clubhouse address:  
2000 Heritage Pines Drive  
Cary, NC 2519

Clubhouse phones:  
Office – 919-466-0016  
Lobby – 919-466-0015

Fax numbers:  
Office – 919-466-0014  
Library – 919-481-4900

Office email:  
[cheritagepines@nc.rr.com](mailto:cheritagepines@nc.rr.com)

Community Website:  
[www.heritagepinesnc.com](http://www.heritagepinesnc.com)