Windward Shores Property Owners Association

RULES & REGULATIONS
&
Miscellaneous Informational Items.

September 2022
Review

AUTHORITY: DECLARATION OF PROTECTIVE COVENANTS

(Board of Directors Responsibility)

WHEREAS:….to which it hereby delegates and assigns the duty and power:

1. To maintain, administer and operate the Common Property;
2. To administer and enforce the Covenants;
3. To collect and disburse the dues and assessments…;
4. To perform such other acts or duties as may or might be required, necessary or desired, to the end that the value of the property and the welfare of the property owners and their guests will be promoted, protected and maintained.

SECTION 1: COMPLIANCE

(NC Planned Community Act)

Homeowners, residents and guests shall at all times comply with the Rules and Regulations hereinafter set forth governing this subdivision, and any alterations or changes to such Rules and Regulations which shall be adopted from time to time by the Board of Directors of the Windward Shores Property Owners Association (WSPOA).

SECTION 2: LEGAL ACTION

(Covenant)

When dues or assessments are more than 30 days late, late payment charges and interest will incur pursuant to Article X Section 1 of the Covenants. If a lien is initiated, it will include total amount of Assessment, interest and penalty, filing fees, court fees and attorney's fees. Other action as allowed by law may also be taken.

SECTION 3: CONVEYANCE

(NC Planned Community Act)

The Board of Directors, by majority vote, has the responsibility and duty to act on behalf of all homeowners in matters representing the WSPOA to an external agency, or when implementing the Declaration of Covenants, By-Laws and/or Rules and Regulations for WSPOA.

SECTION 4: CONSTRUCTION AND USE LIMITATIONS

a.) No *privacy or chain link fences shall be allowed.
*Privacy is defined as a barrier enclosing or bordering a yard, lot, etc., usually made of posts and wire or wood, used to prevent entrance, to confine, or to mark a boundary. Fences over four (4) feet in height shall not be allowed. All fences shall be subject to approval as required by covenants.
(Rules & Regulations)

b.) No detached garages, sheds, or other outbuildings shall be allowed unless submitted plans are approved by the Architectural Control Committee. (Rules & Regulations)

c.) All sheds and accessory structures and out buildings will be made of wood or similar construction material as the main residence. No metal structures. (Covenants) (added Sept 2018)

d.) All front yard (area from the residence to the road) garages must meet the county zoning and building code requirements. Existing non-conforming structures can remain and be maintained but not replaced, rebuilt or made larger. (County Zoning) (added Sept 2018)

e.) No tower antennas 15 feet above a house shall be allowed. (Rules & Regulations)

f.) Dog runs shall be approved by Architectural Control Committee. (Rules & Regulation)

g.) No mobile homes, on-frame modulars or pre-fabricated double wide units shall be allowed or permitted on the lots. (Covenant)

h.) Trash receptacles shall be removed from the street within 24 hours of being emptied. Arrangements should be made with friends or neighbors to remove receptacle if resident is unable to comply. (Rules & Regulations)

i.) All construction including any additions/modifications as listed above shall be subject to Article VI, Section 1 (a) Declaration of Protective Covenants. (Covenant)

j.) Shoreline and waterway activities will be the responsibility of the individual property owners and not the association. This includes but not limited to: riprap, stump removal, dredging, waterway weed control, etc. The only items that are WSPOA responsibility are the storm drainage discharge pipe, sediment ponds and any no-wake buoys installed by the association. (Rules & Regulations) (added Sept 2018)

k.) Road usage for other than residents and single residential construction: Windward Drive, Waterside Drive and Windy Point Circle are private roads owned by the WSPOA. If any property owner requires vehicles or other equipment to access the WSPOA roads to perform work on their property, other than basic single home and home accessory construction, they shall be responsible for any and all damage to the roads and common property. These types of work include but are not limited to: timbering and development of specified but non-developed parcels. (Rules & Regulations) (added Sept 2018)

SECTION 5: ADVERTISING

a.) Owners or agents or representatives may advertise lots/homes for sale by use of one, on-site sign not larger than 2.5 feet by 2.5 feet, erected on the specific lot to which the sign relates. (Covenant)

b.) The Owner may display his name and/or address on ONE on-site sign not larger than one by two feet unless approved by Board. (Covenant)

c.) "For Rent" signs are not permitted. (Rules & Regulations)

d.) No signs are to be erected on common areas. Signs are allowed only on the owner's property. (Covenant)

e.) No homeowner business advertising signs are allowed. (Rules & Regulations)

SECTION 6: SOLICITORS

Solicitors are not permitted, regardless of purpose. (Rules & Regulations)

SECTION 7: VEHICLES

a.) The speed limit is 25 MPH. Caution should be exercise when operating a vehicle within the subdivision. (Rules & Regulations)

SECTION 8: COMMERCIAL VEHICLES

No large commercial or industrial motor vehicles such as tractor trailers, tractor trailer cabs, buses, dump trucks or big box vans shall reside or be parked within the subdivision. (Rules & Regulations)

SECTION 9: PETS

a.) Pet owners are responsible for any property damage, injury and disturbance their pet may cause or inflict. (Covenant)
b.) No pet shall be permitted to bark, howl, or make other loud noises for such time as to be disturbing to their neighbor's rest or peaceful enjoyment of their home. (Covenant)

c.) Owners are responsible for removal of wastes of their animal, in all areas, both private and common. (Rules & Regulations)

SECTION 10: SANITARY FACILITIES AND UTILITIES

Property granted an easement to lot owners for septic systems or maintenance areas located on property other than the original lot shall be maintained in accordance with local, county, state and federal laws, rules and regulations. (Rules & Regulations)

SECTION 11: DISTURBING NOISES

Homeowners, their guests or renters shall not make or permit to be made any disturbing noises, loud music, barking dogs, or permit any act which will unreasonably interfere with the rights, comforts, or conveniences of any other homeowner. Special care should be taken to keep noises to a minimum between the hours of 11 p.m. and 7 a.m. (Animal Control, County Sheriff)

SECTION 12: FIREWORKS

The discharge of aerial fireworks, roman candles, rockets or similar devices are not permitted at any time according to N.C. General Statute G.S. 14 Section 1410 – 1415. (RWVFD Fire Chief, County Sheriff)

SECTION 13: ENFORCEMENT OF RULES AND REGULATIONS

Any member of the Association has the authority to enforce the Windward Shores Property Owners Association Rules and Regulations. Complaints must be sent in writing to the WSPOA Board of Directors, P.O. Box 340, Henrico, NC 27842, All correspondence will be handled discreetly. (N.C. Planned Community Act)

SECTION 14: LEASING OF PROPERTY

a.) Homeowners that rent or lease their property, whether privately or through a management company, are responsible to ensure that the provisions of the Declaration of Covenants and all other documents of the Association, are clearly incorporated in the terms of the lease, and the lease states that failure to comply on the part of the lessee constitutes a breech of the lease. (Rules & Regulations)

b.) Homeowners that lease their property, whether privately or through a management company, are responsible for ensuring that all renters are aware of and comply with the WSPOA Rules and Regulations and NC Watercraft rules and regulations. A copy of each must be displayed at the property. (Rules & Regulations)

c.) Homeowners that lease their property through a management company must provide the company with a copy of the WSPOA Rules and Regulations, to be given to the lessee(s) prior to signing the lease/contract. (Rules & Regulations)

SECTION 15: LOT RECOMBINATIONS

Lot recombinations are allowed for the purpose of reducing property taxes only. The lot assessments, however, will remain the same. For example, if two lots are recombined, two assessments will be levied. (Rules & Regulations)

SECTION 16: MAINTENANCE ASSESSMENT

The Assessment shall be at such rates, schedules or formulas as may be, from time to time prescribed by and in accordance with Section 4 of the Declaration of Protective Covenants. (Covenant)

SECTION 17: VIOLATION OF RULES- FINES/APPEALS

a.) When violations of the Rules and Regulations are reported, the Board of Directors will investigate the compliant. The Board, by a majority vote, will decide what action is appropriate and will notify the homeowner in writing, and by phone or email if the matter is urgent. The Board may levy a fine on a homeowner(s) for violation of WSPOA Rules and Regulation. Fines may be increased for repeat violation. (N.C. Planned Community Act)

b.) Homeowners are responsible for any violation either committed by themselves, their guests, or renters. The homeowner has the right to meet with the Board of Directors to appeal any Board decision. An offender other than the homeowner also has the right to appeal to the Board of Directors on his or her own behalf. (N.C. Planned Community Act)

SECTION 18: PROCEDURES FOR NUISANCE COMPLAINTS

(For your information)

Residents often approach the POA board as the first action being taken regarding complaints. Many problems can be resolved just by talking to the neighbor in an open and honest manner. Remember, the Board is not the police and if the issue is governed by county/state regulations, contact them AFTER talking to the neighbor.

a.) Noisy Dogs – (252) 534-5841 Animal Control
b.) Noxious or Offensive Activities – (252) 534-2611 County Sheriff
c.) Loud Noise – (252) 534-2611 Northampton County Noise Control
d.) Water and Watercraft Offenses – 1-800-662-7137
e.) Fireworks – (252) 532-1877 RWFD Fire Chief

SECTION 19: Suggestions/periodic Reviews

a.) These Rules and Regulations will be reviewed periodically and may be modified by a majority vote of the Board of Directors. (N.C. Planned Community Act)

b.) Homeowners are encouraged to submit suggestions to improve these Rules and Regulations. Suggestions must be submitted to the Board of Directors in writing. (N.C. Planned Community Act)

ADOPTED BY THE WSPOA BOARD OF DIRECTORS ON 15 April 2011
Christine M. Bomar
Christine M. Bomar, President

REVISION 1 BY ANNUAL MEETING VOTE on 10 September 2011

REVIEWED AND APPROVED WITH NO REVISIONS on 15 September 2012

REVIEWED AND APPROVED WITH NO REVISIONS on 14 September 2013

REVIEWED AND APPROVED WITH NO REVISIONS on 6 September 2014

NO REVISIONS requested at the annual meeting on 12 September 2015

NO REVISIONS requested at the annual meeting on 10 September 2016

NO REVISIONS requested at the annual meeting on 9 September 2017

No revisions requested but four (4) additions approved at the annual meeting on 8 September 2018

NO REVISIONS requested at the annual meeting on 7 September 2019

NO REVISIONS requested at the annual meeting on 12 September 2020

NO REVISIONS requested at the annual meeting on 11 September 2021

NO REVISIONS requested at the annual meeting on 10 September 2022