

**UPTON COURT HOMEOWNERS ASSOCIATION
RULES AND REGULATIONS FOR RESIDENT HOMEOWNERS AND
NON-RESIDENT HOMEOWNERS AND THEIR TENANTS
Greenville, North Carolina 27858**

**Updated and Approved by the Board of Directors of Upton Court Homeowners Association
this March 2022.**

**THE ASSOCIATION BOARD OF DIRECTORS HAS THE RIGHT TO AMEND THE
AFOREMENTIONED RULES & REGULATIONS AT ANY TIME. NOTIFICATION OF
AMENDMENTS WILL BE MAILED TO ALL HOMEOWNERS.**

The property in Upton Court shall be used for residential purposes only.

Resident Homeowners and non-resident Homeowners and their tenants are responsible for adhering to the Upton Court Rules and Regulations. Any and all violations of Upton Court Rules & Regulations are subject to a fine as set by the Board.

MANAGER'S DUTIES

1. Collect monthly dues, assessments and rule violation fines.
2. Make deposits, pay bills, and reconcile bank accounts.
3. Maintain all financial records for the Upton Court Homeowners Association. Records available to all Homeowners upon request. Call manager to set up an appointment with the manager and two (2) Board Members for review.
4. Receive and handle all calls regarding exterior maintenance problems covered by Upton Court Homeowners Association dues, including roof leaks.
5. Receive and handle all calls regarding grounds maintenance.
6. Enforce regulations as specified by the Board
7. Refer problems and suggestions to the Board for consideration.
8. Monthly inspections of property.

MANAGEMENT CONTACT INFORMATION:

You may contact the Homeowners Association Management Office by the following:

Upton Court Homeowners Association
308 SE Greenville Blvd. Suite B2
Greenville, NC 27858
(252) 355-8884 * lisa@kpm1.com

ARCHITECTURAL CONTROL

The Upton Court Homeowners Association is responsible for routine maintenance of exterior building surfaces. Homeowners are responsible for all interior maintenance, and any exterior damages that occur due to negligence of the resident or owner.

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1. Maintenance of exterior building surfaces covered by the HOA: Repair of roof covers, patio fencing, and repair and cleaning of vinyl siding.
All major repairs and/or replacement of roof covers, vinyl siding or patio fencing require use of the long-term escrow fund and, if necessary, an assessment of the members to provide funds for completion.
2. Homeowners are responsible for replacement/maintaining window screens. Screens must be present and in good repair.
3. To insure continuity within Upton Court, front windows of all units are required to have white or off-white horizontal blinds. Blinds must be kept in good repair at all times.
4. Exterior hanging window ACs are prohibited. It is the responsibility of homeowners to replace heat/air units when needed. Older heat pumps are inefficient and costly to operate.
5. Paint color of front entrance door must be approved prior to application. Contact management for approved paint colors.
6. Requests to make any exterior changes and installation of front entrance lights must be made in writing and approved by the Board. No gutters are to be installed on the buildings.
7. Specifications for satellite dish or equipment installment were adopted by the Board of Directors of Upton Court Homeowners Association in 2002. Vinyl must never be punctured. Seasonal decorations must be accomplished without damage to vinyl siding or roof shingles (including vinyl clad posts). To avoid mistakes in satellite dish placement, any request for satellite installation must be made in writing and approved by the Board. Contact management for details concerning the rules for installation.
8. Cable TV installation must be neat in appearance with no loose wiring and not installed through vinyl siding. It is the Homeowner's responsibility to work with installer to see that this is accomplished.
9. Homeowners are responsible for the replacement or repair of windows and storm doors.
 - a. All units must have front and rear storm doors. Storm doors with adequate weather protection of owner's choice of design must be installed on rear door of unit. The Homeowners Association is not responsible for water damage to rear door areas of units.
 - b. Front storm door replacement and all window replacements must be approved by the Board prior to installation. Front storm door must be full glass and of approved color. Contact management for guidance with window replacement or repair, and selection of front storm door prior to installation.

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10. Homeowner is responsible for cost and completion of any repairs to interior of his/her unit needed as a result of wear and tear, water damage, etc. Damage caused to any exterior surfaces by owner/resident, his/her family, guests, pets, etc. is also an owner responsibility.

As determined by management inspection, Homeowner will be notified in writing if his/her unit is not in compliance with Upton Court rules and regulations, based on general standards for townhomes. If Homeowner fails to make specified repairs/replacements within the time frame indicated on notification, a fine of \$100.00 per day may be charged to the Homeowner until needed repairs/replacements are completed.

ELECTRICAL

Homeowner is responsible for all electrical repairs to his/her unit.

PLUMBING

Homeowner is responsible for all plumbing repairs to his/her unit. Plumbing problems include, but are not limited to, broken or leaking water lines, faucets and sewage drainage and/or backup.

In case of a plumbing problem for:

Exterior:

Call Greenville Utilities Commission at (252) 551-1551. They will find the source of the leak and repair without charge if it is their line. If the cause of the leak is determined not to be a utility company line, the homeowner is responsible for calling a plumber and having the repair completed. If the leak is between the meter and the home, it will be the homeowner's responsibility to repair.

Interior:

- a. Call a licensed plumber.
- b. If the plumber determines that the problem is coming from within the unit, the repair cost inside unit and any damage repair to adjoining units is **the homeowner's** responsibility.
- c. The homeowner should contact the homeowner's insurance company. It is not the responsibility of the HOA to determine fault or negligence.

TERMITE AND PEST CONTROL

(may change termite company over time)

1. Annual termite inspections and treatment for termites are covered under the Upton Court Homeowner Association's termite and pest control contract. The contracted termite company will inspect the perimeter of units as thoroughly as possible but it is the Homeowner's responsibility for the company to have access to the inside of the unit and patio areas. Residents and nonresident Homeowners are notified when termite

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inspections are scheduled to be done. Homeowners who fail to have annual termite inspections are liable if termite damage spreads to adjoining unit/units.

2. Current contract is with Othos Pest Management. Homeowners may call Othos Pest Management at 252-227-4005 for any pest problem noted within his/her unit.

HOMEOWNERS: SELLER AND LANDLORD RESPONSIBILITIES

1. No unit should sell without the closing attorney contacting the management company in order to research monies owed on said unit's account. Management will verify the status of dues, assessment payments, and/or rule violation fines.
2. Any Homeowner who rents his unit should provide management with the name and telephone number of the tenant prior to occupancy. Pet information should be kept up-to-date as occupants change. Homeowner is responsible for making sure tenants have copies of all current Upton Court Rules and Regulations. A copy is available on the portal or will be provided upon request.
3. The HOA asks all homeowners to provide management with current copies of their HO3 policies to ensure all owners are adequately insured.

GROUNDS/PATIO MAINTENANCE

1. Maintenance of the grounds by Upton Court Homeowners Association includes mowing and edging the grass, cleaning the common areas, pruning and replacement of trees and shrubs and distributing pine straw.
2. Homeowner/resident planting or removal of trees or shrubs on the common grounds or within foundation beds is not permitted.
3. Container plants in front of units are to be placed well inside the mower line. Dead plants in containers should be discarded.
4. Any vegetable gardens must be planted within the patio area of the unit.
5. No artificial flowers or plants are permitted in the front flower beds.
6. Lawn art is limited to 1 item being placed within the foundation bed. Bird feeders must be placed within the patio area and not intrude on neighboring space.
7. One garden flag per unit, not exceeding 12"x 18" in size, is permitted in the front flower bed. Larger flags are prohibited within Upton Court. Wind chime sounds must not disturb neighbors by intruding into adjoining unit spaces.
8. Maintenance inside patio area is the Homeowner's responsibility. Plantings within patio area must be appropriate for a small space, and planted and maintained to prevent

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possible damage to plumbing of units or adjoining units, fences, adjoining patio surfaces, and exterior of building, including the siding, brick, and roof. Planting(s) must not impinge into adjoining unit space.

City of Greenville requests that bagged debris not be placed curbside. Small patio cuttings and clean-up debris should be securely bagged and placed in dumpster or taken to a County dump. This material left curbside destroys common area grass.

Large cuttings such as limbs can be placed curbside for pickup by the City of Greenville, and should be placed on Thackery Road in open area between Upton Court and Breezewood Condos. This will help preserve grass and City pickup can be limited to one stop. Call City Public Works at (252) 329-4522 to request that the truck come by to pick limbs up.

9. All attachments to the patio fences are prohibited, including bird feeders.
10. For ease of lawn maintenance and continuity within the complex, no plantings may be planted outside the patio area by Homeowner/residents. Any such plantings can be removed without consulting Homeowner.
11. Patio areas must not emit offensive odor(s) due to pet waste, garbage, etc.

PETS

All pets **should** be registered in the Upton Court Homeowners Association Pet Registry, with registry forms must be completed by all Homeowners describing pet(s) or stating that no pet lives in his/her unit. Homeowners need to update forms as warranted. Homeowners are responsible for informing tenants of the rules and regulations regarding pet ownership at Upton Court.

1. Each unit is limited to two (2) pets: 2 dogs or 2 cats or 1 dog and 1 cat. As of September 30, 2006 **NO** pet may weigh more than 25 lbs at maturity.
2. No dogs may be staked on common area(s). This includes front columns of the unit as well as patio fences, decks and gates.
3. If dogs are walked on the common area the owner will **“Scoop the Poop”**.
4. Do not allow dogs to dig in grassy areas of common ground or to urinate on shrubs. Digging destroys the grass, and shrubs are killed by dogs’ urine.
5. Should any damage be caused by pets in the common areas or to patio fences, unit owner where pet resides is responsible for cost of repairs.
6. Dogs must be on a leash. City of Greenville Animal Control Ordinance # 2199.

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7. Cat owners are required to restrain their pets within Upton Court and may not allow them to roam free. The “nuisance” section of City of Greenville Animal Control Ordinance # 2199 includes all animals and can be enforced by the Animal Control Officer.
8. Any excess animal noise should be reported to the Greenville Police Department for immediate attention or Animal Control Office at 329-4387. Complaints can also be made to Management in writing. Notification regarding complaints is sent to the Homeowner or Homeowner representative. Homeowner is responsible for tenant violation.

PARKING

1. Each unit has two (2) numbered parking spaces. Additional vehicles may be parked on the North side of Thackery Road. City of Greenville Parking Ordinance # 06-03 recorded 6-26-06 does not allow parking on the South side of Thackery Road.
2. Designated visitor spaces are for short-term guest parking only. “Short-term” means parking for a maximum of 24 consecutive hours within a one-week period. If there is a need for a guest to be parked within the community for a longer time period (eg: family visit) the unit owner must receive approval from Board. Otherwise, such vehicles must be parked on the north side of Thackery Road. No unit owner or resident may park in visitor spaces.
3. No vehicles are allowed to be parked on the grass areas or sidewalks.
4. Disabled vehicles, vehicles without current license tags and current state inspection stickers cannot be parked in any parking space within the complex.
5. For removal of unauthorized vehicles in his/her designated numbered parking space, Homeowner may contact Plaza Auto (756-9333) to have vehicle towed immediately at vehicle owner’s expense.
6. Boats or trailers cannot be parked within the complex. Recreational vehicles larger than the functional capacity of a single parking space cannot be parked within the complex. These vehicles are subject to immediate towing without notice at vehicle owner’s expense.
7. Within the Upton Court complex, parking is allowed in marked, designated areas only. Violations include:
 - Impeding access to a dumpster
 - In marked “No Parking” area
 - Parallel to curbing if not designated for parking
 - In parking lot behind another vehicle
 - In a numbered parking space other than his/her residence without prior authorization.

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ANY PARKING VIOLATION CAN RESULT IN TOWING OF VEHICLE AT VEHICLE OWNER'S EXPENSE.

PARKING LOTS

1. Vehicle repair or maintenance is not permitted within Upton Court.
2. The Homeowner is responsible for costs of cleaning and/or repairing damage to parking lot caused by his/her vehicle(s), tenant's vehicle(s) or guest's vehicles(s) including, but not limited to, leaking oil, antifreeze, or other corrosive substances on the pavements.
3. Resurfacing of parking lot or seal coating and re-striping is the responsibility of the Homeowners Association.

DUMPSTER RECEPTACLES

1. Dumpster lids must be closed after use to prevent rust and stray animals.
2. **NO paint cans or any other construction materials including carpet and wood are to be placed in dumpsters or disposed of on Upton Court premises.** You may call the Public Works Department at 329-4527 for instructions on disposal. If a homeowner, resident, or their contractor are seen leaving these items at or in the dumpster, the homeowner will be assessed the cost of removal. The City will not remove these items.
3. All trash, garbage and pet waste **MUST** be placed in the dumpster in closed plastic bags. Cardboard boxes are to be broken down before recycling.
4. Discarded goods such as stoves, refrigerators, hot water heaters, air conditioners, etc. should be removed from the complex by the installer. Bulky items such as furniture should be placed by the dumpster or taken to the landfill. Owner/resident must call the City of Greenville Public Works Department at 329-4522 for any bulk pickup when needed.
5. No parking is allowed in front of dumpster. Vehicles in violation are subject to towing without notice.

COMMON AREA

1. No dumping of any foreign material on Upton Court common grounds. I.E: motor oil, solvent, paints, etc.
2. No litter, including cigarette butts, by residents or their guests, is to be discarded on the common grounds.

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3. Homeowners are responsible for any damage to the buildings, patio fences, or common area caused by a resident or their guests or pets.
4. Speed limit sign is posted at **10 MPH WITHIN** Upton Court. Parents are responsible for making sure children know safety rules and abide by them.
5. The use of fireworks or discharge of any weapon, including air rifles, is not permitted within Upton Court.
6. Use of sidewalk chalk is not allowed.
7. All personal property, including firewood, lawn furniture, flower pots not in use, etc. must be stored within the patio or inside unit. Any items improperly stored will be disposed of at Homeowner's expense. Garden hoses, bikes, and all personal property are to be placed inside the patio or unit after each use, not left in front of unit or outside patio area.
8. **No** propane tanks may be installed in Upton Court for general heating purposes. Propane tanks are allowed for grills. Natural gas service is available from Greenville Utilities. Connections from gas meter are to be done with care, be unobtrusive and installed without damage to building or fence surfaces.
9. **No** obnoxious or offensive activity that may become an annoyance or nuisance in the neighborhood is allowed.
10. City of Greenville Ordinance # 05-108 addresses noise control. For example: music must not disturb others and be kept at a low volume. Motorcycle riders must keep noise levels at a minimum and not rev engines.
11. Alcohol consumption is not permitted on common grounds.
12. Events such as **yard sales or social gatherings on common grounds** may be permitted with **prior authorization** from Board of Directors. Contact management at least 7 days in advance and you will be advised as to proper location, etc. for event.

SIGNAGE

1. One professional grade "For Sale" or "For Rent" sign may be placed within the foundation bed in front of the unit (not on common ground that will impede lawn mowing). **No** "For Sale" or "For Rent" signs are to be placed in windows or attached to doors. **No** Signs are allowed on any common ground. Any such signage will be discarded.
2. One security company sign per unit is allowed within the foundation bed of unit.
3. Board authorized pet, speed limit or directional signs are allowed.

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