

Reserve at Riverside Homeowner's Association, Inc.

Rules and Regulations and Enforcement Policy

Effective August 1, 2019

A new South Carolina law that went into effect January 1, 2019, SCHA Act (S.C. 27-30-110 to 170), requires homeowners associations (HOAs) to be more transparent with their rules and regulations. The state law says HOAs must write and document all of their rules and regulations and make them public through their counties. The law also requires those who sell a piece of property to disclose to the buyer whether or not it is part of an HOA. It was passed by lawmakers in hopes of giving people who live in HOA-governed neighborhoods access to more information, in addition to helping potential homebuyers.

This document is derived from the Declaration of Covenants, Conditions, Restrictions and Easements for The Reserve at Riverside (the "Declaration") and rules established by The Reserve at Riverside Board of Directors (the "Board"). The applicable portions of the Declaration pertaining to each rule and regulation herein is shown in parenthesis. These parenthetical references are meant to aid homeowners in understanding the source of the rules and are not intended to limit the interpretation of the Declaration. The full Declaration is recorded in the Greenville County Register of Deeds office in **Deed Book 1971 at Page 1897**, and can be accessed by searching the Register of Deeds' online records at <https://www.greenvillecounty.org/ROD/SearchRecords.aspx>.

These rules and regulations have been established in order to maintain and enhance the character and visual environment of our community, as well as protect the property values within the Reserve at Riverside development. These guidelines have been developed from the Declaration document for the Reserve at Riverside Subdivision and are not intended to change, alter, or circumvent the community restrictions and by-laws. As the need may arise, amendments to the Rules and Regulations may be made by the Board of Directors and the revised Rules and Regulations shall be published at that time. These documents are in place to not only protect the integrity and harmony of the community, but also to promote the safety and welfare of residents and to maintain an acceptable quality of life.

All residents should make themselves familiar with Rules and Regulations, the Declaration, and the Bylaws. Failure of the residents to submit the required information or failure to comply with these guidelines could result in action by the Board. For the purposes of these Rules and Regulations, a resident is defined as the person or persons, such as the owner or tenant, who resides in housing within The Reserve at Riverside property.

To contact the managing agent, please email ReserveAtRiverside@gmail.com

Reserve at Riverside Homeowners' Association, Inc.


Date: July 2, 2019

By: _____

Pam Sawicki

Its: President

Reserve at Riverside Homeowners' Association, Inc. – Rules and Regulations – Effective August 1, 2019

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I. General Considerations

A. Conduct (*Article VIII, Section 14*)

1. Embrace the code of civility. Obey the law, behave responsibly, be socially conscious, be sensible, be considerate of others, and respect the rights of your neighbors.
2. Residents are responsible for the conduct of their guests.
3. All valid laws, zoning ordinances, and regulations of all governmental bodies having jurisdiction thereof shall be observed.
 - i. Nuisance noise is enforced by City of Greer Police Department.
 - ii. Speed limit is 25 MPH and enforced by the City of Greer Police Department.

B. Absentee Owners (*Article VIII, Section 1*)

1. Owners are responsible for ensuring that their tenants and their tenant's Guests comply with all rules and regulations.
2. Absentee owners remain responsible for making arrangements to receive mail, including written notices from the Board of Directors or managing agent, during their absence.
3. Resident contact information is held by the managing agent.

C. Pets (*Article VIII, Section 13*)

1. Animals must be on a leash and under control of their owner or handler.
2. Animal waste must be picked up and disposed of immediately.

D. No soliciting (*Article VIII, Section 14*)

E. No burning of trash, leaves, debris, or other material is allowed on any lot or common area. (*Article VIII, Section 14*)

F. Fireworks (*Article VIII, Section 14*)

1. A parent must be present at all times when fireworks are being used by children under 18 years of age.
2. Residents who shoot fireworks are responsible for cleaning up any debris from their fireworks.
3. Any damage to the home or lots that is attributed to the use of the fireworks is the liability of the person or persons responsible for the fireworks that cause the damage.
4. Fireworks are not permitted on any common areas within the Reserve at Riverside.

G. No window air conditioning units may be installed on the side or front of any building. (*Article VI*)

H. Swimming Pools - Baby pools must be emptied when not in use. (*Article VIII, Section 8*)

- I. Obstructing view - Trees and shrubbery must be trimmed without overhanging and encroaching on streets, sidewalks, or driveways. Sidewalks should be kept clear and safe. *(Article VIII, Sections 9, 18, and 30)*
- J. Signs - A "for sale" sign or "for rent" sign may be displayed in the front of any lot. No sign of any type may be displayed on the common property and fences. *(Article VIII, Section 15)*
- K. Decorative Yard Ornamentation - All holiday and seasonal decor must be removed within 30 days after each holiday. *(Article VIII, Section 17)*
- L. Playground Equipment/Basketball Goals - Playground equipment may only be placed or kept in garages and in the rear of residences, screened from view from the front of the residence. Basketball goals or hoops may only be stored in garages or at the rear of residences, screened from view from the front of the residence. *(Article VIII, Section 20)*
- M. Garbage Cans - The City of Greer determines and publishes the trash schedule. Trash cans can be put out by the street the evening before the pickup date and must be removed from the street by noon the following day. Owners are responsible for removing trash not picked up by the City of Greer (electronics, furniture, etc.). Trash containers should be kept inside the garage or in an unobtrusive area at the rear of the residence, except on trash day. *(Article VIII, Sections 22 and 25)*

II. Exterior Architectural Changes

- A. All exterior improvements must be submitted to and approved by the Architectural Review Committee (ARC) in writing prior to the commencement of work on such improvements, including: Repairs, replacements, paint, siding, trim, doors, windows, fences, or ornamentation of residences and all other structures, outbuildings, yards and landscaping. *(Article VI, Section 1)*
- B. ARC forms can be requested by emailing ReserveAtRiverside@gmail.com.
- C. Homeowner accepts full responsibility for the proper installation as depicted in plans submitted. An approved plan cannot be altered or deviated from without the review and express written approval of the ARC. *(Article VI, Sections 1 and 5)*
- D. Maintenance *(Article VIII, Sections 17, 18, 22 and 30)*

Each homeowner is responsible for the exterior maintenance of his/her house, other structures, and grounds. This includes, but is not limited to, the following:

- | | |
|-------------------------|-----------------------|
| ➤ Porches | ➤ Lawns |
| ➤ Driveways | ➤ Mailbox & Post |
| ➤ Fences | ➤ Painting & Staining |
| ➤ Gutters & Downspouts | Exteriors |
| ➤ House & Out Buildings | ➤ Plant Beds |
| Exterior | ➤ Shrubs |

➤ Roofs

➤ Walks

➤ Trees

- E. Driveways and Entrances to Garages - With ARC approval, driveways may be extended to allow for additional parking. (*Article VI; Article VIII, Section 28*)
- F. Detached Structures - All structures, including but not limited to utility buildings, playground sets, fire pits, and in-ground pools, shall be located behind the residence, screened from view from the front of the residence. (*Article VIII, Section 6*)
- G. Mailboxes (*Article VIII, Section 10*)
1. The post must be 41"- 45" from the ground, 6"-8" from the curb, upright, and secured 24" into the ground with the box secured to the post.
 2. The mailbox door must remain on box and be in working order.
 3. Mailbox must be free of rust, dents, and faded spots.
 4. No offensive or obstructing inscriptions shall be allowed.
 5. Mailbox and post must be black.
 6. All mailboxes must have a working flag.
 7. The 4" house numbers must be displayed on both sides of the newsletter slot or post.

The Reserve at Riverside Collection Policy

Intent:

The intent of this policy is to define the collections policy that will be used when monies owed the HOA become past due. Amounts payable to the Association include, but are not limited to, annual assessments, special assessments, rule enforcement fees, legal fees, and other costs associated with collection of funds on behalf of the Association.

Abstract:

The Board of Directors has a fiduciary responsibility to all homeowners to ensure that all monies owed the HOA are collected in a timely manner. The following policy will be followed to provide a mechanism for the timely collection of monies owed.

For Assessments:

- July 1 Annual assessment due
- August 1 Monthly late fee of \$25 initiated & interest begins to accrue
- August 1-10 Statements sent to past due accounts
- September 1-10 Notice of Intent to Create Lien, including \$25 lien notice fee
- October 1-10 Lien filed, including \$250 attorney fees plus costs
- November 1-10 Notice warning of foreclosure
- December 1-10 Foreclosure Notice
- February 1-10 Foreclosure, including \$1 650 attorney fees plus costs

For Fines:

ARC Fine Collection Policy:

Improvements requiring ARC form submittal:

- 1st offense: \$100/month until corrective action taken
- Balances of \$500 Notice of Intent to Create Lien, including \$25 lien notice fee
- Day 31 Lien filed, including \$250 attorney fees plus costs
- Day 91 Foreclosure Notice
- Day 121 Foreclosure, including \$1 650 attorney fees plus costs

Exterior Maintenance:

- 1st offense: A Written warning
- 2nd offense: \$25
- 3rd offense: \$50
- 4th and following offenses: \$100 monthly fines
- Balances of \$500 Notice of Intent to Create Lien, including \$25 lien notice fee
- Day 31 Lien filed, including \$250 attorney fees plus costs
- Day 91 Foreclosure Notice
- Day 121 Foreclosure, including \$1 650 attorney fees plus costs

Parking Fine Collection Policy*:

- 1st offense: A Written warning
- 2nd offense: \$50

- 3rd and following offenses \$100
- Balances of \$500 Notice of Intent to Create Lien, including \$25 lien notice fee
- Day 31 Lien filed, including \$250 attorney fees plus costs
- Day 91 Foreclosure Notice
- Day 121 Foreclosure, including \$1650 attorney fees plus costs

***Parking fines will reset annually on January 1**

The Reserve at Riverside Parking Fine Policy

Street parking is an ongoing issue in our community and based on the number of complaints lodged, it is the most frustrating violation for many of our residents. We have had vehicle damage and close calls due to the congested streets in our neighborhood. As these violations and resulting problems continue, the board has received increasing complaints about the street parking. We have decided that something must be done to protect our residents, our vehicles, and our property values.

As the board has addressed some of the parking issues, a common problem seems to be the number of vehicles owned without enough space to park them within the guidelines of the community covenants. While we understand that this is a difficult issue, every homeowner is legally obligated to abide by the Reserve at Riverside Declaration of Covenants, Conditions and Restrictions, and should therefore take the responsibility to park their vehicles in compliance.

Per Article VIII, General Covenants, Uses Permitted and Restricted:

21. Motorized Vehicles. No commercial, recreational, or disabled vehicles, boats, jet skis, boat trailers, motorcycles, motor homes, trucks, buses, vehicles on blocks or any like equipment or mobile or stationary trailers of any kind shall be kept, stored or parked overnight either on any street or on any Lot, except within a fully enclosed garage or behind the residence or garage, screened from view from any street adjacent to a Lot. Notwithstanding the foregoing, passenger automobiles may be parked in driveways, if the number of vehicles owned by Owner exceeds the capacity of the garage. All motor vehicles must be equipped with functioning mufflers to maintain the lowest possible noise level when operated. The foregoing shall not be interpreted or applied to prevent the temporary, non-recurrent parking of any vehicle, boat, trailer or motor home for a period not to exceed forty-eight (48) hours on the street or upon any Lot.

You, as the community member, must do what is necessary to remain in compliance. Vehicles are to be parked in garages and on driveways, not on sidewalks, streets, or curbs. In situations where the vehicles exceed the number of appropriate parking spaces, a vehicle may be parked behind the home, out of view as long as it will not be driven on a neighbor's property to do so.

Clarification: This issue is focused on the **consistent** parking of vehicles on the street by residents. The HOA understands that there will be times that guests will need to park in the street for gatherings, parties, and cookouts. However, those situations are temporary and do not repeat on a continuous basis.

In an effort to make our streets safer and clear up the congested area, parking violations will incur the following consequences, effective August 1, 2019:

- 1st offense: A Written warning
- 2nd offense: \$50
- 3rd and following offenses \$100
- Balances of \$500 Notice of Intent to Create Lien, including \$25 lien notice fee
- Day 31 Lien filed, including \$250 attorney fees plus costs
- Day 91 Foreclosure Notice
- Day 121 Foreclosure, including \$1650 attorney fees plus costs

This process will reset annually on January 1.

To communicate extended stays, special circumstances, questions, and concerns, please contact our managing agent at ReserveAtRiverside@gmail.com. Thank you for keeping your vehicles out of the street to keep the Reserve at Riverside a safe place to call home.

The Reserve at Riverside Architectural Review Committee (ARC) Policy

As you plan your improvements to your property, remember to submit your ARC request **before** you begin your project. **Failure to do so will result in a \$100.00 fine per month**, until such violation is corrected appropriately. If you are unsure about the need to submit a request, please submit it. It is better to err on the side of submitting the request rather than suffering any consequences of failure to do so for an improvement needing approval. **This guideline is effective August 1, 2019.**

To request an ARC request form, please contact our managing agent at ReserveATRiverside@gmail.com.

Once received, our managing agent will forward your request to the ARC committee. After a prompt review, the committee will report their questions or decision to the managing agent. You will then be contacted by our managing agent with the ARC committee's decision. With approval, you may then begin your project.

In the event your request is denied, you will receive the reason for the denial. The entire process can take up to 45 days per Article VI Architectural Control, Section 5 of the Declaration. However, the committee makes every effort to promptly respond to each submission.

Approval does not establish a precedent: Approval of an improvement or alteration by the ARC does not establish a precedent for the improvement or alteration. The ARC at its discretion may disapprove similar improvements or alterations submitted subsequently.

Maintenance: Each Owner shall keep and maintain the Owner's Lot and any exterior improvements and landscaping in good condition and repair. The ARC shall have the power and responsibility of enforcing this declaration, per Article VI, Section 4 of the Declaration.

ARC Fine Collection Policy:

Improvements requiring ARC form submittal:

- 1st offense: \$100/month until corrective action taken
- Balances of \$500 Notice of Intent to Create Lien, including \$25 lien notice fee
- Day 31 Lien filed, including \$250 attorney fees plus costs
- Day 91 Foreclosure Notice
- Day 121 Foreclosure, including \$1 650 attorney fees plus costs

Exterior Maintenance:

- 1st offense: A Written warning
- 2nd offense: \$25
- 3rd offense: \$50
- 4th and following offenses: \$100 monthly fines
- Balances of \$500 Notice of Intent to Create Lien, including \$25 lien notice fee
- Day 31 Lien filed, including \$250 attorney fees plus costs
- Day 91 Foreclosure Notice
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