

Bennington Place HOA Community Rules

*As a Planned Community, **Bennington Place** is governed by Chapter 47C (North Carolina Condominium Act). All assessments, fines, and procedures to appeal fines are set in accordance with this rule. Changes to these policies will be handled in accordance with this rule.*

GENERAL COMMUNITY RULES:

1. Be courteous to your neighbor.
2. All residents share the responsibility of ensuring public safety. Any suspicious activity or person(s) must be reported to the police IMMEDIATELY while it's happening. If you call the police to the property for any reason, please notify the Board as soon as reasonably possible.
3. Residents must routinely dispose of trash. Trash and Recycle pick-up occurs each Monday (unless a holiday). Trash cans and recycle carts should be kept behind fencing and not visible from the road and clearly marked with the unit number.

Town of Clayton ordinance requires that trash and recycle bins be removed from the curb within 24 hours of pickup. Patios, porches, and enclosures may not be used to collect excess trash, old mattresses, appliances, furniture, etc. The Public Works Dept. will pick these items up. Residents are responsible for removal of these items within two (2) weeks. You must call the Public Works Dept. at 919-553-1530 to schedule a special item pick up. For more information about the Town's special pickup and associates fees, visit:

<http://www.TownOfClaytonNC.org/Public-Works/trash-recycling-leaves-limbs.aspx>

4. Resident parking is limited to the space directly in front of their unit. Guests and visitors may park in visitor parking areas (see Map 1). There is one guest space in each of the smaller lots and ample guest parking in the large lot along Dairy Road. Parking in spaces other than your own, or in no parking areas, can result in your car being towed. Parking or driving on grass is not allowed at any time.
5. You are responsible for maintaining control of your animal at all times. Dogs must be on a leash and cat must have collars. Cats are not allowed to roam unsupervised for any period of time. In addition, dogs must be walked in designated 'dog walk' areas only (see Map 2). Owners must clean up behind their animals. Kennels, cages or any other type of house or bedding may not be kept on porches or patios (unless the patio is fully enclosed).
6. Property owners must maintain the quality of their property. Any structural problems (window or roof leaks, etc.) must be reported to the Board immediately so repairs may be made. Failure to report issues may result in shared liability with the owner.
7. Owners must obtain written approval for any patio extensions/enclosures or to install satellite dishes **before** installation or construction. Satellite dishes should be mounted on the roof. Pole mounted dishes in common areas is not allowed. Any such construction or installation may be removed at your expense if written approval is not obtained prior.

Bennington Place HOA Community Rules

SAFETY

1. To help keep our community safe, each resident must take an active role in preventing crime. Please call the police immediately if you see or hear anything suspicious, or something that causes you to feel unsafe.
2. To improve public safety, motion sensitive lighting has been installed on the front and back porches of all units, except units 265-297. These units have motion sensitive lighting on the back porches only. It is the homeowners responsibility to maintain these.
These lights can be set to come on at dusk and go off at dawn and will brighten to full intensity when anything large passes within 8-10 ft. Please note: Cost for using these fixtures is pennies a day, adding only ~\$2-3 per month to your electric bill. You are strongly encouraged to use them for your own security, as well as improving general community safety. Safety is worth a few bucks a month.
3. Each parking area has one or more street lights that are maintained by the Town of Clayton. If a street light near your unit is not working properly, call the Town of Clayton at 919-553-5002 to report it. You may also report via their website at:
www.TownOfClaytonNC.org/Residents/PublicWorks_ReportOutage.aspx

TRASH AND WASTE REMOVAL

Trash removal for our community occurs each Monday. **Trash and recycle carts should be clearly marked with the unit number with 2" adhesive numbers, similar to the address markers for each unit. Containers should be kept behind fencing and, for units along Dairy Road, not visible from Dairy Road or for units on Bennington Drive, not visible from Bennington Drive.** Town ordinance (Ord. passed 8-17-87; Am. Ord. passed 10-7-91; Am. Ord. passed 8-16-93; Am. Ord. passed 4-15-96) requires that trash and recyclable containers be removed from the curb the following day.

96.02 CONTAINER REQUIREMENTS; PLACEMENT OF CONTAINERS FOR COLLECTION

*(E) Containers may be placed at curbside **after 5:00pm** on the day before the scheduled collection day. The container must then be removed from the curbside no later than **8:00am** on the day following the scheduled collection day. Any customer found to be in violation of this requirement may be subject to assessments or fines by the town.*

In addition, owners/residents are responsible for their cart and contacting the Town of Clayton should it need to be replaced.

(G) Each customer shall be responsible for the care and custody of the serially numbered container assigned to each customer. It shall be the customer's responsibility to have replaced any container damaged or destroyed by improper use or neglect and shall care for the container as though it were their own. It shall be the responsibility of the town or its contractor to replace those containers which are damaged or destroyed as a result of neglect or improper handling by the town or its contractor. The town or its contractor shall also be responsible for replacing all old, broken-down containers.

Failure to remove your cart(s) from the curb after pickup will result in a fine. Failure to remove trash from your patio in a timely manner will also result in a fine. Cigarette butts are unsightly and a trash nuisance. Failure to dispose of cigarette butts properly will result in a fine plus cost associated with cleaning them up.

Bennington Place HOA Community Rules

GENERAL PROPERTY UPKEEP

Some issues, such as storm doors, landscape mulch bed in front of each unit, enclosed patios or decks, custom doors or windows, satellite dishes or other owner installed features, typically fall outside the Board's responsibility to maintain. In these circumstances, owners must take action to correct any problems that could impact the building or community aesthetics or structural integrity, in a reasonable time-frame. If not completed within a reasonable time frame, the Board may choose to remedy the situation and bill the owner.

Homeowners are required to maintain their landscape areas in the front of their unit per the following:

- Bushes are to be 4" lower from the bottom window seal and at least 6" away from the wall of unit.
- Planting of new trees is not allowed. Trees planted before June 6, 2018 are to remain as is and will be maintained and trim properly.
- Red mulch is to be laid in all beds.
- Beds must be kept free of all weeds and dead plants.
- All decorative features (i.e., fountains, statues) must be under 3' x 3' x 3'.
- Landscapers can be contacted for help in maintaining beds but will be at the cost to the homeowner.
- Reminder that water lines are in front and to call *811 before to have lines marked. HOA will not be responsible for any repairs.

Failure to meet the minimum requirements will result in the HOA's current landscaper fixing the area at the owner's expense.

Owners are also responsible for reporting any problems (leaks, loose shingles or shutters, termites, etc.) that may impact the structure immediately. When such issues are neglected, cost to repair can increase significantly. Owners who fail to report issues that ultimately result in costly repairs may be responsible if it is determined that the damage could have been prevented with earlier attention.

The HOA is responsible for painting the building and trim. The default color for the front door is white. Owners may choose to paint their front door one of the following approved colors at their discretion.

BEHR PREMIUM	RED	color code	UL110-3
	GREEN	color code	UL210-1
	BLACK		

Other brand paint may be used as long as the color is matched to the BEHR color swatch indicated above. Owners who paint their doors will maintain it, unless or until they elect to repaint the door to its default color during general painting.

PARKING

Each unit has parking space for two vehicles in front of the residence. Short term guests (less than 24 hours) may use extra resident space or the visitor space in the small lots as applicable. Longer-term guests (more than 24 hours) should use the large lot on Dairy Road if a resident space is unavailable. The large lot along Dairy Road has ample parking for those who visit the community frequently or for overnight guests (See Map 1). Parking more than 24 hours in the small lot visitor spaces and otherwise monopolizing those spaces will not be tolerated.

Oversized vehicles and trailers may not block or hinder parking for any other unit at any time.

Parking in spaces other than your own, or in no parking area, may result in your car being towed. Parking or driving on grass is not allowed at any time.

HOA DUES AND ASSESSMENTS

All property owners must pay a monthly assessment for maintenance and upkeep of common areas and structures. Bennington Place HOA dues are currently set at \$90.00 a month and is due by the first of the month. Assessments may be paid in advanced at any time.

**Bennington Place HOA
Community Rules**

Your monthly assessment pays:

Lawn Maintenance	\$43	Pest Control	\$4
Insurance	\$24	Building Maintenance	\$3
Accounting/Professional/Postal Services	\$3	Reserve & Emergency Fund	\$8
Electricity/Parking Lights	\$4	Printing & Office Supplies	\$1

LATE FEES AND OTHER ASSESSMENTS

All monthly assessments and any imposed fines are due by the 15th of each month. Payments received after the 15th will be charged a \$20 late fee. If any account remains delinquent for three months, a Judgment for Money Owed will be filed at with the Johnston County Clerk of Court. You will be required to pay the past due amount in full in addition to all court costs. If this judgment is not fully satisfied, or if the owner fails to pay the fine and other charges assessed, the association may file a lien against the property of the offending owner and/or foreclose the property. Checks or payments returned for insufficient funds will be assessed a fee of \$25 per check/payment.

FINES FOR VIOLATING COMMUNITY POLICY

Bennington Place has set forth some rules that all residents are expected to follow. Failure to adhere to community rules may result in a fine being assessed. Currently, fines are assessed for the following violations:

Code	Violation	Fine Amount	Frequency
1	Failure to remove trash/recycle carts from curb according to Town ordinance rules	\$25.00/day	Per cart & per day (Ex. Both trash and recycle carts are left curbside until Thursday. Fine - \$25.00 x 2 bins x 3 days = \$150.00)
2	Parking/car washing on grass	\$25.00/\$50.00	Per day or occurrence for parking on grass Per occurrence for washing cars on grass
3	Failure to maintain control of your animal (Incl. animals not on a leash; excessive barking, etc.)	\$25.00	Per occurrence
4	Failure to clean up behind or walk your dog in designated area	\$50.00	Per occurrence
5	Creating a noise nuisance (excessive barking, playing loud music, loud parties, frequent car alarms, etc.)	\$25.00	Per occurrence
6	Littering (ordinary trash, cigarette butts)	\$25.00	Per occurrence + any costs incurred to clean the area
7	Littering (appliances, furniture, etc.)	\$100.00	Per occurrence + any costs incurred to remove the item(s)
8	Parking in designated 'No Parking' zones	\$25.00	Per occurrence (car may also be towed)
9	Failure to dispose of unwanted mattresses, furniture, appliances, trash, etc. within two (2) weeks	\$100.00	Per day after request to remove item(s)

**Bennington Place HOA
Community Rules**

10	Destruction of or damage to structures or landscaping	TBD	Plus cost to repair damage
11	Failure to obtain written approval for patio enclosures; satellite dish installation or similar	\$100.00	Per occurrence

Property owners will be notified immediately in writing of any observed violation. You have the right to appeal any fine and must do so within 10 days of receiving notice of violation. You must provide adequate information or proof of innocence in order to negate the assessed fee. The Board will notify you via letter of the result of your appeal.

Renters will be notified directly of any violation they commit. A copy of the violation will be sent to the property owner. Renters may also appeal any assessed fine within ten (10) days of receiving notice of the violation, either directly or via the property owner.

Failure to respond to a violation notice indicates acceptance of the violation and assessed fine. Any assessed fine must be paid by the 15th of the month following their assessment. Unpaid fines will be assessed a late fee of 10% per month until paid. Any fines not paid within three months of the violation will result in a 'Judgment of Money Owed' being filed at the Johnston County Courthouse. You will be required to pay all associated court costs.

INSURANCE

Owners are expected to maintain adequate insurance on their property. The HOA does provide insurance coverage for the exterior of the units and property.

HOMEOWNER MEETINGS AND BOARD ELECTIONS

Meetings will be held periodically to review/resolve any community issues and are open to all owners. Election of officers occurs in July. Owners are encouraged to participate to ensure that their interest are being considered and addressed.

RENTAL PROPERTIES

If your property is used for rental income, you are responsible for the conduct of your tenants. You must convey all community rules to your tenants when they move in, or upon any updates. Any policy violation committed by your tenants that are not paid within 30 days will be billed directly to you. You will then have to follow up with your tenants to be reimbursed.

Please note that your tenants have the same right to appeal any violation they may have committed. Failure to make an appeal within the 10-day time frame will result in the fine being assessed.

SELLING YOUR PROPERTY

Please notify the HOA should you choose to sell your property. All dues, fines, and other fees must be paid in full at or before closing. Please contact the Treasurer to obtain the balance owed.

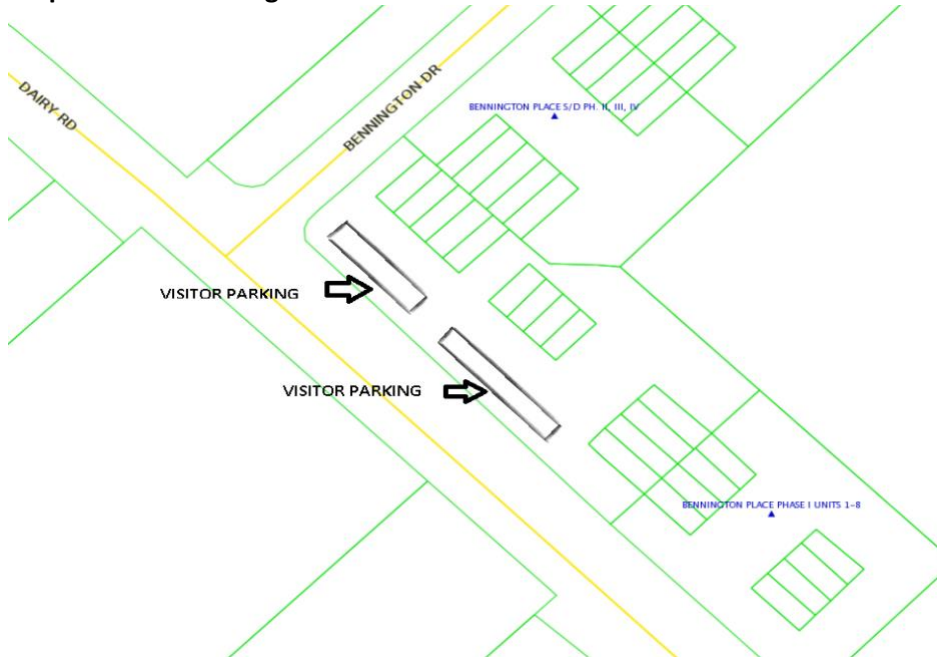
CONTACT INFORMATION

Mail should be addressed to:
Bennington Place HOA
PO BOX 235
Clayton, NC 27528

Email Correspondence should be sent to: BenningtonPlaceHOA@yahoo.com

Bennington Place HOA Community Rules

Map 1: Visitor Parking Area



Map 2: Dog Walking Area

