

**PAMLICO PLANTATION TOWN HOME OWNERS ASSOCIATION**  
**HANDBOOK OF RULES AND REGULATIONS**  
**FOR**  
**OWNERS AND RESIDENTS**

**INTRODUCTION**

The Pamlico Plantation Town Home Owners have created a Town Home Owners Association (TOA) which is a non-profit corporation. When we purchased our town homes, we agreed to abide by the covenants, bylaws, and policies adopted by the Board of Directors of the TOA.

This handbook provides the documents which are pertinent to our maintaining and using the town homes and associated common areas for our TOA community. As town home owners, we are members of the Pamlico Plantation Property Owners Association and the Pamlico Plantation Town Home Owners Association. Each group has its separate rules and procedures to follow.

The TOA rules and regulations contained herein apply to the land on which the 80 town homes are placed as well as the associated grounds, parking areas and roads interior to the town homes area.

**COVENANTS, CONDITIONS, RESTRICTIONS DOCUMENT**

ATTACHMENT 1 is the latest covenant document adopted by the TOA in June, 2009. This document remains in force for the subsequent 10 years. After that date the document continues unless amended by the TOA membership. This document establishes the basic organizational and financial structure for the town home owners to use in maintaining and using their property. A board of directors is elected by a vote of the owners and is responsible for the establishment of an annual budget and the associated assessments to each owner as necessary to fund the respective budget.

Among the provisions of the covenants it states that no building, fence, wall or other structure shall be erected on the properties nor shall any exterior addition to or change or alteration to the town home be made unless approved by the TOA Board of Directors. See TOA Covenants, Article V

The covenants describe the areas to be maintained by the TOA including the common areas as well as the exterior of the buildings: paint, repair, replacement and care of roofs, decks, steps, gutters, downspouts, exterior building surfaces, trees, shrubs, grass, walks, and other exterior improvements. Such exterior maintenance does not include glass surfaces. See Article VII, Section 4.

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As per the covenants, no building can be used except for residential purposes. Town homes may be rented for periods of no less than six consecutive months and only to a single family unit with the maximum number of persons occupying a town home unit to be limited to six (6) including adults and children. The owner is responsible for notifying the TOA Business Administrator in advance of the rental arrangement and providing the name, address, and telephone number of the renting party, and the beginning and ending dates of the rental term. The owner is responsible for notifying the renter of his responsibility to comply with all TOA rules and regulations. See Article VIII, Section 4.

A key requirement in the covenants is the obligation of each home owner to obtain and maintain at all times adequate fire and casualty (including wind and hail damage) insurance on the town home which shall insure the property for its full replacement value with NO deduction for depreciation. Each year the owner is responsible for providing a certificate of such insurance to the TOA Business Administrator at the time of the first installment of the annual assessment. See Article X, Section 3.

Please read the covenant document to understand all applicable conditions.

## **BY-LAWS**

The By-Laws of the TOA are shown as ATTACHMENT 2. These have been duly adopted by the TOA. This document describes the composition and structure of the Board of Directors. It authorizes the Board to adopt rules governing the use of the common areas. The By-laws authorize the Board to determine the annual assessment against each lot. This assessment is established as part of the Board's review of annual expenditures needed to maintain the buildings and properties. Any assessment not paid within 30 days after the due date shall bear interest from the date of delinquency at the rate of 6% per annum. The Board sends the assessment out in two equal installments. The first is sent in December and is due January 1. The second installment is sent in June and is due July 1. A 30 day grace period for payment is allowed in which no interest is charged.

The Board of Directors adopts an annual budget in August of each year and establishes the annual assessment amount. The adopted budget is mailed to each owner in September.

Each year the TOA has an annual meeting and all owners are invited to attend.

The members of the Board of Directors are elected by the TOA owners at the annual meeting. Board members serve a three year term which is staggered to provide for 2 to 3 members being elected each year. There are 7 members. After each election, the TOA Board of Directors elects its officers. They meet on a monthly basis and owners are invited to attend each meeting. The books and records of the Association are available for inspection by any owner.

The Covenants and By-Laws give the TOA through its Board of Directors the responsibility to adopt budgets and rules for the residents to follow which protect our real estate investments

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and allow for our respective quiet enjoyment of our homes. The Pamlico Plantation Town home community of 80 homes is a more densely developed property than our neighbors who live on single family detached lots and homes. We share much that is different from detached homes such as party walls between each unit, lawn areas, parking areas, driveways, walkways, and landscaping. Our decks are extensions of our living areas and are in close proximity to each other. The Board of Directors adopts rules to guide our activities in our community so that we may enjoy the benefits of living in this special community and maintain the value of our investments.

Please review the By-Laws to understand all the applicable provisions to town home owners.

## **MAINTENANCE OF BUILDINGS**

Our town homes are a significant investment for each owner and a source of enjoyment. The covenants provide that the TOA through the Board of Directors will provide exterior maintenance. Painting of each building is performed every six years. At the time of painting, repairs are made to the exterior siding when necessary to address deterioration. The painting includes the decks, steps and lattice. Between the six year painting schedules, the owners may choose to paint their decks and steps. The TOA provides the paint at no cost to the owner. It is part of the annual budget. An owner may choose to ask the TOA to paint the decks and steps. This would require the owner to pay a fee for this work. Contact the Buildings Chair for paint or complete a TOA Maintenance Form to request decks and steps to be painted at owner's expense.

All exterior painting must be consistent with the Pamlico Gray color standard for the buildings. This applies to all exterior areas. The one exception is the front door of the town home. The doors are routinely painted Pamlico Gray. An owner may choose to paint the front door a different color. This would require approval by the TOA Board of Directors. The owner would submit the color proposal to the Board. Pursuant to the TOA rules for this activity the color should be harmonious with the general environment of the Plantation. Once approved, the owner is responsible for the continued repainting of the door. The TOA would not provide for the periodic painting of the door.

The TOA is responsible for repair and replacement of decks, steps and lattice. A portion of the town homes' decks and steps are scheduled for repair/replacement as part of the annual budget. Owners may notify the TOA if a particular problem exists which could create a safety problem, and it will be inspected and repaired if necessary.

The TOA is responsible for the roofs on the town homes. If storms cause roof damage, the TOA will provide for the repairs to be made and the costs for the repairs will be charged to the respective town home owner.

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The TOA is responsible for the repair or replacement of exterior doors and window frames when they have deteriorated from normal aging. Owners are responsible for replacing glass in windows or doors if required for any other reason (accident, storm, cracked, etc.).

If an owner has a building maintenance problem, completion of the "TOA Maintenance Request Form" may be submitted to the TOA Board either by mail or placed in the drop box at the TOA office. See Attachment 4: Forms.

## **ARCHITECTURAL MODIFICATIONS**

As previously stated, the covenants restrict external changes, additions or alterations to be made to town homes without prior approval of the TOA Board of Directors. The guiding principle when approving requests is harmony in design and location to surrounding structures and topography. In some cases, existing documents have been created to be used in the application process. In all cases, the application should describe in writing the nature, kind, shape, height, materials and location of the particular architectural modification and/or change. See TOA Covenants, Article V. See Attachment 4: Forms.

One example: Each town home initially had a screened porch. Owners may enclose the screened porch area. The TOA Board of Directors must approve this activity. The owner is responsible for submitting a request to make the enclosure and describe the intended work. Windows must retain the original look of the rear porch. The owner is responsible for the costs of the modification. On-going maintenance of the enclosed porch, including the windows, is the owner's responsibility. The TOA will paint the exterior only at the normal painting intervals. Use the accompanying document, "Enclosure Procedure for Screened Porches". See Attachment 4: Forms

Repairs and alterations to the interior of the town home are the responsibility of the owner. If owners desire to expand the living room and dining room to include the screened porch, they must be careful to address the load bearing conditions associated with the exterior screened walls of the porch and the wall between the dining room and porch. Prior to initiating this interior modification, review the document "Procedure for Expanding Living Room-Dining Room Area" and submit the accompanying request to the Business Administrator for TOA Board review and approval. See Attachment 4: Forms.

The owner may desire to extend the lower level room to the area under the porch. This requires the approval of the TOA Board of Directors. The application to the Board must include architectural drawings to describe the intended work and its compatibility with the existing building, especially any window treatments.

Another modification, installation of an awning over the rear deck, requires application to the TOA Board for approval. See the document "Policy-Procedure-Application for Installing Awning for Town Home Decks". See Attachment 4: Forms.

Forms for applications to the TOA Board of Directors are available from the TOA Business Administrator or online at the POA web site, Town Home Association section.

## **TERMITE INSPECTIONS**

The TOA has an annual contract to provide for inspection of each town home for termites. The cost is part of the TOA budget. The contract provides for repair of qualified new subterranean termite damage and any treatment of property against subterranean termite infestation found to be necessary.

The TOA makes available an optional service for pest control within the town homes. Each owner may choose to participate in this service for which there is a charge separate from the annual assessment. Owners are notified each year of this service and the costs. This is a voluntary service.

## **LANDSCAPED AREAS ADJACENT TO TOWN HOME**

At the front of each town home is a landscaped area. This area is maintained by the TOA and its landscape contractor. Placement of plants and mulch in this area must be approved by the TOA. The contractor will prune the vegetation, apply ground cover, remove weeds, and remove and replace dead vegetation. Owners are encouraged to participate in the maintenance of this front yard by weeding, spreading Board approved mulch, watering the vegetation and removing dead vegetation. Owners may add potted plants in this area and on front steps.

Owners may submit an application to the TOA to fully maintain the front yard or side yard landscape areas. The Board will consider each request on a case by case basis. If approved, the owner is responsible for performing the maintenance normally performed by the TOA landscape contractor. If the area becomes unkempt and unsightly, the Board may revoke the approval to the owner. See Attachment 4: Forms.

At the rear of each unit is an open area beneath the deck. This area is the responsibility of the owner to maintain. The area should be kept clear of weeds or overgrown vegetation. Owners may place sculpture, lawn art and other statuary in this rear yard area. This is the only area where an owner may place such items exterior to the building. Plastic flowers are not appropriate to our natural setting and should not be placed in this area. The owner should use deer resistant plants and avoid netting devices. The owner may landscape this area and an area of up to three feet beyond the deck. Trees with invasive roots such as River Birch should not be planted in this area. Invasive vines, such as ivy that climbs, should not be used. If vines climb on structures to be painted, they must be removed by the owner prior to the regular painting of the building. If the owner fails to remove the vines, the TOA may remove them and charge the owner for this cost. Anything planted in the rear of a town home becomes the responsibility of the owner.

Pine straw shall not be used as mulch in any areas around town home buildings.

Please refer to the Landscaping and Maintenance Policy for a full description of landscaping rules. See Attachment 3: Policy.

## **PARKING AREAS**

Each town home resident shall make arrangements for the permanent storage of outdoor items including but not limited to boats, boat trailers, RVs, motor coaches, campers, utility trailers, and personal watercraft which do not fit in the parking area underneath the town home. For the purposes of loading, unloading, or small maintenance jobs, the resident may temporarily store such items on the apron of the owner's lot for four (4) days or three (3) days in the common area. Special permission must be obtained from the Board of Directors for an extension beyond these times. This temporary storage activity only applies to vehicles owned by the town home resident.

Anyone operating a motor vehicle of any kind, whether gas or electric, within the town home area must possess a current valid driver's license. Use of unlicensed motor vehicles of any kind, whether gas or electric, in the town home area is not permitted. Motorized wheel chairs are exempt from these conditions. Drivers of licensed motor vehicles used within the town home area must carry insurance equal to or exceeding the minimum limit of liability imposed for use of public highways.

Vehicles exceeding 26,000 pounds are prohibited from using town home roads and parking areas. Large semi-trailers are therefore not permitted. This is important to know when moving activities are being planned. Emergency vehicles are exempt. See Attachment 3, Use of TOA Roads and Parking Areas Policy.

## **GROUNDS OF THE TOA**

One of the special assets of our town home community is our landscaped grounds. The TOA is responsible for the maintenance of the grounds and associated landscaping. This includes the bulkhead along Broad Creek, retaining walls, walkways, trees and shrubbery. The Board of Directors retains a landscape contractor to perform the necessary services. Except for the areas adjacent to each town home noted herein, all work on the grounds is performed under the direction of the TOA Board of Directors. No plantings can be removed or planted in the TOA maintained areas without prior approval from the TOA Board of Directors. See Attachment 3, TOA Landscaping and Maintenance Policy.

The TOA has an irrigation sprinkler system to support the common areas, and it is operated under guidelines from the TOA Board of Directors. The irrigation system is supplied by a ground water source and not the public water system. Owners should be aware that the well water irrigation may cause stains on vehicles.

In regards to all bulkheads included in the TOA properties, no watercraft attachments such as cleats, boat launching devices of any kind may be attached to the bulkheads. There is potential

for damaging the bulkheads and/or water craft in a severe storm. With the marina and small boat launching facilities by the clubhouse there is no need to tie up or launch watercraft from any bulkheads.

## **SERVICES TO RESIDENTS**

The TOA provides water and sewer services to each town home and maintains the respective lines and pump stations. The cost of this service is included in the annual assessment paid by each owner. Repairs to these systems outside the town homes are handled by the TOA. It is important that residents report leaks outside the town homes to the appropriate TOA official so they can be promptly repaired. To delineate responsibility of any external water supply plumbing repair, repair of the exterior water supply shut-off valve/components and plumbing before the valve is the TOA responsibility. Any repair after the water shut-off valve plumbing as it leads into the home is the town home owner's responsibility. Excess water use becomes a cost to the TOA that is passed on to the owners through the annual assessments. Water is provided from the Beaufort County water system, and the TOA has a master meter which records the water usage for the entire town home community. The irrigation system water source is a well owned by the TOA.

The sewer system is owned and maintained by the TOA. It collects the sewerage via a series of pump/lift stations, and it is pumped to a disposal tank and field system located just outside the security gate. The cost of this system is provided by the TOA and is part of the annual assessment to owners. Owners should be very careful not to place any stringy material (such as feminine hygiene products) in toilets and instruct contractors to avoid placing rags or other debris in the toilets. Such items will cause systems blockages and subsequent expensive maintenance costs to the TOA. Each pump station has an audible alarm. If heard, it should be reported to the Water/Sewer Monitor listed in the Pamlico Plantation phone directory and on the PP web site. He will contact the appropriate person to resolve the reason for the alarm.

Basic cable TV service is provided to each town home by the TOA. The cost is part of the TOA annual budget and the annual assessment paid by each owner. Telephone and computer services are the responsibility of each owner.

Trash collection service is provided by the TOA as part of its annual budget. This is a weekly collection. There is a county operated refuse center on Magnolia School Road for recycling purposes as well as disposal of yard waste.

The TOA provides a fire extinguisher for each unit located inside each carport. The unit is to be kept in that location and used for emergencies only.

**QUALITY OF LIFE AND SAFETY RULES** Harmonious living in a town home community requires little more than a thoughtful sensitivity to the needs of others and realizing the impact of individual action on the overall quality of life and safety of the community we all call home.

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To maintain optimal external appearance, residents are expected to not hang laundry, clothing, or other items where visible from outside a unit. Carports must be free of clutter or trash visible from the common area. Lighting must not intrude on the tranquility of your neighbor. Decorative items and color schemes must be in keeping with the overall character of the town home area. Yard art is restricted to the town home's open area below the back deck.

Pets (dog and cats) must be leashed and properly supervised when on the TOA common areas. Pet feces must be immediately picked up by the pet owner. Animals running at large present the risk of being infected with rabies from wild animals. The maximum number of cats and dogs permitted as household pets shall be no more than a total of three (3) adult animals in a town home unit. See TOA Covenants, Article VIII, Section 5.

The only exterior signs permitted in the town home area are those offering a town home for rental or sale. There can only be one (1) sign per lot and its size shall not exceed 24 inches by 24 inches. No political signs are allowed. See TOA Covenants, Article VIII, Section 7.

Only documents prepared by the TOA, POA or committees of either may be placed on private town home property. Outside organizations or businesses may post notices on the three TOA mail kiosks. All other types of solicitation is not permitted.

Gasoline must be stored outside the town home proper in a well ventilated area.

Owners wishing to install a permanent generator must submit a request to the TOA Board of Directors for approval. We live close to each other, and generators may emit a loud noise, especially portable units. Timely use should respect the neighbors and their need for quiet enjoyment at night. See Attachment 3, TOA Policy for Placement of All Generators and their Use.

According to the Beaufort County Fire Marshall portable outdoor fireplaces shall not be placed and operated within 15 feet of a structure or combustible materials. Charcoal burners/grills shall not be operated on our decks or within 10 feet of combustible construction. This does not apply to propane grills.

We live in an area which can be affected by hurricanes. It is essential that each town home makes the appropriate plans to address this emergency. The document "Pamlico Plantation TOA Emergency Reminders" provides guidance for the residents and how the TOA is involved. Some of our neighbors are elderly, so it is important to check with them in these conditions. See Attachment 3: Policy.

## **COMPLIANCE PROCESS**

It is the desire of the TOA Board of Directors that covenant, policy and rule violations by owners and residents be resolved through discussion and without the imposition of fines or suspension of privileges. The TOA Board of Directors has adopted a written procedure to provide for due



process contact and discussions when all other efforts have failed. See Attachment 3, Compliance/Sanctions Policy

## **STAYING IN TOUCH-TOA CONTACTS**

The Pamlico Plantation Town Home Owners Association has its annual meeting in October.

The TOA Board of Directors meets on the third Thursday of each month in the Clubhouse. Meeting times may change due to schedule conflicts. Contact the TOA business office to verify the meeting time. Owners are welcome to attend the meetings. Any owner may become a candidate, and if elected, may serve on the Board of Directors. If interested, contact the TOA Board of Directors or Business Administrator in June to be considered as a candidate for the Board of Directors.

To locate contact information for the current list of TOA Board of Directors, committee chairs, Business Administrator and Water/Sewer Monitor refer to the POA directory or POA web site, Town home Association section.

Contact the TOA Roads & Grounds Chair for questions about front and rear yards as well as other grounds questions. The TOA depends on volunteers to help maintain our grounds. Contact the Roads & Grounds Chair to join the effort. It will be appreciated!

The TOA Buildings Chair oversees the annual painting and repairs to our buildings. Contact the Building Chair for questions about maintenance of buildings.

Water/Sewer services contact: The TOA has a contractor to maintain the sewer system and uses a private contractor for exterior water system repairs. To facilitate contacting these individuals a town home resident (identified as the TOA Water/Sewer Monitor) should be contacted for any exterior sewer or water problems. He will contact the responsible person for repair. Please see the POA directory, POA web site-Town Home Association section or the TOA business office for the Water/Sewer Monitor's contact information.

Contact the Business Administrator about meeting schedules, assessments, pest control, building modifications for board approval, and building maintenance requests. New residents including renters are required to contact the Business Administrator prior to or soon after moving into the PP Town Homes. New residents will be requested to provide contact information and will receive pertinent information. The mailing address for the TOA office is 126 Forecastle Court. For your convenience, there is a TOA drop box located at the Forecastle Court mail kiosk as well as the POA Clubhouse. Both drop boxes can be used to leave documents (maintenance requests, architectural modification requests, etc.) and assessments.

Thank you for your attention to these rules and regulations. They are designed to make our living here a very enjoyable experience.

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**ATTACHMENTS**

1. Covenants
2. By-Laws
3. Policy
  - a. Landscaping and Maintenance Policy
  - b. Generator Policy
  - c. Hurricane Guidelines
  - d. Use of TOA Roads & Parking Areas
  - e. Compliance/Sanctions Policy
  - f. Policy on Exterior Door
4. Forms
  - a. Policy-Procedure-Application for Installing Awning for Town home Deck
  - b. Enclosure Procedure for Screened Porches
  - c. Procedure for Expanding Living Room-Dining Room Areas
  - d. Application for Addition To or Alteration of Slab Level Storage Room
  - e. Application to Fully Maintain Front Dooryard & Sideyard
  - f. TOA Maintenance Request Form