

**WOODLAKE HOMEOWNERS ASSOCIATION HANDBOOK**

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## SUMMARY

Woodlake is a Planned Community with a homeowners' association (HOA) that is legally incorporated in the state of North Carolina. This handbook augments, but does not replace, the Articles of Incorporation, By-Laws, and Protective Covenants (Covenants) (see Section 3.1 of this document). The Woodlake HOA (WHOA) Board of Directors (Board) has compiled this handbook to help homeowners understand what is expected of them as a member of the WHOA. The primary purpose of the WHOA is to enhance and protect the value, desirability, and attractiveness of the community. As a corollary, the Board also oversees maintenance of Common Areas and amenities (defined in Section 5.1 of this handbook & Article 1, Section 6 of the Covenants).

All residents should familiarize themselves with the Rules and Regulations parts of this handbook. We ask that you be aware of four essential obligations that you have contracted to abide by when you bought your home. The first is to pay your monthly dues in a timely fashion (see Section 4 of this handbook). Your second responsibility is to maintain your home and lot so that it is attractive and does not detract from the appearance of the neighborhood (see Section 8 of this handbook). Third, written approval of the architectural review committee (ARC) is required prior to altering the appearance of your home or lot (see Section 20 of this handbook). Finally, to ensure that homeowners exercise considerate behavior toward each other, we are all required to abide by the use restrictions and rules (see Sections 9 through 19 of this handbook and Article X of the Covenants).

The WHOA Board has the legal obligation and authority to enforce the rules and regulations. Failure to comply can result in suspension of privileges or services provided by the Association and/or fines of up to \$100/day (see Sections 1 & 4 of this handbook). Lack of compliance can ultimately result in foreclosure for repeat offenders who fail to pay fines and assessments in a reasonable amount of time.

The WHOA, through its board and committees, strives to improve the quality of life of Woodlake residents. Woodlake has much to offer and we encourage residents to take advantage of the common areas and activities. Our website ([www.woodlakecommunity.com](http://www.woodlakecommunity.com)) provides up-to-date information on board members, contact information, upcoming activities, forms and other information. We encourage homeowners and residents to sign up on Woodlake's listserv. This is our most efficient and quickest way to disseminate bulletins on events and other important information. You may sign up by going to [www.woodlakecommunity.com](http://www.woodlakecommunity.com).

*The 9th Edition includes revisions to due process hearings (Section 1.4 and 1.5), Pool (Section 9.3), clarifying rules regarding smoking, glass, alcohol, pets and general good citizenship behavior; Private Functions for the clubhouse (Section 10.1.3) permitting homeowners and residents to utilize the clubhouse; ARC (Section 20), clarifying the process of ARC and where ARC approval is not required.*

## **1 INTRODUCTION**

Woodlake is a diverse community, composed of homeowners, tenants, professionals, students, and families. This variety of lifestyles makes Woodlake a unique community. In a close-knit neighborhood, cooperation, regulation of behavior, and consideration for the community as a whole are very important. This handbook has been compiled by the Woodlake Homeowners Association (WHOA) to assist residents in living together productively and peacefully.

This handbook contains Rules and Regulations that govern living in our community. Rules and Regulations contained in this handbook are based on local city ordinances and the Declaration of Protective Covenants, Articles of Incorporation, and Bylaws for Woodlake and have been adopted by the Woodlake Board of Directors (Board). This handbook and the Rules and Regulations contained therein, do not replace the above-mentioned documents but augment and clarify them. These Rules and Regulations were adopted to further assist with the mandate of the Declaration for "enhancing and protecting the value, desirability, and attractiveness" of the property in Woodlake. By purchasing a home in the Woodlake Community, you have agreed to comply with these Rules and Regulations. The Board has an obligation to enforce these rules as described below:

- 1.1 **Authority.** Article IX of the Covenant states: "The Board of Directors shall have the power to formulate, amend, publish and enforce reasonable rules and regulations" for the Common Property. Article X also allows the Association to enforce reasonable rules and regulations to restrict "noxious, destructive, or offensive activity, or any activity constituting an unreasonable source of annoyance."
- 1.2 **Adoption.** The 9<sup>th</sup> edition of the handbook has been approved by the Board and takes effect on August 30th, 2021. Revisions to this document will be made in the future as needed.
- 1.3 **Compliance.** As specified in the Covenants, compliance with these Rules and Regulations is not voluntary. Unless specified otherwise, the penalty for violation of these Rules and Regulations shall be decided by the Woodlake Board at a Due Process Hearing at which the homeowner will have notice and opportunity to be heard and the Board's decision may include the suspension of voting rights, suspension of the right to use the common facilities, suspension of privileges or services provided by the Association, and/or a fine to be determined in accordance with the North Carolina Planned Community Act. If it is decided that a fine should be imposed by the Board, a fine not to exceed one hundred dollars (\$100.00) per day may be imposed for the violation if the violation remains uncorrected more than five days after the decision is communicated to the homeowner. Such fines shall be assessments secured by liens under G.S. 47F-3-116. If it is decided that a suspension of community privileges or services should be imposed, the suspension may be continued without further hearing until the violation or delinquency is corrected. In addition, the WHOA may pursue an action in equity or at law for compliance with these Rules and Regulations.

- 1.4 **Enforcement by the Association.** Enforcement of Covenants and the rules stated in this document shall be made by the WHOA. For the purpose of enforcing compliance, members of the Board and their representatives (the Management Company and members of the Architectural Review Committee (ARC)) have the right to enter onto a homeowner's lot to assess compliance with the rules described herein. Any homeowner may identify violations of any rules, regulations or guidelines and report them to the management company.
- 1.5 **Procedure for Fines and Suspension of Planned Community Privileges or Services.** Complaints regarding alleged violations will be investigated and shared between the Management Company, the Board and, if relevant, the ARC. Once it is determined that a violation has occurred, the homeowner will be notified in writing.
  - 1.5.1 Where the violations are substantive and cannot be corrected (ie: cutting down a tree, misbehavior at the pool, etc.), the homeowner shall be called to the Board for a Due Process Hearing.
  - 1.5.2 Where the violations are capable of correction, they may be related to ARC procedures or unrelated to ARC.
    - 1.5.2.1 For those items not related to ARC (ie: failure to maintain lawn, mailbox repairs needed etc.), the violation notice will be sent to the homeowner and must be remedied in the time allotted. Failure to remedy the violation will result in a Due Process Hearing before the WHOA Board.
    - 1.5.2.2 If the violation is capable of correction and related to ARC, (ie: failure to obtain ARC approval for an item over which ARC may offer homeowners approval, ex. permission to change the color of a home), the homeowner will be notified of the violation and have the opportunity to follow ARC procedure within the time allotted.
      - 1.5.2.2.1 If the homeowner retroactively follows the ARC procedure within the time allotted and the violation is remedied (ie: ARC approves the change), the homeowner will not face a Due Process Hearing with the Board and the matter will be closed.
      - 1.5.2.2.2 If the homeowner does not follow the ARC procedure within the time allotted or if ARC approval is denied, the homeowner will face a Due Process Hearing on the violation before the WHOA Board.
  - 1.5.3 At all Due Process Hearings, the homeowner charged with the violation shall be given notice of the alleged violation(s), and opportunity to be heard and to present evidence. At all Due Process Hearings, the Board may invoke all remedies at law and equity to enforce our covenants, rules, and community standards, including but not limited to assessing a fine upon the homeowner, and/or suspension of privileges or services provided by the Association. Following the Due Process Hearing, the Community Manager, on behalf of the Board, will notify the homeowner in writing of the Board's decision.

## **2 GENERAL INFORMATION**

### **2.1 Management Company:**

#### **2.1.1 Local Contact Information**

CAS, Inc.  
woodlake@casnc.com  
5915 Farrington Rd. Ste 104  
Chapel Hill, NC 27517  
919-403-1400

#### **2.1.2 Payment Mailing Address**

Woodlake HOA  
PO Box 94707  
Las Vegas, NV 89193-4707

#### **2.1.3 Customer Service Information and Address**

Customer service can be reached at 919-403-1400 option 2. If you are not in our local calling area, you may call 877-4250-9320 option 2. Below are some items that can be answered by customer service:

- Pool key activation
- Exercise room requests
- All dues related questions including auto-draft
- Resale information
- Mailing address changes
- Name changes -- Please contact for required documentation

Customer Service Address:

CAS Inc.  
PO Box 83  
Pinehurst, NC 28370  
Fax: 910-295-0182

**2.2 Board of Directors.** Directors are elected at the Annual Meeting to serve a three-year term. Refer to the Woodlake website or contact the management company for a current list of Directors. The bylaws require that the Board have at least three and not more than nine directors.

**2.3 Woodlake Committee Structure.** Various volunteer committees support the Woodlake WHOA. In addition to implementing their specific charges on behalf of the Board of Directors, these committees make recommendations to the Board concerning a variety of maintenance and activities within the community. A listing of committees is found in Section 3.4 of this document. See the community website for current information pertaining to committees.

### **3 GENERAL HOMEOWNER ASSOCIATION INFORMATION**

The WHOA is a legal entity comprised of the property owners within the Woodlake Planned Unit Development. The Association has been in existence since February 23, 1987 for the purpose of enhancing and protecting the value, desirability, and attractiveness of the neighborhood.

Policies and procedures of the Association are set forth in the Protective Covenants, Articles of Incorporation, and Bylaws. The Board of Directors, relying upon these documents, makes rules and regulations and provides for the operation of the Association. Committees of homeowners and residents are appointed by the Board to work on specific areas of concern. A management company is retained to provide the day-to-day administrative duties for the Association. The management company reports directly to the Board.

- 3.1 **Legal Documents.** Several legal documents provide for the existence of the WHOA. In addition to existing statutory provisions regulating administrative requirements of not-for-profit corporations, the following documents provide the legal standing of the Association. Amendments to these documents are voted on by the Membership.
  - 3.1.1 **Protective Covenants.** This document, and its amendments, are on file in the Durham County Register of Deeds Office and are a binding covenant against each individual Lot.
  - 3.1.2 **Articles of Incorporation.** This document creates the legal entity known as the Woodlake Homeowners Association. It is on file in the Office of the North Carolina Secretary of State.
  - 3.1.3 **Bylaws.** This document covers operation of the Homeowners Association.
  - 3.1.4 **Copies of Documents.** On-line copies of the aforementioned documents (pdf files) may be obtained through the website, [www.woodlakecommunity.com](http://www.woodlakecommunity.com). A hard copy can be obtained from the Management Company for a fee of \$10.00.
- 3.2 **Membership.** Membership in the WHOA is mandatory and automatically afforded to any person who is an Owner of a Lot (“homeowner” herein) subject to an assessment (also referred to as “membership dues”) by the Association.
  - 3.2.1 **Annual Meeting of Members.** The membership of the Association meets annually. Each Member receives advance notification of this meeting through the mail.
- 3.3 **Board of Directors.** The Association is governed by a Board of Directors. Board Members are volunteers who contribute their personal talents, expertise, and demonstrate commitment to a quality standard of living in our community. The Board may review and address any issue not covered in association legal documents or community guidelines.

- 3.3.1 **Election.** New Directors are elected by the Association Membership each year at the Annual Meeting of Members. Directors serve three-year terms and may also serve on a standing committee.
- 3.3.2 **Meetings of Directors.** WHOA Board meetings are held on a regular basis, typically monthly, and are open to all homeowners. Please contact the Management Agent for a schedule of meetings. Members wishing to address the Board may do so by scheduling in advance with the Management Agent for time at such meetings but may not attend any portion of the meeting related to confidential information of fellow homeowners (for example: delinquent dues, community violations, Due Process Hearings etc.).
- 3.4 **Committees.** Committees are established by the Board of Directors to manage ongoing procedures and address specific issues. Please contact the Management Agent or Board to express interest in serving on a committee. Volunteers, including members of the Board of Directors and Committee Members, are protected by D&O insurance. The current standing committees of the Association are:
- 3.4.1 **Architectural Review Committee.** The ARC, composed of three or more homeowners appointed by the Board, reviews construction projects and modifications to the exterior of homes and lots as described in Article VIII of the Covenants. The committee chair is appointed by the Board. Specifically, this Committee:
- 3.4.1.1 Develops and implements architectural review guidelines.
  - 3.4.1.2 Reviews architectural change requests.
  - 3.4.1.3 Notifies applicants, the Board, and the Management Company of the decision made on the request.
  - 3.4.1.4 If applicable, notifies applicant with the reason the request was denied and makes recommendations for resubmission.
  - 3.4.1.5 Brings violations to the attention of the Board.
  - 3.4.1.6 Maintains records of approved and denied applications.
- 3.4.2 **Building and Grounds Committee.** The Building and Grounds Committee oversees the maintenance and improvements of structures on Association land as well as the open space, trails, lakes, and wooded areas. This Committee:
- 3.4.2.1 Develops specifications and implements the grounds maintenance contract.
  - 3.4.2.2 Oversees the maintenance of community grounds, including the trails, lakes, open spaces, and entranceways.
  - 3.4.2.3 Develops and implements maintenance schedules for the clubhouse.
  - 3.4.2.4 Develops and reviews maintenance schedules for the pool equipment, furniture, and accessories.
- 3.4.3 **Community Relations.** Community Relations covers WHOA activities designed to promote communication between the Association, homeowners, and residents and to encourage a sense of community. Specific activities include the following:

3.4.3.1 **Neighborhood Watch.** This committee communicates with residents regarding neighborhood safety and crime prevention within Woodlake. Neighborhood Watch is coordinated by Area Coordinators and Block Captains. Make sure that you know your Block Captain and provide contact information on how to contact you for routine or emergency matters. Email [watch@woodlakecommunity.com](mailto:watch@woodlakecommunity.com). The Neighborhood Watch Committee also distributes information to new residents and welcomes them to Woodlake.

3.4.3.2 **Recreation Committee.** This committee plans and coordinates community recreational and social activities. For information on upcoming events, join the Woodlake Facebook group and/or visit the website.

*Note:* A club is defined as a regular activity that is open to all Woodlake residents who meet the criteria of the club. An example is the Seniors Club for anyone over 55 years of age. With Board approval, a recognized club may use the Clubhouse and its facilities free of charge (See item 10.1.2). Visit the website for more information about active clubs. If you would like to start a club or activity, email [recreation@woodlakecommunity.com](mailto:recreation@woodlakecommunity.com).

3.4.3.3 **Communications.** This committee oversees communication with homeowners and residents including e-mail, Facebook, newsletters, and the website (see Section 6 of this handbook for additional information).

3.4.4 **Finance.** The Finance Committee oversees the financial operation of the Association. Specifically, this committee:

3.4.4.1 Reviews financial reports prepared by the Management Company to monitor financial activities.

3.4.4.2 Develops and monitors the general operating budget.

3.4.4.3 Reviews disbursement of Association funds.

3.4.4.4 Maintains a schedule for funding of the major repair and replacement of capital improvements.

- 3.5 **Management Company.** The Board has selected a community association management company to provide the day-to-day administrative operation of the Association. The management company carries out the decisions of the Board. In addition to other duties, the management company collects the monthly assessments, pays bills, oversees contractors used by the Association, and facilitates correspondence. Suggestions, comments, complaints, or other business of the Association should be communicated directly to the Management Agent. As necessary and appropriate, communication is made to individual homeowners, the Board, the entire membership, contractors, etc.

If a homeowner is dissatisfied with any action of the Management Agent, the homeowner should express his or her concerns in writing to the Board.

#### 4 **MONTHLY ASSESSMENTS**

As provided by the legal documents, assessments are collected for each lot.

- 4.1 **Due Date.** Monthly assessments are due on the first of each month.
- 4.2 **Form of Payment.** No monthly bill is sent requesting these payments, rather a Coupon Book is sent by mail before the beginning of the year. Please contact the management company to make arrangements for bank draft or go to [www.woodlakecommunity.com](http://www.woodlakecommunity.com) and under “contact” there is an option to “pay dues online.” Recurring, one-time, credit card, debit card, and electronic check payments can be made online with or without an account. Personal checks are accepted at the discretion of the management company and should be accompanied by the coupons provided to each homeowner for mailing checks. A returned check fee may be applicable. Please contact the management company for additional information or to request coupons (See section 2.1). Checks should be made payable directly to the Woodlake Homeowners Association. Payment in advance is always acceptable. Cash is not accepted.
- 4.3 **Delinquency.** To encourage timely payment, the following delinquency policy has been adopted:
- 4.3.1 Assessment payments are due by the first of each month.
- 4.3.2 Homeowners delinquent in their payments will be assessed a \$10.00 late fee each month that the monthly assessment is not paid by the last day of the month.
- 4.3.3 All overdue accounts are subject to collection action by the WHOA. Our Management Company will send out notices to homeowners with delinquent accounts and during that time homeowners are encouraged to work with our management company to bring their account current with a payment plan. The past due amounts may result in the WHOA Board pursuing a lien against the homeowner's property, and subsequent foreclosure of the property

- 4.3.4 Homeowners may be invited to a Due Process Hearing regarding the suspension of privileges or services whenever assessments or other amounts are due to the association and remain unpaid for a period of 30 days or longer. At all Due Process Hearings, the homeowner charged with the delinquency shall be given notice, and an opportunity to be heard and to present evidence. Following all Due Process Hearings, the Board may invoke all remedies at law and equity to enforce our covenants, rules, and community standards, including but not limited to: suspension of privileges or services provided by the Association, pursuing a lien on the property, and pursuing foreclosure of the property. Following the Due Process Hearing, the Community Manager, on behalf of the Board, will notify the homeowner in writing of the Board's decision.

## 5 INSURANCE

- 5.1 **Association Maintained Coverage.** The Association maintains the following insurance:
- 5.1.1 **General Liability.** This coverage is for injury caused upon the Common Property or in some other way as a direct result of the negligence of the Association or its agents.
  - 5.1.2 **Property.** This coverage is for damage caused to improvements to real property owned by the Association.
  - 5.1.3 **Directors and Officers.** D&O coverage protects the Board and Committee Members in the case of an error or omission on their part while performing in their capacity as a Director or Committee Member.
  - 5.1.4 **Fidelity Bond.** Fidelity Bond Insurance protects the Association from theft of Association funds while in the control of the Board, Committees, or Management.
  - 5.1.5 **Workers' Compensation.** This coverage is for volunteers of our committees who are injured while performing work on behalf of our community.

## 6 COMMUNICATIONS

- 6.1 **Newsletter.** A newsletter is published each year. The newsletter includes updated policy and information as well as community life information. The purpose of the newsletter is to provide information to owners and residents that the Board deems important. Any homeowner may submit suggestions or information via email to [communications@woodlakecommunity.com](mailto:communications@woodlakecommunity.com). Residents may post notices of community related activities of an informative and civic nature. There is no fee for such notices.
- 6.2 **Website.** The Woodlake WHOA maintains a community website at [www.woodlakecommunity.com](http://www.woodlakecommunity.com). At this address residents can find electronic copies (pdf files) of this handbook, the Woodlake Articles of Incorporation, By-Laws, Covenants, as well as forms for clubhouse rentals, pool and exercise room access, architectural review, plus information on committees, events, community news and other useful links.
- 6.3 **eNews.** The Board uses email to communicate with residents and homeowners. These communications contain information concerning upcoming community events and updates regarding Neighborhood Watch activities. Residents are encouraged to sign up to receive such email to stay informed. Interested residents are required to register online using the *eNews* link on the home page of the community website. Individual email addresses are not available, shared or sold to any other organization.
- 6.4 **Email.** Residents can contact the Board of Directors and various committees via email. Addresses can be found on the community website.

- 6.5 **Facebook.** The Woodlake Community Facebook page is open to Woodlake homeowners and residents only. Residents can request to join this closed group using the Facebook link on the home page of the community website and must answer the question for joining the group. This use of a social media platform is useful for exchanging information concerning community activities, garage sales, lost pets, etc. Rules relating to the expected tone and topics discussed can be found on the Facebook Page and are updated periodically by the community and are neither approved nor disapproved by the Board. Enforcement of the Facebook Community rules is through Facebook community members who are wholly independent of the Board.

## 7 **MAINTENANCE OF HOMES/LOTS**

For the protection of all homeowners and to maintain property values, all homes must be maintained in a manner that is consistent with our community standards, and in compliance with the Association Rules and Regulations. The Management Company regularly inspects the Community for violations. In the event of a violation or need for maintenance, the homeowner will be notified in writing and asked to comply with the Association's request and/or attend a Due Process Hearing with the Board. (See Sections 1.4 and 1.5) Damage to homes should be repaired in a timely fashion and does not require ARC approval if the repairs are limited to restoration. (See Section 20.)

*Note:* Repairs that do not change the appearance of the property do not require ARC approval. Homeowners are encouraged to use newer materials that are more durable, such as, but not limited to, PVC trim, composite decking, vinyl or fiber cement (HardiPlank®) for siding when replacing rotting materials. As long as the replacement material mimics the original material in color and texture, no architectural review is necessary (see Section 20.4.2).

- 7.1 **Property Maintenance.** Homes and properties shall be properly maintained and kept in good repair. Homeowners must keep up the appearance of the house and any other structure on the lot, as well as lawns, landscaping, walkways and driveways. Homeowners are required to paint, clean gutters, maintain their landscaped and natural areas, remove damaged or diseased trees, and maintain all items which require occasional or regular maintenance. Homeowners must repair damaged items such as, but not limited to: gutters, siding, shingles, driveways, fences, sheds or any other items on the property that have fallen into disrepair. Construction waste and any trash from the property and other items of loose debris (e.g. construction materials, automotive materials, household appliances, toys, lawn care equipment), shall not be stored on the property except in a garage or shed, or shall be disposed of promptly. Temporary storage containers such as PODS or renovation-related dumpsters are permitted without approval, but only if located in the driveway of the residence and only for a period of up to 30 days.
- 7.2 **Landscaping maintenance.** All landscaping must be maintained on a regular basis. This includes pruning, weeding, replacing mulch and removing accumulated leaves on a regular basis.

- 7.2.1 **Encroaching trees.** When planting a young tree, the size of the circumference of the tree upon maturation should be considered and should not encroach onto adjacent property below 7 feet from the ground.
- 7.2.2 **Invasive vegetation.** Homeowners should be mindful of their neighbors when considering planting any vegetation that may be considered invasive. Plants that spread by rhizomes may require more frequent edging and weeding of beds to maintain a tidy appearance to the property.
- 7.2.3 **Pruning.** Homeowners should follow recommended pruning techniques when tree pruning is required. Neighbors should not prune trees on neighboring property without the owner's permission.
- 7.2.4 **ARC Approval.** Some landscaping matters will require approval from ARC, please see Section 20.6 Landscaping and Planting for more information.
- 7.3 **Removal of Hazardous Trees.** The WHOA may instruct the homeowner to remove dead or diseased trees or those posing a danger to the neighborhood. If the homeowner does not remove such trees, the WHOA has the authority to remove such trees at the homeowner's expense. See additional information regarding Trees in Section 20.6.2.

## **8 MAINTENANCE OF COMMON AREAS.**

- 8.1 **Common Areas.** Association maintains property owned by the Association. This includes parking areas, entrance signs, open space, lakes, trails, clubhouse, and pool. Homeowners shall not provide maintenance to these areas or make improvements or changes without prior approval of the Association.
- 8.2 **Notification of Damages.** In the event of any necessary repair or maintenance concern on Association property, community members should notify the management company during normal business hours. For emergency assistance, a 24-hour answering service is provided.

- 9 **USE OF COMMON AREAS.** These areas are for the private use and enjoyment of homeowners, residents, and their invited guests. They are not intended for large parties or other similar gatherings. Adult homeowners or adult residents must be present at all times when invited guests are using Association property or facilities.

9.1 **OPEN SPACE/TRAILS/LAKES**

- 9.1.1 **Noise.** Noise from the open areas must be limited so as not to be heard over ambient noise within the adjoining homes.

- 9.1.2 **Restricted Uses.** The following are prohibited on the open spaces, trails, lake, dams, etc:

9.1.2.1 Motor vehicles, motorcycles, go carts or other non-human powered devices, except as necessary for the maintenance of WHOA property.

9.1.2.2 Riding laps on a bicycle is not permitted. Point to point bicycle riding on the trails is permitted, but pedestrians shall at all times have the right of way. Children under the age of ten who are riding bicycles on the trail may ride laps, but must be under the supervision of an adult.

9.1.2.3 Hunting or possession of firearms, b-b guns, traps, bows, or other similar devices.

9.1.2.4 Fires are not permitted on any of the community spaces.

9.1.2.5 Watercraft with gasoline-powered engines are not allowed on the lakes; electric motored watercrafts are allowed.

9.1.2.6 Swimming is not permitted in the lakes.

9.1.2.7 Fishing from the lakes is permitted, provided a catch-and-release method is utilized.

9.1.2.8 Smoking is prohibited. This includes cigarettes, cigars, e-cigarettes, vaping devices, and any other product/device. Smoking is permitted on the island across the parking lot and outside the pool area away from the pool and playground.

- 9.2 **PLAYGROUND.** The Association provides a playground structure located near the clubhouse for the use of Woodlake homeowners, residents and their guests. The playground structure is designed for children from ages 5 through 12. The playground structure is open during daylight hours. Adult homeowners or adult residents must be present at all times when invited guests or young children are using the playground.

*Note:* Piney Wood Park, operated by the City of Durham, is a well-maintained recreational area across from Woodlake on East Woodcroft Parkway. Piney Wood Park includes a playground, tennis courts, picnic areas, soccer and baseball fields and a dog park. Residents are encouraged to take advantage of this park and should refer non-residents to the Piney Wood playground rather than the Woodlake playground.

- 9.3 **POOL**. The WHOA operates a community pool. Each homeowner is entitled to one pool access key. This key can be used by the homeowner or can be given to a tenant. Access to the pool must be renewed annually and may be restricted if the homeowner is delinquent in payment of monthly assessments or fines, or for violation of Association rules by either the homeowner or the tenant (or their guests). The pool rules are designed to provide for the safe operation of the pool and to provide for the enjoyment of the majority of homeowners using the pool.
- 9.3.1 **Health Department Regulations**. All Durham County Health Department Regulations pertaining to pools are hereby incorporated as a part of these Rules and Regulations. The pool rules posted by the pool must be observed. Infants and toddlers are not permitted in the pool without swim diapers. The management company should be promptly notified of all accidents. A person with a communicable disease shall not use the pool.
- 9.3.2 **Pool Hours**. The pool shall only be used during authorized hours, which shall be designated by the Board for each pool season. The pool may not be used during maintenance activities or when the “Pool Closed” sign is displayed at the gate. Pool season is generally from mid-May until mid-September.
- 9.3.3 **Risk**. The Association does not provide a lifeguard for the pool. SWIM AT YOUR OWN RISK. Users of the pool assume all risk for their safety. Children under 14 cannot swim without an adult present at the pool. Children using the wading (baby) pool must be accompanied by an adult at all times. No one should swim alone.
- 9.3.4 **Guests**. All guests must be accompanied by an authorized user who is responsible for the safety and behavior of their guests. A guest is any individual who does not live within the Woodlake community or who does not have an authorized pool pass. Homeowners are subject to loss of pool privileges if they assist any individual in the unauthorized use of the pool. All activities involving 8 or more guests, including when the guests are invited by multiple Woodlake residents, must be approved and registered with the Pool Coordinator. Residents must request approval of their gathering at least 72 hours prior to the planned activity by sending an e-mail to [pool@woodlakecommunity.com](mailto:pool@woodlakecommunity.com) containing the host's name and street address, date and time of requested activity, number of total participants, and number of guests. After the request has been reviewed, the resident registering the group will receive a decision and, if approved, confirmation of permission to host the activity. This confirmation should be readily accessible throughout the activity. Smaller groups are not required to register but all guests must comply with pool rules. To ensure the use and enjoyment of the Woodlake pool by its residents, there is a maximum number of registered guests that can be accommodated. Once the maximum number is reached, additional registrations cannot be authorized for the same time.
- 9.3.5 **Pool Attendant**. During certain hours, a pool attendant may be on duty. The purpose of the pool attendant is to ensure that only homeowners and their guests use the pool. The pool attendant is neither a baby-sitter nor a lifeguard.

- 9.3.6 **Courtesy.** Residents and their guests and their children should refrain from splashing or jumping in where others are standing or swimming. No diving is permitted. Running is also prohibited. Lap swimmers have priority in the lap lane. Toys and other items should not be left anywhere they can present a hazard. Personal floats are permitted if they do not interfere with the enjoyment of other users and jumping from the edge onto the float is prohibited. Pool users should refrain from “reserving” tables and lounge chairs for people not present, and should clean up and close umbrellas before leaving.
- 9.3.7 **Smoking.** Smoking is prohibited. This includes cigarettes, cigars, e-cigarettes, vaping devices, and any other product/device. Smoking is permitted on the island across the parking lot and outside the pool area away from the pool and playground.
- 9.3.8 **Glass.** No glass containers of any kind are permitted.
- 9.3.9 **Alcohol/ Drug Use.** Alcohol is permitted at the pool area. Public drunkenness is not permitted. Drug use is not permitted. Anyone under the influence of any substance is prohibited from being in the water.
- 9.3.10 **Pets.** Pets are not permitted at the pool, unless they are designated service animals under the ADA.
- 9.3.11 **Dress Code.** Appropriate swimming attire is required in the pool.
- 9.3.12 **Violations.** Health violations should be reported to our pool contracting company, signs will be posted around the pool with current contact information. Community standards violations should be reported to our community management company. Proof of the violations through photographs and any other identifying information is very helpful. Authorized users who violate our rules may have their community privileges revoked.
- 9.3.13 **Annual Application.** Our community management company will process annual waivers and applications for homeowners’ access to the pool.
- 10 CLUB HOUSE.** The Woodlake Clubhouse is located adjacent to the Swimming Pool at the intersection of Lakeshore Drive and East Woodcroft Parkway. It contains a furnished great room, a kitchen, conference areas and rest rooms. Additionally, it houses the exercise room in the rear of the ground floor (see Section 11) as well as the community library on the second floor.
- 10.1 **Use.** Use of the Woodlake Clubhouse is limited to homeowners, tenants, and their guests and may be restricted if the homeowner is delinquent in the payment of monthly assessments or fines, or for violation of Association rules. Smoking, including cigarettes, cigars, e-cigarettes, vaping devices, and any other product/device is prohibited indoor, Smoking is permitted on the island across the parking lot and outside the clubhouse away from the clubhouse and playground. Drug use is prohibited.
- 10.2 Residents using the facility may park in the adjacent lot until 11:00 pm.

- 10.2.1 **Committees.** The WHOA Board and its various standing committees meet on a regular basis.
- 10.2.2 **Community Groups and Clubs.** WHOA officially recognized groups who may use the clubhouse without fee. Other groups coordinated by community members and offering free services to community members may apply to the Board for waiver of the fee. A rental agreement containing responsible parties, safety and cleanup rules will still be required.
- 10.2.3 **Private Functions.** The Woodlake Clubhouse is available for rental by any Woodlake homeowner or resident who is in good standing.

### 10.3 **Rental Policy and Fees**

- 10.3.1 **Policy.** The rental is for the lower floor of the clubhouse and does not include use of the pool or upstairs library. Clubhouse reservation forms are available online at [www.woodlakecommunity.com](http://www.woodlakecommunity.com) or by emailing [clubhouse@woodlakecommunity.com](mailto:clubhouse@woodlakecommunity.com). The authorized renter must be in attendance at all times during the scheduled event. The maximum number of people in attendance at any event must not exceed forty.
- 10.3.2 **Fees.** There is a use fee and refundable security deposit required for clubhouse rental. See the reservation form for details.

## 11 **EXERCISE ROOM.** The Woodlake Clubhouse has an exercise room that can be accessed through its own entrance, which is located next to the entrance to the pool area on the south side of the clubhouse building. Use of the room is restricted to the posted hours.

- 11.1 **Use.** Use of the exercise room is limited to registered homeowners and tenants, and may be restricted if the homeowner is delinquent in payment of monthly assessments or fines, or for violation of Association rules. No alcohol, drug use or smoking, (including cigarettes, cigars, e-cigarettes, vaping devices, and any other product/device) is allowed.
- 11.2 **Equipment.** The Woodlake exercise room features commercial grade exercise equipment and a television.
- 11.3 **Application.** Our community management company will process waivers and applications for homeowners' access to the exercise room.

## 12 **PARKING & TOWING**

- 12.1 **Prohibition of Inoperable Vehicles.** Any vehicle parked within the Community must be operational, properly licensed, inspected, and insured unless stored in a garage or enclosed structure.
- 12.2 **Damage to Property Caused by Vehicles.** Homeowners will be held responsible for all damage to the Association's property including lawns, trees, shrubbery, underground pipes, curbs, etc. caused by moving or illegally parked motor vehicles, owned by the homeowner, their tenants, guests, or employees.
- 12.3 **Trailers, Boats, Motor Homes, Campers, and Commercial Vehicles and Equipment.** Trailers, boats, motor homes, campers, and commercial vehicles and equipment shall not be parked within the Community (common areas or public/private streets) or on the property (yard or driveway) of the homeowner outside of the garage or other ARC approved enclosed structure, without obtaining prior approval from the Board through the management company.
- 12.4 **Clubhouse/Pool/Playground.** The parking area at the clubhouse and pool is to be used only for activities at the pool or clubhouse or playground or for homeowners, residents and their invited guest(s) using the lake and walking trails. The posted signs should be followed, as vehicles parked overnight are subject to towing. The cost of towing is the responsibility of the vehicle owner.
- 12.5 **Association Community Property.** Except for the provided parking lot at the Clubhouse (Section 12.4), parking on any Association-owned community property is strictly prohibited. This includes open spaces and areas around the lake.
- 12.6 **Street Parking.** Homeowners are encouraged to park in their garages and driveways. Vehicles parked on the street must not block driveways, interfere with the delivery/collection of the US Mail, interfere with the collection of trash and recyclables by the city, obstruct traffic, or otherwise cause unnecessary inconvenience to neighbors.
- 12.7 **Parking in Private Yards.** Parking in yards is not permitted. Vehicles must be parked in garages, driveways, or abide by the Street Parking policy above.
- 12.8 **Emergency Vehicles.** Any temporary street parking must provide a clear passage for emergency vehicles.
- 12.9 **Enforcement.** All vehicles parked in violation of these Rules and Regulations may be towed at the expense of the vehicle owner and the homeowner may be subject to a Due Process Hearing before the Board for violation of these Rules. The Association may also take legal action against the owner of the vehicle or property upon which the vehicle is parked. Enforcement of state or local law shall be by criminal court as provided in the North Carolina General Statutes and by Durham City or County Ordinance.

## 13 LEASING

Leasing, as used under this section, includes the use of homes by relatives or tenants of the homeowner when the homeowner is not a permanent resident within the home.

13.1 **Leases**. In all cases, homeowners are encouraged to have a properly drawn written lease. Homeowners should include a provision that each tenant abides by all conditions of the Handbook and other Rules and Regulations since homeowners are ultimately responsible for the compliance of their tenants.

13.2 **Enforcement**. Tenants and their guests must abide by all regulations of the Association and their actions and inactions are the responsibility of the homeowner. A violation of the Association's regulations by a tenant or a guest will be deemed a violation by the homeowner and appropriate fine or other action may be taken against the homeowner. Damages to Association properties caused by tenants and their guests are the responsibility of the homeowner and the costs from the damages will be charged by assessment to be paid by the homeowner of the property.

13.3 **Vacancy**. Any time a home is vacant, the homeowner of the property is responsible for ensuring that the maintenance of the home and yard is consistent with the regulations of the Association. Any cost incurred by the Association to ensure maintenance of a vacant property will be charged by assessment to be paid by the homeowner of the property.

## 14 PETS AND ANIMALS

To provide a harmonious neighborhood, residents should properly restrict their pets. All laws, ordinances, rules and regulations pertaining to dogs, cats, and other domestic animals adopted by local officials are hereby adopted as rules and regulations of the WHOA.

14.1 **Pets Only**. Residents are allowed to keep animals as pets, but are not allowed to keep animals for commercial purposes.

14.2 **Leashes**. All animals must be on leashes when on common property or otherwise restrained when outside the dwelling in accordance with Durham City and County ordinances. Animals are not to be left unattended on the Common Area. This includes the chaining of animals to posts, doors, electrical boxes, etc.

14.3 **Defecation**. Woodlake maintains a “poop and scoop” policy for all trails and common areas. Do not let your pet defecate on the lawn areas of others. Should an accident happen the dog owner should scoop it up and discard appropriately. Plastic “doggie” bags are available at select locations along the trail.

14.4 **Enforcement**. Animal ordinances are enforced by the Durham County animal control office. Other complaints regarding animals should be directed to the management company.

## 15 **GARBAGE, YARD WASTE, AND RECYCLING**

- 15.1 **Containers.** Separate roll out carts for garbage, recyclables, and yard waste are issued by the City of Durham and must be kept in good repair with their lids tightly closed. Should a container be lost or damaged so that waste can not be contained or collected, contact the Durham City Department of Solid Waste Management through Durham One Call at 919-560-1200 for a replacement.
- 15.1.1 **Placement.** Garbage, yard waste and recycling containers are collected by the City of Durham from the curb. Homeowners should place their containers directly in front of their own lot and should not block access to mailboxes. The city requests that 3 feet be left between containers and/or other bulk items for collection when possible.
- 15.1.2 **Schedule.** Trash, boxes, yard waste, recycling bins, may not be placed at curbside prior to the evening before pick-up. Large items for pick-up must be scheduled with the City for prompt removal. Garbage, yard waste, and recycling containers must be removed from the curb on the same day as pick-up.
- 15.1.3 **Storage Location.** All waste containers must be kept so that they are not visible from the street. Plantings or a constructed partition may be used to screen containers from view. Plantings and constructed partitions complying with ARC design guidelines (see ARC's Frequently Asked Questions document on the Woodlake website) do not require ARC approval. ARC approval is required for constructed partitions that do not comply with the ARC design guidelines.
- 15.2 **Garbage.** Non-recyclable garbage should be placed in the green container and is collected weekly. Contact the City for the current collection schedules as well as holiday and make-up schedules.
- 15.3 **Extra Large Items.** Contact the City of Durham for the current policy on the collection of items that do not fit in the City-provided containers.
- 15.4 **Yard Waste.** Yard waste such as lawn clippings, branches, and other similar items are collected by the City of Durham. Contact the City to request a Yard Waste container.
- 15.5 **Recycling.** The City of Durham provides blue containers for the curbside pick-up of glass, plastic, aluminum, newspapers, etc. Contact the City for information on what items are recyclable and for current collection schedule.
- 15.6 **Loose Debris and Litter.** Homeowners are responsible for the disposal of any garbage spread by animals, weather, tenants, or guests of tenants. Failure to clean-up all debris immediately will result in the homeowner being in violation of these rules.

## **16 NOISE AND OUTDOOR LIGHTING**

- 16.1 **Noise**. Noise is regulated under Part II, Section 26, Article II of the Durham Municipal Code. Any resident disturbed by excessive or persistent noise should report violations to the police.
- 16.2 **Outdoor Lighting**. Outdoor lighting shall comply with the following requirements:
- 16.2.1. Lighting shall be shrouded and/or oriented so as to not project light into windows or onto outdoor living areas of neighbors.
- 16.2.2. Lighting shall not cause glare that interferes with drivers on neighborhood streets.
- 16.2.3. The maximum illumination resulting from residential outdoor lighting should not exceed 0.5 foot-candles at the property line of adjacent residences. This illumination level is based on Section 7.4 of Durham's Unified Development Ordinance, can be measured by a light intensity meter and corresponds to light levels at roughly 40 minutes after sunset.

## **17 SOLICITING**

Individuals selling merchandise or services must have a peddler's license issued by the City of Durham. Individuals distributing religious or political information are not required to have a peddler's license. While Woodlake maintains "no soliciting" signs, those are effective only on our community property and each homeowner has the right and responsibility to determine if they will place a "no soliciting" sign on their property to control solicitation on their lot.

## **18 SIGNS**

All signs in and around Woodlake Homeowners Association shall be in compliance with the City of Durham Sign Ordinance. All signs may not be greater than five square feet in size.

- 18.1 **Sale or Rent Signs**. One standard and reasonable sign indicating a home is for sale or rent may be posted at a location near the front of the home.
- 18.2 **Political signs**. A "political sign" is a sign to support or oppose a candidate or an issue on the election ballot. Political signs cannot be put up earlier than 45 days before the day of the election and must be removed within seven days after an election day. There is a maximum of two political signs per yard.
- 18.3 **Security Signs**. Small signs less than 12" x 12" providing notice of a home security system are permitted.
- 18.4 **Other Signs**. Homeowners are permitted one sign, in addition to those permitted under 18.1 and 18.2 and 18.3, to be displayed on their Lot.

- 18.5 **Signs on WHOA Property.** Signs are permitted on Common property at the discretion of the WHOA Board of Directors.

## 19 **FLAGS AND FLAGPOLES.**

Any flag and flagpole must be maintained in good repair.

- 19.1 **Flags.** Flags must meet the definition for a flag contained in the City of Durham zoning ordinance. This ordinance prohibits any flag displaying a logo, message, statement, or expression related to a commercial interest.

19.1.1 The maximum dimensions of any flag shall not exceed 24 sq. ft. (4 x 6), without the approval of the ARC. However, there will be no maximum flag size on United States and North Carolina flags on officially recognized holidays.

19.1.2 A maximum of two flags per residence is allowed.

- 19.2 **Flagpoles.** Vertical, free-standing flagpoles are prohibited. Flagpoles may not be placed on top of any residence. All flagpoles must be staffs extending at an angle from the home. A residence may not have more than two flagpoles.

## **20 ARCHITECTURAL REVIEW.**

- 20.1 **Purpose.** As stated in the Recital to the Covenants, architectural restrictions have been established in Woodlake for the "purpose of enhancing and protecting the value, desirability, and attractiveness" of the neighborhood. The following requirements have been established under Article VIII of the Covenants. As required by Article X, Section 2 of the Covenants, all homes and townhomes must be "single family dwellings" and no alterations or additions are allowed that would not comply with this requirement. The goal of the Architectural Review Committee (ARC) is to balance the needs and desires of the applying homeowner with their neighbors and the overall community. Each request is evaluated in the context of its surroundings, so what was approved on one property does not guarantee approval on another property.
- 20.2 **Approval Required.** Written approval from the ARC or the Board is required before any change not specifically exempted herein can be made to any lot or structure (see Section 20.5 "Exemptions from ARC Approval"). Unless expressly provided herein that ARC approval is not necessary (Section 20.5 "Exemptions from ARC Approval"), *prior* ARC approval is required before any work is permitted on any lot or structure. An application must be submitted to the ARC for each alteration or construction project. For illustrative example: should the design or color of an approved project change before construction, the homeowner must receive approval for that modification from ARC prior to continuing work. Unless specifically requested by the applicant and approved by ARC or the Board, all work associated with the project must be completed within six months after receipt of approval of the application from ARC. If, due to special circumstances, the original timetable will not be met, an extension may be requested by the homeowner to ARC.
- 20.3 **Application Process.** Applications are submitted online via the Woodlake Community website, located at [woodlakecommunity.com/arc](http://woodlakecommunity.com/arc). Should a resident not have access to the Internet, free access is provided to cardholders at the South Regional Branch of the Durham Library; alternatively, residents should contact the management company for assistance. All applications must be complete, including at a minimum the required information listed below. Applications that are missing elements will require additional information from the homeowner, and may not be reviewed at the next meeting, thereby delaying the project. The ARC meets once a month. Meeting times are posted in the ARC section of the Woodlake website. Applications, including all supporting materials, must be submitted at least one week in advance to ensure consideration at the next meeting. If your request is not received by the deadline, ARC is not obligated to review your proposal and can delay it to the next month. Helpful tips on submitting a successful application, including where to obtain a plat and other Frequently Asked Questions can be found on the WHOA website under the Architectural Review heading.

**Required Information.** Required information varies depending on the project type, but all ARC requests must include basic project details, project start and anticipated completion date, and whether you intend on attending the ARC meeting. If a project will impact neighboring properties, ARC may require the applicant to notify surrounding neighbors indicating the neighbors are aware of the project and have been informed to contact ARC with any concerns. The ARC may contact your surrounding

neighbors concerning your proposed plans. For tree removal activities discussed in Section 20.6.2, submittal of an ARC application with signatures from adjoining neighbors is not required.

20.3.1 **Required documents.** The following documents are generally required for ARC applications:

- **Samples of color and/or descriptions of construction material** and other relevant information should be included with the proposal. Color chips must be photographed and submitted with your electronic application, the name and brand of the color clearly marked. The ARC may contact you to pick up the paint chip for more accurate review of color. **A Plat** (also known as a foundation survey) or similar site plan showing the building footprint and other existing structures and property lines, with the location of the proposed changes indicated and drawn in as close to scale as possible. For applications concerning only the removal of trees or existing structures, a plat showing the above information and the location of the trees or structures to be removed must be included in the application. **A Foundation Drawing** (essentially a floor plan) or similar site plan showing proposed improvements, including dimensions, is required in the case of project involving the construction or alteration of structures. **Elevations** depicting a frontal view and profile view(s) of the structure. These should be drawn to scale and include dimensions. They should be drawn with sufficient detail so that the neighbors as well as the ARC members can adequately visualize the final appearance of the project.

*Note:* Supplementary material such as perspective sketches, photos, or other similar information to aid in visualizing the final appearance of the improvement is optional, but recommended and may be adequate in lieu of elevations for a pre-fabricated structure such as a shed, arbor or swing set as long as the appearance shown indicates the exact structure to be constructed.

20.3.2 **Schedule.** The ARC meeting schedule and application submittal deadlines are posted on the ARC page of the WHOA website, and at the time of publishing this Handbook, the meetings are held on the first Tuesday of each month at 6 pm. You will receive a written response within a maximum of 60 days after submittal of an application (this is the time allowance provided in the Covenants, but the actual time is usually substantially less) indicating whether the request is approved, approved with modifications, additional information is required, or denied. If you have not heard from ARC within 10 business days of submitting your application, please contact our management company to follow up and ensure your application is in process. To allow adequate time for review by ARC and for resubmission if the first request is incomplete or rejected, applicants should submit ARC requests at least two weeks prior to the scheduled ARC meeting date.

20.3.3 **Appeals.** If a homeowner is not satisfied with the decision reached by the ARC, the homeowner may appeal the decision by writing to the Board of the Directors to request a hearing. The request must explain the basis for the appeal and include any special circumstances and all relevant project documentation including that from any proposed contractors that the Board should consider if an exemption from ARC rules is requested. This appeal should be emailed to board@woodlakecommunity.com and copied to our community management company.

20.4 **Guidelines and General Considerations for ARC Applications.** The following guidelines and general considerations cover many of the common types of improvements made by homeowners. They are general guidelines and should not be considered pre-approval of the application. Variations to the guidelines are allowed when extenuating circumstances exist.

20.4.1 **Painting/Staining, Exterior Color Changes.** Changes in the color of paint, stain, or roofing materials that differ from the existing color of the house or other structure on the lot must be approved by ARC. Colors should be harmonious with the other colors in the general vicinity of the property to be painted, but not identical to adjacent homes. Color samples, including brand and name, must be included with the application.

20.4.2 **Siding and Roofing Changes.** Installation of brick, stone, vinyl and other siding alternatives that differ in appearance from the existing materials must be approved by ARC. Similarly, alternative roofing material such as metal or tiles requires approval. A sample must be included with the application.

*Note:* If the roofing or siding is replaced with either identical or alternative materials such as fiber cement (e.g. HardiPlank® siding) that closely mimics the original siding in texture and is painted the same color, this is considered maintenance and no ARC review is necessary. However, if the original siding is Masonite®, the overlaying or substitution of vinyl siding alters the appearance and ARC approval is required.

20.4.3 **Removal of Existing Structures.** Removal of any building, addition, fence, retaining wall, etc. must be reviewed as to the impact of removal on the property. Information on the restoration of the area disturbed is required, and the ARC application should include a plat indicating the location of the structure to be removed.

20.4.4 **Building Permit and Codes.** Most major additions require a building permit and the homeowner must ensure that all major additions comply with Durham City-County requirements. ARC approval does not guarantee that a city building permit will be obtained or that the design meets building codes, nor does a city building permit guarantee ARC approval. The ARC proposal should be approved first, before the building permit application.

*Note:* Should you undertake major additions without the necessary permits you may be subject to fines and may not be able to obtain a certificate of occupancy if your additions do not meet the building codes. Contact the Durham City/County Inspections Department for information at: <http://www.durhamnc.gov/departments/inspections/>.

- 20.4.5 **Design considerations.** The design of modifications must be similar in style to the existing and surrounding structures
- 20.4.6 **Location Considerations.** The location of the addition must not unnecessarily restrict or detract from the view or enclose the property of adjoining owners.
- 20.4.7 **Drainage Considerations.** Proper drainage on the site must be maintained when any addition or modification is undertaken. Any homeowner proposing modification or construction of a structure that will affect drainage must provide a plan detailing drainage patterns and run-off with the ARC application. If the project does affect the drainage and negatively impacts upon adjacent properties, the homeowner may be contacted by our community manager, ARC or the Board after completion of the project required to correct the drainage issue created.
- 20.4.8 **Additional Requirements.** ARC may require the addition of shrubbery, trees, and other landscape changes to maintain the natural harmony of the property with the adjoining property.
- 20.4.9 **Conditional (Preliminary) Approval.** Due to the complexity and cost of detailed plans, preliminary or conditional approval of proposed major additions can be obtained from ARC. If preliminary approval is granted, submittal of complete plans and final review and approval is still required from ARC and must be completed before the project commences.
- 20.4.10 **Specific Guidelines on Common ARC Applications**
- 20.4.10.1 **Fences** Fencing can have a significant impact on adjoining property. Fencing must not be placed outside the boundary of the lots and thus should not be installed without a survey unless the boundary is clearly and accurately defined and uncontested by the owners of adjacent properties.
- The maximum height for fences is 60 inches above the natural grade. Fences may not extend toward the street beyond the rear corner of the dwelling.
  - Fences should be placed as close to the property line as practical. New fences should be built such that they appear to connect to any adjacent fences and do not create unmaintained space between fences.
  - Natural treated wood is the preferred material for fences. Picket and split rail fences are most appropriate for the architectural style of the community. All fences must be maintained. Picket style fences may be stained or painted white, and the chosen stain color should be specified in the ARC application. The use of chain-link fences is restricted to vinyl-coated fencing that is used for additional security in conjunction with wood construction and must be placed on the inside of the wood fence.

- If a single side of a fence is to be finished, the finished side must be exposed to adjoining property or street.
  - Fencing along the lake is discouraged. Plantings may be required along the outside of the fence to break-up the fence line. The Association may allow a homeowner to install plantings on Association property to allow the fence to be placed on the property line. All of the other guidelines concerning fences still apply.
- 20.4.10.2 **Hedges.** Hedges planted along property boundaries will be considered fences and will be reviewed as such.
- 20.4.10.3 **Pet Houses, Kennels, Runs.** Areas for animals must be installed in such a way that they are screened from surrounding property and streets. The installation of shrubbery may be required.

*Note:* Durham City municipal code allows homeowners to raise chickens for non-commercial purposes. A homeowner must first obtain a limited agricultural permit from the city's planning department <http://durhamnc.gov/DocumentCenter/View/1091>. ARC approval must be obtained prior to constructing a chicken coop or pen.

- 20.4.10.4 **Driveways.** Section 9 of the Covenants requires that all driveways must be concrete unless the ARC approves a different material.
- 20.4.10.5 **Play Equipment.** Stationary play equipment must be placed in the backyard in such a way that it is not visually obtrusive to adjoining property. Equipment constructed from natural materials is preferred and encouraged. Storage of play equipment should be in the backyard and not the side of the house. Playhouses, swing sets and play sets require ARC review prior to installation.
- 20.4.10.6 **Sheds.** Prefabricated metal storage buildings are prohibited. In general, a shed should not be visible from the street.
- 20.4.10.7 **Awnings.** Awnings must be made of canvas. The color should complement the house.
- 20.4.10.8 **Spas/Hot Tubs/ Pools.** Above ground swimming pools are not permitted. Spas, hot tubs, and pools must be located in the back yard so that the noise and operational equipment do not adversely affect adjoining property. All pipes, wiring, and mechanical equipment must be concealed. Installation of appropriate fencing, decking, and safety equipment is required.

20.4.10.9 **Retaining Walls.** Retaining walls over 1 foot in height are subject to the architectural review process. In general, retaining walls should be as unobtrusive as possible and built to the minimum height required to be functional. Construction materials should be brick, stone, timbers, or concrete. Retaining walls (those holding back fill) may require a permit from the Durham City/County Inspections Department depending on the height of fill material behind the wall and proximity to a structure.

## 20.5 Exemptions from ARC Approval

20.5.1 **Rain barrels.** Rain barrels that are not visible from the street do not require ARC approval. An ARC application is required for rain barrels that are visible from the street. The application should describe the design of the proposed rain barrel and why alternate locations and screening with vegetation or other means are not feasible.

20.5.2 **Solar Panels.** In accordance with state law, solar panels are allowed to be placed on the home or lot wherever they may be most efficient.

20.5.3 **Clotheslines.** Installation of clotheslines requires ARC approval. The application must indicate the type of clothesline proposed, along with a plat indicating the placement, being mindful of the visual impact on the surroundings. A retractable line or collapsible structure that can be stored when not in use is preferable.

20.5.4 **Television Antennas and Satellite Dishes.** Antennas for receiving local television stations and satellite dishes installed by homeowners are allowed in accordance with FCC rules and do not require ARC approval. See the FCC fact sheet on consumer-owned antennas and satellite dishes for more detail: <http://www.fcc.gov/cgb/consumerfacts/consumerdish.html>.

20.5.4.1 **Size.** Satellite dishes may be no more than one meter (39.4”) in diameter.

20.5.4.2 **Location.** Satellite dishes must not be mounted on the lot of another homeowner or on common property. The recommended location of satellite dishes is in the back or side yards of any property, unless it cannot receive a signal of acceptable quality. If the dish is placed on the front yard, screening behind a shrub or other screen may be required.

20.5.5 **Basketball Backboards and Goals.** Basketball backboards and goals must be installed in such a way so as to remain as unobtrusive as possible. They do not require ARC approval if the following rules are observed.

20.5.5.1 Backboards may be attached directly to the house or installed freestanding adjacent to the driveway. A minimum distance of 30 feet from the street is preferred.

20.5.5.2 Substantial advertising on the backboards is not permitted.

20.5.5.3 Portable basketball backboards and goals must be located so as to not hinder the flow of cars or pedestrians and should not remain in the public right-of-way.

20.5.6 **Mailboxes and Mailbox Posts.**

20.5.6.1 Mailboxes that are black, white, or a solid color that is in harmony with the exterior colors of the home do not require ARC approval. All other colors, designs, etc. require ARC review. Mailboxes should be placed in front of the lot owned by the addressee (unless otherwise specified by the Post Office) and should not jut out into the street.

20.5.6.2 Mailbox posts that are a uniform color and are made of wood or metal do not require ARC approval. If painted, the color must be in harmony with the exterior of the home. All other mailbox posts require ARC review and must be of a style and size that is consistent with the materials and style of the home (e.g., brick that matches the foundation brick of the house).

20.5.7 **Holiday decorations.** Exterior holiday decorations are permitted without approval but shall be removed within one month following the holiday. If outdoor decorations are not removed within the specified timeframe, the homeowner will be considered to be in violation of these rules and will be contacted by the property management company.

20.5.8 **Storm doors.** Installation of a storm door that is painted white or a color similar to the door or door trim does not require ARC approval.

20.5.9 **Deck maintenance.** Maintenance of an existing deck using a natural-color stain or a paint that is the same as the house trim does not require ARC approval

20.5.10 **Storage on property.** All items not in use should be properly and neatly stored out in a visually unobtrusive manner. Storage of tires, brick, lumber, bags, or other items on the property is prohibited. Wood for personal use in woodburning fireplaces is permitted but must be kept neat and tidy.

20.6 **Landscaping and Planting.** Landscaping changes requiring ARC approval include but are not limited to: the installation of hedges, screening, structural features (such as but not limited to arbors, pergolas and gazebos), and other decorative elements that will potentially affect the view of adjacent homeowners or public areas. Additionally, the removal of any trees that do not meet the exemption criteria defined below or the installation of retaining walls and any re-grading that significantly changes the topography of the lot must be approved by the ARC. The ARC also reserves the right to review all landscaping concerns when requested by two or more Woodlake homeowners and, if necessary, to require that the landscaping be altered or restored to a condition that is harmonious with the overall Woodlake landscape.

20.6.1 **Prohibitions.** When undertaking any landscaping project (including “hard-scaping”) the following are prohibited:

- 20.6.1.1 **Adversely affecting drainage.** Care must be taken so that landscaping changes do not result in the flooding of neighboring lots or common areas.
- 20.6.1.2 **Visual obstruction of vehicular traffic.** Trees, hedges, and shrubs that restrict sight lines for the vehicular traffic will not be allowed. In the event that existing vegetation obstructs sight lines, cutting or removal will be required.
- 20.6.1.3 **Visual obstruction of the lake and amenities.** Installation of trees, hedges, and shrubs that unduly restrict the view of the lake or other amenities from other properties will not be allowed. If such vegetation unreasonably obstructs the view from adjoining properties, cutting or removal will be required.
- 20.6.1.4 **Removal of healthy trees.** Unless one or more of the exemptions listed in Section 20.6.2 are met, ARC approval must be obtained prior to removal of a native ornamental tree (e.g., hollies, dogwood, or redbud) with a diameter of more than three inches or of any other tree with a diameter of more than six inches at a point two inches above the ground. A homeowner may be given notice of their violation and invited to a due process hearing by the Board, wherein they may be fined \$100 per tree removed, lose community privileges, and be required to undertake some remediation for the loss of the tree to the community. For more information, see Sections 1.4 and 1.5.
- 20.6.2 **Tree Exemptions.** Submittal of an ARC application is not required for the following situations, but an email must be sent to ARC ([arc@woodlakecommunity.com](mailto:arc@woodlakecommunity.com)) and the Woodlake Grounds Committee ([grounds@woodlakecommunity.com](mailto:grounds@woodlakecommunity.com)) at least 3 business days prior to the scheduled removal describing the planned work. Photos of the trees to be removed should be included with the email. The trees to be removed should be marked with surveyor tape. Representatives from these committees have the authority to inspect the trees and can request additional documentation to ensure that the exemption criteria are met. If the exemption criteria are met, the homeowner will be sent an email authorizing the proposed work. If the exemption criteria are not satisfied, the homeowner must receive approval to remove the trees via an ARC application.
- 20.6.2.1 **Removal of a tree located within 10 ft of the house.** This distance is based on the distance from the house foundation (does not include the deck or out-buildings.)
- 20.6.2.2 **Trees that are dead.** Intentionally killing a tree for the purpose of removing it in order to circumvent ARC review constitutes a violation and is subject to fines.

- 20.6.2.3 **Trees that are significantly damaged from natural causes or are a safety hazard.** Trees that are significantly damaged by natural causes (e.g., high winds or ice) or that are a safety hazard (e.g., leaning toward the house) can be removed. Broken branches or other debris associated with the damaged trees can be removed without waiting for ARC inspection.
- 20.6.2.4 **Trees that are within 10 ft of each other.** This exemption covers situations where multiple trees are located near each other and the homeowner wants to remove one or more trees to allow better use of the lot and improve the health of the remaining trees.
- 20.6.2.5 **Bradford pear and Leyland cypress trees.** These two tree species are rapid growers and have been heavily planted in Woodlake. Because of their rapid growth, they are more prone to breakage of limbs and crowding.



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