

LOST CREEK PATIO HOMEOWNERS ASSOCIATION, INC. RULES AND REGULATIONS

We are all very proud of our neighborhood and the various intangible benefits that it provides when we all make the extra effort to maintain and increase the value of our property. These Rules and Regulations are intended to continue those efforts. Accordingly, we must set forth Rules and Regulations, which will be to the benefit of all parties concerned and should there be violations of such Rules and Regulations then, at that point, the Board of Directors of the Association (or the Board) shall be obliged and obligated, under its authority pursuant to the By-Laws and the Declaration, to enforce the Rules and Regulations. It should always be remembered that the Homeowners, who are the Members of the Association, are responsible for the conduct of individual guests, tenants and contractually responsible third parties who may be residing upon the premises.

1. DEFINITIONS

The Board is the elective body that establishes the Rules and Regulations set out herein. The Board and individuals empowered by the Board may enforce these Rules and Regulations. These Rules and Regulations may only be amended at a regular or special meeting or mailing of the Members by a quorum vote (50% plus one) of the Membership present or by proxy/ballot.

2. FINES

A fine may be levied by the Board as a penalty for violation of the Rules and Regulations. This fine shall be subject to the same provisions, restrictions and regulations set out in the By-Laws as it applies to the assessments and remedial action. The penalties/fines shall apply to any violation of the Rules and Regulations of Lost Creek Patio Homeowners Association, Inc. Failure to pay the penalties/fines shall result in a judgment or lien being placed against a homeowner's property.

3. QUIET ENVIRONMENT

We, as members of a community, are entitled to the “quiet enjoyment” of our individual dwellings. Consequently, it is the duty of each homeowner to show consideration for all other homeowners whether it involves the maintenance of property or the disruption of the quiet enjoyment of the property of the homeowner. No excessive noise shall be tolerated. Refer any complaints to the Richland County Sheriff’s Department.

The use of fireworks is not permitted in the community. Use of fireworks will result in a fine of \$25.00 per violation.

4. PETS

All dogs, as required by the Richland County Leash Law, must be on a leash in any common area. Individual pet owners are responsible for the cleaning up of feces and failure to do so after being warned in writing by the Board shall be fined. It is the duty and responsibility of any homeowner to report, in writing, any pet that becomes a nuisance in the neighborhood to the Board so that proper and immediate action may be taken to resolve the problem.

Failure to adhere to the Richland County Leash Law shall result in two written warnings. A third and subsequent violation shall result in a fine of \$20.00 per violation.

Failure to clean up feces shall result in a fine of \$30.00 per violation.

5. BILLBOARDS/SIGNS

No billboard, advertising signs or signs of any character shall be erected, placed or maintained on any lot except a home security sign/protective or a sign advertising a residential real property for sale/rent.

Political signs may be posted 30 days prior to the election for which it is intended but the sign must be removed within 2 weeks after the election. The size of any political sign shall not exceed 24 x 20 inches.

Any violation of this Section will result in a fine of \$10.00 per day until corrected.

6. TRAFFIC

The statutory and decisional laws of the State of South Carolina in the County of Richland shall be met with compliance in all regards. Only persons possessing a valid driver's license may operate any type of motorized vehicle within the common areas. All vehicles, regardless of nature and kind, must have a current license tag and registration sticker. All vehicles shall not exceed the posted speed limit and shall obey all other posted signs.

No wheeled vehicles (ie: skateboards, bikes etc) are allowed on any grassy common area. Any violations of this paragraph will result in a fine of \$25.00 per violation.

7. PARKING

Parking is allowed for motor homes, trailers or boats on trailers on side streets. The vehicles shall be parked for no longer than 3 days at a time and shall not be stored in the subdivision. The Board shall have the right after 3 days to provide written notice for removal at the owner's expense. Any violation of this paragraph will be fined \$10.00 per day until corrected.

Vehicles, regardless of kind or type, must be parked on the pavement at all times and not on any grass. No resident or guest vehicle shall impede traffic, block mailboxes or driveways of any neighboring property or homeowner. Guest vehicles should be parked in designated parking areas or on the side

streets. Guest parking is intended for guest use only. Any violations of this paragraph will be fined \$25.00 per violation.

8. STORAGE RECEPTACLES

While we all understand that certain appliances, grills and the like, require the utilization of fuel tanks, such as propane tanks, it is not permitted, under these Rules and Regulations for there to be any other type of fuel, storage receptacle or building which would be considered to be in violation of the statutory and decisional laws of the State of South Carolina or a threat or abuse to any adjoining property owners. Any homeowner who has a circumstance, which would be considered an exception to this Rule, must make written application to the Board for approval for placement of any such tank or storage receptacle.

Any exterior air conditioning or heating unit shall, at all times, be screened from the common areas and adjacent lots.

No wood may be stacked or any other item such as garbage/trash receptacles may be placed at the front of the dwelling, which may be seen from the common area or street. All such items must not be visible from the common area.

Any violation of this Section will result in a fine of \$10.00 per day until corrected.

9. ANTENNAS/SATELLITE DISHES

All external antenna or satellite dishes must be mounted or set forth in the rear of the property. Such satellite dishes should be no larger than twenty-four (24) inches in diameter. In the event a homeowner wishes to take exception, that homeowner must apply in writing, to the Board for review and for final decision as to whether or not such antenna or satellite dish will be permitted in the location so indicated. Any violation of this Section will result in a fine of \$10.00 per day until corrected.

10. CHANGES OR ADDITIONS TO THE EXTERIOR OF THE HOME OR GROUNDS

No changes or additions may be made to the grounds or front of a home, which is viewed from a common area unless plans and specifications are submitted to the Board or to a committee appointed for that purpose for approval. Any additions or changes to the home that cannot be seen from the common areas are not subject to this Rule and Regulation. This excludes shrubs, flowers, sod replacement or irrigation systems. Any violation of this paragraph will result in a fine of \$500.00.

All exterior doors, shutters and mailboxes shall be LeJac Brown or the equivalent. All trim shall be Lost Creek Cream or the equivalent. Any violation of this paragraph will result in a fine of \$10.00 per day until corrected.

All roof shingles shall be Autumn Brown or the equivalent. ^{** See attached*} Any variation in the shingles (ie: architectural shingles) require Board approval. Any violation of this paragraph will be fined \$500.00.

11. WINDOW TREATMENTS

Window treatments must provide an acceptable outside appearance. Any Member having a complaint must submit the complaint in writing to the Board for review. Any violation of this section will result in a fine of \$10.00 per day until corrected.

12. PROHIBITION AGAINST BUSINESS ACTIVITY

No garage sale, moving sale, rummage sale or other similar activity shall be permitted unless written application is made to the Board or to a committee appointed by the Board for approval. Any violation of this paragraph will result in a fine of \$25.00 per violation.

There shall be no trade or business conducted by any homeowner which involves encroachment upon any other homeowner or common area. Any such trade or business, regardless of the nature of it's encroachment, must not constitute a nuisance, hazard or threat to the security or safety of any other resident of the community. Any Member may make a written complaint to the Board for it's review as to whether or not there has been a violation of this Rule and Regulation. Any violation of this paragraph will result in a fine of \$500.00.

13. POND

Fishing in the pond is for residents and guests of Lost Creek Patio Home Owners. Children under the age of 14 years must be accompanied by an adult. This is for catch and release only. No swimming or boating is allowed. Any violation of this section will result in a fine of \$25.00 per violation.

14. Summary

The Board will review all violations and shall have the discretion to provide written notice prior to imposing fines/penalties. Failure to pay assessed fines/penalties will result in a lien being placed against the homeowner's property.

These Rules, Regulations and Fines/Penalties will be in effect immediately upon approval and notification being sent to homeowners. All previous and works in progress prior to this date, with the exception of exterior colors, will be considered grand fathered in. *See attached**

10. CHANGES OR ADDITIONS TO THE EXTERIOR OF THE HOME OR GROUNDS

***STRUCTURAL ADDITIONS/CHANGES AND/OR STORAGE BUILDINGS

Prior to making any structural additions or changes to a property, or erecting a storage building that may be seen from an adjoining property, common area or street, a request with applicable drawings, pictures, specifications, etc., must be submitted to the LCPHA Architectural Review Committee. After review, the committee will submit their recommendation to the Association Board of Directors for formal action. The board of directors will inform the homeowner of their decision. Failure to follow these guidelines will result in removal of the structure or building, and/or a \$2500.00 fine to the homeowner, plus an additional fine of \$100.00 per week, until the condition is corrected to the satisfaction of the Board of Directors.

All exterior doors, shutters and mailboxes shall be LeJac Brown or the equivalent. All trim shall be Lost Creek Cream or the equivalent. Any violation of this paragraph will result in a fine of \$10.00 per day until corrected.

All roof shingles shall be Autumn Brown or **Burnt Sienna, by CertainTeed, an approved alternate architectural shingle. Any variations in the shingles (i.e. architectural shingles) require Board approval. Violation of the paragraph of this rule will result in a fine of \$500.00.

11. WINDOW TREATMENTS

Window treatments must provide an acceptable outside appearance. Any member having a complaint must submit the complaint in writing to the Board for review. Any violation of the paragraph will result in a fine of \$10.00 per day until corrected.

****The HOA approved the revision to paragraph three, Rule 10
May 23, 2011**

*****The HOA approved the revision to paragraph one, Rule 10,
May 21, 2012**

**MODIFICATIONS TO LOST CREEK PATIO HOMEOWNERS'
ASSOCIATION, INC., RULES AND REGULATIONS:**

SECTION 10, THIRD PARAGRAPH:

ALL ROOF SHINGLES SHALL BE AUTUMN BROWN OR EQUIVALENT.

**BURNT SIENNA, BY CERTAINTED IS AN APPROVED
ALTERNATE ARCHITECTURAL REPLACEMENT SHINGLE.**

**ANY OTHER VARIATION IN SHINGLES REQUIRES BOARD APPROVAL.
VIOLATION OF THIS PARAGRAPH IS SUBJECT TO A FINE OF \$500.00**

SECTION 14, SECOND PARAGRAPH:

**THESE RULES, REGULATIONS AND FINES/PENALTIES WILL BE IN
EFFECT**

OCTOBER 1, 2009,

**UPON APPROVAL, AND NOTIFICATION BEING SENT TO HOMEOWNERS.
ALL PREVIOUS AND WORKS IN PROGRESS PRIOR TO THIS DATE, WITH
THE EXCEPTION OF EXTERIOR COLORS, WILL BE CONSIDERED GRAND
FATHERED IN.**

The Association approved these modifications, May 23, 2011.

**Don Lindsay
President, LCPHA**

**MODIFICATIONS TO LOST CREEK PATIO HOMEOWNERS'
ASSOCIATION, INC., RULES AND REGULATIONS**

Section 10, Third Paragraph

All roof shingles shall be autumn brown or equivalent.
Burnt Sienna, by Certainteed, is an approved alternate
Architectural replacement shingle.

**Hickory, by Timberline, is now an approved alternate
Architectural replacement shingle.**

Any other variation in shingles requires Board approval.
Violation of this paragraph is subject to a fine of \$500.00

Section 14, Second Paragraph

These Rules, Regulations and Fines/Penalties will be in effect
May 1, 2013.

The LCPHA BOA approved these modifications, August 12, 2013.

**John Phillips
President, LCPHA**