

**RULES AND REGULATIONS
TIMBERLAND PLACE**

*Adopted by the Board of Directors
Timberland Place Homeowners Association, Inc.
Revised May 8, 2016*

In accordance with the Declaration of Covenants, Conditions and Restrictions for Timberland Place recorded on 3/25/2005, in Book 7088, Page 51, et seq. of the public records of Lexington County, South Carolina (the "Declaration"), the Board of Directors has adopted the following rules and regulations which shall supplement the Declaration and which shall apply to all Homesites and Owners of Timberland Place:

Parking/Vehicles:

- Homeowners of Timberland Place are encouraged to keep vehicles in their garage and are requested to keep garage doors closed at all times when not in use.
- Unless otherwise approved by the Association, homeowners with garages and having marked commercial work vehicles are required to park such vehicles in the garage.
- Parking on the street of any passenger vehicle is strictly prohibited when there is available space in the driveway or garage (use of the garage as a general storage area does not eliminate it from being an "available" parking location).
- Where all available driveway and garage spaces are utilized by other vehicles, parking on the street of a passenger vehicle of a lot owner shall not be allowed if it is frequent, habitual or continuous and parking on the street of a passenger vehicle of a lot owner or of the temporary guest of a lot owner shall only be allowed if it is temporary in nature (less than six (6) hours) and in a manner or location that is neither a nuisance to any other lot owners, unsafe or hazardous to traffic or to persons within the community.
- Any vehicle parked on the street shall be parked parallel to and no farther than 12” away from the upwardly sloping or vertical portion of the curb at all times.
- No vehicle will be allowed to park on grassy areas or Common Property. Resident vehicles are also allowed to be temporarily parked within the parking lot provided for the pool and recreational area when in use.
- Disabled vehicles shall be subject to towing at the expense of the owner unless removed within 24 hours of notification to do so.
- In Timberland Place recreational vehicles must be parked in garages at all times.
- Homesites that have more passenger vehicles than available parking spaces are encouraged to submit an architectural review request to the Association to obtain permission for a driveway expansion.
- **The Association has adopted a Commercial Vehicle Policy.**

Exterior Appearance:

- Firewood should be stored away from the street, in the rear yard and in a manner which insures that it is not a danger to others or any Structure.
- Trash will be placed on the curb in county-approved containers no sooner than dusk the day

before pickup. Trash cans should not be left on the curb past 8:00 am on the day following pickup.

- Temporary children's or wading pools are permitted in the rear yard and must be emptied and moved every 48 hours. All such pools should be stored out of public view when not in use.
- Grass shall not be allowed to grow over curbs or onto sidewalks and shall be maintained at a height of less than four (4) inches.

Pets:

- Any Homeowner, Resident or guest of a Homeowner who is found not properly picking up their pet's waste or not restraining their pet while on Association property will be fined . This fine can and will be assessed for said violations without any prior notice. Properly picking up pet waste includes the immediate recovery of any pet waste and disposal of such waste in a proper rubbish container to be stored within the confines of the owner's property until garbage collection day. Properly restraining your pet includes having your pet on leash at all times when your pet is not on your property. Violations will be assessed a fine in the following order:
1st offense - \$50.00
2nd Offense - \$100.00
3rd Offense - \$200.00
Any violations after the 3rd offense will be turned over to the association attorney for additional actions against the Owner / Resident. The owner shall be assessed the cost of the letter in addition to any other fines assessed by the association.
- All occupants of Homesites are expected to insure that their pets do not become a nuisance or a danger to neighbors. The Board of Directors, or any aggrieved Homeowner, may resort to governmental authorities to deal with such animals.
- Excessive barking by dogs is considered a nuisance.

Recreational Facilities:

- Rules for use of the Pool and Recreation/Amenity Areas shall be posted on the property and must be adhered to by all owners and their guests.
- The unauthorized use, alteration, modification or amendment of Common Area or any portion thereof by any Member of the Association or by their guests, family members, permittees, invitees or pets is strictly prohibited. Any Member of the Association or their guests, family members, permittees, invitees who shall be found within the recreational area without authorization (unauthorized access, jumping the fence, trespassing) shall be fined \$250.00 and lose their pool privileges for one year per incident.

Use of Property:

- The Association has adopted a Garage Sale Policy

Solar Panels:

The Timberland Place covenants have been designed to put into place procedures that will carry forward the Timberland Place's desire to enhance the quality of life and improve the environment. In order to ensure that property owners have the freedom to employ alternative energy solutions if desired, solar collectors may be placed on a dwelling or in the back or side yard of the property, located in such a way as not to obstruct windows of adjacent homes.

SCHEDULE OF FINES

The Declaration permits the Board of Directors to impose fines and undertake to correct infractions of the Rules and Regulations at the expense of the offending Homeowner. Attached is a Schedule of Fines which has been developed and adopted by the Board of Directors. The Board of Directors retains the authority to modify this Schedule of Fines at any time on a case by case basis. Please observe these rules to avoid unpleasant actions by your Board of Directors.

Noncompliance with the Declaration, Rules and Regulations, and Design Standards of Timberland Place shall be subject to but in no way limited to the following.

1. 1st Notice - Specific Notice of noncompliance shall be served on the Owner by either hand delivery, posting, U.S. Mail, facsimile or any other delivery method recognized under South Carolina law. This notice may be served as a courtesy letter or may include a fine at the discretion of the Board of Directors. The noncomplying Owner shall be afforded an opportunity to comply as contained in the Specific Notice.
2. 2nd Notice (same incident) - Specific Notice of noncompliance shall be served on the Owner by either hand delivery, posting, U.S. Mail, facsimile or any other delivery method recognized under South Carolina law. This notice shall include a fine at the discretion of the Board of Directors. A fine in the amount of \$50.00 may be assessed to the Owner.
3. 3rd Notice (same incident) - Specific Notice of noncompliance shall be served on the Owner by either hand delivery, posting, U.S. Mail, facsimile or any other delivery method recognized under South Carolina law. This notice shall include a fine at the discretion of the Board of Directors. A fine in the amount of \$100.00 may be assessed to the Owner.
4. 4th Notice (same incident) - Specific Notice of noncompliance shall be served on the Owner by either hand delivery, posting, U.S. Mail, facsimile or any other delivery method recognized under South Carolina law. This notice shall include a fine at the discretion of the Board of Directors. A fine in the amount of \$200.00 may be assessed to the Owner.
5. 5th Notice (same incident) – A Notice from the Association’s attorney shall be served on the Owner by either hand delivery, posting, U.S. Mail, facsimile or any other delivery method recognized under South Carolina law. The Owner shall be assessed the cost of the letter in addition to any other fines assessed by the Association.
6. The Board of Directors may take action (as described in the Declaration) to cure any noncompliance issue not cured within 30 days of the issuance of the Specific Notice. The Board of Directors may take action (as described in the Declaration) to cure any noncompliance issue related to **landscaping maintenance** not cured within 10 days of the issuance of the Specific Notice.
7. The Board of Directors shall notify the Owners of the cost expended to correct a noncompliance issue, and such Owner shall have a period of ten (10) days within which to pay the applicable fee and to reimburse the Association for such costs.
8. Failure to comply with the payment of a fine or expenses incurred by the Association to cure such offense within the time frame of the Specific Notice, shall result in notice of collection for such expenses until paid in full by the Owner of the Homesite.

Timberland Place – Commercial Vehicles Definition

Background:

- Restriction of commercial vehicles is an important factor of maintaining and enhancing the quality of the community and its property values.
- The Board further recognizes the term “commercial vehicle” can hold different meanings for different individuals. As such, it is imperative the term be clearly defined to eliminate confusion and provide for consistent and equitable enforcement.
- In order to minimize the burden placed on homeowners, the Board endeavored to discover the least restrictive definition while balancing the Association’s need for enforcement.

Definition of a Commercial Vehicle*:

- A commercial vehicle is defined as any vehicle which has a gross vehicle weight rating (GVWR) greater than 12,200 lbs.
- Pickup trucks and vans with a GVWR below this threshold, are therefore not considered a commercial vehicle for the purpose of this policy, include but not limited to:

Ford E/F Series 150 – 350

Chevrolet C-Series 1500 – 3500

Dodge Ram Series 1500 – 3500

Freightliner Sprinter 2500 – 3500 (Cargo or Passenger Only)

- The excessive display of commercial signage (visible lettering, advertising, graphics or the like for purposes of furthering, or for the benefit of, business or enterprises or commercial purposes).
- The absence of commercial signage does not preclude a vehicle from being a considered commercial vehicle.
- Excessive amount of visible tools, equipment, materials, ladders or the like used, or intended for use, in any business enterprise or for any commercial purpose.
- Boxes, platforms, racks, storage units, or other equipment designed for carrying goods other than the personal effects of passengers.
- Prohibited Vehicles regardless of size:
 - Step Vans
 - Box Trucks
 - Dump Trucks
 - Tractor Trailers



***if a vehicle meets a minimum of one (1) of these definitions it will be considered a commercial vehicle**

New Guidelines:

To obtain approval from the Board of Directors a homeowner will need to fill out a Work Vehicle Parking Request Form and mail, email or fax to MJS, INC.

The ARB will determine if a vehicle should be considered a commercial vehicle or a work vehicle.

- One approved work vehicle per house, van or pickup truck with a maximum GVW of 12,200 lbs.
- Must be parked in the residents own driveway, (Vehicle will not fit in garage.)

- Pass a garage inspection.
- Must fit within driveway and must not protrude into the road way.
- Maximum length of vehicle, bumper to bumper must not exceed 22'
- Maximum weight 12,200 lbs GVW
- No work vehicle of a resident can be parked on any landscape or on street parking; any work vehicle associated with a resident that are found to be improperly parked (violating the work vehicle parking rules) will be notified via letter one time to serve as notice. Should the vehicle be found to be improperly parked again the Homeowner will be fined.
- Commercial Vehicles performing a service may park on the street, but may not be parked in the community overnight.

The homeowner will receive a letter from the ARB within 15 days of the date on the form. The letter will explain the findings of the ARB. If the homeowner disagrees with the ARBs finding he can appeal to the Timberland Place Board of Directors with 10 days of receipt of the letter.

Exclusions:

*Police cars or other cars which are owned by or contain the logo of a County emergency service provider shall not be considered a commercial vehicle under this definition.

.....

Work Vehicle Parking Request Form

Please Print

Date: _____

Name: _____

Address: _____ Lot # _____

Phone Number: _____ Email: _____

Vehicle Information: (attach picture)

Make: _____

Model _____

Year: _____

License Plate: _____

Owner of Vehicle: _____

Reason for request: (explain why the vehicle cannot be parked in garage).

Use of the garage as a general storage area does not eliminate it from being available for parking.

TIMBERLAND PLACE HOMEOWNERS ASSOCIATION

RULES FOR GARAGE SALES

- 1. TWO WEEK PRIOR NOTIFICATION TO THE HOA BOARD IS REQUIRED
SEE ATTACHED REQUEST FORM**
- 2. SALES WILL BE CONDUCTED ON SATURDAYS ONLY – NO OTHER DAYS!**
- 3. HOURS ALLOWED WILL BE 7:00 AM TO 4:30 PM ONLY.**
- 4. HOA MEMBERS ARE LIMITED TO FOUR (4) SALES PER ANY CALENDAR YEAR, ONE IN EACH QUARTER, NOT TO BE HELD ON CONSECUTIVE WEEKS.**
- 5. NOTICES MAY BE POSTED AT THE ENTRANCE OF THE NEIGHBORHOOD, BUT MAY NOT BE ATTACHED TO THE TIMBERLAND PLACE SIGN. OTHER SIGNS MUST BE FREE STANDING OR SELF-SUPPORTING. ALL HOMEOWNERS SHOULD BE ASKED BEFORE POSTING A SIGN IN THEIR YARD. NO SIGNS/NOTICES MAY BE POSTED BEFORE 5:00 PM THE DAY BEFORE THE SALE. HOMEOWNERS WILL BE FINED \$10.00 PER SIGN/NOTICE NOT MEETING THESE REQUIREMENTS.**
- 6. ANY POSTED SIGNS/NOTICES PUT UP MUST BE REMOVED THE DAY OF THE SALE. FOR ANY SIGNS OR NOTICES NOT REMOVED AT THIS TIME, THE HOMEOWNER WILL BE FINED \$10.00 PER SIGN/NOTICE.**
- 7. THE HOA HOMEOWNER HAVING THE GARAGE SALE WILL BE RESPONSIBLE FOR ALL INDIVIDUALS ATTENDING THEIR GARAGE SALE AND COMING INTO THE NEIGHBORHOOD, INCLUDING BUT NOT LIMITED TO PARKING REGULATIONS, COMPLIANCE TO THE HOA RULES AND GARAGE SALE GUIDELINES.**
- 8. ANY HOMEOWNER THAT IGNORES THESE REQUIREMENTS, DOES NOT FILE THE REQUEST FORM, OR DOES NOT FOLLOW THESE RULES WILL BE FINED \$50.00 BY THE ASSOCIATION. REPEATED VIOLATIONS WILL BE AWARDED WITH INCREASED FINES.**

UPON APPROVAL OF THESE RULES WITH AN HOA BOARD MAJORITY VOTE, THESE RULES BECOME PART OF THE TIMBERLAND PLACE RULES AND REGULATIONS.

TIMBERLAND PLACE HOMEOWNERS ASSOCIATION GARAGE SALE REQUEST FORM

1. NAME OF HOMEOWNER: _____
2. ADDRESS: _____
3. PHONE NUMBER: _____
4. NOTICE TO HOMEOWNER IF TENANT OCCUPIED YES _____
5. DATE OF SALE: _____
6. ANTICIPATED LOCATION OF ALL SIGNS TO BE PUT IN THE TIMBERLAND PLACE NEIGHBORHOOD:

7. YOU HAVE READ, UNDERSTAND AND AGREE TO THE "TIMBERLAND PLACE HOMEOWNERS ASSOCIATION RULES FOR GARAGE SALES".
8. SIGNATURE _____
9. DATE THIS FORM SUBMITTED: _____

PLEASE SUBMIT THIS FORM TO MJS INC. VIA MAIL, FAX, EMAIL OR IN PERSON AT LEAST 2 WEEKS PRIOR TO YOUR REQUESTED SALE DATE.

UNLESS OTHERWISE NOTIFIED, YOU MUST FOLLOW ALL RULES FOR GARAGE SALES – NO EXCEPTIONS. IF ALL THE INFORMATION IS COMPLETE AND CORRECT ON THIS FORM YOU WILL BE NOTIFIED OF THE APPROVAL OF THE SALE WITHIN 7 DAYS.

THANK YOU – TIMBERLAND PLACE HOMEOWNERS ASSOCIATION

MJS INC. CAN BE CONTACTED AT (803) 743-0600 (PHONE) OR (803) 790-0340 (FAX). CORRESPONDENCE OF ANY TYPE CAN BE MAILED TO THE HOA AT 4910 TRENHOLM ROAD, SUITE C, COLUMBIA, S.C. 29206 OR EMAILED TO MJS@MJSMT.COM.