

SNUG HARBOR PROPERTY OWNERS ASSOCIATION  
BOARD OF GOVERNORS  
HERTFORD, NORTH CAROLINA

**SUBJECT: AESTHETICS CONTROL POLICY**

**PRESIDENT:** JEANNE CULLINGS

**EFFECTIVE:** 4-13-2013

**SECRETARY:** KEN MINSTER

**LAST REVIEWED:**10-24-06

**POLICY NUM:**04-13-13

**DIVISION:** ADMIN.

**LAST REVISION:**10-24-06

**PURPOSE:**

To establish an Aesthetics Control Policy that will provide aesthetic guidelines, policies and procedures, that is designed to both support and comply with the requirements of the Amended Declaration of the Restrictive Covenants, Conditions and Restrictions and the By Laws for Snug Harbor Subdivision. **Specifically, its purpose is to address in a timely manner any aesthetics deficiency(ies) that pose health and safety hazard, detract from the value of Snug Harbor Properties, or project an unsightly and not “maintained” appearance of “occupied or unoccupied” lots with structures. And furthermore, establishing a maximum time limit on accumulating fines for Aesthetics violations after which legal means may be pursued, as agreed to by the Board on April 13, 2013. This policy supersedes all previous Aesthetic Control Policies.**

**POLICY:**

The Snug Harbor Board of Governors is charged with enforcement of Snug Harbor’s Amended Declaration of Restrictive Covenants and By Laws to ensure safety, good working order of all common area and facilities, and that Snug Harbor Owners’ property values are maintained. In carry out this task, the Board of Governors is granted a range of actions to ensure all property owners and renters comply with the Snug Harbor’s Amended Declaration of Restrictive Covenants and the By Laws that pertain to aesthetics. This overall Aesthetics Policy addresses actions the Board may take to enforce aesthetic directives as stated in the Amended Declaration of Restrictive Covenants, Conditions, Restrictions and the By Laws as are presented in this policy. It also further defines the aesthetic guidelines that will steer the Aesthetic Committee and more clearly present a Snug Harbor Property Owner’s aesthetic responsibilities. The Board of Governors has the authority to send 15 day\*, 60 day\* and 90 day\* aesthetic deficiency notices as well as administer fines to Snug Harbor Property Owners who do not comply with these Snug Harbor Aesthetic Guidelines. Fines may be levied at a rate of \$25 per week or more. Once fines reach \$300 the BOG may proceed with legal action. Fines will continue until the

**deficiency(ies)** is settled. Further, the BOG has the right to take legal action to ensure all aesthetic guideline are followed.

- 15, 60, or 90 day notices represent the time frames for corrective action.

## **GUIDELINES:**

### Snug Harbor Property Owner's Aesthetic Responsibilities:

1) All Snug Harbor Properties with structures will be maintained as though someone were permanently living on the property. Seasonal residents will arrange for the regular maintenance of their property. And ensure their properties are secured to deter vandalism and crime.

2) The term "maintained as if some permanently lived there" means:

A) Regular grass cutting, trimming of shrubbery and lawn, raking of leaves, and general yard maintenance. Owners are encouraged to maintain their yards to the road to assist water drainage, help control mosquitoes and to keep Snug Harbor looking beautiful.

B) Any structure, building, mobile home, storage facility or other real or personal property will present itself in good working order including exterior surfaces maintained in uniform and good repair. All windows, doors, porches, screens, steps, skirting, decks docks, sheds, fences, and garages will be in good working order. Boarded up door (s) and windows are not considered to be in good working order. Tarps will be used as an emergency repair measure only and are not acceptable as a permanent repair.

C) No junk, abandon or nuisance automobile, truck, trailer, boat, or recreational vehicle shall be permitted to remain on the property.

D) No "unsightly materials" will be stored on the property.

E) Outside household trash and garbage shall be maintained in sturdy and covered containers, as inconspicuously as practical and they shall be emptied regularly.

## **PROCEDURES:**

1) Using these aesthetics guidelines, the Snug Harbor Aesthetics Committee will, on a monthly basis, tour all Snug Harbor Properties and report aesthetic deficiencies to the BOG.

2) Based upon the Aesthetics Committees' recommendation, the BOG shall vote to determine what specific action will be taken to correct the aesthetic deficiency (ies).

3) The Board of Governors, at its discretion, may issue a 15, 60, or 90 day letter identifying the deficiency (ies) that require property owners to correct such deficiency

(ies) in that number of days; to be sent by certified mail, and regular US mail or by BOG or a court approved server.

4) Any owner who does not correct the aesthetic deficiency (ies) is subject, at the discretion of the Board of Governors, to have privileges suspended, have their property cleaned up at the owner's expense, be fined, or face legal action. Special Assessments/Fines will be determined by the BOG, and will accrue on a weekly basis until the deficiency (ies) is corrected. Repeat aesthetic deficiencies by the same property owner will face larger and higher Special Assessment/Fines as determined by the BOG.

5) After the receipt of the aesthetic deficiency (ies) letter, the deficiency (ies) will be checked for corrective action. Upon failure of the owner(s) to correct the stated deficiency (ies) within the stated time, the BOG or its authorized represented shall have the authority to initiate court action, bid the work by an independent contractor or utilize SHOPA representatives to enter onto the Lot(s) in question to correct the deficiency (ies). Cost shall be determined, in the case of an independent contractor, at his written bid cost, SHOPA reprehensive (s) shall be determined at an hourly rate. Additional costs shall be determined at an hourly rate for any SHOPA equipment or any specialized rental equipment that may be required. Such charges shall be determined by the BOG and shall be submitted to the owner(s) of said property via certified and regular mail, or hand delivered by BOG or a court approved server. Any associated legal fees will be the responsibility of the lot owner.

6) Failure to comply may result in the suspension of the right to use all common areas and facilities until the deficiency (ies) are corrected. The privilege to use all common areas and facilities will be restored upon payment of all special assessments/fines.

7) An aesthetic hearing will be scheduled to allow SHPOA property owners the opportunity to discuss aesthetic deficiency (ies), assessed fines, suspensions and/or to request needed assistance. Aesthetic hearings will be held for property owners as noted in the 15, 60 or 90 day aesthetic letter.

## **DEFINITIONS:**

**Junk** – The remains of “something” that has been destroyed, broken up, discarded or deteriorated beyond normal usage. Articles that are worn-out and otherwise regarded as unusable or unfit for use as they were originally manufactured for. Included assorted equipment or machinery; lawnmowers, cars, trailers, tires and wheels, furniture, boats, bicycles, air conditioners, appliances, etc. Used/old building materials, windows, sinks, doors, broken block/brick/concrete. Appliance “White Goods” will not be stored or used outside.

**Debris** – The scattered remains or pile of something broken or destroyed; rubble or wreckage. Carelessly discarded refuse, litter, including building materials and scraps. Including piles of tree or brush trimmings and branches.

**Trash/ Garbage** – Household generated waste material.

**Unsightly materials** - shall include parts of motor vehicles or old iron, metal, glass, paper, cordage or other waste, discarded or second-hand material.

**Unsightly equipment** - shall include used or second-hand household construction, business or industrial equipment.

**Junked Motor Vehicle** – any motor vehicle that does not display a current license plate lawfully upon that vehicle and:

- 1) Is partially damaged or wrecked; or
- 2) Cannot be self-propelled or moved in the manner in which it originally was intended to move;

**Nuisance Vehicle** - any motor vehicle on public or private property that is determined and declared to be a health or safety hazard, and public nuisance, and unlawful, including a vehicle found to be:

- 1) A breeding ground or harbor for mosquitoes, other insects, rats, vectors or other pests; or
- 2) A point of heavy growth of weeds or other noxious vegetation over eight (8) inches in height; or
- 3) A point of collection of pools or ponds of water; or
- 4) A point of concentration of quantities of gasoline, oil, or other flammable or explosive materials as evidenced by order; or
- 5) A source of danger for children through entrapment in areas of confinement that cannot be opened from the inside or from exposed surfaces of metal, glass or other rigid materials; or
- 6) So situated or located that there is a danger of it falling or turning over; or
- 7) One which is a point of collection of garbage, food waste, animal waste, or any other rotten or putrefied matter of any kind; or
- 8) One which has sharp parts therefore which are jagged or contain sharp edges of metal or glass; or
- 9) Any other vehicle specifically declared a health and safety hazard by the BOG.

END OF DOCUMENT

**We encourage you to please keep this new policy and place in your files.**

