

Blue Heron

Rules and Regulations

The forgoing Rules and Regulations are hereby subject to the terms and conditions contained in the recorded Covenants and Restrictions of Blue Heron RV Resort, LLC (formerly Blue Heron Paradise, LLC)

RV's

Blue Heron is an RV required community. RV's must be present at the primary residence of all owners when they are present. A 14 day per calendar year allowance without an RV, while on site, is allowed.

RV's must meet the following guidelines:

- Minimum of 26 Feet in Length
- No more than 15 Years in Age (may require verification of registration)
- Good physical appearance – clean with no peeling, fading, or decal disintegration

No primitive camping or tents. No pop-ups or slide-in truck campers.

Tiny Homes and Park Models do not qualify as an RV and are not permitted.

Destination Trailers with waste holding and fresh water tanks are permitted.

Only one RV may be parked on any lot at any given time.

New purchasers in Blue Heron must have an RV present when they are on site within 60 days of property purchase. That extra allowance will exhaust the 14 day allowance afforded to owners.

The fine for not having a compliant RV is \$2500.00 then \$25.00 per day.

Owners and residents must alert the ARC committee when an RV is off site for repairs so those days are not counted against an owner's allowance.

Construction/Landscaping and Project Approval

- All construction and exterior home projects including landscaping must have prior ARC approval. Drawings and detailed descriptions including materials listings and colors shall be submitted and quickly reviewed by the ARC. Any construction, lawn, or home project that is not pre-approved is subject to a \$2500.00 fine and removal at the owner's cost if deemed necessary by the ARC. Any changes to plans – a common occurrence during construction - must be resubmitted and will be quickly reviewed.
- No construction or project approval will be afforded to lots that have an existing compliance issue, including non-payment of assessments.

- Builders must hold a current Alabama Homebuilders' License. Any builder who does not comply with the Restrictive Covenants or Rules and Regulations of Blue Heron may be removed from a project and excluded from future projects as part of the approval process.
- Owners may contract their own construction.
- Construction trash is not to be burned or buried on site or placed in Blue Heron dumpsters. A construction dumpster must be utilized or trash must be hauled away from Blue Heron. Trailers may be utilized as a construction dumpster if approved by the ARC. Construction trash shall be removed at least weekly.
- Contractors must remove utility trailers daily other than those used as a construction dumpster.
- Construction sites must be neat and free of debris. Materials should be neatly stacked or stationed as to not hinder traffic or parking.
- Porta Toilets are required for construction builds. Construction workers and subcontractors may not use the clubhouse facilities and the clubhouse code is not to be shared with contractors. Small renovations, especially ones done by the owner, may not require a Porta Toilet. Owner must verify requirement on each project prior to commencement.
- Landscaping projects must be approved including gardens.
- Rock borders and barriers must be approved. Similar to fences, any extra fees incurred by the lawn contractor are the responsibility of the lot owner.
- Corners are to be staked and approved prior to pouring any concrete or commencement of any construction, including retaining walls. This will be in lieu of setbacks.
- Aprons must be added to driveways where possible with any concrete pour.
- Shingles are to be three dimensional architectural. No metal roofs. Decorative metal accents may be used with ARC approval.
- Solar panels are not permitted including on roofs.
- Roof pitch and height are part of the overall construction approval process. No building over 2 stories.
- Construction is limited to one bedroom and one bathroom per site.
- No interior garden tubs will be allowed. Outside hot tubs must not drain to the sewer.
- Water must not be directed into sewer system from gutters. French drains may be required by the ARC as part of the project approval process to control storm flow and protect down-hill lots.

- Unused sewer inlets in concrete pads must be capped to prevent storm water infiltration.
- Owners have 6 months from the start of construction for the exterior and landscaping to be complete. Interior completion may be at the owner's discretion.
- Construction may begin at 6:00AM and must end by 9:00PM each day.
- Dirt, mud, and gravel shall not be permitted to accumulate in roadways. Contractors and owners must utilize silt fences or hay barriers as needed. Heavy rains will cause runoff even with these precautions. Contractors and owners shall clean the roads when this occurs as quickly as possible. Cost to clean up will be completed and billed to the owner should timely cleanup not occur.

Lot Combinations

Owners may combine lots for construction purposes if approved by the ARC. Assessments will be applicable to each lot. Previously combined lots are exempt.

Multiple Lots

Owners with multiple lots may use lots for themselves, rental, or guests. RV requirements are applicable for each lot. Owners may declare two lots as their primary residence if they are contiguous or in very close proximity, with ARC approval. This will allow their RV to be parked on the additional lot. Owners will not be permitted to rent the additional declared lot.

The trigger for a second RV is when the second lot is occupied via rental. Also, a second residence creates a trigger for a second RV. This includes adult children, multi-generational households, or permanent guests. If people are living on both lots, both must have an RV present.

Access Easement and Trespass

The Board, ARC, or appointed contractors or utility providers may enter any lot at any time to correct, repair, clean, maintain, preserve, install, inspect or move utilities or infrastructure. This includes inspection of projects. This entry will not be deemed trespass. This Rule/Regulation is in addition to, not in lieu of, Article 3 on easements and Article 10 on trespass.

Owners must allow all other owners access to ponds as they are common area in their entirety.

Repair and Maintenance Responsibilities

To maintain consistency and a well-kept property utilizing economies of scale pricing, Blue Heron will contract lawn services including chemical application. The lawn contract will include mow, trim, blow services. The chemical contract will include fertilizer and weed control by a properly-licensed chemical applicator. All other lawn/landscape/bed maintenance is the responsibility of the lot owner. Beds are to remain free of weeds and bushes trimmed at least annually. Owners are liable for the cost of cleanup or additional maintenance if the ARC is required to contract maintenance for any lot to be maintained at a consistent level with the remainder of the property.

Owners may choose to complete lawn maintenance themselves; however, they will not receive an abatement of assessment. Jobs are bid by project and the property in its entirety – a large portion of which is common area. Bid is not by lawn count.

Utility repair costs are divided between the park and each owner at the site of connection or main line. Repairs on main lines of sewer, water, electric, fiber, etc., will be the responsibility of Blue Heron and are to be covered by the annual assessment budget. Repairs from the house/pad to the main line will be the responsibility of each owner as well as all repairs caused by damage created by an owner or renter.

Lots must remain neat and clutter free.

Pets

Pets must be kept within the confines of a pet owner's lot or yard unless on a leash (electronic or manual), in arms, or in a vehicle (including a golf cart). Within an owner's lot or yard, pets may be unleashed as long as they do not cross outside the property line and are attended. Pets may also be kept within an approved fence. No temporary dog pens or outdoor kennels are allowed unless the owner is outside, continuously attending the pets and pen is stored out of site. Pets may not be tethered.

Pets may be exercised and allowed to run without a leash in the field between 79 and the main road of the park as well as the open field behind the clubhouse and storage. They must still be attended.

Any waste created by a pet is the sole responsibility of the pet owner to be cleaned up, bagged, and placed in an appropriate waste receptacle. This applies to all areas and yards including the open fields.

Owners are responsible for keeping dogs from hindering the quiet enjoyment of the park by barking.

No pet will be allowed to enter any building or the pool area within the park unless the pet is an approved seeing-eye dog.

Any pet that is aggressive may be required to be removed.

Rentals

Owners may rent their pad individually or through a service such as VRBO. Rentals on RV pads require RV presence. Port homes may be rented short term – no more than 14 days without an RV present. Owners may not rent RV's to occupants. The renter must provide their own RV.

Owners are asked to stay close to the current stated rental rate to keep prices as high and consistent between owners as possible.

Rate as of 01/01/2023 - \$650 per month plus electric for an RV pad not including a port

Owners are responsible for the compliance of their renters. Fines will be issued for non-compliance to the owner – not the renter. Renters may be removed from Blue Heron by the Committee for non-compliance.

The Committee may also revoke the right of an owner to rent their property should repeated violations occur and the rental property becomes a nuisance.

Boats

Boats may be **stored** at an owner's residence when both of the following conditions are met:

- RV requirement is met
- Inside a closed garage

As Blue Heron is surrounded by a 69K acre lake driving the desire for owners to enjoy fishing and water sports, boats may come and go when owners are present. When the owner is present and in residence at their lot, the following additional conditions must be met for a boat to be **present**:

- Custom Fit Cover – No tarps allowed
- Boats or personal watercraft must not be present for more than 14 consecutive days and/or more than 14 days per calendar month
- No parking on the grass or in the road
- Lot must have enough room to park without hindering traffic flow
- No Jon Boats, flat-bottom, or air boats
- Kayaks and canoes must be stored out of sight

Parking and Traffic

Speed Limit is 10 MPH. This includes golf carts.

Parking is to be on the paved area of each lot including the required RV itself. No parking on the grass or in the street. Parking must allow easy ingress and egress to each lot. Parking within a lot must allow easy flow through the streets for large RV's and trailers to pass without damaging other owner's yards or property.

No gravel pads for parking. Pads must be asphalt or concrete. Gravel may be utilized for drainage only.

Golf Carts and utility vehicles are allowed on hardscape only (asphalt/pavement). No golf carts or utility vehicles are permitted in the open grass areas.

Four wheelers, razors, go-carts and large utility vehicles are not permitted. Utility vehicles with or without a bed on a golf cart base are permitted. Prior ARC approval is required.

Posted directional flow of traffic is to be followed by all motorized vehicles including golf carts. Exception: When loading and unloading an RV on a pull-through site, drivers will be allowed to go against the posted flow to allow proper entry and exit.

Owners and residents may not conduct business from their home that generates traffic in and out of the park by employees, customers, or clientele.

No inoperable vehicles are permitted.

Utility Trailers

Utility Trailers - open or closed - may not be stored on any owner's or renter's lot. When moving or working on a weekend project, notification must be made to the ARC that a trailer will be on premise for an agreed upon short period of time.

Ponds

Fishing is permitted – Catch and Release

Fire Pits

Fire pits will be allowed: however, smoke being generated should not become offensive to surrounding owners. Permanent fire pit construction must be approved prior to building. Non-permanent pits must be contained on a concrete pad. Wood piles must not become an eyesore and must be kept pest free.

Sheds

All detached construction buildings must be approved by the ARC.

No sheds. Prefabricated, Rubbermaid type or other sheds are not allowed. All sheds on property must be removed upon sale of the lot or when the shed is in disrepair. ARC approval of new projects and construction will be conditional on removal of any existing shed.

Fences

Fences must be approved by the ARC.

Wrought iron is the only approved material. No chains are permitted.

The lawn contractor will not be required to maintain grass within a fence. The contractor may choose to maintain inside and around the fence at their discretion and may charge for the additional services at their discretion. If the contractor chooses not to maintain within the fence, the owner will be required to keep the area at least as presentable as the area outside the fence. Failure to do so will require fence removal.

The lawn contractor will not be held liable for any damage to fences caused by weed eaters, mowers, or chemical application.

Noise

Any noise generated within a lot whether it pertains to music, TV's, vehicle operation, muffler noise, pets, machinery, loud conversations/yelling or any other noise must not be obtrusive to other lot owners so as to affect their quiet enjoyment. No basketball goals are permitted. Quiet hours are between 9:00 PM and 6:00 AM.

Exterior Lighting

Exterior Lighting must be approved by the ARC. All lighting should be downward facing with soft, non-colored bulbs. Pole lights are to have a cap directing the light downward.

Satellite Dishes and Antennas

Other than satellite dishes affixed to RV's, one small diameter satellite dish may be installed at each lot. Unused equipment must be removed.

No projections such as antennas shall be placed or permitted to remain above the roof of any Improvement without ARC approval.

Tanks and Wells

Above ground fuel tanks must be approved, secured, and in good physical condition. No private wells.

Signage

No exterior signage is allowed, including political or advertising signs, other than a single for sale or rent sign.

All lots must have clear address marking for 911 and delivery purposes.

Windows and Window Treatments

No reflective glass, foil, plastic or paper bags, bed linens or blankets, towels are to be used for window treatments.

Outdoor Furniture and Clotheslines

No Clotheslines.

No furniture or appliances meant for indoor use may be outside the RV or port home, including under port cover.

Camera, Lighting, Irrigation Systems

Cameras, lights, and irrigation systems must not trespass on the imaginary vertical property line surrounding each lot. Any created trespass must be removed.

Animal Feeders / Wild Animals

No attracting wild animals. This includes salt licks to attract deer or feeding of feral cats. Bird feeders are allowed; however, placement should not attract birds near neighbor's vehicles. Limit of 3 bird feeders per lot not including hummingbird feeders.

Repairs

Work other than minor or emergency maintenance repairs on any RV, motorized vehicle, or boat must not be done on property.

Service Providers

Blue Heron will not be an employer. Service providers will be paid by contract and must be insured. In addition, for insurance purposes residents and owners must have prior approval to work on machinery, appliances, systems (including electric, plumbing, pool, HVAC, etc.) in all common areas including the clubhouse. This includes any task that requires a ladder.

Dumpsters and Trash Removal

- Blue Heron dumpsters are for the private use of owners and residents.
- All owners are responsible for placing their trash in the provided dumpsters.
- No construction debris is permitted in dumpsters.
- Recycling is encouraged.
- Boxes and large items are to be broken down.
- Do not place trash outside the bins or on the ground.
- Owners and residents are encouraged to push trash as far back as possible to create room for those who are less able.
- No unsightly accumulation of rubbish, debris, garbage/trash, or generation of nuisance odors are permitted at each lot.
- Owners shall not have more than 2 trash containers at their lot. Containers must be covered, out of view, and emptied at least weekly.
- No burning of trash or landscape debris is permitted on any lot or common area.
- Lawn clippings/trimmings are not to be placed on the "Ross Property" that does not belong to Blue Heron at the entrance.

Sewer

Owners and Renters are to take extreme precautions to safeguard the longevity of the sewer pumps and fields. No feminine hygiene products including tampons, pads, and cleansing wipes should enter the sewer system. No personal washcloths, facial wipes, baby wipes, or paper towels should be flushed even when labeled “flushable”. Other things that can be an issue are cigarette butts, cotton balls, dental floss, condoms, and flushable kitty litter. Kitchen waste including coffee grounds/pasta/rice/egg shells/flour/fruit pits/bones/produce stickers/excessive fat and grease/ and fibrous food like celery and pumpkin. Also, please do not flush any medications. No oil based products including paint thinner, gasoline, solvents, or insecticides should enter the system as oil/petroleum based products degrade the effectiveness of the sewer field.

Excess water entering the sewer is hard on the septic fields. Take care to ensure your lot has no leaking toilets or faucets and that all water from the roof/gutters is directed to the storm system not the sewer.

No vehicle traffic in the common areas/fields including golf carts. The Eljen mats are shallow buried and should not be driven across.

Assessments and Default

All Sections of Article 8 – Assessments, Default, and Remedies - are applicable. In Addition:

The annual assessments will be declared by the ARC Committee / Board. A budget will be presented to owners by October 31st of each year for the following year that will outline anticipated expenses and a payment schedule including due dates.

Owners in arrears will lose their voting rights and will not be eligible for ARC approval on any project until past due assessments are brought current. This is in addition to remedies listed in the Restrictive Covenants, including but not limited to, late fees, interest, attorney and/or collection fees, loss of amenity privileges, revocation of any existing variances, or any other action deemed necessary to cure the default as noted in Article 8.

Owners are also considered in default if any of the Rules and Regulations or Restrictive Covenants terms are violated. Owners will be notified and have 14 days to correct violations other than Assessment payments which are considered in default past the due date.

Monetary Fines in addition to Covenant Remedies

\$2500.00	Commencement of an unapproved ARC project including unapproved changes or alterations
	Failure to comply with RV requirement
\$25.00 per day	Additional fine after \$2500.00 for failure to comply with RV requirement
\$50.00 per day / occurrence	All other violations

ARC Committee / Board

The ARC Committee and Board will consist of five positions.

Eligibility requires compliance with Rules and Regulations including current status with assessments and having a lien-free property.

Initial members and Initial Terms:		
Position 1:	Mike McRight	2 Year Term
Position 2:	Susan Link	2 Year Term
Position 3:	Jamie Tolbert	3 Year Term
Position 4:	Henry Millican	3 Year Term
Position 5:	2024 Election	3 Year Term

After the initial period, terms will be for 3 years. Positions will be filled by rolling election to preserve a consistent knowledge base especially of ongoing projects. The first election will be held March 2024 for the period of April 1st, 2024 through March 31st, 2027.

Owners may serve no more than 2 consecutive terms or 6 years without a full term (3 year) break.

2024 Election – 1 Position	Position 5	
2025 Election – 1 Position	Position 1, Position 2	
2026 Election – 2 Positions	Position 3, Position 4	
2027 Election – 2 Positions	Position 5	
2028 Election – 2 Positions	Position 1, Position 2	
2029 Election – 2 Positions	Position 3, Position 4	
2030 Election – 2 Positions	Position 5	and so forth.....

After turnover, special elections will be used to fill vacancies. The Committee / Board will then divide tasks and responsibilities among themselves including their Chairman.

ARC Committee - Duties

Mike McRight	Water / Sewer / Pool / Lawn Maintenance / Mailboxes / Ponds
Jamie Tolbert	ARC Approvals / Facilities / Clubhouse
Susan Link	Compliance / Web Site / Records
Henry Millican	Water / Sewer / Facilities

Activities/Welcoming Committee

Sheri Smith

Current Contact Person

- This committee will serve autonomously and select new members independently.
- Their purpose is to welcome new residents and provide a broad variety of social activities for the social health of Blue Heron.
- The committee will maintain their own records and will provide a quarterly financial report to the ARC for accountability of funds.

Blue Heron Pool Rules

Swim At Your Own Risk
No Lifeguard on Duty

Owners, Accompanied Guests, and
Residents Only

No Smoking

No Pets other than certified service animals

No Glass Bottles

Appropriate Swim Attire Required - No Street Clothing

No Running, Horseplay, Yelling, Foul Language or Loud Noise

Do Not Swim With Fever, Open Sores, or Stomach Distress

No Regular Diapers - Swim Diapers Permitted

No Diving

Pool Closes at 10:00 PM each evening

Blue Heron Community Center Rules

Center may be reserved by owners by contacting the current social committee designee posted on the calendar in the community center.

There will be no charge for owners to use the facility. Please clean up after each event.

No owner is to change anything in the Center without ARC approval. This includes throwing items away, the rearranging of furniture and equipment, painting, etc.

Alcohol may not be stored or left unattended at any time to prevent underage or other illegal consumption. Prudent risk management practices and liability insurance requirements dictate this requirement.

No foul language

Equipment and other items placed in the community center are considered donated and may not be use-restricted or reclaimed without ARC approval

Access Code is not to be shared with those who are not an owner or resident of the property including construction personnel

Blue Heron

ARC Variances

RV Variances (Annual Review Required)

- Minimum of 26 Feet in Length
 - York, Davis, Zimmerman, Harvey
- No more than 15 Years in Age
 - Chapman, Maley, Booher, Hunsicker, Pogue

Multiple Lots declared as 1 residence

- Petrowski 31/32
- Swindle 7/16
- Scott 40/41
- McKinnon 60/61 (Approved not yet performed)

Permanent Lot Combinations

- 19/20 Link
- 21/22 Booher
- 57/58 Chaffee
- 58/59 Walker
- 71/72 Runyon
- 73/74 McDonald
- 75/76 Stephens
- 77/78 Chesser
- 93/95 White
- 89/90/91 Brown

Green Space / Drainage

- 88 / 92