

**RIVER HILLS COMMUNITY ASSOCIATION, INC.
COMMUNITY HANDBOOK**

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INTRODUCTION

The Declaration of Covenants, Conditions and Restrictions of the River Hills Plantation and Bylaws of the River Hills Community Association, Inc. as amended govern how the HOA operates and the rules to which owners of property, as well as their tenants and guests, must adhere. These documents and bylaws are legally enforceable by the HOA. Homeowners are bound to membership in the HOA by this set of documents and such membership is automatic upon purchasing property in the community.

The purpose of this Handbook is to provide information in a quick, easy to reference guide to better educate residents on frequent types of violations, the "Community Rules and Regulations" established by the Board, ARC Guidelines and Construction Rules and Regulations for Contractors. This Handbook does not provide a complete list of all possible violations, only the more common ones; and thus is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For complete information each owner must refer to the **Declaration of Covenants, Conditions and Restrictions of the River Hills Plantation and Bylaws of the River Hills Community Association, Inc. as amended which is recorded in Record Book 12294, Pages 51-92 in the Office of the York County Clerk of Court.** A complete copy of the recorded Declaration is available for review on the River Hills website at www.riverhillsplantation.com. Please note that the terms of the Declaration of Covenants is the governing document pursuant to which the matters set forth in this Handbook were adopted. The procedures, practices, guidelines, rules and regulations described in this Handbook may be modified or discontinued from time to time. Every attempt will be made to inform you of any changes as they occur. However, it is the homeowner(s) and resident(s) responsibility to remain current on all rules, regulations, guidelines, requirements, restrictions and policies as set out in the governing documents.

Article V of the Covenants designates the Board the power to adopt, implement and enforce rules and regulations based on criteria defined in Section 8. The Board has the following powers, rights and privileges, and may exercise the following authority:

Rules and Regulations. "To adopt, implement and enforce rules and regulations:"

1. Regarding the use of the Common Properties.
2. For the conduct of Owners and their contractors, guests, invitees, tenants or family members.
3. Independently or upon recommendation from the ARC for the control of the construction of, addition to, or modification of Improvements or Major Landscaping.
4. For the control of traffic within River Hills including, but not limited to, regulation of all modes of transportation, signage, speed limits, parking prohibitions, stop and yield signs at intersections, street and individual house identification, pedestrian and golf cart crossing, and consideration to reasonable and proper safety, convenience of emergency vehicles and overall ease and safety of vehicles and persons moving about River Hills.
5. For the parking of vehicles including, but not limited to, the parking of: cars and light trucks; recreational vehicles, boat and other watercraft trailers and utility trailers; and commercial vehicles such as fixed-body or dump trucks, semi-trailer tractors, buses, and large closed or open commercial trailers.
6. For the external storage and/or the storage in plain view of the street, neighbors or the golf course of items including, but not limited to, trash cans, bags of gardening materials, yard maintenance equipment, and building materials; and
7. Regarding animals off the premises of their owner.

HIGHLIGHTS FROM THE COVENANTS

The following information includes some of the frequent types of violations addressed in the Declaration of Covenants, Conditions and Restrictions of the River Hills Plantation and Bylaws of the River Hills Community Association, Inc. (as amended November 19, 2011), Violations Enforcement, Court Actions and Appeals and the Rights and Duties of the Architectural Review Committee.

Common Violations listed under Article III and VI:

Appearances. “It shall be a Violation for any Owner to allow the development of any unclean, unsightly, unsanitary, or unkempt conditions of structures or grounds on his Lot, Family Unit or other Parcel.”

Activities on Lots. “It shall be a Violation for any Owner to allow the development of any noxious or offensive activity on his Lot, Family Unit or other Parcel including, but not limited to, the maintenance or harboring of any plants, animals, devices or things which are noxious, dangerous, unduly noisy, unsightly, unpleasantly odoriferous, or otherwise disturbing; which activity causes a nuisance or a breach of the peace or interrupts or materially interferes with any other Owners’ quiet enjoyment of his property. This paragraph shall not limit the use and operation of powered equipment, including but not limited to clippers, mowers, blowers, pressure washers, and other equipment, provided such equipment shall only be operated between 7:00 AM and 7:00 PM.”

Signs. “Except as may be required by law, no signs of a commercial or non-commercial nature, including “For Rent” and “For Sale” and other similar signs, shall be erected or maintained on any Lot or Parcel except with the permission of the Association. The ARC shall establish criteria for the size, shape, color, design and materials for all such signs and shall monitor the use thereof, and failure to comply with such criteria shall be a Violation.”

Removal of Trees. “It shall be a Violation to remove a tree measuring six (6) inches or more in diameter measured three (3) feet above the level of the surrounding ground without prior written approval of the ARC or their designated representative, unless said tree is located within ten (10) feet of either the approved site or actual location of the Principal Residence or of an Accessory Structure. Distance from the exterior of Principal Residences and Accessory Structures shall be measured from the outer perimeter of exterior walls, and attached decks, terraces, and staircases.”

Temporary Structures. “It shall be a Violation to place a structure of a temporary character upon any Lot or Parcel at any time whether or not intended or used for any human habitation, provided that this prohibition shall not apply to shelters used by contractors during the construction of permitted permanent structures or to the temporary parking of recreational vehicles and travel trailers as covered in the Community Regulations document.”

ARC Review Required. “Neither shall Improvements be constructed, or externally altered, added to or otherwise modified, nor Major Landscaping be installed or changed, nor colors or materials of exterior surfaces of any Improvements be applied, altered or re-done (e.g. repainted, re-roofed, re-sided in the same or different colors and/or materials) in River Hills without the Owner first obtaining written permission from the ARC or its designated representative for such construction, alterations, additions, color and/or material changes and/or installation, replacement and/or changes of Major Landscaping.”

VIOLATIONS, ENFORCEMENT, COURT ACTIONS AND APPEALS (Article VIII)

Determination and Notice of Violation. “The Board shall have the right to: (i) review such act or omission as may be brought to their attention that may constitute a Violation; (ii) determine whether the act or omission constitutes a Violation ; (iii) give the Owner, Member and/or party in violation a Notice of Violation setting forth the grace period to cure the violation; (iv) specify actions, if any, to be taken by the Owner or Member to cure such act or omission as is determined to be a Violation; (v) specify the actions to be taken by the Association, and any penalty to be imposed against the Owner, Member or person determined to have committed a Violation in the event of failure to cure the Violation; and (vi) advising the Owner or Member of his/her right to Appeal.” (See Section 5. Filing of Appeals and Hearings on Appeals)

A Notice of Violation is not required with respect to Delinquent Assessments and Fees. Enforcement and Collection of Delinquent Assessments and Fees is set out in Article VII of this Declaration.

The Board shall have the right to take any one or more of the following actions in the event of a Notice of Violation:

- A. **Suspension of Membership Rights.** “By Notice to an Owner or Member, the Board may suspend the rights of membership in the Association of such Owner or Member or his guest, invitee, tenant, or family member unless such Violation is cured to the reasonable satisfaction of the Board. Suspension of membership rights shall not constitute a waiver or discharge of the Owner’s or Member’s obligation to pay Assessments or fees or of any other obligations under this Declaration. The rights which may be suspended include, but are not limited to: (i) deactivation of gate access codes to the River Hills gates; (ii) use of all Common Areas excluding the roads; and (iii) all voting rights.”
- B. **Fines.** “No fine will be imposed for a first Violation. The may impose a fine in the amount of \$50.00 in the event of a second Violation, \$100.00 in the event of a third Violation and \$200.00 in the event of a fourth or subsequent Violation. The Board shall have the discretion to waive fines.”
- C. **Court Action.** “(1) In addition to the actions set forth in Subsection A and B hereinabove, and in addition to such legal actions authorized elsewhere in this Declaration, the Board shall have the right to enforce this Declaration and guidelines, rules and regulations adopted pursuant to this Declaration by appropriate proceedings at law or in equity, or both, including, but not limited to (i) an action for all damages, expert witness fees, attorney’s fees, costs and expenses incurred by the Association by reason of a Violation or any other breach of this Declaration or any published guidelines, rules or regulations of the Association, the ARC or any other of the Committees created by the Board; (ii) an action for a mandatory injunction; and (iii) an action for an injunction, restraining order or other appropriate relief to restrain the Owner or Member or his guest, invitee, tenant, or family member from continuing a Violation and/or continuing with repairs, renovations or construction upon the Owner’s Lot, Family Unit, or other Parcel until the Violation has been cured.”

RIVER HILLS COMMUNITY ASSOCIATION, INC.
COMMUNITY REGULATIONS
JANUARY 1, 2012

1. **Association Property** may not be altered or used in any way, including chemical spraying, without prior approval of the Association.
2. **Burning** any yard waste or other trash is prohibited.
3. **Distribution of Literature or other Items, and/or placement of signs, and/or other solicitations of any kind** related to **charitable** campaigns, political **campaigns**, and/or other nonprofit enterprises require the approval of the Association. Distributions or solicitations for any for-profit entity are not allowed. Literature and other items distributed must be placed in the paper slot under the mailbox only.
4. **Fire pits** are permitted provided they are:
 - a. A minimum of 10 ft. from any primary residence.
 - b. 10 ft. from any combustible materials (trees, leaves, pine needles, etc.).
 - c. Properly screened.
 - d. Not left unattended.
 - e. Completely extinguished when not in use.
5. **Garbage Cans** must be screened from public view except on pickup days.
6. **Parking Rules:**
 - a. **Parking on the street between the hours of 6:00 a.m. and 2:00 a.m. is allowed** provided that the two wheels on the passenger side are off the pavement and it does not impede the flow of traffic.
 - b. **Parking in the street or on an easement between 2:00 a.m. and 6:00 a.m. is prohibited.** The Association may tow at the owner's expense. To avoid the possibility of towing, homeowners and residents are encouraged to obtain a parking permit from Security to allow for overnight parking for guests and family members during the holidays or for special occasions.
 - c. **No one may park any utility trailer, boat or boat trailer** on residential property for more than 24 consecutive hours. Any recreational vehicle may park on a private resident's property for up to 48 hours with proper notification to the Association or Security Office.
 - d. **Unlicensed or inoperable vehicles may not park** within River Hills except in enclosed garages.
7. **Pet owners must use leashes and pick up all waste on properties** outside their own lot, both common and private (per York County Ordinance). The disposal of the waste must be in designated waste disposals or taken home.
8. The **Playground** on Hamilton's Ferry Road may be used from 7:00 a.m. till 10:00 p.m. daily.
9. **Portable Recreation Play Equipment (i.e. soccer nets, volleyball nets)** is allowed providing that when not in use the equipment is not left in any yard visible from the street and not on common property. However, portable basketball goals do not have to be removed and may be visible from the street, as long as they are on the owner's property. All equipment should be in good condition, consistent with the ARC Guidelines for neighborhood aesthetics. Any and all equipment left on common property is subject to removal at the owner's expense by the River Hills Community Association, Inc.
10. **Portable Storage Units (POD)** may be used for moving or remodeling for up to 14 days. A permit must be obtained at the Association Office and should be posted on the storage unit.
11. **Rented or Leased Property** remains the responsibility of the owner for adherence to all rules and regulations in this document, the Covenants and the ARC Guidelines. The Association Office provides all such documents, and they are provided online at riverhillsplantation.com. Please provide lessee information to the RHCA Office.

RULES FOR THE USE OF SOUTH POINT PARK AND BEACH

Hours: The park and beach may be used daily from 8:00 a.m. until 10:00 p.m. Silent activities such as walking or running are allowed at daybreak.

Loud and/or boisterous behavior is inconsiderate of neighbors and is not allowed. Please be especially considerate in early and late hours.

Motorized Vehicles, including mopeds, motorcycles and ATVs, are not allowed except for temporary delivery or pickup with prior Association approval.

Open Fires must be within fire rings or grills provided and completely extinguished before leaving the park.

Parking is allowed only in designated spaces including the designated extra parking on Hamilton's Ferry Road. The two spaces on the west side of King Haigler are only for loading and unloading.

River Hills property owner(s) or residents must accompany and be responsible for all guests at all times.

Swimming is entirely at the swimmer's own risk. There are **no lifeguards**.

Tables and **Benches** must be returned to their original locations.

Trash must be placed in the containers provided before leaving the park.

Users are responsible to keep in mind all normal precautions related to a public park and beach area. Be cautious of the possibility of broken glass and/or jagged metal items.

The Board may suspend the rights of enjoyment of the River Hills Community property to any owner, member or guest until any violation is resolved in accordance with the Declaration of Covenants Conditions and Restrictions of the River Hills Plantation and Bylaws of the River Hills Community Association, Inc. as amended .

Revised and approved by the RHCA Board of Directors December 13, 2011.

PROCEDURES FOR HANDLING VIOLATIONS/FINES

The procedures listed below provide multiple notifications with ample time to take corrective action. The fines, although modest, are intended to provide an incentive for homeowners to address a violation and take the appropriate action.

FIRST OFFENSE

1. Courtesy Warning Notice with time frame for cure
2. If not cured, follow up letter will be sent
3. If cured, no further action required
4. If not cured, General Manager refers issue to Board of Directors which may result in a Notice of Violation.

SECOND OFFENSE

1. Same process as First Offense – steps 1 – 4 above.
2. Subject to \$50 fine

After two warnings for any violation, you will receive a letter from the Association Office which will state the third offense for any violation will result in a Notice of Violation issued by the Board.

THIRD OFFENSE

1. Subject to Notice of Violation issued by the Board.
2. Subject to \$100 fine

FOURTH OFFENSE

1. Subject to Notice of Violation issued by the Board.
2. Subject to \$200 fine.

River Hills Community Association, Inc.
Construction Rules & Regulations for Contractors
(January 1, 2012)

GENERAL – These rules and regulations have been adopted pursuant to the Declaration of Covenants, Conditions and Restrictions of River Hills Plantation and Bylaws of River Hills Community Association, Inc. Compliance is mandatory for all property owners, their general contractors, subcontractors and material suppliers. Violations may result in an issuance of a Notice of Violation to the homeowner pursuant to Article VIII of the Covenants. Contractors are liable for damage to roads, including but not limited to, utility infrastructure, and the landscape on both private and common property including road rights-of-way. **We advise residents use their contract to obligate their contractors and builders for the costs associated with rules violation.** A stop order or other actions may be taken for serious and/or repeat violations.

The RHCA, the RHCA Security Department and all other RHCA employees, assume no liability for the loss to, theft of or destruction of any contractor's vehicle, trailer, construction equipment, or materials while on or traveling to and from any property within River Hills Plantation.

■ ACCESS AND PROTECTION OF RHCA PROPERTY ■

- No building materials shall be placed on RHCA common property except under extraordinary circumstances and then only with the approval of the RHCA General Manager.
- Access to the construction site between the edge of the road pavement and the front property line shall be no more than twenty feet (20') wide and is limited to one (1) entrance only.
- Insofar as possible the access should be at the point of the proposed driveway to the property.
- A base of gravel should be placed for at least 20' into the property and maintained until a permanent driveway surface is constructed.
- The edge of the road pavement shall be protected from damage by construction vehicles. Heavy wood planks, gravel, or any other effective means to make the transition between the pavement and the road shoulder shall be used.
- See "Liability for Damages".

■ SPECIFIC RULES AND REGULATIONS ■

Burning: Burning of construction debris and open warming fires are prohibited.

Construction Hours: Are limited only from 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. and 5:00 p.m. on Saturday. No exterior construction work of any type is permitted on Sunday, Thanksgiving Day, Christmas Day, or New Years Day.

Construction Debris: Each project that generates debris must provide a method of disposal. Dumping of construction debris is prohibited within the Plantation. The following guidelines must be adhered to:

- Any commercial dumpster must be located within the lot property lines and cannot be placed on the road right-of-way or on any adjacent private or common property.
- Any dumpster, container or vehicle being used for debris must be emptied prior to exceeding capacity.
- Debris not placed in a dumpster, container or vehicle must be removed daily.

Culvert Pipes, Driveways and Roadway Drainage: The expense and installation of culvert pipes, where required is the responsibility of the property owner or the general contractor. The culvert pipes must be:

- Reinforced concrete or ribbed ADS plastic with a twelve (12") minimum diameter.
- If a property owner or the owner's builder causes a drainage problem as a result of incorrect installation, the owner will be required to remove the faulty drainage pipe and replace correctly.
- Any culvert pipe damaged during construction to the extent that the pipe prevents proper drainage flow must be replaced.
- At the conclusion of construction, the entrance to the driveway from the roadway must be paved with an appropriate level and depth with asphalt, concrete, pavers or other materials approved by the Architectural Review Committee.

Firearms: Firearms are prohibited either on a person or in a vehicle.

Hauling Fill Dirt: Must be in a suitable vehicle equipped solely for this purpose. **Load weight cannot exceed 16 tons.**

Hauling Trash: Any vehicle transporting construction debris or site clearing material must be covered to protect the load from spilling. The load must not extend beyond the width of the truck bed.

Liability for Damages: Contractors are responsible for damage to common or private property caused by the contractor, and contractor's employees, subcontractors and material suppliers and shall immediately, at their expense, restore the property to the condition it was in prior to the damage.

Maintenance: Materials must be stored daily in an orderly manner on site. Contractors are required to clean-up construction materials, trash, litter, etc. leaving the area neat and clean at the end of each workday.

Personal Conduct: No loud music or language is allowed. Any sound, other than that of customary construction activity, that can be heard from adjoining properties will be considered a nuisance and is prohibited.

Preparation: No lot can be cleared, no site prepared, or any other construction activity started without a County Building Permit and a River Hills Plantation Building Permit posted. Where required, silt fences, culvert and fill, and road shoulder protection must be in place prior to site clearing. The use of water and electric services from adjacent residences is prohibited unless permission is granted.

Solicitation and Signage: No solicitation of additional business, either verbally or in writing, is allowed while in River Hills. Signs with the Contractor name and telephone number are allowed if approved by the ARC and supplied by RHCA. RHCA personnel can remove unapproved signs.

Spills: The contractor involved is responsible for cleanup as described below:

- All affected areas must be cleaned up immediately after the spill. Should this not be feasible, contact must be made to RHCA security to advise of the spill and an approximate time for clean up.
- The cleanup of concrete trucks and equipment must be done only on the construction site. The wheels of vehicles leaving the site should be clear of mud or other debris and, if not, washed down before exiting the site.
- Any clay, mud, concrete, gypsum, mortar, tar, asphalt, oil, or any other petroleum product spilled on roads, road right-of-ways, or any property other than the construction site must be removed immediately and washed so that no residue remains.

Toilets: A portable toilet, if necessary, must be in place on each new construction site and must be located in an inconspicuous area within the lot property lines.

Traffic Laws and Parking: Posted speed limits and safe driving practices are strictly enforced within the Plantation by the Security Department. **State tickets may be issued for traffic violations.** The parking of vehicles and trailers shall be limited to the job-site property wherever possible. The road right-of-way in front of improved properties shall not be used. Under no circumstance shall parking interfere with the flow of traffic or cause hazardous traffic conditions.

Trees/ Natural Vegetation: Only those trees indicated for removal on the approved Site Plan can be removed. All other trees and natural vegetation must be protected from equipment damage and/or fill dirt cover. Protective barriers and tree wells should be installed wherever necessary.

Vehicles, Construction Trailers, and Mobile Equipment: All construction vehicles (trucks, trailers, mobile equipment, etc.) may be subject to a permit. All construction vehicles (trucks, trailers, mobile equipment, etc.) must be removed from the construction site at the end of each workday unless a permit is granted by the RHCA. The RHCA is not liable for any theft of or vandalism to any trailer, vehicle, or mobile equipment or their contents.

Water Run Off, Erosion Control and Environmental Protection: Prior to and during all construction activity, including the clearing and filling of the lot and after completion of construction, the following protective actions must be taken and maintained by the owner:

- Water runoff and Soil Erosion Control
- Road Pavement and Curb Protection
- Road Right-of-Way Protection
- Tree Protection

Weight Limits – The maximum load weight of any truck/construction vehicle is **16 tons and/or 6 yards of concrete.**

Failure by RHCA to enforce the conditions of these Construction Rules & Regulations for any period of time shall in no event be deemed a waiver of the right to enforce same thereafter.