

# Riverwind Homeowners Association Inc.

## Rules and Regulations

### Site Improvement Coordination Committee (SICC)

The SICC was established to insure that appropriate residency and landscaping changes do not alter the established Riverwind schema, impact housing values or introduce landscape materials that are invasive or would create a danger to the residents or surrounding properties (as in towering trees). Modification to porches or decks that improve safety are encouraged. It is strongly suggested that ALL landscaping or building contractors be licensed, have insurance or be bonded before working on your residence. The residents of Riverwind and the RHOA are not liable for any injury or law suit stemming from work performed by contractors on any property or residence.

Homeowners are reminded that County Permits may be required for any structural modification or addition. RHOA approval does not supersede this requirement.

\*\*\*Please refer to the "Restated Restrictive Covenants and By-Laws of Riverwind Homeowners Association Inc., page 112, the SICC section rules 10 and 11.\*\*\*

Homeowner actions that Require committee review and approval, prior to the commencement of work, include but not limited to the following:

1. The addition of a porch, paved patio, shed, garage or carport to an existing residency. Any such porch, shed, garage or carport shall be permanently attached and abutting the residence.
2. The expansion or alteration of an existing porch, paved patio, shed, garage, driveway, carport or residence except a porch entrance gate.
3. The conversion of an existing carport into a garage or vice versa.
4. Any modification, alteration or change of the existing exterior materials of construction or color of residence.  
\*\*\*The colors should be of a neutral shade fitting the community and in accordance with the Riverwind Developer/Designated Builder Construction Rules item 1C of section Riverwind Homeowners Association Inc., Rules and Regulations Index.\*\*\*
5. The addition of new trees having a mature height of 30 (thirty) feet. Mature trees that are considered a danger to a homeowner or nearby residence should be trimmed to a reasonable level by a licensed arborist.
6. Properties that are adjacent to street intersections should trim bushes/trees to allow traffic visibility.
7. All alterations, revisions, modifications and additions to landscaping and drainage facilities within the street right-of-way, easement or common areas.
8. All alterations, revisions, modifications and /or additions to any drainage ditch/pipe or swale in Riverwind.

Homeowner actions that **Do Not Require** committee review or approval, prior to the commencement of work, include, but not limited to, the following:

1. Rearrangement of existing small shrubs (less than 24 (twenty four) inches high) and perennials within an existing planting bed.
2. Replacement of perennials and annuals within an existing planting bed.
3. Normal maintenance to existing facilities, i.e. painting, replacing of worn or damaged decks, rails, steps, etc. providing the maintenance/replacement is the same as the original and does not alter the existing appearance.
4. Decorative lawn/garden ornaments, figures, flags, etc. in or adjacent to planting beds. Ornaments and figures shall not be greater than 3 (three) feet in any dimension.
5. Bench-trellis combinations used in conjunction with planting beds and lawn benches. Such benches and bench-trellis combinations must be maintained in safe and attractive condition.
6. Pole mounted or hung "single family" bird houses and nesting boxes and feeders.
7. Seasonal decorations on light and sign poles, owned or leased by the RHOA, which are on or adjacent to the homeowner's property. Such seasonal decorations shall not hinder the view of the sign or deface the sign or pole. All such decorations are the sole responsibility of the homeowner and shall be removed by the homeowner at no cost to the RHOA.

NOTE: Homeowners shall remove all Christmas and seasonal decorations on their property no later than 1 (one) month following the holiday.

General/ Miscellaneous Actions that **Do Not Require** committee review or approval **But Do Require notification to the SICC:**

1. Replacement of an existing tree or shrub that has died with one of the same species or one of similar habit that will blend with existing planting scheme.
2. Replacement of an existing tree or shrub that has outgrown the location or otherwise outlived its usefulness in that planting scheme, with one that will blend with the existing scheme.
3. The inclusion of an ornamental fence or wall, not exceeding 18 (eighteen) inches in height, as an integral part of the landscaping scheme of a planting bed or patio provided the fence or wall does not serve to define the property line.

#### **AMATEUR RADIO ANTENNAS**

Any resident considering installing Amateur Radio antennas within Riverwind will contact the SICC prior to any installation following the guidelines below and completing the SICC form for consideration. These are the areas that will apply to all Amateur Radio installations in Riverwind.

1. We will reasonably accommodate those residents that wish to have that type of installation.
2. Any antennas will have a low profile (with minimal elements), limited height (no higher than the roof peak of the home) with no gigantic towers, large dishes or long wires strung around the property.
3. There will be a limited number of antennas (no more than three of any type).
4. Any installation will still have to comply with any applicable zoning ordinances, national building codes and follow any manufacturer's specifications for the support structures or antennas themselves
5. No Amateur Radio antennas will be placed on Common Ground
6. When the property is sold, the owner will remove all exterior support structures and antennas
7. Any approved installation must encourage the enjoyment of the hobby without a visual impact or degrading of aesthetics of the neighborhood

Please review your needs and installation plans according to the items listed above so that the SICC can review your proposal. A drawing of the proposed locations, type of antenna, type of support hardware and height of antenna will be required for the SICC review.

### Mailboxes

1. Replacement mailboxes must be specific to original mailbox in size, shape, color and location.
2. Replacement shall be at the resident's expense. Residents may contact the Board of Directors for assistance in replacement.
3. Numbers on mailbox should be readable and can be on all sides if preferred.

### Rainwater Collection System

1. A rainwater collection system shall be installed on a downspout to the rear of the residence.
2. The rain barrel shall be a covered container capable of being totally drained.
3. The homeowner shall maintain the system to prevent a breeding habitat for mosquitoes and other pests.
4. The system shall be constructed and assembled from readily available commercial components.

### Standby Generators

Any Riverwind Homeowner desiring to install a standby generator shall notify the SICC prior to installation. The preferred location of the generator is to the rear of the **residence**. Alternate locations will be considered providing the unit is screened and not readily visible from the street. The method and material of screening shall be submitted with the request and are subject to the review and approval of the committee. Periodic self-test cycles may be run during the daylight hours, between 9:00 a.m. and 5:00 p.m.

### SOLAR PANELS ON ROOFS

1. Any Riverwind Homeowner desiring to install Solar Panels shall make an application to the Site Improvement Coordination Committee prior to installation. Copies of all applications, licensing, permits and installation diagrams must be presented to the *Site Improvement Coordination Committee prior to the beginning of the installation*.

2. *All contractors used for the installation must be certified and licensed by North Carolina as a building contractor to include liability insurance for all workers prior to actual installation with documentation provided to the Site Improvement Coordination Committee.*

3. The homeowners must receive approval from Duke Energy as part of the renewable energy project (net-metering). Additionally, any permitting requirements from Henderson County must also be presented as part of the project planning.

4. The preferred location of the Solar Panels is oriented to Southern exposure and to the rear of the residence. However, alternate locations will be allowed if Southern exposure is not available.

5. The Riverwind Homeowners Association will **not** be liable for any damages during and after installation.

### **Supporting legislation:**

[https://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/ByArticle/Chapter\\_22B/Article\\_3.html](https://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_22B/Article_3.html)

APPLICATION FOR SITE IMPROVEMENT

Home Owner: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone No.: \_\_\_\_\_  
Email: \_\_\_\_\_  
Date of Application Submitted to Site Improvement Committee: \_\_\_\_\_

All improvements must be in accord with the Riverwind Covenants, By-laws and Rules and Regulations.  
(Note: All teardowns of existing decks, stairs and ramps do not require Site Improvement Committee Chair (SICC) approval)

- Landscaping change request: Yes \_\_\_\_\_ No \_\_\_\_\_
- Addition to Home request: Yes \_\_\_\_\_ No \_\_\_\_\_
- Layout of requested change included: Yes \_\_\_\_\_ No \_\_\_\_\_
- Any digging requires locates to take place by making a request to **811** prior to start of requested project.
- If permits are required, they are at the expense of the owner and copies attached to this application. Yes \_\_\_\_\_ No \_\_\_\_\_
- Pressure (Treated) or ground contact wood must be used.
- Any post in ground contact must be set in concrete, the depth to be determined by the application. Concrete deck blocks may be substituted in some instances, subject to approval.
- Approval or disapproval to occur within 10 business days of application received.

Signature of home owner: \_\_\_\_\_ Date: \_\_\_\_\_

Project Approved: Yes \_\_\_\_\_ No \_\_\_\_\_

Signature of Site Improvement Committee Person: \_\_\_\_\_

Date: \_\_\_\_\_

Copies will be given to the Homeowner and one maintained in the SICC binder.

Failure by the homeowner to have approval by the SICC will result in the homeowner's responsibility to remove the project at their own expense within 30 days.

Appeals may be made to the Board of Directors within 30 days of a denial.