

Community Standards

Authority

Pursuant to Article V of the Master Declaration of Covenants, Conditions, and Restrictions of the Cottonwood Property Owners Association (CPOA), the following reasonable rules and regulations have been established by the association's Board of Directors (BOD) for property owners of Cottonwood Property Owners Association. In addition to the authority to establish rules and regulations, the BOD has authority to levy and collect reasonable monetary fines and/or to impose other sanctions for violations of CPOA rules and regulations. Monetary fines may be collected by lien and foreclosure as provided in Article IV of the Master Declaration of Covenants, Conditions, and Restrictions. The purpose of this document is to provide property owners with rules and regulations, penalties for violations, and the prescribed process for appealing imposed penalties. Property owners are accountable for the actions of their tenants.

Table of Contents

Use Restrictions (Page 2)

Pets (Page 4)

Vehicles & Traffic (Page 4)

Golf Carts & Other Similar Vehicles (Page 4)

CPOA Dues (Page 5)

Construction & Sales (Page 5)

Architectural Review Committee (ARC) Policies (Page 6)

Walls, Fences, & Hedges (Page 7)

CPOA Rules Enforcement (Page 8)

Fines (Page 10)

Appeals (Page 10)

Owners & Tenants (Page 11)

Use Restrictions

- No noxious or offensive activity as determined by the CPOA shall be carried on upon any property.
- Children under the age of sixteen (16) are prohibited by curfew from being on streets, common areas, or any property within Cottonwood not owned by their parents or legal guardians between the hours of midnight and 6:00 a.m. unless they are in the company of a parent or legal guardian.
- No temporary structure (trailer, tent, shack, garage, barn, etc.) shall be maintained or used as a residence or for any other purpose.
- Boats, boat trailers, travel trailers, utility trailers, inoperative or unregistered automobiles, campers, utility vehicles, and portable buildings must not be placed or stored on any street right-of-way or on driveways and must be stored out of view of streets and common areas. The exception to this rule is a boat/camper returned from a trip waiting to be cleaned which may be visible for a period not to exceed forty- eight hours.
- No signs of any type are permitted on a residential property or common areas without written consent of the BOD except for one residential real estate sign being no larger than six (6) square feet in size per lot.
- It is the responsibility of each property owner to prevent any unclean, unsightly, unhealthy, or unkempt condition, as determined by the CPOA, from existing.
- Outdoor items such as patio furniture, decorations, and other visible items from streets, neighboring yards must be maintained in a neat and attractive condition as determined by the CPOA.
- Swing sets, small tree houses, and other common play equipment are allowed but must be tasteful, well-maintained, and obscured from view as best as possible. Questions concerning specific equipment or location of equipment may be addressed to the CPOA's email address (cottonwoodgahoa@gmail.com - Subject Line: ARC Clarification).
- No above-ground pool shall be erected, constructed, or installed in front yards or in view of common areas or streetside. Children's wading pools are permitted but must be no larger than eight (8) feet in diameter and must be stored out of view when not in use..
- Trash, garbage, or other waste materials must be kept in sanitary containers constructed of metal, plastic, or masonry materials with sanitary covers or lids. Trash containers must be stored in a location that is shielded from visibility from the street, (i.e., the backyard, the garage, behind an approved fence or a shrub).
- Recreational outdoor fires are permitted, in accordance with Lowndes County Fire Regulations/Ordinance. Fires in fire pits must not be left unattended and must be extinguished when use is complete. Fire pits are for recreational use only and may not be used for burning trash, yard waste, or materials that cause excessive smoke.
- No lot may be used for open storage of any materials whatsoever if visible from the street except that building materials used in construction of additions or improvements may be stored on the lot during a reasonable permitted construction period.
- SOLAR PANELS - Homeowners Must submit an ARC Request prior to installing any solar panels on or around the house.

- Only one mailbox, consistent in quality and design with the residential unit, may be located on a lot. If a mailbox is not present on the property it will be the homeowners' responsibility to notify the CPOA in writing (see mailing address, or by email CottonwoodGAHOA@gmail.com) of a proper forwarding address and as frequently as is changed by the homeowner it must be made notice of in writing. CPOA is not responsible for any unreceived CPOA Communication. (This includes due's, fines, warnings, or penalties. It is the homeowner's responsibility to abide and make timely payment). A copy of any previously mailed communication can be requested by an affected homeowner via email CottonwoodGAHOA@gmail.com)
- No antenna, radio receiver, satellite dish, or similar device is to be attached to or installed on any lot, residence, or other portion of the properties unless contained entirely within the interior of a building or shielded from view of the street.
- No television or radio signal or any other forms of electromagnetic radiation that may unreasonably interfere with television or radio reception within the properties is permitted.
- The owners or occupants of all lots shall at all times maintain all lawns and landscaping thereon in a sanitary, healthful, and attractive manner as determined by the CPOA. No weeds, underbrush, or other unsightly growth shall be permitted to grow on any lot. Yard maintenance is to include lawn mowing and edging, shrubbery trimming, and upkeep of beds and islands.
- In no event shall any lot owner or occupant permit the accumulation of garbage, trash, or rubbish of any kind on a lot.
- Burning of lawns, trash, rubbish, or any other materials is strictly prohibited.
- Yard waste, including shrubbery trimmings and limbs cut to prescribed length must be placed in suitable containers and placed at curbside no earlier than the evening before scheduled pick-up. Yard waste is not to be deposited on vacant properties. Clippings and leaves are not to be blown into the street.
- Drying of clothes outside of a residence is prohibited where said practice is visible from common areas, neighboring units/homes, or streetside.
- Signs and other devices advertising businesses or supporting political candidates or public issues and events are not permitted without specific written permission of the CPOA.
- Natural drainage of streets, lots, and roadway ditches is not to be impaired or altered in any way without the appropriate county/state/ or federal jurisdiction permits, and CPOA written approval.
- Homeowners who rent out their properties will request a copy of these approved community standards be received, read, signed and understood by their prospective tenants and further agree that non-compliant tenants, with regard to community standards, will be appropriately sanctioned or removed from the home until compliance with the community standards is achieved, without delay.
- No trees or limbs of trees with a greater diameter than four inches may be removed or pruned without the approval of the ARC (ARC Request - CottonwoodGAHOA@gmail.com)

Pets

- No animal of any kind except for dogs, cats, and other usual household pets may be kept on any property.
- Animals may not be kept, bred, or maintained for any commercial purpose.
- Animals must not endanger the safety or health of residents or unreasonably disturb them.
- All permitted animals are to be kept and maintained in accordance with local animal control ordinances. These ordinances require that any animal not on the property of its owner must be on a leash. Make animal violation reports to all local authorities first, and a documented (pictures/videos/police reports or animal control reports etc) report by email to CPOA (CottonwoodGAHOA@gmail.com)
- No pet enclosure is to be erected or placed on any property visible from common areas or streetsides.
- Persons walking dogs on leashes are to remove all solid waste of the pet from residential property and common grounds.

Vehicles and Traffic

All State of Georgia motor vehicle laws apply while driving in the Cottonwood neighborhood.

- All vehicles in the community shall be operated in a safe and prudent manner so as not to endanger any person or property.
- The speed limit is twenty-five (25) mph unless otherwise posted.
- All traffic signs (e.g., stop signs) are to be obeyed.
- On-street parking is not allowed except for occasions where there is insufficient guest parking on a resident's drive - this is to be considered temporary (not to exceed 24 hours). Only one side of the street may be used for such parking, and vehicles must be parked on the resident's side of the street in the same direction as the traffic flow. Driveways and mailboxes are not to be blocked. Overnight parking on the street is not permitted.
- Parking on lawns is not permitted.

Golf Carts and Other Similar Vehicles

- Operators of golf carts and other approved and registered vehicles must be at least sixteen years of age and have a valid driver's license granted by the state or be thirteen to fifteen years of age and be accompanied by a parent, grandparent, or guardian as a front seat passenger.
- Licensed vehicles have the right of the road. Golf carts and other similar vehicles are to steer to the right side of the street and slow down to allow licensed vehicles to safely pass.

CPOA Dues

- General CPOA dues are assessed on the first day of each new calendar year and should be paid by the end of the first calendar month in the dues year.
- A late fee of \$10 per month will be assessed for all dues not paid by the first day of the second month of the year and will continue through the month of received payment or 11 months has lapsed, whichever is sooner.
- Property owners of rented residences will be billed for dues at the last known or physical address and are responsible for their timely payment. Homeowners are responsible to notify their assigned property managers of said required payments without exception if the manager is to pay dues on their behalf.
- General dues assessments are established by the CPOA and may be increased by the BOD to a level not to exceed a maximum allowable assessment as determined by the Master Covenants and bylaws (not to exceed 10% per calendar year).

Construction and Sales

- No structure shall be erected, altered, placed, or permitted to remain on any lot other than one single-family residential unit, a detached or attached garage or carport suitable in size for not fewer than two or more than four vehicles, or an approved non-residential addition or auxiliary building. Occupancy will not be authorized before the garage or carport is complete.
- All original construction, additions, improvements, buildings, structures, fences, or development of any kind must meet the requirements set forth in the master declaration of covenants, conditions, and restrictions and in any subsequent supplemental covenants and must have prior written approval by the Architectural Review Committee (ARC) and comply with the rules and regulations of the ARC as promulgated from time to time. Necessary approval forms are available by request via Email (CottonwoodGAHOA@gmail.com)..
- No trees or limbs of trees with a greater diameter than four inches will be removed or pruned unless such trees are within the area which will contain the residential unit and unless the removal is approved by the ARC.
- Once commenced, the construction of a residence is to be completed within eighteen (18) months. Failure to complete construction within this said time frame shall void any approvals by the ARC for such construction.
- A residence may not be occupied until completed and a certificate of occupancy has been issued by the local jurisdiction.
- Construction sites and any surrounding common areas must be kept in an uncluttered condition and all trash and debris are to be kept in refuse containers. When construction is complete, the property owner is responsible to see that all equipment, tools, materials, and debris are removed from the property.
- The property owner is to provide a visually screened area to service yards in which garbage receptacles, fuel tanks, wood piles, utility meters, heating/cooling units, vehicles, materials, supplies, and equipment are stored in order to conceal them from

view of streets and adjacent properties. Any such visual barrier shall be at least six (6) feet high and may consist of fencing or landscaping which has been approved by the ARC.

- Each lot must have adequate off-street parking as determined by the ARC.
- Real estate signs, builder signs, and subcontractor signs no larger than six (6) square feet in size may be displayed while a house is under construction or being offered for sale. Builder and subcontractor signs must be grouped together in an orderly fashion and must be removed within thirty days of construction completion.
- Open-house signs no larger than six (6) square feet in size may be used during a period beginning twenty-four hours prior to the open house and ending twenty-four hours after the open house.

Architectural Review Board (ARC) Policies

The declaration of covenants allows the ARC to adopt specific policies in light of evolving trends in construction design and materials. The following policies have been adopted by the ARC.

- Garages are required and must be at least two-car size and not larger than four-car size. Garage doors may not open to the front of the house except in specially designated sections of the Cottonwood Neighborhood. These policies apply to either attached or detached garages. Requests for exceptions to these requirements should be submitted to the BOD for a decision.
- Garages shall not be enclosed to provide additional living space unless provision for building another garage is made in conjunction with a garage enclosure.
- Siding material is required to be of concrete construction.
- The use of vinyl siding is prohibited. Note: There is a heavy-gauge vinyl material formed to look like cedar shake shingles that has been approved for use as an accent (i.e., in gables), but its use will be carefully regulated and must be pre-approved.
- Roofing material must be architectural asphalt shingle. Eaves and soffit shall either be cement siding, pressure treated wood, aluminum or vinyl trim.
- House plans that use siding or a combination of siding and other material (brick, stone, etc.) must have the foundation covered in brick or stone on all four sides.
- Houses that have accents of brick/stone with a combination of siding must turn the brick/stone within three feet around a corner of the section that received this treatment.
- Building materials, paint, windows/doors and trim used on construction in Cottonwood must be of a quality and appearance at least equal to that of existing homes/buildings in the Cottonwood Neighborhood.
- The exterior appearance of buildings and structures must not be altered from that which has been approved by the ARC unless the alterations/modifications have been approved by the ARC. This prohibition includes, but is not limited to, the paint color of the residence or trim; the color or type of roofing material; the architectural design or form of exterior steps/stairs that are a permanent part of the residence.
- Stand-alone structures such as play sets, statues, sundials, or fountains that exceed three (3) feet in height or with base dimensions greater than six (6) square feet must be approved by the ARC. A description of the item including its dimensions and a picture or

drawing is required. Requests will normally be processed by administrative approval at no cost to the property owner unless it involves modification of the existing structure (s) and/or full review by the ARC is required for other reasons.

- Samples of building materials (roofing, siding, brick, and stone) and paint colors, including those for doors, windows, and trim, should be submitted along with construction plans and other documentation required by the ARC. In lieu of samples, examples of existing homes in Cottonwood built with the same materials or colors may be cited in the documentation submitted for review and approval by the ARC.
- Columns must have at least one inch of diameter per foot of height. An exception may be the use of groups of columns instead of a single column.
- Auxiliary buildings such as detached garages, pool houses, and storage buildings, whether constructed at the same time as the residential unit or later, must be constructed with the same materials using the same primary and trim colors as the residential unit.
- Prefabricated or modular buildings are permitted so long as their construction and color scheme match the existing structure(s) of the home.
- Storm Doors are permitted but must be of the same color as the house trim. Only full-view glass storm doors may be installed on the front of the house.
- A landscaping plan must be indicated on the site plan submitted for all new construction and major building renovations.
- A plan must be submitted for approval of all major landscaping changes.
- All landscaping must include grass lawns.

Walls, Fences, and Hedges

- All walls and fences must be approved by the ARC. Requirements for approval and approval forms are available on our website.
- No wall or fence shall be erected or maintained nearer to the front of any lot than fifteen (15) feet from the rear wall of the house.
- Fences shall be constructed of wood, rot iron, or powder coated aluminum only, but may include brick columns.
- Fences may not be taller than 6 feet in height. Vinyl, chainlink, pvc, or any other fencing material is prohibited.
- No wall or fence may be installed which will impede the natural flow of water across a lot.
- It is the responsibility of the property owner to maintain a wall, fence, or hedge. In the event of default on the part of the owner or occupant to do so and such failure continuing after ten days written notice thereof, the CPOA without liability to the owner or occupant in trespass or otherwise, may enter upon the property and cause said wall, fence, or hedge to be repaired or maintained to secure compliance with these restrictions and may assess a charge to the owner of the property for such work. The owner agrees by the purchase of the property to pay such statement immediately upon receipt, and all such payments by the association may be secured by a lien for the benefit of the CPOA in the same manner as general assessments paid the association under the Master Declaration.

CPOA Rules Enforcement

In accordance with the CC&Rs, the CPOA, acting through its BOD, is charged with the responsibility of enforcing the CC&Rs, bylaws, and rules and regulations.

To ensure compliance for the benefit of all property owners, the CPOA will investigate all alleged violations. A property owner wishing to report a violation should submit a written complaint to the CPOA via Email (cottonwoodgahoa@gmail.com) with as much evidence and/or documentation substantiating said claims as is available at the time of the complaint. Only written complaints (emailed to cottonwoodgahoa@gmail.com) will be reviewed. Please do not attempt to contact individual board members privately in any matter, for any reason, and strictly follow violation notification guidelines contained herein.

If the BOD determines that a violation exists, the following procedures will be followed.

1. Use Restriction Violations

- Courtesy Reminder Notice

Upon a violation of a use restrictions rule, a COURTESY REMINDER NOTICE will be issued to the property owner citing the violation and stating the corrective action that must be taken and the time allowed.

- First Written Notice

If, after the time allowed for correcting an infraction cited in a courtesy reminder, the violation has not been corrected or if there is another violation, a FIRST WRITTEN NOTICE of disciplinary action will be issued to the property owner. With this notice, a fine for the offense will be levied.

If the infraction involves the maintenance or appearance of property, the CPOA may, as its option without liability to the owner or occupant in trespass or otherwise, enter upon a property and cause any weeds, grass, and landscaping to be cut, pruned, or removed, as the case may necessitate, and may remove or cause to be removed such garbage, trash, or rubbish as has accumulated thereon. Additionally, the association may do anything necessary to secure compliance with these restrictions so as to place the property in a neat, attractive, healthful, and sanitary condition. Any costs incurred for securing such compliance, including the cutting, trimming, pruning, or removal of weeds, grass, landscaping, or such garbage, trash, or rubbish as may be removed, may be charged to the owner occupant of the property for the cost of such work so long as the fee does not exceed a charge of two hundred and fifty dollars (\$250) adjusted by a percentage equivalent to the percentage increase in the consumer price index (CPI) for Atlanta, Georgia since the base year of 1992. By purchase or occupancy of property, the owner or occupant agrees to pay such statement immediately upon receipt thereof, and such payments made by association shall be secured by a lien in the same manner as general assessments paid the association.

- Subsequent Written Notices

If timely corrective action is not taken following a first written notice or there is another violation, or if the fine levied with the first written notice has not been paid in the time allowed, a SECOND WRITTEN NOTICE will be sent to the property owner. With this notice and, if necessary, each SUBSEQUENT WRITTEN NOTICE, if timely corrective action has not been taken or there is another violation, or if the fine levied in the previous written notice has not been paid in the time allowed, the fine will be increased as shown below. Written notices will continue to be sent according to this procedure until appropriate corrective action is taken and all fines are paid. At such a time BOD determines compliance with the use restriction covenants will not take place and or fines will not be paid, BOD reserves the right to discontinue notices and take all prescribed legal action.

2. Construction Violations

- Courtesy Reminder Notice

Upon a violation of a construction rule (new construction, additions, swimming pools, walls and fences, landscaping, etc.), a COURTESY REMINDER NOTICE will be issued to the property owner citing the violation and stating the corrective action that must be taken and the time allowed.

Violations of rules applying to construction will be addressed by the BOD on a case-by-case basis, and actions necessary to correct a violation will be determined by the BOD.

- First Written Notice

Failure to comply with a requirement made in a courtesy reminder will result in a FIRST WRITTEN NOTICE of disciplinary action, and a fine for the offense will be levied.

- Subsequent Written Notices

If timely corrective action is not taken following a first written notice, or if the fine levied with the first written notice has not been paid in the time allowed, a SECOND WRITTEN NOTICE will be sent to the property owner. With this notice and, if necessary, each SUBSEQUENT WRITTEN NOTICE, if timely corrective action has not been taken, or if the fine levied in the previous written notice has not been paid in the time allowed, the fine will be increased as shown below. Written notices will continue to be sent according to this procedure until appropriate corrective action is taken and all fines are paid.

3. Violations Requiring Immediate Attention

Some violations involve activities deemed to be serious enough to require immediate corrective action. In these cases where safety or peace and quiet are compromised by the actions of a property owner or visitor, the process of notifications and response times will not be applicable. A VERBAL NOTICE to the offender will take the place of a written notice, and a failure to immediately comply will result in a fine assessment. The amount of the fine will be determined by the nature of the infraction.

Willful and purposeful acts of vandalism committed by Cottonwood residents or their guests causing damage to property or annoyance to other residents or guests will result in an immediate VERBAL NOTICE and a fine to the property owner in an amount deemed appropriate by the CPOA BOD and may result in report to local law enforcement actions being reported.

Fines

The BOD has authority to establish amounts of fines for violations of rules and regulations.

Violation Amounts:

1. Overall maintenance/appearance of home (broken windows, faded paint, etc.)
2. Broken siding, broken windows, faded or poor paint job, unsightly conditions \$25-\$250
(To be determined by BOD at time of assessment)
3. Fences, sheds, dilapidated structures \$250 per incident
4. General yard care/ditches \$50; Shrubs \$75
5. Other: non operating vehicles, regularly parking on grass, basketball hoops \$20
6. Late fee of \$10 per month on any unpaid violations
7. Revocation of right to rent out home for continued nuisance rental as determined by BOD.
8. Inclusion of all attorney's and collections related fees in any legal action taken by BOD on behalf of the CPOA.

Each property owner, by acceptance of a deed or contract for deed, agrees to pay the CPOA any specific assessment for fines as may be imposed in accordance with Article II, Section 7 of the Master Declaration of Covenants, Conditions, and Restrictions of the CPOA. Pursuant to Article IV, Section 3 of the Master Declaration of Covenants, Conditions, and Restrictions of the CPOA, all such assessments, together with simple interest at the rate of eighteen percent (18%) per annum, costs and reasonable attorney's fees shall be a continuing lien upon the lot against which each assessment is made.

Appeals

Within the period of time prescribed for corrective action in a courtesy reminder or a written notice, the property owner may submit a written appeal to the BOD or request a hearing before the BOD to appeal the action. Any assessed fine will be postponed until it is upheld or dismissed through the appeal process. A ruling on a written appeal will be made within ten (10) days. If a hearing is requested, it will be scheduled within fifteen (15) days, and the property owner must attend and must submit an appeal to the alleged violation in writing. A panel consisting of members of the BOD will review the allegation and the appeal and make a determination as to the imposition, reduction, or dismissal of any disciplinary action.

The property owner will have ten (10) days from the date an appeal ruling is made to pay any fine and all costs related thereto that may result from the appeal. A failure to make this payment will result in an increase in the fine as described above.

Owners and Tenants

Property owners are responsible for the actions of their tenants and will receive any notice of rules violations by the tenants. Property owners will be accountable for ensuring that any required corrective action is taken within the time period allowed.

Version 1.0 (November 1, 2022)