



# Secret Cove Homeowners Association

## Rules & Regulations

Approved June 7, 2022

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# Introduction

Secret Cove living requires the full cooperation of all owners and residents to ensure enjoyment of all. It is important that each owner and resident familiarize themselves with the rules and regulations listed in this document.

The Board of Directors (“Board”) establishes and enforces these Rules, manages the financial affairs of SCHOA, and oversees the operation and maintenance of the SCHOA facilities and the Common Area. This document may be changed by the Board periodically as needed for clarification, amendments, and updates to maintain compliance with governmental regulation changes, or for the addition or removal of specific rules or regulations.

In addition to the Declaration, Bylaws, Community and Neighborhood Guidelines and these Rules and Regulations, all Owners should remember that they are required to comply with all Federal, State, County and City Laws, Codes and Ordinances.

If you have any questions about the rules and regulations, please contact [board@secretcovehoa.com](mailto:board@secretcovehoa.com).

## Architectural Controls

### Architectural Control Committee

The Architectural Control Committee (ACC) functions as a design review committee having the responsibility for reviewing for approval (prior to commencement of any work) any improvements, renovations, repairs or changes to a property and subsequent changes to those improvements.

Should a city of Sugar Hill permit be required for the work to be done the ACC Committee will assist the homeowner in contacting that department with the city, however, it is the homeowners' responsibility to obtain the permit.

### Volunteer Application

Those interested in volunteering for the ACC should fill out the volunteer application on the Secret Cove website.

### Member Requirements

The Board of Directors shall appoint an Architectural Control Committee (“ACC”) which shall consist of up to five (5), but not less than three (3), members, all of whom shall be Owners and who may or may not be members of the Board. Alternatively, the Board may choose to act as the ACC. Any member of the ACC appointed by the Board may be removed with or without cause by the Board at any time by written notice to such appointee, and a successor or successors appointed to fill such vacancy shall serve the remainder of the term of the former member. The ACC shall elect a committee chair, who shall be the presiding officer at all ACC meetings

Members must be impartial, unbiased, friendly, firm, reliable, and make fact-based decisions. Ideally, members will have a background in architecture, engineering (civil, structural, soils, mechanical, electrical), interior design, landscaping, real estate, or construction (preferably residential) and lend their expertise, however any owner is eligible to serve as a member.

## Request and Approval Procedures

To make a request of the ACC, owners must complete the application on the Secret Cove website. Questions, addendums, or changes to the initial request must be submitted to [acc@secretcovehoa.com](mailto:acc@secretcovehoa.com). The application must be completed with clear details and attachments as needed (paint colors, drawings, etc.). Drawings must be submitted for any structural changes.

Submissions will be reviewed within 7 business days from the date of the request. If more information is required prior to a decision being made, the committee will reach out to the owner via email with a request for additional information. A written approval or denial will be issued via email. The committee may provide additional suggestions or feedback if a denial is issued in an effort to accommodate the homeowner while still maintaining the rules of the community.

Work on approved plans must commence within 1 year of approval or a new request is required. All work must be completed within 2 years unless an extension is requested in writing by the homeowner and granted in writing by the ACC. To request an extension, email [acc@secretcovehoa.com](mailto:acc@secretcovehoa.com).

Members of the ACC are available to prospective applicants to answer questions about the design review, color, scale, materials, workmanship, esthetics, impact on neighbors and offer helpful suggestions. The ACC will treat all applicants fairly and consistently and in a timely manner.

Should it be discovered that any homeowner has failed to submit a request as defined herein, and proceeds with the non-approved work, the committee will serve a cease and desist order, report the violation to the Board of Directors and if applicable, to the City of Sugar Hill. Any fines imposed by the board or the city will be the responsibility of the homeowner.

All areas of these ACC rules and guidelines follow the declaration of covenants, conditions, easements and restrictions for Secret Cove and the By-Laws of Secret Cove Homeowners Association, Inc. filed with the court of Gwinnett County.

## Vehicles & Parking

### Vehicle Maintenance, Storage, & Immobile Vehicles

No work can be done leaving engine parts, etc. or parts of cars at the curb or in the driveway. The homeowner shall do this type of work in their garage. No vehicles can be left on blocks or in disrepair in view from the street.

No vehicle not belonging to an owner or occupant of the house may be stored for longer than 14 days.

### Boats, RVs, & Trailers

#### **Boats**

Boats may be stored in a garage or in the rear of the home not visible from the street. No boat over 20ft shall be stored on any lot. Any boat stored must be kept covered and clean. ACC approval is required if not stored in a garage.

Boats are permitted to be temporarily parked in the driveway for no more than 3 consecutive days to allow residents to clean, maintain, or transport their boat while in active use.

## **RVs, Campers, and 5th Wheels**

No RV, camper, 5th wheel, or travel trailer may be stored on any lot. Class B motorhomes are permitted but may not be occupied while stored. The board may grant temporary approval for an RV to be occupied on a lot on a case by case basis. Requests must be submitted to the board 14 days in advance.

## **Trailers and Other Vehicles**

Trailers may be stored on a lot in an enclosed garage or in the rear of the home. ACC approval is required if not stored in a garage. No semi-trucks, tractor trailers, farm equipment, school buses, or any other non-traditional vehicle may be stored on any lot without the express written permission from the board.

## **Commercial Vehicles**

One commercial vehicle may be parked in the driveway per home. Vehicles must be well maintained, in good repair, and actively used by the owner or occupant. Commercial vehicles may not be parked on the street. A commercial vehicle is any vehicle or trailer with commercial writing on the exterior or a vehicle containing trade equipment, inventory, or supplies visible from the exterior of the vehicle such as ladders or other equipment.

## **Street Parking**

Please be considerate when parking on the street. Ensure there is enough space for emergency vehicles to pass and clear visibility for other passing vehicles. If blocking another driveway or mailbox, a vehicle could be towed at the owner's expense. Street parking that violates local laws will be referred to the police.

## **Signs, Flags & Decorations**

### **Signs**

#### **Real Estate Signs**

Real estate signs are permitted in accordance with the following regulations:

1. One professionally lettered "For Sale" or "For Rent" sign is permitted on each lot.
2. For Sale or For Rent signs are not permitted at the entrance of the neighborhood.
3. One sign advertising an Open House is permitted at the entrance of the neighborhood 3 days prior to the Open House and must be removed immediately at the end of the Open House.

#### **Celebratory Signs (Graduation, birthday, new baby, etc.)**

Signs celebrating a life event are permitted in accordance with the following regulations:

1. Signs may not be larger than 18 in. x 24 in.
2. Signs may not be displayed longer than 14 days.
3. Signs must not create an obstruction or other safety hazard.
4. Message signs where a message such as "Happy Birthday" is spelled out with individual letters are permitted, but may only be displayed for one week.

#### **Vendor Signs**

A vendor sign is a sign advertising a vendor who has provided a service at your home. SCHOA understands vendors may ask to display a sign in exchange for a discount on services rendered. Vendor signs are permitted in accordance with the following regulations:

1. Signs may not be larger than 18 in. x 24 in.
2. Signs may not be displayed longer than 14 days.
3. Signs must not create an obstruction or other safety hazard.
4. Homeowners may not display more than two signs of any type at a time.
5. Small pest/weed control and security signs are exempt.

### **Political Signs**

Political signs are limited to the following regulations:

1. Political signs can only be displayed for 45 days prior to a national, state, or local election or primary and must be removed within one week after the election. Political signs must be for a current candidate or party.
2. Political signs must be positive in nature and free from profanity, foul language, or implied negative messages.
3. Homeowners may display up to two political signs at a time. A flag bearing the name of a political candidate or political party is treated as a political sign.
4. Signs must not create an obstruction or other safety hazard.
5. Signs may not be larger than 18 in. x 24 in.
6. Political signs must be within the homeowners property and may not be on a property line.

## **Flags**

### **American Flag**

The American Flag is permitted to be displayed in accordance with U.S. Flag Code (36 U.S.C. 173-178).

### **Decorative Flags**

Decorative flags are permitted to be displayed in accordance with the following regulations:

1. Flags may not be larger than 3 ft. x 5 ft.
2. Flags must be displayed appropriately from a pole mounted to the home. Flags may not be draped or hung from windows, railings, or gutters.
3. Only one decorative flag may be displayed per home.
4. Flags must be positive in nature and free from profanity or implied negative messages.
5. Flags or images affiliated with hate groups are explicitly prohibited.
6. Examples of decorative flags include sports teams, holiday flags, “welcome” flags, pride flags, equality flags, or a flag of another nation.

### **Garden Flags**

Garden flags are permitted to be displayed in accordance with the following regulations:

1. Garden flags may not be larger than 12 in. x 18.5 in.
2. Garden flags must be displayed appropriately from a garden flag display post.
3. Only one garden flag may be displayed per home.
4. Garden flags must be positive in nature and free from profanity or implied negative messages.
5. Flags or images affiliated with hate groups are explicitly prohibited.
6. Examples of garden flags include sports teams, holiday flags, “welcome” flags, pride flags, equality flags, or a flag of another nation.

### **Political Flags**

A flag bearing the name or image of a political candidate or political party is treated as a political sign and is subject to the same regulations as Political Signs listed above.

## Decorations

Seasonal and garden decorations in the front of the home are permitted in accordance with the following guidelines:

1. Seasonal decorations must be in good taste, good visual condition, and change with the seasons.
2. Garden decorations such as small statues, windchimes, bird baths, etc. are permitted in good taste.
3. Holiday lights are permitted no more than 30 days prior to the holiday and must be removed within 14 days after the holiday.
4. Decorations must not create an obstruction or other safety hazard.

## Landscaping

### Tree removal

No living tree, with a circumference of 12 inches or larger, may be cut down without approval of the ACC.

Dead, diseased or storm damaged trees shall be cut down or pruned back so as not to be a threat to person or property.

## Landscaping & Gardens

1. Lawns and landscaped areas shall be kept well maintained by the homeowner.
2. Front lawns of Zoysia or Bermuda grass shall be kept as such.
3. Homes must have foundation shrubbery that is maintained to give an attractive and finished appearance.
4. The homeowner shall keep the entire lawn mowed and neatly trimmed.
5. The homeowner shall keep weeds under control in both lawns and landscaped areas.
6. Vegetable gardens shall not be located nearer the street than the rear corner of the house.
7. Garden debris, leaves, and grass clippings shall be bagged for city pick-up or may be disbursed for compost, garden or weed control in the rear of the house.

## Drainage & Erosion control

Homeowners shall control soil erosion (wind or water) with appropriate landscaping or planting.

## Retaining Walls

Installation of any retaining walls requires the approval of the ACC. Retaining walls may be constructed of concrete, masonry, railroad ties (timber), or interlocking masonry. Concrete and masonry, depending on height, may need to be designed or engineered. Drawings may be required for approval.

## Exterior Maintenance & Improvements

All work is to be performed in accordance with good construction practices. The construction shall comply with specification codes and regulations set forth by the Southern Building Code, OSHA, City of Sugar Hill, Gwinnett County and the State of Georgia.

All work must correspond to or exceed the architectural integrity and high quality construction standards as set forth by the previous homes built in Secret Cove. All material used shall be of the same grade or better as previously used during the construction of the house. The ACC must be informed of plans to perform any such projects prior to commencement of any work. The ACC maintains the option to inspect the work on these projects as it sees fit to maintain the high standard of quality within Secret Cove.

## Fences & Dog Runs

### Fences

ACC approval must be obtained for any new fence. Drawings or an image of the fence to be used is required for approval. Replacement of broken, fallen or otherwise damaged existing fences or gates does not require approval as long as the replacement matches the existing fence or gate. Homeowners shall erect no fences that do not meet the following specifications:

- a. No portion of any fence shall extend street ward beyond the back wall of any home, nor shall any fence cross any property line. A gate that crosses a property line in its open position is permissible so long as it crosses no property line when fully closed and so long as all property owners involved agree to such arrangement.
- b. Homeowners are responsible for surveying property lines prior to a fence being installed.
- c. No wire, mesh or chain link fence shall be permitted: however, a split rail fence may be lined on the inside with wire fencing coated in plastic so long as such coating is of an inconspicuous color (i.e. green, black, or brown) and so long as the lining is no taller than the top rail of the fencing.
- d. No fence of piecemeal construction shall be permitted. Piecemeal as used in the above sentence shall be defined by the ACC. The homeowner shall attempt to conform to the existing fences on adjoining properties.
- e. Fences shall be built with the finished side of the fence facing out from the property.
- f. Each homeowner having a fence on his property shall be fully responsible for keeping such fence in good repair at all times.

### Dog Runs

Dog runs are not permitted. Dogs are permitted to be outdoors, untethered in a fenced backyard. Dogs may be tethered in an unfenced yard for no more than one hour a day unsupervised. Adherence to local, county, and state laws applies. Adequate shade, food, and water must be provided to a dog left outdoors. Any reports of animal cruelty made to the board will be immediately referred to Gwinnett County Animal Control as well as local law enforcement.

## Paint & Siding

### Paint Colors

ACC approval must be obtained for any new paint color on the exterior of the home, including porches, shutters, doors, decks, or other structures.



1. Colors selected must complement the existing brickwork, stucco, or masonry of the home in question and the current style and trends in Secret Cove. Color samples must be submitted with the request. If you are maintaining the exact color, please just let the ACC know, no ACC permit is required.
2. Touch up painting shall be done using paint that matches the existing paint on the house.

### **Siding**

ACC approval must be obtained for additions, repairs, replacement of siding. Additions, repairs, or replacement of existing siding can be wood, vinyl or insulated vinyl, as long as it is compatible with the original architecture of the home. Images or drawings of the material to be used must be submitted for approval.

### **Mailboxes**

Mailboxes shall be functional to US Postal Code standards and when it is a legacy structure, the preferred replacement is the same type of construction whether that be brick and mortar or stucco. Mailboxes shall remain upright and if they are tilting, they should be replaced or leveled. In cases where those materials are not desired, the acceptable alternative is black wrought iron in examples of already existing replacements. No other type of mailbox shall be accepted.

### **Sheds, Outbuildings, and Lean-tos**

All sheds, outbuilding, or other structures must be approved by the ACC. Lean-tos are not permitted. Car ports are not permitted. Drawings or an image are required for approval. Sheds, outbuildings, or other structures must adhere to the following guidelines:

1. Only one structure per lot other than the primary residence.
2. The structure must complement the primary residence in appearance.
3. Positioning of the structure must be in an inconspicuous location on the lot according to city, county, or state laws, consideration of neighboring homes, and must be approved by the ACC.
4. The structure may not have a total footprint including any porch or additions of more than 160 square feet and can only be one story tall.
5. It must have a poured concrete or concrete block foundation with landscaping to cover the foundation.
6. The structure can be constructed from either resin or wood.
  - a. Resin structures must adhere to the following:
    - i. Be of complimentary design and color to the primary residence
    - ii. The roof pitch must have a minimum of a 6:12 pitch.
    - iii. Wall height can not be over 10 feet.
    - iv. No plumbing is allowed in the structure
    - v. Electricity can be installed only by a licensed electrician. All electrical leads must be underground going to the structure.
    - vi. The structure must meet the following minimum specifications:
      1. Max Roof Load – 23 psf
      2. Wind Rating – 65 mph
      3. Roof Pitch – 6:12
      4. Warranty – 10 years
  - b. Wood structures must adhere to the following:
    - i. Wooden structures must have the same type roof as the primary residence
    - ii. Siding must be similar to the primary residence painted the same or a complimentary color.

- iii. The roof pitch must have a minimum of a 6:12 pitch.
  - iv. Wall height can not be over 10 feet.
  - v. No plumbing is allowed in the structure.
  - vi. Electricity can be installed only by a licensed electrician. All electrical leads must be underground going to the structure.
  - vii. The structure must meet the following minimum specification:
    - 1. Roof Dead Load – 10 psf
    - 2. Floor Live Load – 40 psf
    - 3. Floor Dead Load – 10 psf
    - 4. Wind Velocity – 90 mph
7. Owner is responsible for obtaining any necessary permits from the City or County.

## Sidewalks, Driveways, and other Concrete Work

Construction or replacement of any driveway, sidewalk, or other concrete work requires approval from the ACC and a permit from the City of Sugar Hill.

## Playgrounds, Playhouses, Swing Sets, & Basketball Goals

Any playgrounds, playhouses, swing sets, etc. must have ACC approval. Playgrounds, playhouses, and swing sets may only be placed in the back of the home. A photo is required for approval.

All basketball goals must consist of a metal pole and quality, attractive backboard. All goals must be properly installed in concrete as a separate unit from the home and may not be attached to or supported by the structure of the home. Portable goals are permitted but must remain on your property and are not permitted to be used in the street. All goals, including but not limited to, the pole, backboard, and netting shall be kept in good repair.

## Additions

ACC approval must be obtained for any new enclosed space (enlarged garage, additional living areas not presently part of existing home). Structural drawings are required for approval.

## Garage Conversions

Conversion of an existing garage to another living space such as a playroom, living room, bonus room, etc. is not permitted.

## Roofing

ACC approval must be obtained for replacement of a roof. An image or color sample of the shingle to be used is required for approval. The selection of roof covering must compliment the home both in color and style. Architectural shingles are preferred. No metal roofing will be permitted.

## Solar

Solar panels are permitted with ACC Approval. A photo or design as well as placement is required. Ideally, solar panels will be placed on the side or rear of the home, not visible from the street. Homeowners are encouraged to thoroughly

research before adding solar to their homes. Though solar panels are an eco-friendly power source, there can be hidden costs and expenses not made apparent upfront. Be sure to consult with your homeowner's insurance company as many policies do not cover damage to roofs after solar panels are installed, even from hail or storm damage.

## Satellite Dishes & Antenna

Small satellite dishes and antennas less than 1 meter in diameter are permitted and should be placed in an inconspicuous location in the rear of the home. ACC approval is required for placement only. Only one satellite dish or antenna is permitted per home. No transmission antennas are permitted. Any satellite dish or antenna must be installed in compliance with FCC regulations.

## Patios, Decks, Porches & Pergolas

### Slab on Grade Patios

1. The City of Sugar Hill requires a permit and inspection for any type of slab on grade concrete work (including but not limited to patios). Homeowners requiring such work must submit to the ACC with drawings.
2. No patio of any type shall extend street ward beyond the back wall of any home, nor shall any patio cross any property line.

### Decks & Pergolas (Open)

ACC approval must be obtained for

1. Any enlargement of an existing deck or pergola.
2. Any reconstruction of an existing deck or pergola.
3. Any construction of a new deck or pergola.
4. Any painting or staining of a new or existing deck or pergola.

Structural drawings are required for approval.

### Screened Porches and Sunrooms

ACC approval must be obtained for:

1. Enclosure of an open deck to create a screened porch or unheated sunroom.
2. Additions such as climate controlled sunrooms, or additional living spaces.
  - a. This type of work will require a building permit to be issued by the City of Sugar Hill. Inspections for specified phases of construction shall be performed by the City of Sugar Hill, as deemed necessary. All questions regarding permits and inspections should be directed to the City of Sugar Hill.

## Rebuilding from Disaster

In the event a home is destroyed by disaster such as fire or storm and requires to be rebuilt, the ACC must approve all designs for new construction. Any new construction must be in the style and integrity of the community.

## Building Permits

It is the sole responsibility of the owner to ensure any permits required by the city or county government are obtained prior to work commencing.

## Maintenance & Upkeep of Property

Maintenance is defined as those actions taken in order to preserve the integrity of and/or repair the dwelling (home). Maintenance includes, but is not limited to, repairs to the exterior and/or interior of the home due to normal wear and tear, damage sustained by Acts of God and accidents of any nature. The homeowner shall maintain his home, at a minimum, in its original condition.

1. Exterior of the house shall be well maintained and kept in good repair, including but not limited to windows, screens, gutters, and chimneys.
2. Any repairs or maintenance, which affects the exterior appearance of the house, shall adhere to the guidelines of this document and may require approval by the ACC.
3. Lots shall be kept free of all garbage, litter and debris.
4. Trash, garbage and other waste shall be kept in sanitary containers. These containers shall be kept in the garage, on the side, or in the rear of the house. Properly bagged trash, garbage, and waste shall be placed at the curb one night prior to city garbage pick-up.
5. Burning of leaves, limbs and other natural vegetation that may fall on one's own property, provided that said burning is conducted during daylight hours when prevailing winds are not in excess of 15 mph and the fire is located at least 25 feet from the nearest property line. Any burning must be done in accordance with Gwinnett County Fire Code regulations. It is the responsibility of the owner to ensure they are following the most recent Gwinnett County regulations and that no burn ban is in effect.

## Noise

No excessive noise shall be permitted between the hours of 10:00pm and 7:00am. This includes yard maintenance, contracting work, loud music, loud vehicles, or any other loud noises that may originate from your property.

Fireworks shall be allowed on major national holidays that are traditionally celebrated with fireworks such as but not limited to 4th of July, New Years Eve, and Chinese New Year. Fireworks shall conform to state and local codes. As a courtesy to your neighbors, please notify those around you of your plans to use fireworks as our neighborhood is home to veterans, children, and pets. No fireworks should be discharged past 10:00 pm. Any debris caused by fireworks must be removed immediately. Fireworks are not permitted in any common areas including the pool, tennis courts, and playground area. Owners are responsible for any damage caused by fireworks.

## Leasing Permits

### Application Process

Owners wishing to apply for a leasing permit must submit a leasing permit application on the Secret Cove HOA website. To be eligible for a leasing permit, the following criteria must be met:

1. The owner has occupied the property for a minimum of one year.
2. The leasing cap of 10 homes has not been exceeded.
3. No outstanding dues, violations, fees, or liens are owed and the owner is in good standing with the HOA.
4. The property has not accrued more than 3 violations in the previous 12 months prior to the application.

The board will review all applications and provide a decision within 14 business days. No lease may be entered into prior to a leasing permit being issued.

### **Hardship Application**

Owners experiencing hardship that would be eased by a leasing permit may apply for a leasing permit even if the total number of allowed permits are in use. A hardship leasing permit may be issued at the discretion of the board and must be reviewed by the board every year if the rental cap has been exceeded. Owners requesting a hardship leasing permit must meet the following criteria:

1. No outstanding dues, violations, fees, or liens are owed and the owner is in good standing with the HOA.
2. The property has not accrued more than 3 violations in the previous 12 months prior to the application.
3. Hardship can be demonstrated with financial statements or other documentation.
4. All rules, regulations, fees, and fines for leasing permits apply unless specifically waived by the board.

### **Waitlist**

When the rental cap has been met, the board will maintain a leasing permit wait list. The wait list is non-transferrable and an owner's place on the waitlist cannot be transferred to another owner or if the home is sold.

### **Leasing Requirements**

1. All leases must be for an initial term of 1 year unless otherwise approved by the board.
2. Subleasing of lots is not permitted unless approved by the board.
3. Owner shall provide the board with a copy of the lease to be used a minimum of 7 days prior to entering into a lease agreement.
4. Within 7 days of entering a lease agreement and prior to occupancy by the tenant, the owner shall provide the board with
  - a. A copy of the executed lease and HOA addendum to lease
  - b. The names, phone numbers, email addresses, work locations and work phone numbers of all of the tenants under the lease
  - c. Owner's phone number, email address, work location, work phone number and physical street address to be occupied by the Owner when the Lot is leased
  - d. A copy of a credit report and background check of each leasee or affidavit stating checks were conducted
  - e. If the above is not provided to the board within 7 days of the execution of the lease, the lease will be deemed invalid and the board will prohibit occupancy and the owner will be in violation of the leasing regulations and subject to a fine and daily fees for each day the unit is occupied in violation.
5. Short term rentals and use of short term vacation rental services such as but not limited to AirBnB or VRBO is prohibited by an owner or tenants.
6. The owner is responsible at their own expense to provide a copy of all HOA governing documents to the tenant.
7. For more details regarding leasing requirements, please refer to Section 9 of the Covenants.

### **Renewal Process**

Leasing permits may be renewed 30 days prior to the expiration of the leasing permit by taking the following action:

1. Paying the Leasing Administration Fee
2. Provide the board with updated executed lease and HOA addendum in accordance with the Leasing Requirements listed above
  - a. Updating tenant information with the board if tenant will remain the same
  - b. If tenant will change, provide the board with move out date for current tenant

- c. Provide a new copy of the lease agreement if the lease has changed
- d. When a new lease is entered into
  - i. A copy of the executed lease and HOA addendum to lease
  - ii. The names, phone numbers, email addresses, work locations and work phone numbers of all of the tenants under the lease
  - iii. Owner's phone number, email address, work location, work phone number and physical street address to be occupied by the Owner when the Lot is leased
  - iv. A copy of a credit report and background check of each leasee or affidavit stating checks were conducted
  - v. If the above is not provided to the board within 7 days of the execution of the lease, the lease will be deemed invalid and the board will prohibit occupancy and the owner will be in violation of the leasing regulations and subject to a fine and daily fees for each day the unit is occupied in violation.

### **Revocation of Leasing Permit**

The board reserves the right to revoke a leasing permit in accordance with the provisions provided in Section 9 of the Covenants.

### **Fees & Fines**

| <b>Fee/Fine</b>            | <b>Rate</b>  |
|----------------------------|--|
| Leasing Permit Violation   | \$500.00 initial fine, \$100 per day property is occupied in violation |
| Leasing Administration Fee | \$250.00 due annually  |

## **Common Areas**

### **General Rules for all Common Areas**

1. No weapons of any kind
2. No fireworks
3. No smoking
4. Be kind and courteous
5. No loitering
6. No vandalization

## **Pool**

Any member or guest not adhering to pool rules will be asked to leave the pool. Any adult member of the Association may enforce rules and may notify Gwinnett County Police if required. Any person using the pool may be requested to

provide their name and address by any adult member of the association. Vandals will be prosecuted to the fullest extent of the law and will be held liable for damages. Owners are responsible for their guests at all times and will be assessed any fees incurred by their guests.

## Pool Hours

The pool is seasonal and typically opens in May and closes in late September/early October depending on the weather.

### Hours of Operation

Sunday - Thursday 9:00am to 10:00pm

Friday - Saturday 9:00am to 11:00pm

The pool is open exclusively for lap swimmers daily from 6:00am to 9:00am

## Swimming Pool Rules and Regulations

### General Rules

1. The HOA doesn't condone swimming alone.
2. NO LIFEGUARD ON DUTY. Each member swims at their own risk. The HOA assumes no responsibility for members or guests using the pool facilities.
3. Anyone in the pool area after pool hours without permission from the board is trespassing. Anyone in violation will have their pool privileges revoked.
4. Membership identification is required by everyone entering the premises. Tags must be visible (on towels, bags, etc.). ID Tags must be presented upon request. Failure to present an ID tag may result in a suspension of pool privileges or a trespassing order. Guests must be accompanied by a member at all times.
5. Proper swim attire (bathing suit) must be worn while swimming. No street clothes are permitted in the pool. Swim diapers are required for children who are not toilet trained.
6. The HOA accepts no responsibility for valuables brought into the pool area or left unattended.
7. Pool furniture shall not be removed from the pool area at any time and is to be used for the intended purposes only (i.e. no goal posts, forts, etc.).
8. No one will be allowed to swim with open or infected wounds or sores, colds, inflamed eyes, or skin disorders.
9. Intoxication on pool grounds is prohibited.
10. Fireworks and sparklers are prohibited in all common areas.
11. Weapons are prohibited on all SCHOA premises. Weapons include but are not limited to firearms, knives, pepper spray/mace, bombs, or explosive devices.
12. No large floatation/personal watercraft allowed in the pool, including canoes, kayaks, large inflatable rafts, or paddle boats.

### Children's Use and Supervision

1. No children under 14 years old will be allowed to swim without the supervision of a parent, guardian, or babysitter. Supervision means being IN THE POOL ENCLOSURE and paying attention to the swimmers in the pool.
2. Anyone under the age of 14 must be accompanied by another person 16 years or older.
3. No one under 18 years old may swim alone.
4. Any child wearing a floatation device must have a guardian in the water with them.
5. Parents, guardians, or babysitters will have ultimate responsibility for their children while in the pool area.

### Deck Rules

1. NO GLASS OF ANY KIND IS PERMITTED IN THE POOL AREA

2. No running or pushing or horseplay of any kind
3. No loud music.
4. No disruptive behavior. This includes profanity, dunking, or throwing someone into the pool.
5. No loitering in the bathroom areas or the clubhouse.
6. When leaving the pool area, each member is responsible for leaving the area in good condition. Trash should be put in containers, and personal possessions removed from the pool area.
7. If you use an umbrella, or you are the last to leave the pool, PLEASE LOWER THE UMBRELLAS regardless of the time of day.
8. No Smoking on the pool deck.

### **Special Events**

1. Owners are not able to reserve the pool area for exclusive use, however reservations at the clubhouse may use the pool. Event hosts are asked to be courteous of others at the pool.
2. No event may be scheduled to run beyond 8pm.
3. Members requesting special events are responsible for clean up and any damages.
4. The HOA may host events for the enjoyment of all residents at the pool.

### **Pool Crew**

The Pool Crew is a group of neighborhood volunteers who help keep the pool, deck, and bathrooms clean and maintained during the pool season. To volunteer for the Pool Crew, please email [board@secretcovehoa.com](mailto:board@secretcovehoa.com).

### **Clubhouse**

The clubhouse is available for rent to owners. Owners may request to rent the clubhouse on the website at [secretcovehoa.com](http://secretcovehoa.com). Owners must be in good standing with no outstanding fees, dues, or liens to rent the clubhouse. A rental fee, security deposit, and signed rental agreement is required. Owners are responsible for all damages incurred during their rental period.

### **Tennis & Pickle Ball Courts**

Secret Cove HOA (SCHOA) Tennis/Pickleball courts are for the use and enjoyment of SCHOA residents and guests only and are available on a first-come, first-served basis unless the amount of use warrants a sign up system. The SCHOA Tennis and Pickleball Committee is chartered by the SCHOA Board of Directors can be reached at [board@secretcovehoa.com](mailto:board@secretcovehoa.com). To volunteer for the Tennis and Pickleball committee, please email the board.

Only residents, guests and instructors as described below may use the courts. The Tennis/Pickleball Committee/SCHOA Board can grant use of the courts for practices, matches and tournaments to residents who request use in advance.

**Residents** - dues paying members of the HOA in good standing.

**Guest** - Guest players who are with a resident.

### **Hours of Operation**

Sunday - Thursday 7:00 A.M. to 10:00 P.M.

Friday and Saturday 7:00 AM to 11:00 PM

### **Court Rules**

1. Courts are for Tennis/Pickleball play and practice only – any other use is prohibited.



2. A resident may extend the use of the courts to no more than three (3) guests at one time. The resident must be present when their guests are playing.
3. Players using the courts for play or practice while others are waiting, are limited to one hour unless special permission for extended use has been granted by the SCHOA tennis/pickleball committee for lessons, matches or tournaments as described above. The next player(s) to get court access will be determined by respective time of arrival at the courts.
4. Court nets are presently set for tennis height and the height should remain unchanged for Pickleball play. Should tournament or competitive conditions change, this condition can be changed.
5. Proper tennis or court shoes are required. No cleats or any soles that will leave marks or damage the court surface are allowed.
6. Non-players must always stay out of the court areas. Players or spectators who shout, hit balls against the fence, play loud music or any other practice that can be considered annoying to players may be asked to lower their volume.
7. Parents are strictly responsible for the conduct of their children.
8. No pets, food, alcoholic beverages (except as allowed at Tennis/Pickleball Committee events), playpens, glass containers or wheeled objects including but not limited to bikes, scooters, strollers or skateboards are allowed on the courts at any time. Tennis ball hoppers or tennis/pickleball ball machines with wheels are allowed.
9. Players should clean up after themselves using the trash receptacles next to the court entrances for tennis cans, water bottles or any other trash.
10. Weapons are prohibited on all SCHOA premises. Weapons include but are not limited to firearms, knives, pepper spray/mace, or explosive devices.

Any violations of court rules may result in the denial of access to common areas and/or tennis/pickleball privileges by action of the SCHOA Board of Directors. Violations of the rules including being asked to leave the courts or to wait longer periods than defined above must be reported to the board in writing by emailing [board@secretcovehoa.com](mailto:board@secretcovehoa.com). Additionally, **the HOA or committee members** have the authority to require anyone to immediately and/or temporarily leave the tennis/pickleball facility for any infraction of the rules, inappropriate behavior, or when safety is threatened.

## Playground

The playground is for the use and enjoyment of the children in Secret Cove. The playground is open from dawn to dusk.

1. Use of playground at your own risk
2. Children under 7 years of age must be accompanied by an adult
3. No glass in the playground area
4. Proper footwear must be worn at all times
5. Improper use of equipment is prohibited
6. Hold on to swings with both hands
7. No jumping off of swings or equipment
8. No standing on swings
9. Use the slide feet first
10. No climbing up the slide
11. Be mindful of others
12. No pushing, shoving, or bullying of any kind

# Violations & Fines

If an owner is found to be in violation of rules set forth in this document or the covenants, a letter will be sent to the owner. If compliance is not forthcoming within 14 days, a second notice will be sent. Fines will be incurred 30 days after the second notice. A fine of \$10.00 per day per infraction listed in the notice will incur until the infraction is corrected. If the amount of the fine reaches \$200.00, the homeowner will be notified a lien is being placed against the property.

If an owner requires assistance, has scheduled work to comply, or otherwise is unable to reasonably comply within the given time frame, the owner can request an extension in writing by emailing [board@secretcovehoa.com](mailto:board@secretcovehoa.com). The board will review the request and may grant an extension and defer fees at their discretion.

All fines are levied at the discretion of the Board and are subject to change without notice. Continuing violations include, without limitation, failure to maintain a property, failure to properly maintain landscaping in a neat and attractive condition, installation of unapproved modifications, failure to remove an unapproved modification, and continuing nuisances and/or improper behavior. Non-Continuing violations include, without limitation, unauthorized tree removal, noise violations, non-continuing nuisance and improper behavior violations and parking violations.

## Fee Schedule

This fee schedule is a list of the current and common fees and is subject to change. This is not a comprehensive list of all fees.

| Fee type                       | Rate   | Occurrence   |
|--------------------------------|--|--|
| Annual Dues                    | \$550.00   | Annual   |
| Replacement Pool Key           | \$25.00  | As requested   |
| Initiation Fee                 | \$550.00   | Transfer of property   |
| Closing Letter Fee             | \$75.00  | As requested   |
| Foreclosure Administration Fee | \$550.00   | As required  |
| Leasing Administration Fee     | \$250.00   | Annual with Leasing Permit   |
| Late Fee                       | \$10 or 10% of balance due, whichever is greater | Assessed 30 days past the due date of a fee or assessment.   |
| ACC Review Fee                 | Assessed as needed                               | This fee is only assessed if an outside expert is required to consult on plans submitted by a homeowner. The homeowner will be informed of the need for this prior to an expert being consulted and will have the opportunity to withdraw their application or submit additional documentation that may render a review unnecessary. |

