



PROPERTY OWNERS' ASSOCIATION

**POLICY STATEMENT ON OBJECTS PLACED ON PROPERTIES
AND RELATED REQUIREMENTS & RESTRICTIONS**

1. PURPOSE

Section 4.5 of the *ROCK CREEK DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (CC&Rs)* states: "The Architectural Committee may ... issue statements of policy with respect to approval or disapproval of ... matters which may be presented for approval." Section 7.15 of the *CC&Rs* states: "Exterior sculpture, fountains, flags, and similar items must be approved by the Architectural Committee". Section 7.13 of the *CC&Rs* states: "No fence, wall, hedge, ornamental structure, or gazebo shall be located or constructed on any lot without the prior written approval of the Architectural Committee." This Policy Statement issued pursuant to Section 4.5 of the *CC&Rs* addresses most of the more common situations falling under the purview of Sections 7.15 and 7.13 and the positions taken thereon by the Architectural Committee, which is now referred to as the Architectural Review Committee (ARC).

2. SIGNS

2.1. Signs Placed in Yards

- a. Realtor, "For Sale by Owner", and builder's/contractor's signs must adhere to the following conditions:
 - i. Colors on realtor and "For Sale by Owner" signs are limited to green and white.
 - ii. Signs cannot be larger than 12 inches in height and 18 inches in width. Two (2) riders can be added to realtor signs to include the agent's name and/or property details but can be no larger than 6 inches in height and 18 inches in width. Clear plastic flyer boxes sized no larger than necessary to accommodate 8½" by 11" flyers may be attached to the stake of a realtor's sign.
 - iii. Except as noted in paragraph iv below, the maximum number of signs permitted on a lot is two, one for the realtor and one for the builder.
 - iv. Lots on the golf course or lots with exposure to two rights of way can place one realtor or "For Sale by Owner" sign on the front of the lot and another facing the golf course or the other right of way.
 - v. Signs cannot be higher than 40 inches, measured from the top of the sign to the ground.
 - vi. Signs cannot be attached to any tree. They must be staked into the ground.
 - vii. Contractor signs can only be displayed while construction work is actively in progress.
- b. Signs announcing an event (e.g., garage/yard sale, open house, etc.) being held at a resident's house and signs advertising items for sale (e.g., cars, furniture, etc.) can be displayed for no more than 48 hours. Such signs cannot be larger than 12 inches in height and 18 inches in width. Hand lettering and any desired color is permitted. Signs measuring no larger than 6 inches by 6 inches that warn of health/safety precautions resulting from chemicals applied on the lawn can be displayed for up to 2 days.

2.2. Signs Placed in Common Areas and in Areas Other Than Yards

- a. **Care must be taken to ensure that signs do not impair the vision of drivers, particularly at intersections.**
- b. Signs are not permitted at the main entrance or the South Drive entrance to Rock Creek.
- c. Realtor, owner, and builder "Open House" signs can be displayed for no more than 48 hours. Such signs must adhere to the following conditions:
 - i. Signs cannot be larger than 12 inches in height and 18 inches in width.
 - ii. Signs cannot be higher than 40 inches, measured from the top of the sign to the ground.
 - iii. Signs cannot be attached to any tree. They must be staked into the ground.
- d. Signs announcing and/or providing directions to an event such as a garage sale being held at a resident's house can be displayed for no more than 48 hours. Hand lettering and any desired color is permitted.
- e. Signs concerning lost pets must be removed when the pet is found or otherwise after a reasonable period of time. Hand lettering and any desired color is permitted.

2.3. Security Company Signs

Security company signs are permitted but cannot be larger than 12 inches in height and 12 inches in width and must be displayed within 10 feet of the house.

2.4. All Signs Regardless of Location

- a. Political signs, signs announcing events being held at a location other than a resident's house, and advertising signs (e.g., yard work, maid service, babysitting, pressure washing, etc.) are not permitted.
- b. Signs relating to sports and/or participants (e.g., football helmets, baseballs, soccer balls, megaphones, etc.) or to sports teams are not permitted.
- c. Signs falling outside of the policies stated in Paragraph 2 are not permitted without the prior approval of the ARC.

3. FLAGS

- a. The display of the American flag is encouraged.
- b. Only two flags are allowed to be displayed, one in the front and one in the back of the house.
- c. The flag in front of the house can only be displayed on a pole attached to the house or the garage. The flag in back of the house can only be displayed on a pole attached to the house, the garage, or a tree. The pole cannot exceed 5 feet in length. **The display of a flag in any other manner is not permitted.**
- d. Freestanding flagpoles are not permitted.
- e. The American flag can be displayed at any time, but adherence to the United States Flag Code and the restrictions above is required.
- f. Team flags can be displayed on game weekends in accordance with the guidance above but must be removed no later than 10:00 AM on the Monday after the game. In the case of a weekday game, the team flag can be displayed only on game day and must be removed by 10:00 AM on the day following the game.
- g. The display of flags other than the American flag and team flags is not permitted except that holiday flags can be displayed during the holiday seasons specified in paragraph 26 below. Holiday flags must adhere to the restrictions in paragraphs 3.b, c, and d above.

4. WELCOME HOME SIGNS/BANNERS

Signs/banners welcoming home members of the armed forces are permitted and encouraged. All other such signs/banners require the prior approval of the ARC.

5. GARAGE DOORS

Garage doors must be kept closed except for limited periods when they can be left open for activities such as yard work in progress; woodwork, car repairs, or other activities in progress inside the garage; and contractors at work.

6. PARKING (amended September 18, 2022, by the RCPOA Board of Directors)

Overnight on-street parking is not permitted. Parking with one or more of a vehicle's wheels on lawn areas or on a sidewalk is not permitted. No commercial vehicle, camper, mobile home, motor home, house trailer or trailer of any type, recreational vehicle, golf cart, scooter, go-cart, moped, boat or other watercraft, boat trailer, van, or bus shall be permitted to be routinely parked or stored at any exterior location on any lot. For the purposes of this restriction, "commercial vehicle" shall mean those that are not designed and used for customary personal/family purposes including, but not limited to, panel vehicles of all sizes and passenger vehicles containing more than three rows of seating. The absence of commercial type lettering or graphics on a vehicle shall not be dispositive of whether it is a commercial vehicle. As a convenience to property owners, it will not be considered a storage violation when a boat, trailer, or camper is parked in a driveway for less than 48 hours. Removal for a short period and return will not be permitted as a means to circumvent the 48-hour convenience period. See Section 7.9 of the CC&Rs for additional parking and vehicular restrictions.

7. GARBAGE CANS

Garbage cans cannot be placed at the curb for pick up prior to 4:00 PM the day before pick up is scheduled and must be removed and stored by 6:00 PM the day of pick up. Between pickup days, garbage cans must be placed in a location that is not visible from the street or adjacent properties.

8. YARD TRASH AND LARGE HOUSEHOLD ITEMS BEING DISCARDED

- a. If yard trash is placed at the street for pickup, it must not impede or otherwise constitute a hazard to vehicles. Leaves, twigs, grass clippings and other small yard trash items must be placed in paper bags for pickup. The city will not pick up plastic bags.
- b. Large household items (e.g., refrigerators, mattresses, TVs, etc.) being discarded and scheduled for pickup by the city or others must not be placed in the open until the day of the scheduled pickup.

9. BENCHES, TABLES, CHAIRS, SWINGS AND OTHER TYPES OF FURNITURE

9.1. Benches

- a. Only one bench can be displayed in a location on a property, to include the front, back, and side porches, that is visible from the street.
- b. Benches must be sized to seat at least two but not more than three adults.

- c. Benches must be constructed of unpainted/uncolored concrete, black wrought iron, or other metal made to look like black wrought iron. Metal benches must be kept free of mold, mildew, rust, bare metal spots, and discoloration and must be repainted before the paint becomes noticeably faded.
- d. Wooden benches or benches with any wooden parts and benches with a modern, nontraditional, or unusual shape or color cannot be displayed in a location on a property, to include the front, back, and side porches, that is visible from the street.

9.2. Chairs and Tables

- a. Up to four chairs and two tables can be placed on the front and side porches. Chairs or tables cannot be placed in the front, back, and side yards so as to be visible from the street. Chairs and tables displayed on porches must only be constructed of:
 - i. black wrought iron or other metal made to look like black wrought iron
 - ii. wood or wicker painted white, black, or left a natural wood color.
- b. If chairs and tables are displayed together, they must match in color and construction materials.
- c. Chairs and tables must be kept in good repair.

9.3. Bench and Porch Swings

- a. Free-standing bench swings can only be placed in the rear yard, and the location must be selected to minimize the visibility from the street and from adjacent properties. Their exact placement in the rear yard must be approved by the ARC.
- b. Porch swings must be approved by the ARC.

10. STATUES, POTS, AND SIMILAR OBJECTS

Statues, pots, and other objects visible from the street must be constructed of unpainted/uncolored concrete or stone and cannot exceed three feet in height. All statues, pots, and similar objects visible from the street must be approved by the ARC.

11. FOUNTAINS, BIRD BATHS, GAZING BALLS, AND PONDS

Fountains, bird baths, gazing balls, and ponds cannot be placed in locations visible from the street without the prior approval of the ARC.

12. GAZEBOS, ARBORS, PERGOLAS, TRELLISES AND SIMILAR OBJECTS

Gazebos, arbors, pergolas, trellises, and similar objects, regardless of design, construction material(s), and location must be approved by the ARC.

13. FENCES AND PRIVACY SCREEN

- a. Fences and privacy screens, except those along the golf course, must not exceed 6 feet in height.
- b. Fences along the golf course must not exceed 4 feet in height along the golf course boundary and extending to the rear of the house. These fences are limited to a natural hedge, black wrought iron, or other metal made to look like black wrought iron and must have a minimum of 2 horizontal rails along the pickets.
- c. Fences are not permitted nearer the front property line than the front of the house.
- d. Chain link or any other wire/netting fences are not permitted. Fences and privacy screens can only be constructed of wood, brick, stucco, wrought iron, or combinations thereof.

- e. The best side of the fence must face the streets, golf course, and/or adjacent property.
- f. See the RCPOA Architectural Design Requirements for additional guidance.
- g. All fences and privacy screens regardless of design, construction material(s), and location must be approved by the ARC prior to construction **except fences along streets which must be approved by the RCPOA Board of Directors.**

14. **EXTERIOR ANTENNAS, AERIALS, TOWERS, AND SATELLITE DISHES**

All such objects must comply with the restrictions stated in Section 7.27 of the CC&Rs.

15. **PERMANENTLY INSTALLED EXTERIOR LIGHTING**

Exterior lighting and modifications to existing exterior lighting must be approved by the ARC. No exterior lighting fixture can be installed without adequate and proper shielding of the fixture. No lighting fixture can be installed that may become an annoyance or a nuisance to adjacent properties.

16. **BIRD HOUSES**

“Single family” birdhouses measuring not larger than 6 inches in depth, 6 inches in width, and 15 inches in height are permitted. They must be constructed of wood and either left natural or painted/stained brown, tan, or light gray.

17. **TOYS AND PLAY EQUIPMENT**

No toys, bicycles, tricycles, scooters, skateboards, wading pools, baby strollers, temporary sport cages/goals, and similar objects can be left out overnight. They must be stored when not in use so as not to be visible from the street or adjacent properties. All basketball backboards and permanent sport goals must be located at the side or rear of the house and be approved by the ARC. Provided there is sufficient space from the street and from adjacent properties, basketball backboards can be placed on the rearmost third of the driveway with the approval of the ARC.

18. **PLAYSETS, TRAMPOLINES, TREE HOUSES, AND SIMILAR TYPES OF OBJECTS**

Playsets, tree houses, and similar types of objects must be constructed of wood. They must be left “natural” or stained brown, tan, or light gray. Playsets, trampolines, tree houses, and similar types of objects can only be placed in the rear yard, and the location must be selected to minimize the visibility from the street and from adjacent properties. Playsets, trampolines, tree houses, and similar types of objects and their exact placement in the rear yard must be approved by the ARC.

19. **SHEDS**

Storage/equipment sheds or similar types of structures cannot be placed at any location on a property.

20. **NETS**

Nets intended to protect a property from golf balls or to serve any other purpose cannot be placed at any location on a property.

21. ARTIFICIAL VEGETATION

Artificial vegetation/ turf is not permissible on the property or exterior of the house.

22. DOOR DISPLAYS (amended October 16, 2022, by the RCPOA Board of Directors)

Wreaths and similar types of decorative displays are permitted at all times on doors. In lieu of a wreath or similar type of decorative display, one (1) sign measuring up to 14 inches by 14 inches may be displayed except no political signs or signs determined to be derogatory or offensive by the ARC shall be permitted.

23. BLOW-UP DISPLAYS AND DECORATIVE LIGHTING DISPLAYS

No blow-up displays or decorative lighting displays of any type are permitted except during the holiday seasons specified in paragraph 26 below. Extreme use of decorations requires the prior approval of the ARC.

24. EXCESSIVE NUMBER OF OBJECTS

There will be cases when individual objects are in compliance with the guidance provided above, but the number of such objects is considered excessive. In such cases, the ARC can direct the removal of the objects considered excessive.

25. MAILBOXES

- a. All mailboxes, mailbox posts, and mailbox numbers must comply with the standards herein. The standard mailbox post that must be used is Vandalet Mailbox Company High Gloss Black Steel Mailbox Post Model #: M-71. This standard mailbox post can be obtained from the Vandalet Mailbox Company located at 5319 Highway 90, Suite 102, #153, Mobile, AL 36619 (phone number 251-207-0053). The standard mailbox that must be used is Gibraltar medium capacity, post mount, galvanized steel, black, Model E1100B00, measuring 21.1 inches in depth, 6.9 inches in width, and 8.9 inches in height. This mailbox is available from Home Depot, Amazon, or Vandalet Mailbox Company. The standard mailbox numbers are white, 2.5 Inch, Optima Bold font available from image360 located at 912 Highway 98, Daphne, AL 36526 (phone number 251-626-8168). Numbers must be positioned so that the bottom edges of the numbers are approximately two (2) inches from the bottom edge of the mailbox. On the side of the mailbox without the flag, the numbers must be positioned so that the last number is approximately three and one-half (3½) inches from the front of the mailbox. On the side of the mailbox with the flag, the numbers must be centered between the edge of the flag in the down position and the back of the mailbox. Numbers must be spaced approximately one-fourth (1/4) to one-half (1/2) inch apart.
- b. If a mailbox post is damaged it must either be repaired so as to appear identical to a new post or replaced with a new standard mailbox post. The mailbox post must be kept vertically upright and not allowed to lean. The concrete supporting the post must not extend above the ground level around the post. The post must be repainted gloss black when the paint becomes noticeably dull, faded, chipped, stained, discolored, or otherwise damaged. The mailbox must be replaced when it becomes noticeably dented or damaged. If the mailbox's paint becomes noticeably dull, faded, rusted, stained, or discolored, the mailbox must be repainted gloss black or replaced with a new standard mailbox. Regardless of whether the mailbox is replaced or repainted, new standard mailbox numbers

must be positioned on the mailbox as indicated above. The flag must be replaced when it is bent or otherwise damaged. Replacement flags must closely match the flag that comes installed on the standard Gibraltar mailbox. If the flag's paint becomes noticeably dull, faded, chipped, rusted, stained, or discolored, the flag must be replaced or repainted gloss red.

- c. Name, street number, and/or street name plaques and all other types of plaques or attachments are prohibited. Natural or artificial vegetation is not permitted on mailboxes. Natural vegetation planted in the ground below the mailbox is permitted, but it must be kept neat and routinely trimmed/pruned to remain at least two (2) feet below the bottom of the mailbox.
- d. Mailbox decorations with the appropriate holiday theme are only permitted during the holiday seasons specified in paragraph 26 below. Special event mailbox decorations for birthdays, anniversaries, births, and similar family occasions are permitted but can only be displayed for up to three (3) days.

26. **HOLIDAY SEASONS** (amended October 16, 2022, by the RCPOA Board of Directors)

Displays with an appropriate holiday theme are only permitted at the following times:

- a. Mardi Gras: two weeks before thru one day after "Fat Tuesday".
- b. Easter: during Lent thru two days after Easter Day.
- c. Halloween (including Fall displays): from September 15th thru November 15th.
- d. Christmas: from Fourth Friday in November of the current year thru January 14th of the following year.
- e. Independence Day: July 2nd thru July 11th.
- f. The above list is not intended to exclude other appropriate holiday or religious displays. However, other such displays require the prior approval of the ARC.

27. **VISIBILITY FROM NEIGHBORING PROPERTIES**

Unless otherwise noted, the restrictions/requirements above apply to areas on an owner's property that are visible from the street. However, all owners must be cognizant of and sympathetic to situations where their neighbors may consider the view from their property to be adversely impacted. It is therefore strongly recommended that owners discuss their plans with their neighbors in such situations before implementing them. The ARC will investigate complaints from adjoining property owners in such situations and can direct the removal or relocation of the objects in question. Talk to your neighbor first; it is not only the neighborly thing to do but may also save you the expense of removing or relocating an object.

28. **FINES FOR VIOLATIONS**

In accordance with the Association's *COMPLAINT, FINE, AND APPEAL PROCEDURES*, fines will be imposed for violations of the policies contained herein.

THE ABOVE IS CONSISTENT WITH BYLAW 10.2 (AS AMENDED) AND BOARD OF DIRECTORS/ARCHITECTURAL REVIEW COMMITTEE POLICIES AND PROCEDURES. THIS POLICY STATEMENT IS NOT INTENDED TO LIMIT THE USE BY THE ASSOCIATION OF ANY OTHER REMEDIES OR ENFORCEMENT PROCEDURES OTHERWISE AVAILABLE UNDER THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS; THE BYLAWS; OR APPLICABLE LAW.