

13. CONSTRUCTION RULES (From Falls Cove Architectural and Landscape Guidelines)

13.1. Applicability. These construction rules (collectively the 'Construction Rules') shall apply to all Lot Owners and their builders and any reference herein to an Owner shall also apply to the Owner's builder and subcontractors. All Owners shall abide by the Construction Rules and such other rules as the Board and/or the ACC may establish from time to time.

13.2. Construction Hours and Noise. All construction activities must be conducted and all deliveries must be made from 7:00 a.m. until 8:00 p.m. Monday through Saturday; provided however; no construction activities shall be conducted and no deliveries shall be made on Memorial Day, July 4, Labor Day, Thanksgiving Day, Christmas Day or New Year's Day. Any construction activities conducted in or access to Falls Cove other than during the foregoing hours must be scheduled with the ACC at least twenty-four (24) hours in advance and must be approved by the ACC in writing. No loud radios or distracting noise (other than normal construction noise) will be allowed within the community during construction. Radio and stereo speakers shall not be mounted on vehicles or outside of homes under construction.

13.3. Rubbish and Debris. In order to maintain a neat and orderly appearance at all times throughout Falls Cove, the following rubbish and debris rules must be strictly followed:

(a) Interior Construction Debris. All parties are strongly encouraged to frequently clean up and remove rubbish and construction debris located within the walls of a residence that is under construction.

(b) Exterior Construction Debris. With regard to all construction debris located on a Lot outside the walls of a residence that is under construction, the following rules shall apply:

(1) At the end of each day on which work occurs on the Lot, all lightweight, blowable construction debris, such as roofing paper, insulation bags, foam sheathing, polyethylene, etc., must be placed in a dumpster or other approved containment device on the Lot; and

(2) At the end of the day on each Friday, all non-blowable construction debris, such as wood scraps, shingles, brick bands, drywall, bricks and masonry blocks, must be gathered into neat piles.

(3) Dumpsters shall be emptied when debris is visible above the dumpster rim or overflowing to prevent blowing debris and unsightly conditions.

(c) No Burning or Burial. Burning or burial of construction debris or vegetation is prohibited.

13.4. Excess Natural Materials. Excess plant matter, rock, topsoil and similar materials must be removed from Falls Cove.

13.5. Street Cleaning. Approximately once each week if needed as determined by the Board/ACC, responsible Lot Owners or Community Builders will engage a street cleaning service to clean the streets in Falls Cove of normal construction dirt, mud, and gravel.

Falls Cove Property Owners Association, Inc. shall have the right, without notice, to clean up any significant amount of dirt, gravel, cement, etc., left on any street if the same is not immediately removed by the responsible Lot Owner or Community Builder, to charge the cost of such clean up to the responsible Lot Owner or Community Builder and to receive from the responsible Lot Owner or Community Builder, on demand, reimbursement for the expense of such clean up.

13.6. Silt Fences. Silt fences and/or other devices for sedimentation control shall be installed where necessary or as directed by the ACC. Silt fences on rear of Lots contiguous to the waterfront of the Lake, any wetland or drainage area must be of the reinforced wire mesh type with steel poles for support.

13.7. Material Storage. No construction materials, equipment or debris of any kind may be stored on any street, curb, sidewalk or area between streets and sidewalks, on any adjacent Lots or otherwise than in the locations approved by the ACC.

13.8. Trailers. No construction office trailers may be placed, erected or allowed to remain on any Lot or in any other area in Falls Cove, except as approved in writing by the ACC.

13.9. Construction Access. During the time a residence or other Improvements are being built. All construction access shall be confined to the approved driveway for the Lot, unless the ACC approves an alternate access way.

13.10. Gravel Drives. Prior to the commencement of construction on a Lot, the Owner of such Lot or such Owner's contractor shall provide at the approved driveway location a gravel drive with a minimum of five (5) inches of #5 crushed stone base from the paved street to the house under construction.

13.11. Parking. All vehicles must be parked so as not to impede traffic or damage vegetation. No vehicles (trucks, vans, cars, trailers, construction equipment, etc.) may be left parked on any streets within Falls Cove overnight. Construction vehicles may be left on a Lot overnight only if additional use of the vehicle will be made within the following three (3) days. Construction vehicles may be parked only on the street side of any Lot that is contiguous to the waterfront of the Lake.

13.12. Miscellaneous Practices. The following practices are prohibited at Falls Cove:

- (a) Changing oil of any vehicle or equipment;
- (b) Allowing concrete suppliers and contractors to clean their equipment other than at approved locations, if any, designated for that purpose by the ACC;
- (c) Carrying and/or discharging any type of firearms, except by law enforcement officials and security personnel authorized in writing by the Board;
- (d) Careless disposition of cigarettes and other flammable material;
- (e) Operators of vehicles are required to use due care to ensure that they do not spill any damaging materials while within Falls Cove. If spillage does occur, it is the responsibility of the operator of the vehicle to properly clean up the spill and to report the spill if required by law to the proper

authorities. Any such cleanup operations completed by the Board/ACC will be charged to the responsible party. Any spills must be reported to the Board/ACC in writing as soon as possible by contacting CSI Property Management at 704-892-1660.

13.13. Pets. Builder and contractor personnel may not bring pets into Falls Cove.

13.14. Common Areas. Except with the prior written permission of the ACC, builder and contractor personnel are not allowed in the Common Areas, and no construction access will be allowed across the Common Areas.

13.15. Accidents. The ACC shall be notified immediately of any accidents, injuries or other emergency occurrences by contacting CSI Property Management at 704-892-1660.

13.16. Portable Chemical Toilets. An enclosed and regularly serviced portable chemical toilet must be provided for at least every two homes under construction, and must be located in as inconspicuous a location as possible.

13.17. Speed Limit. The established speed limit within Falls Cove community is twenty-five miles per hour (25 mph) for all vehicles, and this limit must be obeyed at all times.

13.18. Signs. Building permits and the standard lot sign are the only sign or documentation that may be posted at a residence or on a Lot during construction. Building permits are to be attached to a post in a manner protected from the elements: and in no event may building permits or any other signage or documentation be attached to trees.

13.19. Property Damage. Any damage to streets and curbs, drainage inlets, street lights, street markers, mailboxes, walls, fences, etc. shall be repaired by the responsible Lot Owner or Community Builder. If not repaired promptly, the repair cost will be deducted from the Landscape/Construction Escrow Deposit.

If the Landscape/Construction Escrow Deposit is not sufficient to cover the entire repair cost, the additional amount will be charged to and promptly paid by the Owner or Community Builder.

If any telephone, cable TV, electrical, water or other utility lines are cut, it is the responsible party's obligation to report such an accident to the affected utility and the Board/ACC within thirty (30) minutes by contacting CSI Property Management at 704-892-1660; and any cost incurred in connection with repairing such damage shall be borne by the responsible party.

In the case of additions or modifications to existing homes where builder escrow money is not required, owners are responsible for any damage to streets and curbs, drainage inlets, street lights, street markers, mailboxes, walls, fences, etc. caused by their contractors or sub-contractors. Repairs will be required at the owners' expense by the Town of Troutman and/or the Board.

13.20. Failure to abide. Failure of a builder or contractor to abide by any of the Construction Rules may result in the loss of such builders or contractors privilege to enter Falls Cove on a temporary or permanent basis, or a fine, the amount being at the Board's discretion, may be levied for infractions and failure to abide.

13.21. Septic Areas. All septic areas are required to be wrapped with blaze-orange barrier fencing, to prevent access to the area and protect it from compaction by construction traffic. This fence is required to be maintained at all times, including after installation of the Septic System, until the Lot has been landscaped and all other related construction completed. All utility lines must be located at least 10' away from the Septic System drain field area.

13.22. General Builder Responsibilities. Builders are encouraged to maintain strict control over subcontractors to minimize soil and mud build up in streets. Builders are advised to educate employees and subcontractors as to the location of the Lake Buffer Areas, the restrictions applicable to the Lake Buffer Areas and the ramifications of violation of the Architectural Guidelines. Planning home construction and erosion control measures with the Architectural Guidelines specifically in mind will be crucial to the success of each builder in Falls Cove. Where a builder or Lot Owner desires to modify the vegetation in the Lake Buffer Area or construct pathways or shoreline stabilization in the Lake Buffer Area, a Lake Buffer Area plan must be first submitted to the ACC for approval prior to construction. In addition to protecting the Lake Buffer Areas and controlling erosion, builders are encouraged to develop Lot plans which preserve natural wooded areas wherever possible and which minimize Lot grading and disturbance. Alignment of utilities and access should be planned to minimize the cutting of mature trees.

Builders are encouraged to guard against:

- Excessive trash build-up and/or disposal on the project either on Lots or on Common Areas
- Changing of oil, maintenance of equipment, or disposal of chemicals or paints resulting in spills on the Lots or into the storm drainage system for Falls Cove.
- Use of excessive amounts of fertilizer or herbicides on seeded areas;
- Destruction or modification of any part of the permanent storm drainage system for Falls Cove;
- Unpermitted shoreline modification;
- Unauthorized disturbance of any Lake Buffer Areas;
- Improper use of, or disregard for, septic drain field areas.

Amended: August 22, 2017 by Falls Cove POA Board