

TALKING ROCK CREEK RESORT ASSOCIATION
(TRCRA)

RULES AND REGULATIONS

HOA OFFICE:
222 TALKING ROCK CREEK DRIVE
CHATSWORTH, GEORGIA 30705

APPROVED BY: (TRCRA)
BOARD OF DIRECTORS
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PREFACE

THE ABBREVIATIONS TRCRA ARE SUBSTITUTED FOR TALKING ROCK CREEK RESORT ASSOCIATION. THE ABBREVIATION HOA IS SUBSTITUTED FOR THE HOMEOWNER'S ASSOCIATION OFFICE. THESE RULES AND REGULATIONS ARE INTENDED TO AID ALL PROPERTY OWNERS IN DETERMINING THE PROPER CONDUCT OF ALL PARTIES WITHIN TRCRA ON A DAILY BASIS. THESE RULES AND REGULATIONS ARE NOT INTENDED TO REPLACE, NOR ARE THEY IN EXCESS OF, THE ESTABLISHED COVENANTS AND RESTRICTIONS WHICH ARE COMMON TO EACH PARTICULAR LOT. IT IS THE RESPONSIBILITY OF EACH PROPERTY OWNER TO KNOW WHAT THE PROPERTY COVENANTS AND RESTRICTIONS ARE AND TO ADHERE TO THEM.

ARTICLE I

PROPERTY REGULATIONS

Section 1 – Pets and Other Animals

Only domestic animals are permitted as pets; all pets are restricted to the owner's property or must be leashed when in a permitted common area. Violators are subject to an assessment and/or legal action. Pets straying off owner's property, disturbing the peace, threatening other animals or residents, or damaging private and/or common property shall be immediately impounded at the owner's expense. Only Public Safety/Animal Control personnel shall impound pets and animals. (See article IX, section 6)

Section 2 – Outside Burning

Outside burning is prohibited by Georgia Forestry, and violation is subject to a TRCRA fine.

Section 3 – Discharge of firearms

Firearms shall not be discharged in TRCRA properties except for protection against imminent danger from poisonous snakes and other unsafe wildlife. No hunting or trapping of any kind is allowed. Violators are subject to assessment for each incident.

Section 4 – Camping

A. RV Camping is not permitted on any Residential Lot.
See Article III, Section 2, for regulations regarding Parking of RV's.

B. Tent Camping

Tent camping is not permitted on residential lots.

Section 5 – Disposal of Garbage and Trash (No littering allowed)

Household garbage shall be placed in sealed plastic bags and placed in the dumpsters designated for household garbage only. Other trash, including construction material, furniture, etc. shall be placed only in construction dumpsters. If constructions dumpsters are not available, material must be hauled to the county landfill or to the County collection

agency. No hazardous material, i.e. paint cans, batteries, tires, oil, chemicals, etc., of any kind shall be placed in any TRCRA dumpsters. Violators are subject to an assessment.

No materials shall be removed from inside, or around a dumpster (dumpster diving) without the express written permission of the property manager or his/her designate. Fines will be levied in accordance with the violation assessment schedule, under the heading of "garbage". In addition, the Board may pursue criminal charges of "littering" to be filed after the third offense by an individual.

No materials may be deposited into a TRCRA dumpster by a nonmember, except for member guests, renters or contractors of members. Such "illegal dumping" will be criminally pursued as trespassing and illegal dumping.

ARTICLE II

PROPERTY MAINTENANCE AND CONSTRUCTION REGULATIONS

Section 1 – Lots, Yards, Grounds and Landscaping

Property owners are responsible for keeping their lots in a natural and attractive condition. Improved lots shall be kept weeded, trimmed and free of erosion and debris.

Section 2 – Culverts

TRCRA reserves the right to determine the type, length, diameter and location of culverts to be installed in or adjacent to TRCRA right -of- ways before they are installed.

Property owners are required to purchase and arrange for culvert delivery before installation can be scheduled.

TRCRA will arrange for installation at no charge for labor and equipment for all approved culverts.

Section 3 – Lot Identification

All improved lots are required to display the E 911 address, which is your TRCRA lot number. These numbers are issued by the E 911/Gordon County Authority and by TRCRA respectively. Gordon County residents can order a house marker from the Fire Department by calling 706-629-8851.

Section 4 – TRCRA Construction Permits

TRCRA construction permits must be obtained from the TRCRA Architectural Review Committee through the TRCRA office before any new construction Activities are started and before any modifications to existing structures which affect the exterior appearance or involve land disturbances are started. For this purpose, construction activities include but are not limited to:

- Cutting of live trees
- Grading or disturbing land area of any type totaling more than 500 square feet
- Installing driveways and /or culverts
- Modifying or altering any existing improvements
- Placing any type of building materials, fencing, out building, pet pens visible from lot boundaries

Check with the TRCRA HOA Office for any questions regarding permits. Failure to obtain and comply with a construction permit could result in an assessment. County building permits must be posted on the lot and may be visible from the roadway.

Section 5 – Use of Explosives

In regards to blasting inside of TRCRA property – all owners or contractors inside the resort must have a permit from the State Fire Marshall and also a permit from the County Tax Commissioners Office with the necessary permits brought before the Architectural Review Committee for approval. Public Safety and the TRCRA office must be notified and given 24 hours' notice BEFORE blasting is done.

Section 6 – Site Preparation / Construction Guidelines

In order to comply with Gordon, Murray or Gilmer County Regulations & Construction guidelines outlined in Sections 2 and 4, a valid County Construction Permit & building plans must be provided to TRCRA for approval prior to any site preparations/construction or any other construction activity on your lot.

Section 7 – Contractors & Building Materials Delivery Vehicles

See article IV Gate Regulations, Section 3.

ARTICLE III

PARKING REGULATIONS

Section 1 – Parking of Vehicles Other Than RV's

A. Private Property

Vehicles shall be parked only on driveways and parking areas. Arrangements for special parking shall be obtained for special occasions from the TRCRA HOA Office.

B. Junk Vehicles

No junk vehicles or stored vehicles shall be parked outside a closed garage. For purposes of this regulation, junk vehicles and stored vehicles are vehicles in any one or more of the following categories:

- * Not fully operational (i.e., flat tires, no engine, etc.)
- * Various staged of repair more than thirty days.
- * Not currently licensed for operation on State or Federal highways and No current tags displayed.

C. Parking on Roadway Right-of-way and in Parking Lots

Vehicles temporarily parked on roadway right-of-ways must not impede traffic, cause a safety hazard, damage the shoulder or damage the shoulder planting. The property owner is responsible for authorizing the vehicle to enter the resort and will be responsible for any road damage. If a vehicle is parked on the road and blocking traffic, a property owner will be subject to any vehicle towing expense for himself or his guest.

Section 2 - Parking of RVs and Boats

For purposes of these rules and regulations, Recreational Vehicles (RVs) include but are not limited to motor homes, travel trailers, 5th wheel trailers and pick-up truck campers (both on and off the truck). Boats include boats and boat trailers.

Residential Lots:

1. RVs shall not be parked on a residential lot unless a house structure is on the lot. An RV may NOT be used as a permanent living quarters at any time. Violators will be assessed. Boats may be parked on a residential lot with a house structure.
2. Owners of building lots with a completed residence may park their RV or boat in the TRCRA storage lot if space is available. RV's may be parked at a residence, but may NOT be used as living quarters.
3. RV generators are not to be operated if they constitute an annoyance or nuisance to the neighborhood.

ARTICLE IV

GATE REGULATIONS

Section 1 -TRCRA Property Owners Vehicles

In order to use the automatic gates, owners must obtain gate entry cards from the TRCRA office. Entry devices are not available to owners in arrears on TRCRA accounts. There is a lease charge for replacement or duplicate cards. Card shall not be loaned or given to non-family members of property owners. Violators will be subject to revocation of the card. Renters and lessees shall contact the homeowner if they wish to use the automatic gates.

Section 2 – Owners Guest, Visitors, and Service Personnel

Owners must arrange for entry of guest, visitors, etc. Owners have the responsibility to inform their guest on the use of the gates.

Property ownership in TRCRA includes the right to access owned property using roads belonging to TRCRA. Access for owners to the property shall be through the three gates only.

Section 3 – Contractors and Building Material Delivery Vehicles

Contractors, sub-contractors and their respective employees are considered guest of the Property owner. No contractor or supplier's vehicles will be admitted through the gates unless prior arrangements or construction permission has been obtained by the property owner involved. The vehicle driver must contact the property owner for permission to enter. Violators are subject to an assessment and/or revocation of their cards.

Section 4 – Improper Gate Entry

Any property owner, guest or other vehicle operator entering or exiting a gate in an improper manner or damaging a gate or gate equipment will be charged with illegal entry and subject to an assessment and/or cost to repair damages, and/or revocation of gate entry cards. Entering a gate in an improper manner includes but is not limited to failure to stop and show proper identification at a manned gate, tail-gating or otherwise entering an automatic gate without using a card in the prescribed manner, driving or taking a vehicle around a gate, or entering an exit gateway.

Section 5 – Entering TRCRA Property Other Than Through a Gate

No vehicle shall enter the TRCRA except through an official entrance gate, unless otherwise authorization by the TRCRA office. This includes vehicle property owners (and their family and guest vehicles) whose property borders both non-TRCRA land and TRCRA lands. Lot owners shall not permit any person to access through their lot unless permitted to do so by the TRCRA office.

Section 6 – Gate Cards for Owners

Owners shall be charged \$20.00 per gate card. Owners may buy extra cards at the established rate for other family members. Gate remote clickers are available for purchase at \$30 per device.

ARTICLE V

VEHICLE MOVING VIOLATIONS

**THE SPEED LIMIT IN THE RESORT IS 15 MPH UNLESS OTHERWISE POSTED.
ANY VIOLATORS WILL BE ASSESSED A FINE.**

Section 1 – Traffic Violations

Any vehicle operator, and/or the property owner responsible for admission of that operator shall operate that vehicle in a safe manner as required by any Georgia Motor Vehicle Statute. Violators will be assessed.

Section 2 – Repeat Violator

Repeat Violators are defined as one who has been warned and assessed in excess of two violations in a twelve –month period. Excessive violators (anyone with more than three violations) will have their driving privileges restricted in the resort.

ARTICLE VI

USE OF COMMON PROPERTY

Section 1 - Use of Amenities

The common property and amenities are available for use by all property owners in good standing. The property owner is responsible for the conduct of all family members and guests. The owner’s immediate family members (including minors) and guests (accompanied by the owner) may also use the amenities subject to the Rules and Regulations posted at each of the amenities. Violations of the posted Rules and Regulations will subject the violator and/or the property owner to assessments and/or suspension of the use of the amenities.

Eight guests per lot are the limit at certain amenities. An owner with more than eight guests must check with the TRCRA office before planning a visit to an amenity.

ARTICLE VII

ENFORCEMENT

Section 1 – Assessments (Specific Assessments)

Except where indicated otherwise in the Covenants, the TRCRA By-Law's Rules and Regulations, the Board of Directors of the TRCRA are authorized to set assessments for violation of these Rules and Regulations for commons areas. Assessments not paid within thirty days after notification of the amount due shall accrue interest at the rate as stated in the CCR's. Unpaid assessments will result in liens against the property; liens may be foreclosed at the discretion of the TRCRA Board of Directors.

Section 2 – Self Help

Any violator of Article II, III and X, Section 1 of these Rules and Regulations not corrected within thirty days after the property owner has been notified, or within thirty days after any appeal has been denied, shall result in the TRCRA using Self Help to have the violation corrected and assessing the property owner for all direct and indirect cost of such Self Help action.

Section 3 – Use of Amenities

The use of all amenities by property owners who have delinquent accounts will be suspended until such accounts are paid in full.

ARTICLE VIII

HEARINGS AND APPEALS

Section 1 - Hearings

Any property owner charged with violation(s) of these Rules and Regulations may request a hearing of the charges as set forth in TRCRA By-Laws with an appointed representative of the Board.

Section 2 – Appeals

Any property owner not satisfied with the results of the hearing may, within thirty days after the hearing, submit a written request for an appeal before the TRCRA Board of Directors as set forth in TRCRA By-Laws.

ARTICLE IX

MISCELLANEOUS

Section 1 – Adoption of Rules

The Board of Directors of TRCRA shall adopt rules as deemed appropriate by which the operations of the Association shall be conducted and the relationships of the Association with owners and other persons and groups shall be maintained.

A rule alteration, addition or deletion may be proposed by any Association property owner. Recommendations for the rule changes shall be submitted in writing to the president of the Board of Directors. If the rule proposal is considered to be an appropriate course of action for the Association after preliminary consideration, the rule shall be prepared in the format appropriate for the Board Policy Manual and submitted to the Board for a first reading during the public session of the Board meeting.

If the rule proposal is approved for consideration, a public hearing for property owners will be set a minimum of two weeks after the first reading. Additional modifications may be made in the rule proposal in accordance with responses to the rule proposal from property owners and Board Members to the President of the Board. The final wording of the rule proposal shall be submitted to the Board of Directors at the first meeting following the public hearing. Once the Board of Directors approves the final wording of the rule proposal, it shall become a part of the official Rules and Regulations of TRCRA immediately unless otherwise stated in the rule.

Adoption by the Board of Directors of a new or revised rule officially repeals all other rule and executive memorandums or parts thereof, which are inconsistent with the most recently, adopted rule.

In emergency situations the Board of Directors may elect to consider and adopt a rule proposal at the meeting of its first reading. In order for this action to take place the Board of Directors must, by a majority of the vote, suspend the above stated rule prior to taking a vote on the rule proposal. A suspension of the above rule for immediate vote on a rule proposal shall in no way change the application of the above rule in the adoption of other rule changes.

Section 2 – Assessments

Except where indicated otherwise in the Rules and Regulations, the TRCRA By-Laws or applicable Covenants, the Board of Directors of TRCRA is authorized to set assessments for violations of Rules and Regulations. Assessments not paid within thirty days after notification of the amount due shall accrue interest at the rate per the CCR's.

Section 3 – Violation Assessment Schedule

Description	1st Offense	2nd Offense	Increase Per/Offense	Remarks
Animals/Pets (See Article IX Sect 7)	Warning	\$100.00	\$200.00	Self Help Legal Action
Outside Burning (See Article I, Sect 2	\$50.00	\$50.00	\$10.00	Plus damages
Discharge of Firearms (See Article1, Sect.3)	\$50.00	\$100.00	\$10.00	Plus damages
Hunting/Trapping (See Article 1, Sect.3)	\$100.00	\$100.00	\$100.00	Plus damages
Tent Camping	Warning	\$25.00	\$10.00	Plus damages
Installing driveway/culvert Const. equipment	Warning	\$50.00	\$10.00	Self Help
W/non rubber tires	\$100.00	\$100.00	\$100.00	Plus damages
Lots, yard, ground & Landscaping	Warning	\$25.00	\$10.00	Self Help
Camping Lots	Warning	\$25.00	\$10.00	Self Help
Parking types of vehicles Junk vehicles & Stored Vehicles	Warning	\$25.00	\$10.00	Self Help
Construction equipment	Warning	\$25.00	\$10.00	Towing Cost
Parking on right-of-way & in parking lots	Warning	\$25.00	\$10.00	Towing Cost
Parking of RV's	Warning	\$25.00	\$10.00	Permit
Golf cart, 4 wheelers	Warning	\$25.00	\$10.00	Self Help
Contractor & building Material delivery vehicles	Warning	\$ 25.00	\$10.00	Revocation of Gate Card
Garbage & Littering	\$50.00	\$50.00	\$10.00	Clean up cost
Alcohol/Drugs	\$25.00	\$50.00	\$10.00	Turn over to Sheriff
Solicitation	Warning	\$25.00	\$10.00	
Improper gate entry	Warning	\$25.00	\$10.00	Damages
Entering TRCRA other Than through gates	Warning	\$25.00	\$10.00	TRCRA Approval
Traffic Violations	Warning	\$25.00	\$10.00	Turn over to Sheriff
Use of Amenities	Warning	\$25.00	\$10.00	Loss of Use Damage
Destruction of TRCRA Common	\$100.00	\$100.00	\$10.00	Cost of repairs Liability

Property				
Illegal dumping of raw	\$500.00	\$500.00	\$100.00	Plus cleanup cost Effluent (sewage)

Section 4 – Combining of Lots for Assessment Purposes

In order to change two [2], but not more than six [6] contiguous lots into one lot for assessment purposes, the lots[s] plat needs to be revised to show the two but not more than six “recombined” lots as one lot. The lots must be resurveyed by a licensed surveyor and a new plat created. The newly created single lot numbering needs to be designated with an appending ‘R’ to indicate replatting, (i.e. 127R, 1578R). Replatting can be done only on originally platted lots not on lots that have already been replatted.

Secondly, the new plat needs to be recorded with the county land records department at the county Superior Court Clerk Office. Once the recorded replat document is submitted to the Homeowner Association Office, the Association will charge only one annual assessment per lot. If the replat document is not submitted to the Association before December 1, the lot(s) owner will be charged an assessment per the original lot plat(s).

Replat documents must be submitted to the Homeowner Association office before December 1 of the year preceding the Annual Dues assessment. Any replatting completed during the year will take effect the following year. Once annual dues are assessed for the year, they will not be prorated.

The county does not permit two or more replatted lots to be changed back into separate lots (as they were originally platted). In addition, only one house structure can be built on a single lot.

Section 5 – Standard Payment for Owners with Delinquent Accounts

Owners whose assessments are delinquent may be approved by the TRCRA Board for a standard payment plan to make their accounts current as follows:

- A. A minimum of fifty percent of the total delinquent account including interest and penalties must be made by the owner, unless otherwise approved, as the first offering for establishing the payment plan to make the account current.
- B. The remaining amount owed, plus continuing interest, must be paid by the Owner in a maximum of four monthly payments, each being equal to or exceeding twenty-five percent of the balance remaining after the initial payment to establish the plan.
- C. Failure by an owner with a delinquent account to arrange for a standard payment plan or to follow the plan once established will result in action against the owner in accordance with TRCRA By-Laws.
- D. Documented hardship cases will be submitted to the TRCRA Board for special consideration.

Section 6 - Animal Control

In accordance with Georgia State Law and County Ordinances, domestic animals, not under control or on owner's property, may be picked up by the county animal control. If an animal is involved in a bite case, the county sheriff's Department, animal control and the County Health Department will need to be notified.

Section 7 – Solicitation of Property Owners

Solicitation of property owners or employees, either on a door-to-door or personal basis an organization or individual coming on the property shall be prohibited unless approved by the TRCRA Board. Solicitation of sales or contributions by owners shall be prohibited in common areas. Solicitation of sales at a community gathering must be approved in advance by the TRCRA Board of Directors. Solicitation sponsored by the Association shall not be subject to this rule.

Section 8 – Alcohol and Illegal Drugs

No alcohol or illegal drugs shall be consumed or possessed by anyone while on common areas. This prohibition shall not apply to the transporting of legally acquired alcoholic beverages on the roads of the Association.

Section 9 - Mailboxes

1. House owners may register for one mailbox and key at an initial cost of \$25.00 per box. Mailboxes are available on a first come first serve basis.
2. Box holders will be responsible for keys. Lost, replacement or additional keys will be charged \$10 per key. This replacement cost will apply to all current and newly issued box holders.
3. TRCRA office must be notified of any key loss or damage to your mailbox.
4. If during the use period, a property owner requests that the lock be changed, the property owner is responsible for the cost.
5. TRCRA will issue boxes and keep a copy of all keys in the HOA office.
6. TRCRA will verify through the local postmaster annually which boxes, if any, have been abandoned or are no longer in use.

Section 10 - ATV, Golf Carts, 3 & 4 Wheelers

1. ATV, Golf Carts, 3 & 4 Wheelers must be operated by a licensed driver on all TRCRA roads.
2. Helmets should be worn by everyone riding one of the above, except golf carts, where a helmet is not required by Georgia law. Drivers are expected to operate all vehicles in a safe manner as required by Georgia Motor Vehicle Statutes.
3. If any of the above listed are driven at night or during inclement weather, then they shall be required to have working lights: headlight, taillights and break lights. All of the above shall not be ridden on private property without the permission of the property owner. Violators will be assessed.
4. All ATV, golf carts, 3 & 4 wheelers must be registered with the TRCRA office.

Revised & Adopted April 6, 2019