

**PALMETTO POINTE VILLAS AT PEAS ISLAND
RULES & REGULATIONS**

Adopted August 27, 2021

Enforcement of Rules & Regulations

Failure to comply with all Rules and Regulations shall be grounds for denying access to any Common Area, imposing fines, instituting legal action against the violator to recover sums due for damages or for injunctive relief, or such other actions as are permitted by applicable law. If the Property Owners Association (POA) employs legal counsel to enforce a rule or regulation, the violating party shall pay all costs incurred in such enforcement such as court costs and reasonable attorney's fees.

Amendments

The Board of Directors has the right to modify these Rules and Regulations or adopt additional Rules and Regulations from time to time.

Waiver of Rules & Regulations

The Board of Directors may, for good cause, as determined in its sole discretion, waive enforcement of these Rules and Regulations that are not violations of the Master Deed. Such waiver shall be in writing and be limited to the specific instance in which it is invoked.

1. Residential Use of Units

All Units shall be used solely for residential purposes. No commercial activity may be conducted in any Unit; provided, however, that a private office may be maintained in a Unit so long as the use does not interfere with other Units and does not include visitation by customers, clients, or unreasonable levels of mail, shipping, storage or trash requirements. No interior or exterior signs may advertise the Unit as a place of business.

2. Leasing of Units

Owners may not lease or rent their units for less than one (1) year. Owners in violation will be fined \$1,000 for each short-term rental. No time-sharing, as defined in the SC Time Sharing Transactions Act, Airbnb, VRBO, or similar service is permitted.

An owner leasing a unit must provide the following information to the POA Board of Directors at least five (5) days prior to the occupation date on the lease:

- A copy of the lease agreement including any renewal agreements signed by all tenants included in the lease.
- A completed Tenant Information Form containing the names and contact information of all tenants.

- Any personal information such as finances or similar identification information should be redacted.
- Any expenses incurred by the Association to procure these documents are the responsibility of the Unit Owner.

When an owner of a unit rents their unit, the rights to the use of the amenities of the island transfer to the renter for the duration of the lease. Sub-leasing of units is not allowed.

The owner shall assume responsibility for any violation by their tenant(s) of the Master Deed, By-laws, and Rules and Regulations. All costs and expenses, including court costs and attorney fees incurred by the Board in connection with any violations under the leasing agreement shall be assessed to the Unit Owner.

3. Modifications of Units

Modifications to Units may only be made if approved by the Architectural Review Committee or the Board of the Directors if there is no Architectural Review Committee.

4. Parking & Driveways

The number of vehicles parked at a Unit shall not exceed the number of parking spaces available for parking at the Unit.

All parking shall be within areas specifically designed for parking. No vehicles may be parked on the grass or street at any time.

No parking shall be permitted on adjacent rights-of-way except in areas specifically designated by the Board for such use, and then only in accordance with any signage. Parking is prohibited on or around the boat ramp or on boat ramp road.

There is common visitor parking at the entrance to Folly Creek Way. Owners or occupants shall not occupy visitor parking on an indefinite or recurring basis. Owners or occupants shall not occupy visitor parking on an indefinite or recurring basis.

Additional boat, trailer, and large vehicle short-term temporary parking is allowed only at the end of Peas Island Road in the area marked for such vehicles. No overnight parking is allowed in this area without prior written approval by the Board.

No unlicensed or inoperable vehicle, house trailer, boat trailer or other trailer, mobile home, boat, camper, habitable motor vehicle, bus, truck or commercial vehicle over one (1) ton capacity; or vehicle bearing a prominent commercial logo or lettering shall be stored or parked overnight in a permitted parking area except within an enclosed garage or when otherwise screened from view from adjacent lots or streets in a manner approved in writing by the Board.

5. No Temporary Structures

No sheds, tent, storage enclosure, greenhouses, herb gardens, planters or temporary structures may be placed or maintained at a Unit in the Common Area except as may reasonably be required, in the opinion of the Board, for purposes incidental to the construction, maintenance or repair of property.

Such approved structures must be neatly maintained during the permitted period of use and must be promptly removed upon completion of the construction, maintenance, or repair. Unless approved in writing by the Board of Directors, no trailers, campers, shack, tents, garages, barns, or other structures of a similar nature shall be used as a residence, either temporarily or permanently.

6. Garage Doors

Garage doors shall remain closed except when vehicles are entering or exiting the garage, or when an activity within the garage requires that the garage door be temporarily open for ventilation, light, or access.

7. Signage, Banners, Flags, & Delivery Receptacles

No signs may be erected or displayed within the Community including real estate, political, or security signs without written approval by the Board.

No signs or posters are permitted on windows or within a Unit viewable through a window or door.

No banners or flags except for the current U.S. flag or S.C. state flag may be displayed. Small yard flags (up to 10" x 12") are permitted but limited to one per unit and if determined by the board to be offensive, the board retains the right to require the removal of such banners or flags.

The Board has authority to issue specifications for delivery receptacles and approve their location, color, size, design, lettering and all other particulars: all receptacles for the receipt of mail, newspapers, or similar delivered materials; property identification markers; and name signs.

8. Offensive Activities

No obnoxious, offensive, or illegal activities shall be carried on upon any Unit or Common Area, nor shall anything be done thereon that is or reasonably may become an annoyance or nuisance to the Owners of other Units. Without limiting the generality of this provision, no exterior speakers, horns, whistles, bells or other devices that emit sounds that are clearly audible in other Units shall be used on the Property, except for security, theft or fire alarm devices or other devices expressly approved in writing by the Board of Directors.

9. Decks

No laundry, garments, towels, or objects other than potted plants, patio furniture, attended electric grills and heaters shall be placed on a deck, except as may be authorized by the Board from time to time. Objects other than planters shall not be permitted to be placed on or kept on the railings of any deck, to hang over or be attached to a deck or to otherwise protrude outside of the vertical plane formed by the exterior of the deck.

Owners should refer to the current approved Screen Porch Guidelines for screening the back-porch decks.

10. Storage or Abandonment of Items

No items, including, without limitation, garbage cans, yard waste, empty plant pots, play/sports equipment, construction material, non-outdoor furniture, gardening supplies, storage containers, tools, grills, etc. are allowed to be stored, kept, or to remain unattended upon any portion of the Common Area or Limited Common Area including carports and driveways, without written prior Board approval. Play & pet equipment (such as basketball goals, bicycles, tricycles and swings, pet houses/pet toys or similar property) shall not be left or kept on walks, yards, driveways, or road rights-of-way.

The Association or any Director or agent of the Association shall not be liable to any person or any claim of damage resulting from removal activity in accordance herewith. The Board may elect to impose fines or use other valuable remedies, rather than exercise its authority to remove the property.

11. Garbage & Other Containers

Garbage cans, recycling containers, or other trash or debris shall not be placed on the street right-of-way or adjacent walks or driveway until after 2:00 P.M. on the day before collection. Only those items that will be picked up by the waste collection service shall be placed in such areas. All empty containers shall be removed by 8:00 P.M. on the day of collection. Garbage and recycling cans must be stored in the enclosed garage. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. All waste left for disposal must be in an enclosed container suitable for the waste. Bags, boxes, or plastic bags containing waste may not be left on the street.

12. Outdoor Décor & Furniture

Outdoor décor such as lawn art, statuary, bird baths, exterior hanging art, flags, birdhouses and outdoor furniture in the planting beds, driveway area, and under the stairs shall be subject to the following rules:

Outdoor furniture must be limited to three pieces and must be kept under the stairs (example: 2 chairs & side table). Furniture may not be placed in the driveway or in front of the garage doors.

Statuary & lawn art (including birdbaths) are limited to 1 item. Wall art on the exterior of the building will be limited to two (2) pieces. Wreaths may be hung on front doors, but if hung on the

exterior of a building will count as 1 of 2 pieces allowable. Since certain statuary, lawn art, wall art, or outdoor lighting could be deemed offensive by some, it is strongly recommended that owners obtain Board approval prior to placement. If approval is not obtained and the piece is deemed offensive, the Board will require its removal.

Note: Attachment of wall art and other items to outside walls of a unit pierces the Hardie plank, underlying vapor wrap, and OSB board. Owners are responsible for the repair of all exterior surfaces when the item is removed upon sale of the unit or for any other reason.

Potted plants must be maintained and may be limited in number or size or in any other way if deemed necessary by the Board. Empty pots kept outside the unit will be deemed as stored and are subject the storage rules requiring removal.

Bird feeders, birdhouses, and wind chimes are not allowed. In addition, bird feeders may not be hung from porches as the bird activity and droppings may not be desirable to your neighbor. In addition, owners should keep in mind that bird feeders attract rodents.

Holiday decorations and lights are acceptable, although blow up or compressor driven decorations are not permitted. Holiday decorations and lights are permitted to be displayed no earlier than 30 days prior to the holiday and must be removed by within 30 days after the holiday from both the front of the building and the back porches.

13. Yard Work

The Board maintains a service contract with a professional landscape company for the care and maintenance of the island. Owners should not engage the landscape workers, as any request for landscape work should be directed through the Board. Additionally, owners shall not add or remove trees, shrubs, bushes, plants, or other vegetation to the exterior of the Community without the written prior consent of the Board.

14. Use of Docks, Boat Lifts, and Boat Ramp

All the docks in the Regime are community property for the general use by all owners and their guests if the owner accompanies the guests. Protective footwear must be worn at all times. Docks and walkways cannot be used for storage of any items such as paddle boards, kayaks, fishing and boating gear, crab pots, etc.

The boat lifts and the walkways to the boat lifts are considered private and may only be used by Unit Owners and guests of Unit Owners who have the rights to the boat lift. Owners who have rights to a boat lift may rent the lift to another unit owner, or renter of the unit to which the lift is assigned. Renters of a unit may not sublet boat lifts, nor may owners rent a lift separately to non-unit owners. Owners who elect to rent their boat lifts to a tenant transfer their rights to use the boat lift and floating docks for the duration of the rental period to the renter. If boat lift rights are transferred either by sale or rental agreement, the Board should be notified immediately.

All operations, maintenance, and repair of the boat lifts are the responsibility of the owner with boat lift rights.

Boat lift areas are potentially dangerous so owners should minimize the number of people allowed near the lifts. Additionally, Owners are responsible for keeping the gate locked and must provide the Association with a key to the lock.

Owners should first launch their boats then load their guests and any supplies at the floating docks. It is recommended that life jackets be worn while in the boat lift area.

To be able to locate the owner of a boat when needed, all boats brought to the property must be registered with the Association. Simply mail the following information to Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc, PO Box 11, Folly Beach SC 29439 or email the Board at PalmettoPointeBoard@gmail.com

- Owners name & contact information
- Hull Identification number
- Registration number
- Description of boat

Homeowners can moor their boats overnight at the floating docks for no more than 3 consecutive nights. Please be mindful of the needs of all owners and not abuse this privilege. Habitual mooring by the same owner may be terminated by the Board. Boats not registered may be removed from the docks and property at the owner's expense. As there are only a limited number of in-water slips, Boat Lift Rights Owners should not abuse the privilege of keeping their boat in the water overnight if their lift is functioning properly. Habitual abusers will forfeit their rights.

The boat ramp is for general use by all the owners. No boats or trailers can be parked at the boat ramp overnight. The boat ramp is 10 feet wide and should only be used for small watercraft under 20 feet in length and/or boat trailers that are single axle only. There is a concrete stop at the end of the boat ramp to prevent anyone from backing their trailer too far into the creek. As this is a tidal creek, all owners are reminded to check the tide chart before launching or retrieving any boat.

15. Clubhouse and Pool

The clubhouse and pool area, also known as "The Walker Pavilion", is for the general use of all owners. Owners are required to keep the clubhouse and fitness area clean and to notify the Board of any needed repairs or replacements. All doors must be locked, and all lights and fans turned off when departing.

The clubhouse is available for owners to reserve for parties or other special events, if the Board or its designee gives notice and permission, in advance. Owners may use the clubhouse for special events only if:

- The owner is the sponsor of the event
- The owner will be present during the entire event

- A signed waiver acknowledging the responsibilities and liabilities is in place

The other Association owners will not be allowed to use the clubhouse during this time. For availability of the clubhouse contact the Board at PalmettoPointeBoard@gmail.com

The sponsor may either pay \$100.00 to clean the clubhouse the day after the event or the sponsor may elect to clean the clubhouse. If the sponsor elects to clean the clubhouse, the cleanup must meet the Board's approval.

Each owner is permitted 4 combined uses of the clubhouse and guest suite per calendar year. Each night in the guest suite is considered one use. Additional uses for either area may be requested by petitioning the Board of Directors.

Additional rules for Clubhouse use include:

- Furniture must be left as it was found
- If the clubhouse is booked, no one may use the fitness equipment or fitness room
- Any clubhouse event may not last longer than 6 hours and must end by midnight
- All food and trash removed after the event
- No live entertainment, loud music or any noise that disturbs the community is permitted
- The maximum capacity for all events held at the clubhouse is 88 people.
- The owner holding the event will be responsible for offsite parking for guests. Onsite parking is limited to designated guest parking areas. Parking is not permitted on the street or grass

Non-reserved use of clubhouse or pool by owners:

- Owner must be present when guests use the clubhouse or pool
- Owner is responsible for guests and agrees to assume liability for the safety of guests
- Owners may not conduct commercial use of the clubhouse or pool with non-owners

16. Clubhouse Guest Suite

The Guest Suite bedroom & bath in the Clubhouse is available for use by guests of Palmetto Pointe homeowners.

Owners may reserve the Guest Suite for up to 3 nights at a time. There is no fee for use of the Suite. The sponsor may either pay \$100.00 to clean the bedroom and bathroom or the sponsor may elect to clean the suite himself or herself. If the sponsor elects to clean the Suite, the cleanup must meet the Board's approval.

All reservations must be made 10 days in advance by contacting the Board at PalmettoPointeBoard@gmail.com

Additional rules for using the clubhouse's suite are as follows:

- Only owners may reserve the suite for their guest

- No furniture can be moved or rearranged
- The 3-night maximum may be extended by petitioning the Board of Directors
- The guest must depart by 11:00 am on the final day
- The owner must remove all trash from the bedroom
- The owner must provide the sheets, towels, and toiletries
- The guest cannot impede or limit the use of the clubhouse by other owners
- The guest and owner must sign a waiver indemnifying Palmetto Pointe POA from any legal action that may arise because of the stay and agree to all costs associated with damage caused by their guests
- Should more than one request be made for the same dates, new requests will be given priority over repeat requests

17. Golf Cart Use

Golf cart use within the boundaries of Palmetto Pointe property is restricted to the paved roads and on the gravel drive to the boat landing. As required by the City of Folly Beach, all drivers must have a valid driver's license and adhere to all S.C. and City of Folly Beach laws. Walking trails are limited to pedestrian and non-motorized vehicles such as bicycles.

18. Fireworks

Peas Island is within the jurisdiction of the City of Folly Beach and the city does not allow setting off fireworks anywhere within the city limits. The use of fireworks or pyrotechnics of any kind on Peas Island is, therefore, not permitted. That restriction includes the docks owned by the association, and on the road connecting the island to Folly Road.

19. Open Flame Cooking Devices

All open flame devices including charcoal or gas grills, deep fryers, portable outdoor fireplaces, fire pits, fire rings, fire bowls, fire tables, gel burners, or propane heaters may not be used on balconies, porches, clubhouse, or in garages or carports. Use of charcoal or gas grills or deep fryers is only allowed in the driveways or backyard so long as it is 10 – 15 feet away from any structure or combustible material.

Electric grills, cookers, or steamers may be used safely in the carport area. Any cooking device must be constantly monitored.

No cooking devices of any kind are allowed on the docks or pier heads.

20. TV Antenna & Satellite Dish Installation

As described in Section 10.3 of the Master Deed, Owners are permitted to install one exterior TV antenna, which includes Dish type antennas, on the outside of their unit. The following guidelines apply:

- Device can only be installed on either one of the 6 x 6-inch porch posts or 4 x 4-inch trim boards located on the perimeter of the second story porch
- Devices cannot be installed on any part of the roof of the building
- Device cannot be installed on any part of the front or the lateral sides of the building
- Device cannot be installed on the fiber-cement siding of the building
- No wires that may be required to pass over the roof be attached to any portion of the shingled portions of the roof. Wires need to be concealed as much as possible and follow the contours of the building.
- Device must be professionally installed and grounded in accordance with applicable guidelines of the Federal Communications Committee (FCC).
- Signal input cables from the antenna must be connected to the cable junction box located on the exterior of the building

Should the permitted locations not be conducive to signal reception, the owner must request and receive approval by the Board of Directors for a proposed substitute location.

21. Animals & Pets

All pets are to be on a leash and controlled by their owners while walking the pets on the property. Owners are responsible for the immediate pickup and disposal of pet waste. Owners may not leave their pets on any porch, garage, or in their carport when they are not home.

No animals, livestock, or poultry of any kind may be raised, bred, kept or permitted in any unit or in the Common Areas.

The Board may require that any animal that in the Board's sole opinion, endangers the health or safety of any Owner or Occupant, or creates a nuisance or unreasonable disturbance, be permanently removed from the Community upon seven (7) days written notice.

22. Unsightly or Unkept Conditions

The pursuit of hobbies or other activities, including specifically, the assembly and disassembling of motor vehicles, boats or boat motors, and other mechanical devices, which might tend to cause disorderly, unsightly or unkept conditions, shall not be pursued or undertaken in any part of the community except within a garage.

23. Fishing or swimming in the ponds is prohibited.

<p><i>The Board of Directors adopted of these rules and regulations on August 27, 2021.</i></p>
