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STATE OF SOUTH CAROLINA )

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AFFIDAVIT TO RECORD

COUNTY OF BEAUFORT )

In re: RETREAT AT GRANDE OAKS RULES AND REGULATIONS

The attached document is being recorded to comply with the South Carolina Homeowners Association Act, Title 27, Chapter 30, Section 110, et. seq., *South Carolina Code of Laws* (1976) as amended.

RETREAT AT GRANDE OAKS HOA, INC.  
A/K/A RETREAT AT GRANDE OAKS  
HOMEOWNERS ASSOCIATION, INC.

By: 

Signature Erick K. Nagel, Jr.

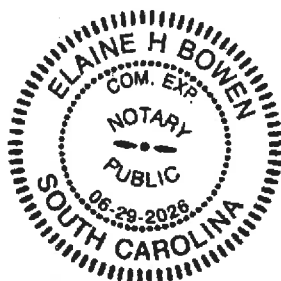
Its: Attorney

Sworn to before me this  
7<sup>th</sup> day of May 2024

Elaine H. Bowen

Notary Public for South Carolina

Commission Expires: 6/29/26



## **The Retreat at Grande Oaks**

### **Rules and Regulations**

**Updated April 5, 2024**

The rules and regulations noted below are subject to the fining schedule unless defined otherwise.

#### **Architectural Review Board (ARB)**

The Architectural Review Board (ARB) - consists of one (1) or more persons who are appointed by the Board of Directors. The ARB shall regulate the external design, appearance, use, location and maintenance of the "Property" consisting of all lots within the community. The ARB will review submissions and make decisions using their best judgment of what will be compatible with the character and appearance of the community.

The basic authority for maintaining the quality of design in The Retreat at Grande Oaks is found in the Declaration of Covenants, Conditions, and Restrictions (Section 6.4), which is a part of the deed to every property. The ARB is responsible for covenant enforcement by reviewing proposed changes to ensure they follow the ARB Standards towards maintaining high standards of design quality. This, in turn, protects property values and enhances the community's overall appearance.

A site plan is required for several applications. A site plan is a scaled drawing of your lot or smaller site which shows dimensions of the property, adjacent properties if applicable and all improvements covered by the application. Contour lines may be required where drainage is a consideration.

Under no circumstances should an ARB application or approval be confused with a county building permit. The Homeowner must apply for any applicable building permits and conform to all Governmental building codes.

If the homeowner proceeds with an improvement, change to existing items, addition, or any other alteration to the exterior of the property without requesting permission from the ARB, they risk the potential of redoing or removing the alteration and a substantial fine. If the ARB disapproves a request, the homeowner may not proceed with the improvements. Approval or disapproval will be granted within thirty (30) business days as long as all requested information is submitted. It will be the homeowners' responsibility to provide all additionally requested information in a timely manner.

#### **GENERAL STANDARDS ON REPLACEMENTS**

In the normal course of aging and wear, components of a home will require replacement. This includes driveways, roofs, windows, garage doors, doors, shutters, siding, decks, lights, landscape plants, sidewalks, fences, and other components. A one-for-one replacement (color, material, style, size, shape, location, etc.) that meets the current standards does not require ARB approval.

Residents are responsible for maintaining the exterior of their dwellings (front, sides and back) and other structures on their lots, such as decks, fences, sheds, and playground type of equipment. This includes routine pressure washing to minimize fungus growth and to keep with the aesthetics of the neighborhood.

**AIR CONDITIONERS, EXTERIOR** - Air conditioning units extending from windows will not be approved, except when needed to affect cooling while main air conditioning repairs are taking place, up to a maximum of 30 days.

**ANTENNAS AND SATELLITE DISHES**- Satellite dishes, (approx. 30" inches) in diameter shall be permitted. Dishes should be located to minimize the impact on the home by locating them below the roof peak, generally at the back or side of the home, and safely away from electrical lines and other utilities. (Section 6.13 of CCRs)

**BASKETBALL HOOPS AND BACKBOARDS** - Only temporary portable basketball hoops are acceptable but must be placed in such a manner that they do not block sidewalks or streets. Temporary portable basketball hoops do not require the ARB's approval but must be removed and stored from sight after use. All other recreational equipment must be approved by the ARB.

**BIRDHOUSE OR BIRDFEDER**- Birdhouses and bird feeders are generally acceptable when installed in the backyard. Any other location will require approval of the ARB.

**BOATS, CAMPERS & RECREATIONAL VEHICLES** - See **VEHICLES**

**CARPORTS**- No structure, tent, shack, carport, garage, barn, or other outbuilding shall be erected by the homeowner/occupant, on any portion of the Property, at any time, either temporarily or permanently, without the prior written approval of the Board. (Sections 6.26, 6.7 of CCRs)

**CLOTHESLINES** - Clotheslines are not permitted. (Section 6.25 of CCRs)

**DECKS, PATIOS, SCREENED PORCHES AND COVERS**- All decks, patios, screened porches and covers will require approval from the ARB. Dimensions of the options with materials, colors, and specifications must be submitted with the plans for ARB approval.

**DOGHOUSES** - Doghouses meeting the following guidelines will not require approval. Doghouses are restricted to (16) square feet and must be located in a fenced backyard. Doghouses must be installed at ground level and must not be visible above the fence or from any public or private street.

**DRIVEWAY**- An application and approval are required for expanding any driveway. Applications will be reviewed on a case-by-case basis. The review will focus on design (including materials, size and scope), impact and locations. Driveways shall be kept free of debris and trash. All vehicles shall be parked within each driveway or garage of each Lot. (Section 6.7 of CCRs)

**EXTERIOR COLORS** - Color changes to siding, doors, shutters, trim, roofing, and other structures require an ARB application. When contemplating exterior color changes, the following criteria should be followed:

- Bright or unusual colors should not be used (e.g., purple or orange shutter colors will not be approved, nor would extremely bright colors).
- Siding and trim should be matched or slightly contrasting (e.g., cream/white, light blue/white).

- Adjacent properties must be considered when contemplating a color change, to avoid a "cookie cutter" appearance (e.g., two or three homes side-by-side with white siding, black shutters, and black roofing).

**FENCES-** Fences typically must begin at the back corners of the house, however, certain circumstances such as plot layout may alter this capability. When an ARB application is submitted, the lot and location will be reviewed, and a detailed approval will be sent with regards to location and easements. It is the responsibility of the homeowner or the contractor to locate the property pins for appropriate placement of the fence. Any installation of fencing which abuts another property allows the abutting homeowner to tie-in, regardless of the ownership of the existing fence. (Section 6.20 of CCRs). All applications should include a site plan which shows the relationship of the fence to adjacent houses, open spaces, and exact relationship to property lines.

**FLAGS & FLAGPOLES-** Permanent flagpoles require ARB approval, and should be of a height, color, and location that is appropriate for the size of the property and background. Permanent flagpoles must be installed and maintained in a vertical position. Display of the United States Flag must be in accordance with the nationally accepted standards and other applicable laws. (See e.g., Title 4 US Code). Temporary flagpoles, that do not exceed six (6) feet in length and are attached to the front wall or pillar of the house do not require an ARB application. Use of flags should be limited to non-commercial usage. No more than two (2) flags may be mounted on a dwelling and must not exceed 6 feet in any dimension.

**FLOWERBOXES ON WINDOWS-** Window flower boxes that are the same base color as the house or trim color are permitted. All others need approval from the ARB.

**FOUNTAINS/ PONDS-** Fountains and ponds of any kind will not be allowed in the front yard unless approval is received from the ARB. Approved items must be maintained in appearance and functionality.

**GARAGE DOORS -** Garage door(s) will be maintained in their original condition and be free from noticeable damage visible from the roadway. Replacement garage doors should conform to the general design and color of the original door. Doors that are an exact replacement in style, size and color do not need ARB approval. Garages shall not be altered to include living spaces. (Section 6.7 of CCRs)

**GUTTERS & DOWNSPOUTS-** Gutters and downspouts will match existing house trim. (White) Gutters or downspouts in the same color of the existing trim are not considered by the ARB to be an alteration or improvement to the structure and do not require an application. Other modifications that impact the appearance of gutters and downspouts will require an application. This excludes most gutter covers.

**HOME BUSINESSES-** Home business occupations are permitted provided such businesses are undetectable from the street by sight, sound, odor, or noise. The following must also apply: 1. The use shall operate in its entirety within the dwelling unit and only by the person residing in the dwelling. 2. The use shall not have a separate entrance. 3. The operator shall not display any external evidence of the operation of the home business. 4. The use shall not exclusively utilize more than 20% of the gross square floor area or 300 square feet, whichever is less. A garage shall not be utilized for, or in conjunction with a home business. 5. The home business shall clearly be incidental and secondary to the use of the dwelling or of the neighborhood by excessive noise, lights, traffic or other disturbances. 6. A business license must be acquired if it is required by the city/county and the business must meet zoning and business regulations. (Section 6.3 of CCRs)

**HOLIDAY DECORATIONS-** All holiday decorations must be removed within thirty (30) days of the particular holiday or celebration. Consideration of neighbors should be exercised when decorating for any occasion. All holiday lighting should be considered temporary and may not be installed prior to (30) thirty days before the holiday and must be removed within (30) thirty days after the holiday. Decorations may not include any audio that can be heard beyond the limits of the lot.

**HURRICANE & STORM SHUTTERS** - In no case will hurricane shutters be allowed to remain closed for more than two weeks following a named storm. This includes custom fit hurricane shutters, and any other method/material used to cover windows in the event of a Hurricane and/or Tropical Storm.

**LANDSCAPING** - Landscaping should be designed with the total yard in mind. Distances of plantings at maturity must be considered between plantings and to the sidewalk, house driveway, street, and most importantly, the neighbors' property. Trees and shrubs must not extend into a neighbor's property. Planting and maintenance of trees and shrubs should never obstruct sight and movement required for pedestrian and vehicular traffic. The views of neighboring units and shade patterns of larger trees should always be considered. Trees should not deposit fruit, pods, or other material on a neighbors' property. Care should be taken to maintain the appearance of trees and shrubs. Storm damaged trees that are clearly on a homeowner's property, which present safety issues for the community should be promptly addressed. Adult size of plants should be considered when planting near property lines or public rights-of-way. The property owner will be responsible for roots and limbs that extend into neighbors' yards and must remove them when requested. Vegetable gardens must be located in the rear yard and must not exceed 20% of the total area of the rear yard. Care should be exercised in selecting plant materials that, upon maturity, will be of an appropriate size in height and breadth for their intended use and location. Mature size, both in height and diameter, should always be considered, especially when planting close to walkways and houses. Mulch and edging are recommended around plantings. Edging should be durable and not visually compete with the house.

**LANDSCAPING STANDARDS:**

- All yards visible from the street shall have sod from the home to the street curb, unless otherwise approved by the ARB.
- All unpaved areas of the yard must have sod, except planting beds which are required to contain plants installed by the builder or other plants approved by the ARB. All planting beds should be free of weeds and contain a natural, non-synthetic type and color of mulch, pine straw, or other ground cover such as rocks. Grass is not considered an acceptable ground cover for flower beds.
- The grass shall be edged in all areas that meet concrete walkways, sidewalks, curbs, and flower beds.
- Lawn grass and weeds therein should be a uniform height of no more than approximately 5 inches. During growing season, it is recommended that yards are maintained on a weekly basis to ensure this goal is accomplished.
- Landscape plants shall be maintained in the planting beds at the front of the property installed by the builder. If the Homeowner wishes to replace existing plantings with new plantings, an ARB application must be completed for approval.

- Homeowners must keep all doorway and window areas trimmed and free of trees, shrubs, or any other vegetation so as to not obstruct any egress to doorways or view from windows on the property to the street. No more than 25% of window areas may be obstructed by vegetation of any kind, unless approved by the ARB.
- Sidewalks, driveways, and pathways must be clear of any plant growth.
- Plant and tree pruning should consist of the removal of dead, dying, diseased, and obstructive limbs. When pruning plants and trees, care should be taken to trim and shape them in a manner that is typical of their species.

**LEASING-** All leases shall require, without limitation, that the tenant acknowledges receipt of a copy of the Declaration, Bylaws and Rules and Regulations of the Association. The lease shall also obligate the tenant to comply with the foregoing and shall provide in the event of noncompliance, the Board, in addition to any other remedies available to it, may evict the tenant on behalf of the owner and specifically assess all costs associated therewith against the Owner and the Owner's Lot. (Section 6.9 of CCRs). A copy of the lease and tenant screening reports must be provided to the Management Company. A lease should be for one year with an automatic renewal provision if there are no tenant issues reported to management during each year. The Homeowner is responsible for maintenance of the appearance of the property as outlined in this document. The Owner must maintain upkeep such as lawn care and power washing.

**LIGHTING, EXTERIOR** - Any and all exterior lighting installed on the lot shall either be indirect or shall be of such controlled focus and intensity that it will not unreasonably disturb the neighbors or neighboring lots. Exterior light fixtures that are replaced should be comparable in style and scale of the originally replaced fixture, and do not require ARB approval. Drastic deviations from the original design require ARB approval. Installation of solar- or low-wattage ground level walkway lighting does not require an ARB application, unless its installation is part of a major landscaping change. (Section 6.22 of CCRs)

**MAJOR ALTERATIONS** -Major alterations are generally considered those which substantially alter the existing external structure either by subtraction and/or addition. Major building alterations include, but are not limited to, construction of garages, large-scale structural modifications (with new color or design), porches, rooms, and other additions or conversions to a home. The size of the alteration relative to the lot size will be considered during review of the application. Roofs or additions must match the slope, color and material of the existing house. The location of major alterations should not impair the views or sunlight and natural ventilation on adjacent properties. Additions should not be higher than the highest point of the house. Changes in grade, or other conditions that will affect drainage must be indicated. Generally, approval will be denied if adjoining properties are adversely affected by the changes. (Section 6.24 of CCRs)

**NOISE-** Outdoor noise should cease after 10PM on weekdays and 11PM on weekends.

**NUISANCE-** It shall be the responsibility of each Owner and Occupant to prevent the development of any unclean, unhealthy, unsightly, or unkept condition on his or her lot. No lot within The Retreat at Grande Oaks shall be used, in whole or in part, for the storage of any property or thing that will cause the lot to appear in an unclean or untidy condition or that will be obnoxious to the eye; nor shall any substance, thing, or material be kept that will emit foul or obnoxious odors or that will cause any noise or other condition that will or might disturb the peace, quiet, safety, comfort or serenity of the occupants of the

surrounding property. No noxious or offensive activity shall be carried out within The Retreat at Grande Oaks. (Section 6.12 of CCRs)

**PAINTING** - ARB approval is required for repainting of any house that is painted differently than the original color. A sample paint swatch must be submitted with the request. The ARB may require that a sample area is painted with new color and trim before approval is granted.

**PARKING** - All vehicles (See **VEHICLES**) must be parked in areas designated for such purposes. At no time may residential lawns, yards, open spaces, or general turf areas be used for parking, storage or other recurring use to support vehicles of any type. At no time may common ground, to include public sidewalks or community property, be used for parking in accordance with the Master Declaration of Covenants, Conditions and Restrictions for The Retreat at Grande Oaks. No street parking is allowed other than to accommodate residential improvements during normal "business" hours or special events such as a party not to exceed 10PM or 11PM weekends. A 'correction time' shall not apply to parking violations and homeowners may receive daily violations and accrue fines for the same. Any damage and/or repairs necessitated by parking on common areas will be billed to the homeowner responsible. Vehicles parked in such areas are subject to towing without notice. (Section 6.7 of CCRs)

**PATIO FURNITURE** - All "lounging" patio furniture in the front or side of home if there is no fencing must have ARB approval. Benches and decorative seating do not require approval.

**PERGOLAS** -Pergolas require ARB approval prior to installation. These should be located in rear yards, painted or stained in earth tone colors and screened from adjacent properties and streets. Temporary, non- structural enclosures are prohibited.

**PETS** - No non-domesticated animals, livestock, or poultry of any kind shall be raised, bred, boarded, or kept on any site. No owner or occupant may keep, breed or maintain any pet for any commercial purpose. No animal of any kind shall be permitted to remain on the property that is found by the ARB to make an unreasonable amount of noise or odor. Each owner shall be financially responsible and liable for any damage caused by their pet. All local ordinances concerning pets must be obeyed at all times. All cats or dogs over 3 months must be vaccinated for rabies yearly. All pet owners must clean up promptly after their pet(s) and dispose of the waste in suitable containers. All pets shall be leashed at all times and shall not be allowed to roam free in the neighborhood. Each household is limited to 4 pets. (Section 6.11 of CCRs)

**POOLS** - ARB approval is required before a pool is installed. Above-ground pools and/or spas will be permitted only when it is located in the back yard, and yard is enclosed with an approved fence. Note that any liability resulting from said pool is the sole responsibility of the homeowner.

**PONDS, LAKES, MARSHES AND BODIES OF WATER**-All boats, rafts or sailing craft are expressly prohibited. All ponds, lakes and bodies of water are declared "no swimming" areas. Due to slippery banks and muddy shores, parents are required to maintain constant supervision of their children. The natural area of ponds should not be disturbed. Alligators and other wildlife should also not be disturbed.

**PROPANE GAS TANKS** - One propane tank per lot may be installed. Propane tanks must be set on solid blocks to avoid movement/shifting during weather and climate changes. Above ground propane tanks shall be screened with adequate landscaping or fencing so that the propane tank is not visible from any adjacent property, roadway, or common area. ARB approval is not required. White vinyl lattice panels are authorized for use to screen propane tanks.

**RECREATIONAL EQUIPMENT**-All exterior recreational equipment including play yards (swing sets, slides, trampolines, etc.) must be located in the back yard, and yard is enclosed with an approved fence. The maximum height of the equipment shall not exceed 8 feet. No equipment installed for children's recreational use shall be installed or placed within the front or side yard of any lot or in any easement or common area adjacent to a lot.

**ROOF VENTS AND SHINGLES** - All roof vents shall be painted a color to match the color of the roof. Roof shingles, if replaced, must be the same color and style as the shingles replaced.

**SECURITY DOORS, STORM DOORS, SECURITY SYSTEMS**- High quality, full-view glass storm doors, which match in color with the house trim, may be installed without ARB approval. Any dramatic deviation of the builder's design of the front door requires ARB approval. Steel or wrought iron bars or similar security treatments shall not be installed on the exterior or interior of any windows or doors of any residence.

**SCREENED PATIO** -A screen room shall not encroach on any easements or setbacks and shall not create excess drainage on adjacent property. Patio roofs must be attached to the dwelling and match the color palette of dwelling. Screen room frame enclosures shall be white. Fiberglass screen enclosures shall be charcoal, gray or black. ARB approval is required.

**SHEDS**-Sheds require ARB approval prior to construction. Design, style & color shall be consistent with the design, style & color of the applicant's house. Sheds may not be larger than eight (8) feet by twelve (12) feet in horizontal dimensions and may not exceed eight (8) feet in height. No more than one (1) shed per property will be permitted. Sheds may be used for the storage of resident's property but shall not be used for the storage of motor vehicles or boats. Additionally, no equipment such as ladders, tools, etc. shall be placed or hung from the outside of the structure. Shed maintenance and cosmetics will follow the same rules & regulations as the house. Allowable sheds are freestanding. A freestanding shed is acceptable only when it is located in the back or side yard, and yard is enclosed with an approved fence. The finished materials and color scheme of the shed will complement and coordinate with those used on the house. Shed foundations should be constructed of either a concrete foundation, or concrete pillars to discourage rotting wood. (Section 6.26 of CCRs)

**SHUTTERS**-Decorative shutters must match or accent the house color and be consistent with other homes in the community. Shutters must be maintained and should be replaced if damaged.

**SIDING**- Any replacement siding requires ARB approval if not the original color, material & size of the original siding.

**SIGNS- REAL ESTATE, POLITICAL & COMMERCIAL** - Temporary professional real estate signs are not considered by the ARB to be an alteration or improvement to the structure and do not require an application but must be no larger than three (3) square feet in area and must be removed within three (3) days of execution of sale or rental agreement. Political or election related signs less than two (2) square feet are permitted without an application and must not be displayed more than sixty (60) days and must be removed within three (3) days after a sanctioned election. Commercial signs advertising businesses, services, etc. are not permitted. The only exceptions are: one home improvement company sign (handyman, painting, window replacement, etc.) less than two (2) square feet can be displayed only during the active phase of the home improvement work and only in the yard of the house under improvement, and one (1) Security Alarm Company Sign.

**SOLAR PANELS** -An ARB application and approval is required for installation of solar panels. Design, size and location are of paramount importance in the consideration of an application for the installation of solar panels. Detailed drawings and plans showing front and side elevations, proposed location of solar panels on the dwelling roof, and exterior dimensions of the roof and all solar panel equipment being installed shall be submitted for review. Solar panels must be kept clean and free of dust, pollen, and mildew.

**SPAS** - See **POOLS**

**SWINGS** - See **RECREATIONAL EQUIPMENT**

**TRASH, TRASH CONTAINERS, RECYCLE BINS AND ENCLOSURES** -No refuse, garbage, trash, lumber, grass, shrub, tree clippings, plant waste, compost, metal, bulk materials, scrap, refuse, ladders or construction materials or debris of any kind shall be kept, stored, or allowed to accumulate on any site except within an enclosed structure or appropriately screened from view. All trash receptacles to be emptied must be placed at curb and removed from curb within 24 hours. Items placed out for collection must be secured such that animals cannot get into trash or such that litter is caused. Trash and recycle containers shall be stored and placed at the side or rear of the residence. (Section 6.17 of CCRs)

**VEHICLES** – Recreational vehicles such as minibikes, go-carts, golf carts, mopeds, motorized scooters, 4 wheelers, lawn cutting equipment, maintenance equipment, boats, towed trailer units, unoccupied motor homes or any other type of recreational equipment, shall be parked and stored in the garage, except on a temporary basis not to exceed 48 hours. Parking rules apply. (See **PARKING**) Discharge from any engines, motors, drive trains, and holding tanks shall not be allowed into the street, storm drain, or sanitary sewer storm drain. Vehicles cannot be maintained, repaired, serviced, rebuilt, or dismantled on any lot except within the confines of the garage. This does not prevent a vehicle from being washed or waxed in the driveway of any lot. No boat, motor home, trailer, recreational vehicle, wreckers, hearses, buses, commercial vans, or commercial trucks shall be parked within the boundaries of the community unless within the confines of the garage. The Association shall have the right to remove any such "vehicle" if not removed by the Owner within (1) one day's notice, and all costs of such removal shall be an assessment against the owner. (Section 6.6 of CCRs). Standard passenger vehicles or one small pickup truck displaying a Company Name and/or Logo will be permitted to park on the driveway without having to conceal the company name/logo. No ladders or construction equipment are to be affixed to allowed vehicles.

**WATER FILTRATION SYSTEMS**- Water filtrations systems must be at the back of the house and out of your neighbor's view.

**WELLS** - Wells are not permitted.

**WINDOWS**-ARB approval is required for the replacement of all windows not of the same size, color, and material as the original window.

**WINDOW TREATMENTS** - No homeowner shall display, hang, store, or use any clothing, sheets, blankets, laundry, or other articles inside or outside their home to cover windows or patio doors which may be visible from the outside of the home that would distract from the community's aesthetic values. Temporary window and door coverings may be used for a maximum of eight weeks after closing for new homeowners. Thereafter, all windows, including the garage if applicable, require window treatments.

**WOOD STORAGE** - Storage of fireplace logs must be in the backyard. Stored firewood must be neatly stacked, below the fence line, and not visible from any public or private street. Wood storage must not be located in an area so as to block any existing drainage pattern on the lot. (Section 6.17 of CCRs)

**YARD PARKING:** Yard parking will receive one written letter of warning. Each occurrence thereafter will result in a \$200 fine and will not follow the fine schedule above. The purpose of this fine schedule is not to impose a hardship on any owner, but to have a standardized procedure for rules and enforcement and to emphasize the importance of residents following the rules and regulations of our neighborhood. Owners may be required to remove any exterior improvement (at their expense) which did not receive ARB approval.

**VIOLATION BY TENANT OR GUEST.** A violation by a rental tenant or guest shall be treated as a violation by the homeowner. The owner shall receive the letters cited above which shall outline a complaint for rule violations committed by their tenant and/or guest.

**ENFORCEMENT OF RULES-** All Rules and Regulations set forth shall be vigorously enforced by the Board of Directors and the Managing Agent. The Managing agent will do weekly inspections of the community and record violations. Upon the violation of this Declaration, the By-Laws, or any rules and regulations duly adopted hereunder (including, without limitation, the failure to timely pay any assessments), by any Owner, resident, guest, tenant or invitee, the Board of Directors of the Association shall have the power to:

- impose reasonable monetary fines on the Owner responsible for such violation, which, together with interest thereon and the costs of collection including attorneys' fees, shall also constitute an equitable charge and a continuing lien upon the properties of such Owner;
- suspend an Owners right to vote in the Association; and
- suspend an Owner's right to use any Common Property, including the right to request guest passes, and the Board of Directors of the Association shall have the power to impose all or any combination of these sanctions, providing that no sanctions may restrict an Owner or other resident's right to ingress and egress. Any such suspension of rights may be for the duration of the infraction, not to exceed sixty (60) days.

**Fining Procedure.** Except with respect to the failure to pay assessments, the Board of Directors of the Association shall not impose a fine, suspend voting rights, or infringe upon or suspend any other rights of an Owner for violations of the Declaration, the By-Laws, or any rules and regulations of the Association, unless and until the following procedure is followed:

- Written notice shall be provided, via email, regular mail, or hand delivery, to the responsible Owner specifying: (i) the alleged violation; (ii) the corrective action required; and (iii) a time period of not less than five (5) days during which the violation may be abated without further sanction if such violation is a continuing one or, if the violation is not a continuing one, a statement that any further violation of the same provision of this Declaration, the By-Laws, or of the rules and regulations of the Association may result in the imposition of sanctions and/or fines as set forth in the fine schedule below.
- If the violation continues past the period allowed in the demand for abatement without penalty, or if the same violation reoccurs within twelve (12) months of such demand, the Board of Directors of the Association may impose the fine or sanction and send notice of same to the responsible Owner.

Unless an Owner makes a written request for reconsideration of the imposition of such fine or sanction within ten (10) days of the foregoing notice, the violation shall be deemed admitted. Any such request shall be emailed, or sent via certified mail, return receipt requested, to the attention of the Property Manager at the address maintained on the Palmetto Hall website and must: (i) set forth the reasons for contesting same; (ii) identify any relevant evidence the Owner seeks to have considered; and (iii) state the relief requested.

- Upon receipt of a timely request for reconsideration by an Owner, the matter will be evaluated by the Board of Directors of the Association, or such Review Committee as it may establish for said purpose and notice of its recommendation will be sent to the Owner.
- If the Owner disagrees with the foregoing recommendation, the Owner may make a written request, within ten (10) days of receipt of such recommendation, for a final hearing to be held before the Board of Directors for the Association. The Board shall provide the Owner with notice of the hearing, which notice shall contain:
  - i. the time and place of the hearing, which time shall be not less than ten (10) days from the giving of the notice; and
  - ii. an invitation to attend the hearing and produce any statement, evidence and witnesses on his behalf.
- The hearing shall be held in executive session of the Board of Directors pursuant to the notice and shall afford the responsible Owner a reasonable opportunity to be heard. Prior to the effectiveness of any sanction or fine contested by the Owner in accordance with the provisions of this Section, proof of notice and the invitation to be heard shall be placed in the minutes of the meeting. Such proof shall be deemed adequate if a copy of the notice together with a statement of the date and manner of delivery is entered by the officer, director or other individual who delivered such notice. The notice requirement shall be deemed satisfied if an alleged violator appears at the meeting. The minutes of the meeting shall contain a written statement of the results of the hearing and the sanction imposed.
- This procedure applies to the imposition of fines and/or sanctions only and shall not be construed as limiting the right of the Association to take immediate action to ameliorate a dangerous condition; respond to an emergency; or exercise any "self-help" provisions, including the right to seek reimbursement for the costs associated therewith, in accordance with the Declaration and Bylaws.

**Fine Schedule:**

- FIRST OFFENSE: Notice of Violation and right to cure as set forth above..
- SECOND OFFENSE: \$25.00 fine for same violation.
- THIRD OFFENSE: \$75.00 fine for same violation.
- FOURTH OFFENSE: \$250.00 fine for the same violation.
- ALL SUBSEQUENT OFFENSES: \$500.00 fine for the same violation.
- FAILURE TO OBTAIN REQUIRED ARB APPROVALS: \$1,000 fine, new application and appropriate fees and if not approved, removal of said modification.
- ONGOING VIOLATIONS that are not timely cured as provided for in the notice, a fine of \$25.00 per day up to \$1,500.00 shall be imposed.

PLEASE REPORT VIOLATIONS, DAMAGE TO PROPERTY OR CONCERNS TO THE MANAGEMENT COMPANY.