



# Law Office of Scott M. Wild, LLC

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*January 18, 2019*

**Via First Class United States Mail**  
**(also via scanned electronic attachment)**

Palmetto Pointe Townes Townhome Owners Association, Inc.

Board of Directors

c/o Julie Smith, Esq.

IMC Resort Services, Inc.

2 Corpus Christi, Suite 302

Hilton Head Island, SC 29928

[julie@imchhi.com](mailto:julie@imchhi.com)

**Re: South Carolina Homeowners Association Act Filings**

Ladies and Gentlemen:

Enclosed, please find a recorded copy of Palmetto Pointe Townes Townhome Owners Association, Inc.'s Rules and Regulations, which were filed with the Beaufort County Register of Deeds Office on January 10, 2019. Please keep a copy of these records with your corporate filings.

If you have any questions, please do not hesitate to contact me.

With kindest regards, I am,

Sincerely,  
**Law Office of Scott M. Wild, LLC**

A handwritten signature in blue ink, appearing to read "Scott M. Wild", written over the typed name.

Scott M. Wild



## **Rules and Regulations Effective Jan. 1, 2017**

The ARB shall regulate the external design, appearance, use, location and maintenance of the Property. 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.

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. If the ARB disapproves a request, the homeowner may not proceed with the improvements. Approval or disapproval will be granted within 60 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.

### **AMENITY RULES AND REGULATIONS – CA/OA**

#### **Swimming Pool Rules**

- No lifeguard on duty, swim at your own risk.
- No diving.
- Unattended solo bathing is prohibited.
- Children under the age of 18 shall not use pool without an adult in attendance.
- Children, three years old and younger, as well as any child not potty-trained, must wear snug fitting plastic pants or a water resistant swim diaper.
- No glass articles allowed in or around pool.
- No smoking in or around the pool area.
- Please leave the pool area clean; remove all personal belongings and trash before exiting the pool area.
- When entering the pool area if you notice any damage please contact the managing agent immediately.
- No food, drink, or wrappers shall be permitted within ten feet (10') of the swimming pool or spa.
- No running or rough play allowed.
- No swimming allowed during heavy rain or when thunder and lightning can be seen or heard.
- Swimming pool is for the residents of Palmetto Pointe Townes and their guests. A resident must accompany all guests.
- No pets are allowed inside the pool gates.
- Gates must be closed after entering and exiting the swimming pool area.
- Emergency telephone is located poolside.
- Please refrain from using profanity in or around the swimming pool.
- Please return all furniture to its original location before leaving the pool area.
- The pool is maintained by a licensed Certified Pool Operator. In the event that the pool must be closed, all signage must be adhered to or access to the pool will be revoked for a minimum of 30 days.
- ANY ILLEGAL ACTS OBSERVED BY HOMEOWNERS ARE TO BE REPORTED TO THE BLUFFTON POLICE DEPARTMENT.

**ANTENNAS AND SATELLITE DISHES-** Satellite dishes are encouraged to be placed on the back or sides of home if possible.

**ARCHITECTURAL CHANGES-** Any changes to the exterior of the home are subject to review by the ARB.

**BASKETBALL HOOPS AND BACKBOARDS –** Should be stored when not in use.

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

**CARPORTS AND SHEDS-** No structure, shed, tent, shack, carport, garage, barn, or other outbuilding shall be erected by the Owner or Occupant, other than the Declarant, on any portion of the Property, at any time, either temporarily or permanently, without the prior written approval of the Board.

**CLOTHESLINES-** Clotheslines are not permitted. Fences shall not be used as clotheslines.

**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. Decks and patios must be natural in color. Deck should not extend past the width of the house and should be no more than fifteen (15) feet in depth.

**DRAINAGE DEVICES-** All drainage devices must be approved in writing by the ARB. Any modification impeding the flow of water is prohibited. Each owner shall maintain the grading upon his or her lot. A change in any drainage pattern must be approved by the ARB.

**FENCES-** Are not permitted within the Townhome Community. Single Family Homes must submit an ARB Request for fences, following the guidelines below:

- The fence must be 6 feet, uniform height and white solid vinyl panels. It should not have any open decorative areas.
- The fencing must start at the back corners of your home and must be within your property lines. No portion of the fence may extend past your property lines; however you are not required to fence to the rear property line.
- Any installation of fencing which abuts another property, by nature of its existence, allows the abutting homeowner to tie-in, regardless of who paid for the original fencing.
- The fence must appear to be professionally installed and should be kept in good order, free of mold and mildew.
- It is imperative that the Homeowner contact 811 to determine where the utility lines are located prior to installation. Fencing may not be installed within 10' of a gas or electric line.
- You are responsible to have your property pins located to insure proper placement of the fence.

**FIREARMS AND FIREWORKS-** The display or discharge of firearms (including B-B guns, pellet guns, or other guns) is forbidden unless the display or use is by law enforcement or a resident is legally transporting firearms to his/her home. Residents must abide by Beaufort County Laws in regards to fireworks.

**FLAGPOLES-** Flagpoles that are freestanding are prohibited, except as approved by the declarant for new home marketing. Flagpoles attached to the front of the house do not require approval as long as the length of the pole does not exceed 6 ft. Flags shall not be tattered or faded.

**FLOWERBOXES ON WINDOWS-** Window flower boxes that are the same base color of 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.

**GUTTERS-** Gutters may be installed with ARB approval.

**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.

**HOLIDAY DECORATIONS-** All holiday decorations must be removed within fifteen (15) 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 (15) fifteen days after the holiday. Decorations may not include any audio that can be heard beyond the limits of the lot.

**HOUSE NUMBERS-** House numbers as installed by the builder may be maintained. No alternatives are allowed without ARB approval.

**LANDSCAPING, TREE REMOVAL, VEGETABLE GARDENS-** All landscaping must be approved by the ARB in advance of installation. Eighty percent of the lot area, exclusive of the portion occupied by the house and original driveway, shall be covered with live vegetation cover. Gravel, mulch and similar materials shall not be considered live vegetation. No artificial plants, flowers or rubber mulch shall be part of the landscaping. Each owner shall use his or her best efforts to keep and maintain attractive, healthy, live and growing conditions, any and all grass, shrubs, trees etc. **Townhomes Only: Pine straw is installed every Spring as part of the landscaping contract. Mulch is not permitted as a substitute.**

**LIGHTING-** Removal of existing lighting installed by the builder is prohibited without approval from the ARB. Additional lighting installed must be approved by the ARB. 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.

**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.

**PATIO FURNITURE –** All patio furniture in the front or side of the home must have ARB approval. Patio furniture must not be in landscaped or grass areas. Wood and/or wrought iron are encouraged.

**PETS –** 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. **Dogs, cats or other household pets may be kept, not to exceed a total of two (2) such animals**, provided they are not kept, bred or maintained for any commercial purpose. Each owner shall be financially responsible and liable for any damage caused by their pet. If you feed an outside animal on a regular basis, it will be considered your pet. All local ordinances concerning pets must be obeyed at all times. No pets are allowed in any amenity area. All cats or dogs over 3 months must be vaccinated for rabies yearly. Pets may not be tethered unattended. **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. These are Beaufort County/Bluffton Ordinances.**

**RECREATIONAL EQUIPMENT-** All permanently installed exterior recreational equipment including play yards (swing sets, slides, tree houses, trampolines, etc.) must have the ARB approval. The maximum height of the equipment shall not exceed 8 feet, with the exception of the community amenity area. Recreational equipment shall be located on any lot as not to be visible from any public street, and the homeowner must have a fence approved and installed prior to equipment being installed. 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.

**RESIDENTIAL STRUCTURES-** No residential out structures are permitted and all expansions/additions must be approved by the ARB. It is the responsibility of the homeowner, or their contractor, to obtain a building permit from the appropriate municipality prior to any building.

**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 unless otherwise approved by the ARB.

**SECURITY DOORS, STORM DOORS, SECURITY SYSTEMS-** High quality, full panel glass doors, decorative wrought iron doors, or decorative aluminum doors may be installed if approved by the ARB. Any other door, any enclosure, or change of the original builder's design requires ARB approval. All other security systems or measure which are installed on the exterior of the house require the ARB approval.

**SHUTTERS-** Exterior shutters on windows require ARB approval. Shutters must match or accent the house trim 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.

**SIGNS-** Residents are permitted to display one (1) neatly painted "For Sale" or "Open House" signs no larger than six (6) square feet. One (1) "For Rent" or "For Lease" sign may be placed in a window ONLY and must be 18" x 12" or less. Builder lot signs are permitted. Political signs may be placed in your yard as part of your first amendment right. However, in order to protect the aesthetic harmony of the neighborhood, only one (1) political sign not more than six (6) square feet is permitted to be placed in the front yard (as defined above) two (2) weeks prior to the election date. The sign must be removed within three (3) days after the election. Except for security

alarm systems, all other commercial and advertising signs, including signs of contractors performing work at residence, are prohibited. Placement of signs and notices on fences, trees and other objects are prohibited. The Board of Directors reserves the right to periodically place signs in the common space for the benefit of the community. Such signs include, but are not limited to informational signs and warning signs. Signs that may be viewed as offensive material will not be permitted.

**SPAS-** Spas must be approved by the ARB. The equipment must be located in such a way that it is not immediately visible to adjacent property owners, i.e. hidden by fence, shrubs, etc.

**TRASH CONTAINERS, RECYCLE BINS AND ENCLOSURES-** No refuse, garbage, trash, lumber, grass, shrub, tree clippings, plant waste, compost, metal, bulk materials, scrap, refuse, 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 and/or yard waste to be emptied cannot be put out until Sunday and must be placed at curb (not in overflow parking) and removed from curb by Tuesday no later than 10:00am.** 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 so that they are not visible from the street. Containers may be kept on the side of the house, as long as a bush of some type be planted or a fence screen be installed to obscure the view of the trash container.

**VANDALISM-** Any vandal destroying improvements located upon Common Area within the community will be prosecuted to the fullest extent of the law. Owners are responsible for any vandalism committed by their family members, invitees and guests and shall be subject to cost for repairs and a fine equal to the cost of repairs to reimburse the association. In addition, if a reward is paid for information leading to an arrest, that reward must also be reimbursed.

**VEHICLES-** Vehicles must be parked in driveways or garages. **No on-street parking is allowed.** No vehicles may be parked in common areas or on sidewalks. The parking areas on Moon Beam Court, in front of 1-7 & 11-19, and in front of 121-131 and 140-148 Starshine Circle are for the use of townhome residents only. Single Family Homes are required to utilize their driveways before parking in designated Single Family Overflow Parking. Overflow parking is not to be used for long term parking of vehicles. Recreational vehicles such as minibikes, go-carts, golf carts, mopeds, motorized scooters, 4 wheelers, lawn cutting equipment, maintenance equipment, boats, commercial vehicles, towed trailer units, unoccupied motor homes or any other type of recreational equipment, shall be parked or stored in a garage except on a temporary basis not to exceed 48 hours. 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. **Commercial vehicles must be parked in garage areas and are defined as vehicles with company logos, vehicles displaying roof racks or obvious additions used for a specific purpose.** Homeowners that park their commercial vehicles in either the driveway or in overflow parking, must have the logos covered as not to display the logos (i.e. blank magnetic cover). Vehicles with more than 6 tires are prohibited with the exception of delivery or maintenance vehicles requiring short trips within the Community.

**WEATHERVANES-** ARB approval is required for any weathervane.

**WINDOWS-** ARB approval is required for the replacement of all windows not originally installed by the builder. Nothing may be placed in the window, which could be viewed from the exterior, such as window HVAC units or fans.

**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.

**ENFORCEMENT OF RULES-** All Association Rules and Regulations and all rules set forth in the Community Covenants and Restrictions shall be vigorously enforced by the Association, its members, the Board of Directors, and the Managing Agent, and all committees of the Association. The managing agent will do periodic inspections of the community and record violations to be reviewed by the Board of Directors. Homeowners shall be notified in writing of the alleged violation and said violation must be corrected immediately unless additional time is given according to the violation notice. Violations must be amended and maintained to avoid additional violations for an offense of the same type. Immediate correction of any violation does not relieve the owner of a fine incurred. Fines will be assessed according to the structure below.

Owner's voting rights and rights to the use of recreational facilities by the Owner, Owner's family; tenants and guests may be suspended or limited in addition to fines being levied.

**First Offense:** Written letter of warning. Notice to homeowner giving nature of alleged violation.

**Second Offense:** \$50.00 fine for same violation, to be added as additional CA/OA fees. Unpaid fines are collectible in the same manner as unpaid monthly assessments and may result in a lien on an owner's unit.

**Third Offense and Subsequent Notice of Violation:** The CA/OA may choose to fix or repair the problem at the owners' expense or impose a \$100.00 fine for same violation, to be added as additional CA/OA fees. Unpaid fines are collectible in the same manner as unpaid monthly assessments and may result in a lien on an owner's unit.

After receiving the first violation, if a Homeowner feels that they are not in violation as described, they must contact the managing agent immediately. If an agreement cannot be met at that time, the Homeowner may request the opportunity to be heard at the next scheduled meeting of the Board at which time the Board will determine if the Homeowner was in violation as described in the Rules and Regulations

Owners may be required to remove any exterior improvement (at their expense) which did not receive ARB approval.

**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 A RULES & REGULATIONS VIOLATION COMMITTED BY THEIR RESIDENT.**

Rules and Regulations may be amended, repealed, and adopted from time to time by the Board of Directors. Proposed amendments may be published, but are not required to be published, via email.