

After Recording Return To:
Jones, Simpson & Newton, P.A.
ATTN: Wm. Weston J. Newton
P.O. Box 1938
Bluffton, SC 29910

STATE OF SOUTH CAROLINA)

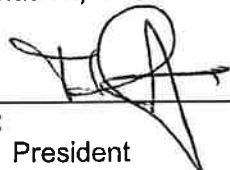
COUNTY OF BEAUFORT)

AFFIDAVIT TO RECORD

RE: The Farm at Buckwalter Homeowner's Association, Inc.
**Resolution to the Rules and Regulations – Rule Regarding Electronic Bicycles &
Off-Road Vehicles – Adopted: June 11, 2026**

The attached document is being recorded to comply with the South Carolina Homeowners Association Act, Section 27-30-110, et. Seq., of the South Carolina Code of Laws 1976, as amended.

**The Farm at Buckwalter Homeowner's
Association, Inc.**

By: 
Name:
Its: President

SWORN to before me this 13 day
of June, 2026.


Notary Public Nancy Zabala
My Commission Expires 06/15/2030

The Farm at Buckwalter HOA

Resolution to the Rules and Regulations

Rule Regarding Electronic Bicycles & Off-Road Vehicles

Adopted: June 11, 2026

Purpose: To clarify and regulate the operation of electric bicycles ("E-Bikes") and off-road vehicles on Association Property pursuant to the Declaration of Covenants, Conditions, and Restrictions for The Farm at Buckwalter (recorded January 23, 2002) and to promote safety, prevent nuisances, and preserve the community.

Private/PUD Roads. The roadways within the Development are private/PUD roads and constitute "Association Property" as defined below. The Association has recorded a consent subjecting the private roads within the community to the South Carolina Uniform Act Regulating Traffic to the Private Roads. This Rule is a separate exercise of the Association's authority under the Declaration and Rules to regulate use of Association Property for safety, nuisance prevention, and preservation of the community.

1. **General Rule:** Class I E-Bikes are permitted on Association Property only as provided below. All other E-Bikes (including Class 2 and Class 3) and all off-road vehicles are prohibited on Association Property.

2. **Definitions:**

- a. "Association Property" means all private streets/roadways (including PUD roads), sidewalks, paths, parks, playgrounds, lakeshores, and other common areas owned or controlled by the Association.
- b. "Electric Bicycle" / "E-Bike" means a bicycle equipped with fully operable pedals and an electric motor that provides assistance within the limits recognized under South Carolina law, including a motor rated at 750 watts (1 horsepower) or less, motor assistance that ceases at 20 miles per hour, and a motor that disengages when braking or when the rider stops pedaling. An ~"E-Bike~" must also have a permanent manufacturer label identifying motor wattage and maximum assisted speed. Any bicycle with an aftermarket motor kit or modified controller is an ~"E-Bike~" for purposes of this Rule.
- c. "Class 1 E-Bike" means a pedal-assist electric bicycle that provides assistance only when the rider is pedaling (no throttle-only propulsion) and that ceases providing assistance when the bicycle reaches 20 miles per hour.
- d. "Class 2 E-Bike" means an electric bicycle equipped with a throttle or other feature that can propel the bicycle without pedaling and/or that provides assistance up to a maximum speed of 20 miles per hour.
- e. "Class 3 E-Bike" means a pedal-assist electric bicycle that provides assistance only when the rider is pedaling and that ceases providing assistance when the bicycle reaches 28 miles per hour (including any bicycle with throttle-assist to that speed).

- f. "Electric Mobility Device" means a device used as a mobility aid by an individual with a mobility disability, including wheelchairs, power chairs, and mobility scooters.
- g. "Manufacturer Label / Class Label" means the classification label affixed by the manufacturer stating Class 1/2/3 and top assisted speed. If no label is present, the device is treated as prohibited unless the Board or Manager confirms in writing (email acceptable) that it qualifies as a Class 1 E-Bike.
- h. "Non-Qualifying Motorized Device" means any device that does not meet the definition of E-Bike above, including, without limitation: (i) any device without fully operable pedals; (ii) any device with a motor rated over 750 watts; (iii) any device capable of motor assistance beyond 20 mph; or (iv) any modified device that defeats manufacturer speed/wattage limits. A Non-Qualifying Motorized Device is not treated as an E-Bike for purposes of these Rules and is prohibited on Association Property
- i. "Off-Road Vehicle" means any motorized vehicle not designed and licensed for lawful operation on public streets, including but not limited to ATVs, UTVs/side-by-sides, dirt bikes, mini-bikes, mopeds not licensed for roadway operation, go-carts, dune buggies, and similar vehicles-whether gas-powered or electric.

3. Permitted Devices / Prohibited Devices:

- a. Permitted: (i) traditional non-motorized bicycles; (ii) Electric Mobility Devices; and (iii) Class 1 E-Bikes, subject to the Operating Standards below.
- b. Prohibited E-Bikes: The operation of Class 2 E-Bikes and Class 3 E-Bikes on Association Property is prohibited.
- c. Prohibited Off-Road Vehicles: The operation of all Off-Road Vehicles (gas or electric) on Association Property is prohibited.
- d. No Workarounds / Modifications: Any modified bicycle or device that is capable of throttle-only propulsion, exceeding 20 mph assisted speed, or otherwise functioning as a Class 2 or Class 3 E-Bike is prohibited, regardless of how it is used at a given moment.
- e. Unlabeled Devices Presumed Prohibited: Any E-Bike lacking a Manufacturer Label/Class Label is presumed prohibited unless and until the Board or Manager confirms in writing that it is a Class 1 E-Bike.

4. Operating Standards (Applies to all permitted devices on Association Property):

- a. Speed Limit: Maximum operating speed on Association Property is 20 mph. For Class 1 E-Bikes, motor assistance must cease at 20 mph.
- b. Road/Path Restrictions: All permitted E-Bikes may be operated on the paved roadways surface only. No operation is permitted on any sidewalks, walking paths, multi-use paths, trails, or other pedestrian areas within the community, whether paved or unpaved.
- c. Amenities/Restricted Areas: No E-Bike, or any motorized device of any kind may be ridden or operated within pool deck areas, or other designated amenity facilities/controlled recreation areas, except as expressly authorized by the Association for maintenance or emergency purposes.
- d. Pedestrian Right of Way: Yield to pedestrians at all times; pass only when safe and at reduced speed.
- e. No Racing / Stunts / Nuisance: No racing, stunt riding, jumping curbs/landscaping, or behavior creating a nuisance or safety hazard.
- f. Lighting After Dark: When operated after dusk, device must have a front white light and rear red light/reflector.

- g. **Compliance with Traffic Controls:** All operators must obey posted stop signs, speed limits, and other traffic control devices on Association Property and comply with future Board directives.

5. Parking:

- a. **Parking on Paved Surface Only:** Golf carts and motorcycles must be parked on a paved surface only and may not be parked on any grassed area, landscaped area, sidewalk, path, or other pedestrian area within the community.
 - b. **No Overnight/On-Street Parking of Heavy/Commercial Vehicles:** No tow trucks, dump trucks, or other large commercial vehicles may be parked at any time within the community (including streets and common areas) unless pre-authorized in writing by the Manager for work being performed within the community. Any unauthorized heavy/commercial vehicle may be subject to immediate removal/towing and/or enforcement action due to roadway and infrastructure limitations.
- 6. Enforcement; Owner Responsibility:** Owners are responsible for compliance by their tenants, household members, guests, and invitees. Any violation may result in notice of violation, fines, and suspension of privileges as permitted by the governing documents.
- 7. Fines:** Unless the Board adopts a different fine schedule by written notice to Owners, violations of this Rule will be fined as follows: \$100.00 for the first occurrence; \$250.00 for the second occurrence; \$500.00 for each subsequent occurrence. Each separate incident of operation, and/or each day a violation continues, may be treated as a separate occurrence.
- 8. Immediate Safety Threat:** If a violation creates an immediate safety threat, the Association may require the operator to stop and leave Association Property immediately and may contact law enforcement and/or private security as appropriate.
- 9. Towing/Removal:** Any Prohibited Off-Road Vehicle or Non-Qualifying Motorized Device that is operated on Association Property, or any such device parked or stored in violation of these Rules and any other Rules for the Association, may be removed from the community at the Owner's expense (including towing, storage, and administrative charges and costs of enforcement), to the extent permitted by the Governing Documents and applicable law.
- 10. Proof of Class:** Upon request by the Association, the Owner/operator must provide reasonable proof that an E-Bike is Class I (e.g., manufacturer label, manual/spec sheet, or other documentation). Failure to provide proof upon request constitutes a violation.
- a. **Evidence: Attribution:** The Association may document violations through photographs, video, security patrol reports, written resident complaints, incident logs, and/or manager observations. The Owner is responsible for ensuring compliance by all occupants, tenants, household members, guests, and invitees associated with the Lot, and the Association may issue enforcement notices based on reasonably reliable evidence linking the Violation to the Lot.