

## OPENING REMARKS...

Harbor Island is a small (approximately 3 square miles) barrier island in South Carolina. It contains a fragile ecosystem comprised of many species of endangered wildlife, birds, and turtles' nesting areas. The population of Harbor Island consists of owners whose primary or secondary residence is Harbor Island; owners whose properties are held for rental; seasonal visitors; vacationers; renters; guests; and other visitors. Because it is a small island, we ask that who reside and/or visit here, respect the rules and regulations as set forth in this and other referenced documents. Your cooperation and consideration of those around you will be greatly appreciated. Thank you for being part of and respecting this glorious Paradise.

In accordance with South Carolina Law 56-5-6310, the Highway Patrol and Sheriff's Department have jurisdiction on Harbor Island. All state laws are applicable and enforced.

## DEFINITIONS USED THROUGHOUT THIS DOCUMENT:

The following definitions apply to those words used in this document and noted by using quotation marks:

"Golf Cart" a gas or electric vehicle manufactured and intended primarily for use on a golf course. This does not include ATV's or other utility type carts.

"Guest" refers to person who spends one or more nights on Harbor Island. May be a "guest" of an "owner" or a "renter".

"Member" shall be interchangeable with "owner".

"Owner" shall mean and refer to the owner of public record, whether one or more persons, firms, associations, corporations, or other legal entities, of the fee simple title to any Lot, or Dwelling Unit, or Multi-family Structure situated upon Properties. The term "owner" shall not mean or refer to any lessee or tenant of the "owner".

"Rental Unit" shall mean any dwelling unit held for rental.

"Renter" shall mean any person who pays money or barter to stay on Harbor Island.

"Long Term Renter" shall mean any person who pays money or barter and signs a lease agreement for a period of one year or longer, to stay on Harbor Island. A long-term renter will be issued the same vehicle decal as an owner.

"Visitor" shall mean someone visiting Harbor Island for the day.

## **HARBOR ISLAND OWNERS ASSOCIATION RULES AND REGULATIONS**

**1. INTRODUCTION**

The Covenants and By-Laws of the Harbor Island Owners Association (HIOA) are the ultimate governing documents. This Rules and Regulations document is a supplement to the Covenants and By-Laws. If any of these Rules and Regulations conflict with the Covenants, the Covenants will supersede. The common properties owned by the HIOA are valuable assets for which the Board of Directors has an obligation to maintain and protect. Additionally, the Board is concerned about the safety and welfare of the “members”, their “guests”, “visitors”, and “renters”, as they use and enjoy the common properties. Therefore, the Board believes it reasonable and necessary to monitor and control the use of the common properties to accomplish these purposes and has adopted the Rule and Regulations. The cooperation and assistance of every “member” of the HIOA, their “guest”, “visitors”, and “renters” is needed for these matters to be effective. For more detailed information regarding specifics, please also refer to the ACC (Architectural Control Committee) Rules and Guidelines and other separate documents.

**2. Authority.**

Pursuant to (a) Article IV, Section 3(b), 3(c) and 4 of the Declaration of Covenants recorded in Deed Book 306, at Page 623, and (b) Articles V-1, VI-1 and VI-2 of the Bylaws of Harbor Island Owners Association, the Board of Directors has adopted the Rules and Regulations set forth herein.

**3. Applicability.**

These Rules and Regulations apply to all persons granted access to Harbor Island.

**4. Enforcement.**

Security personnel and the HIOA manager have the authority to enforce and implement the Rules and Regulations of this private community, as well as to report to the appropriate authorities any violation of Federal, State or County laws. Refusal to follow instructions from Security personnel may result in significant fines and/or expulsion from Harbor Island. Fines levied by Harbor Island will be in addition to any other State, County or Federal Fines.

## **GENERAL RULES**

### **Note from the Board of Directors:**

**The Harbor Island Owners Association has a number of Rules and Regulations that we ask you to observe so everyone can safely maintain a quality of life and property value. We always try to be reasonable with our rules by following the guidelines below. If you believe a rule fails the “reasonable” test, please do not hesitate to address the issue at the monthly Board of Directors meeting. We’ll consider how we can improve it.**

- **We make every effort to enforce rules uniformly, taking into account the consequences.**
- **We think developing rules for the sake of having rules is unnecessary.**
- **All our rules are based on proper authority, given through our governing documents as well as federal, state or local law.**
- **We don’t make rules to limit your activities. We’re trying to ensure that each owner, guest, visitor and renter can enjoy the Island free from the disruptive, unsafe or harmful behavior of others.**
- **We make every effort to make rules to encourage understanding and compliance, not for the sake of punishment.**

## **GENERAL RULES**

Violating any Rule or Regulation is prohibited and could result in fines and/or expulsion from Harbor Island.

1. To protect island residents and the Common Assets, to ensure compliance with island access rules, and to identify persons in case of an emergency, Security Officers may require any person seeking entrance to or already on Harbor Island to provide identification such as a driver’s license or other ID document showing the person’s name and contact information, vehicle registration and coverage, work orders, delivery orders, and car passes or decals. In case of renters, Security may require a copy of the rental contract or other rental document stating the names of the owner, renters or the point of contact for groups of renters, and the rental agent; the address of the rented property; and the duration of the renter’s stay. Rental owners and rental agencies are responsible for notifying tenants of this requirement to avoid

delay in their being admitted to Harbor Island. Security may copy those documents other than the driver's license and credit card numbers and may record pertinent information from the license. Any person who refuses to provide that information may be denied entrance to, or be expelled from, Harbor Island.

2. Violating the mandates of any posted sign is prohibited.
3. The speed limit on the island is 25 mph, unless otherwise posted.
4. Golf Carts
  - a) "Member" owned "golf carts" are permitted on the island. "Members" may rent "golf carts" for their own use, but under no circumstances for the use of "guests", "visitors", or "renters".
  - b) "Visitors", "guests", or "renters" may not lease or bring their own golf carts on the island.
  - c) Long term "guests" and/or "renters" (those residing on the Island for one year or more) who own a cart may operate it on the island.
5. All vehicles (including "golf carts" and the like) must be operated using operable headlights and taillights from dusk to dawn.
6. Drivers of motorized vehicles must possess a valid driver's license. Those operating a motorized vehicle (including golf carts) with a learner permit or restricted license may only drive under the required restrictions of the permit or restricted license, as applicable by state law.
7. Driving in a careless or reckless manner, or under the influence of alcohol, drugs or combination thereof is prohibited.
8. Driving motorized vehicles on the beach access boardwalks is prohibited without HIOA authorization.
9. All "golf carts" must be registered and display the proper decal.
10. Feeding any wildlife is prohibited.
11. Lights are prohibited on the beach during turtle nesting season (May through October). Including lights from homes that light up beach.
12. Dogs must be under the control of a responsible person within the boundaries of the owners' property. All dog owners are responsible for cleaning up after their dogs.
13. Dogs must be secured by a leash or lead on all HIOA common property.
14. Any domestic animal causing injury to a person or other animal will be deemed dangerous based on its behavior and by law must be reported to Beaufort Animal Control. The animal will be permanently removed from the island and the owner will incur a fine of \$500.
15. No person owning or having custody of any dog, or other animal/bird, shall permit it to unreasonably bark, whine, howl, screech or growl.
16. Failing to follow the instructions of a Security Officer.
17. Malicious damage, vandalism or destruction to any property is prohibited. Fine assessment is in addition to the cost of repairing the damage.

## Island Access

All decals and issued passes (commercial, personal vehicle, golf cart, renter, guest, special event and visitor) remain the property of the HIOA. A violation of any Rule or Regulation may result in the confiscation of any issued decal or pass.

1. “Member” – Each “owner” of a property, and their dependent family members who permanently reside with them, may receive an annual decal for use on each vehicle that is registered to the owner(s) or their dependent. By February 1<sup>st</sup> of each year, all vehicles must display a properly affixed current year decal.
2. Altered or reproduced decals or passes are prohibited.
3. Trailer/Golf Carts/ – All “members” must register their trailers, golf carts, or similar vehicles with HIOA. Applications for decals may be obtained from the Security Gatehouse or HIOA office.
4. Long term “Guests”/”Renters” – All long term “guests” and or “renters” must register their vehicles with HIOA. One decal is issued for each “guest”/”renter” whose name appears on the lease agreement at a fee of \$90 per automobile per year. Copies of the lease agreement, current vehicle registration and insurance declaration for each car must be attached to the application.
5. Car Passes – Car passes must be visibly displayed on the dashboard of the vehicle at all times while vehicle is on the Island.

NUMBER OF NIGHTS (PER VEHICLE)	FEE
1-3 NIGHT VISITOR CAR PASS	\$30.00
4-7 NIGHTS VISITOR CAR PASS	\$40.00
8-14 NIGHT VISITOR CAR PASS	\$50.00
15-21 NIGHT VISITOR CAR PASS	\$55.00
22-90 NIGHT VISITOR CAR PASS	\$65.00
91-364 NIGHT VISITOR CAR PASS	\$90.00
*ONE YEAR DECAL	\$90.00

6. Circumventing island access or car pass procedures is prohibited.
7. “Renter” passes (additional forms are available on line or at the HIOA office). Car passes are billed monthly to homeowners who personally handle the rental of their property and rental agencies. Failure to pay the monthly invoice within 30 days of receipt will prevent any other car passes from being issued on behalf of the homeowner or rental agency until the bill is paid. Car pass requests can be submitted by e-mail to [gatehouse@harborislandoa.com](mailto:gatehouse@harborislandoa.com), on the website, [www.harborislandoa.com](http://www.harborislandoa.com) under Member Services, in person, or via telephone. You must provide your assigned pin number for approval and tracking purposes.

8. "Members" who rent their properties or rental agencies, must order one pass for each vehicle as well as any trailers.
9. A. If the "renter" has a "visitor" (staying for the day, not overnight), they must notify Security at (843) 838-4890. There is no charge for the "renter(s)" "visitor(s)".  
B. If the "renter" has an overnight "guest" Security must be notified by the owner or rental agency for approval. An additional car fee will be charged to the owner or rental agency.  
C. If a "guest" of an owner (owner off Island) has another "guest" or "visitor," they must notify Security at (843) 838-4890.  
D. There is no charge for the "guest" or "visitor" called in by the owner's "guest."
10. Commercial Vehicles – Harbor Island, like most gated communities, closely monitors commercial traffic on our private roads and collects fees for the use of these roads. Any contractor, subcontractor, vendor or individual who enters Harbor Island for the purpose of providing a service for a resident or commercial operation will be required to purchase a daily pass or annual decal. The only exceptions to this rule are the (1) U.S. Postal Service and its private sector counterparts like UPS and FedEx; government vehicles; health care providers; utility vehicles from businesses that have Harbor Island easements (SCE&G, Comcast, Harbor Island Utilities, Century Link), (2) real estate agents meeting with owners or inspecting properties for sale; and rental managers meeting with owners or inspecting properties (but not including maintenance or cleaning employees or contractors of rental management companies), (3) or individuals arriving at the gate to provide estimates or charitable organizations. The owner or a licensed real estate agent must accompany potential buyers or renters on the Island. Employees under the direct supervision of the Broker in charge, may show rental properties only, to perspective renters, and must accompany them at all times, while on Harbor Island. They will not be charged a gate fee to do so, but must be called in to gatehouse in advance of their arrival. Harbour Key "members" must refer all commercial vehicles to the front gate prior to entering the community. Also, refer to ACC Contractor Rules for additional information.
11. Housekeeping – Requires a paid entrance. There is a Housekeeping Pass available. Buy 10 passes and get one free. Contact the HIOA office for more information.

COMMERCIAL VEHICLES	DAILY PASSES	YEARLY DECALS
UP TO 4 WHEELS	\$10.00	\$200.00
6 WHEELS	\$25.00	\$350.00
OVER 6 WHEELS	\$50.00	\$600.00
TRAILER	\$10.00	\$100.00
SEMI-TRAILER WITH PILINGS	\$70.00	N/A
SEMI-TRAILER WITH LIGHT EQUIPMENT	\$150.00	N/A
SEMI-TRAILER WITH HEAVY EQUIPMENT	\$200.00	N/A
CONCRETE TRUCK	\$50.00	N/A

Commercial Vehicle Hours: Monday through Friday – 7:30 a.m. to 6:30 p.m. Saturday 10:00 a.m. to 4:00p.m. Contractors are prohibited from working on Sundays and celebrated Holidays.

### **SAFETY**

1. Parking is allowed in driveways, under the house and in designated parking areas only. Parking in the yard or on the streets is prohibited. Special Event Parking requests are available at the HIOA office or online from the HIOA website. Service providers are exempt from this rule and may park on the roadway with safety cones around their vehicle.
2. All trailers, trailed boats, must be screened from view to the greatest extent possible and parked on private property, as approved by the ACC. The boat/trailer storage area located between Beach House and Cedar Reef Villas is for condominium residents and their “guest”/”visitors”/”renters” only.
3. Inoperable, unlicensed, or unsafe vehicles are prohibited on the island.
4. The discharge of a firearm or use of any other dangerous weapon(s) is prohibited.
5. Unauthorized fires are not permitted on the island (i.e. burning trash/leaves/debris, open fires/bar-b-que on beach or fire pits on common property).
6. Exterior spray painting is prohibited.
7. Use of fireworks on the island is prohibited.

### **Overall Enjoyment**

1. Littering is prohibited
2. Because of wildlife (raccoons, rodents) trash must be stored in covered receptacles. The condominium trash dumpster is to be used by residents and their “guests”/”visitors”/”renters” only. The dumpster at the Beach and Racquet Club is to be used for BRC refuse only.
3. The accumulation of trash or debris is prohibited.
4. Excessive noise heard beyond the perimeter of your property is prohibited.
5. Activity that is boisterous, noxious, unnecessarily offensive, dangerous, unsafe, unnecessarily noisy, disorderly, unruly, or obscene is prohibited.

6. Solicitations of any kind are prohibited on any common property.
7. Any personal property left unattended on any common property will be considered abandoned and will be confiscated. Security will store the personal property and if not claimed within seven days it will be disposed of.
8. Recreational vehicles and pop-up campers of a reasonable size will be allowed on private property for a period of time not to exceed six hours, for provisioning and/or cleaning purposes. Under no circumstances are they to be used as living and/or sleeping space.
9. Motorized scooters, mopeds, ATV's, motorized utility carts, pocket bikes and the likes are prohibited.

### **Rental Properties**

1. Rental Property Registration forms must be completed and returned to the HIOA by any "member" who wishes to rent their home or condo. This form must be completed by January 1<sup>st</sup> of each year. Please indicate only one property per rental form.
2. If the "member" fails to submit a Rental Property Registration form, any rental pass requested by that "member" would not be processed until the form has been submitted to HIOA.
3. HIOA Security and/or employees will not assist in entering a unit when locked out. Please contact the "member" or rental agent for access to the dwelling.

### **Fines**

1. Violations of these rules and regulations may result in monetary fines. The monetary fines are to be payable to the HIOA within ten (10) days of issuance/receipt of citation. Ultimate responsibility, as provided by the covenants of Harbor Island rests with the owner.
2. In addition to monetary fines, the HIOA Board of Directors may suspend the "members" right to use all common properties after any third repeat violation, until full restitution is made.
3. Appeals – The HIOA has established an Arbitration Committee. Please contact the Island Manager in writing if you feel that you have been unjustly cited or fined. There is a final appeal process with the HIOA Board of Directors.
4. In the case of violations of gate pass rules or any other rule requiring payment to HIOA, the violator must pay the original unpaid fee in addition to any fines levied pursuant to these rules.
5. The fine shall be increased by \$100 above the third offense amount for a fourth offense, above that amount for a fifth offense, and so on.

### Chart of Fines

The following is a chart of fines. Fines are levied over a five-year period beginning with the first offense. These fines are in addition to any County, State or Federal fine. All citations/warnings are issued at the discretion of the Security Officer.

CATEGORY	DESCRIPTION	REFERENCE INDEX	FINE ASSESSMENT 1 <sup>ST</sup> OFFENCE	FINE ASSESSMENT 2 <sup>ND</sup> OR SUBSEQUENT OFFENCE
<b>GENERAL RULES</b>				
General Rules	Failing to provide proper Identification	GR #1	Non entry or expulsion	Does not apply
General Rules	Violating Posted Sign	GR #2	\$50.00	\$100.00
General Rules	Speeding	GR #3	\$100.00	\$100.00
General Rules	Headlights/taillights	GR #5	\$50.00	\$100.00
General Rules	Unlicensed drivers	GR #6	\$100.00	\$200.00
General Rules	Reckless driving or DUI	GR #7	\$250.00	\$250.00
General Rules	Motorized vehicles on boardwalk	GR #8	\$100.00	\$100.00
General Rules	Golf cart decals	GR #9	\$50.00	\$50.00
General Rules	Feeding wildlife	GR #10	\$50.00	\$100.00
General Rules	Lights out for turtles	GR #11	\$50.00	\$100.00
General Rules	Dogs under control	GR #12	\$50.00	\$100.00
General Rules	Dogs on leash	GR #13	\$50.00	\$100.00
General Rules	Aggressive pets	GR #14	\$500.00	Does not apply
General Rules	Barking/loud pets	GR #15	\$50.00	\$100.00
General Rules	Instructions of Security Officer	GR #16	\$50.00	\$100.00
General Rules	Malicious damage	GR #17	\$100.00	\$200.00
<b>ISLAND ACCESS</b>				
Island Access	Expired decal - member	IA #1	\$50.00	\$50.00
Island Access	Altered decal/pass	IA #2	\$250.00	\$250.00
Island Access	Register trailer/golf cart	IA #3	\$50.00	\$50.00
Island Access	Failure to register long term renters	IA #4	\$50.00	\$50.00
Island Access	Display car pass	IA #5	\$50.00	\$50.00

Island Access	Circumventing car pass procedure	IA #6	\$300.00	Up to \$500.00
Island Access	Owner/Agency to pay rental invoice	IA #7	Does not apply	Does not apply
<b>SAFETY</b>				
Safety	Designated parking	S #1	\$50.00	\$100.00
Safety	Designated parking CRV/BH	S #2	\$50.00	\$100.00
Safety	Inop/unsafe vehicle	S #3	\$50.00	\$50.00
Safety	Discharge of firearm	S #4	\$100.00	\$100.00
Safety	Unauthorized fires	S #5	\$100.00	\$200.00
Safety	Exterior spray painting	S #6	\$250.00	\$250.00
Safety	Fireworks	S #7	\$100.00	\$100.00
<b>OVERALL ENJOYMENT</b>				
Overall Enjoyment	Littering	OE #1	\$50.00	\$100.00
Overall Enjoyment	Trash in covered receptacles	OE #2	\$50.00	\$50.00
Overall Enjoyment	Trash accumulation	OE #3	\$50.00	\$100.00
Overall Enjoyment	Noise disturbance	OE #4	\$50.00	\$100.00
Overall Enjoyment	Unsafe, obscene, disorderly conduct	OE #5	\$100.00	\$100.00
Overall Enjoyment	Solicitations	OE #6	\$100.00	\$100.00
Overall Enjoyment	Unattended property	OE #7	Does not apply	Does not apply
Overall Enjoyment	RV's on property	OE #8	\$50.00	\$50.00
Overall Enjoyment	Motorized scooters, mopeds, ATV's, utility carts, pocket bikes, etc.	OE #9	\$50.00	\$100.00

