

THE ELMS OF CHARLESTON RULES AND REGULATIONS

As a private gated community subject to recorded Covenants Restrictions & Easements and Bylaws, with the association thereof granted the power to enforce certain Rules and Regulations, it is hereby declared that, notwithstanding any agreement(s) to the contrary, all persons, companies, vendors, caregivers, et al, entering upon these premises become subject to such Rules and Regulations hereinafter promulgated.

These Rules & Regulations are established in accordance with Article IV, section 5 (c) of the Bylaws. The purpose of these Rules & Regulations is to assure that the Elms of Charleston remains a protected, private, residential community, where residents and guests alike can enjoy its beauty and its recreational opportunities. The Rules & Regulations supplement the Covenants and the Bylaws.

Rules & Regulations of the Elms Home Owners Association (HOA) of Charleston apply to property owners and invitees to the Development, as described below:

- A. PROPERTY OWNERS are the record owners of the fee simple title.
- B. ADULT RESIDENTS are persons 18 years of age and over who reside in the Elms.
- C. PROPERTY OWNER GUESTS are individuals invited by a resident. Adult Resident must be present in the community with such guests.
- D. TENANTS are those renting from a Property Owner.
- E. EMPLOYEES are those paid by the Elms HOA and/or Property Owners.

1. Access to the Elms of Charleston:

- A. Gate Operations: All Directors/Officers of the HOA and the Activities Coordinator are acquainted with the operation of the gate. In the event of gate or power failure, the gate will be opened manually by one of these individuals so as not to impede the flow of necessary traffic. Please report any problems with the gate to one of these individuals. The gate will be open from 6:00 a.m. all year. Closing times will be determined by the number of daylight hours and published in the newsletter.
- B. There are three (3) ways to enter the Elms through the gates.
 - 1. Using a remote
 - 2. Using the # and then the personal four (4) digit code number
 - 3. Calling a resident using the three (3) digit codes on the gate directory
Residents press the 9, then the # button on their phone at home to open the gate.

If you enter any incorrect numbers three (3) times, the system will automatically lockout for approximately one minute. This time must be allowed before attempting to enter the correct numbers again.

- C. **DO NOT PUSH, FORCE OR LEAN AGAINST THE GATE. IF IT IS DETERMINED THAT A RESIDENT HAS DAMAGED THE GATE, THE MAXIMUM FINE PLUS REPAIR COSTS WILL BE ASSESSED TO THE**

RESIDENT. *Please remember that this electronic/mechanical gate system is subject to malfunction.*

D. When walking or biking, please comply with item B above to open/close the gate.

2. Traffic Rules: All State of South Carolina Motor Vehicle Laws apply while driving through the community or as otherwise posted.

- A. The speed limit in the community is 25 MPH.
- B. All vehicles must have a valid registration.
- C. Vehicle decals may be picked up at the office of the Activities Coordinator. Decals should be placed on the left rear window of every resident's vehicle.
- D. The use of go-carts or motorized skateboards is prohibited
- E. Golf carts, bicycles and tricycles must obey applicable traffic rules. They may not be used after dark unless equipped with approved lights and reflectors.

3. Parking:

- A. Residents may not park vehicles on the streets except for emergencies.
- B. Visitors and guests of Residents may park their vehicles (excluding motor homes) on the street for short durations so long as they do not impede the flow of traffic, block access to any dwelling unit, create a safety problem, or inconvenience occupants of other dwelling units.
- C. No vehicle shall be regularly parked in a street overnight or for an extended period of time. Overnight guests shall use Resident Sponsor's driveway for authorized vehicles only. Clubhouse parking is available for any overflow.
- D. No unregistered or inoperable vehicle shall be parked in any driveway, street or elsewhere within the development. No area within the development shall be used for vehicle repair work, whether performed by the owner or others.
- E. All boats and equipment utilized with boats, including boat trailers, and all vehicles other than passenger automobiles, shall be kept in a garage or carport.
- F. No mobile homes, modular homes, house trailers, outbuildings, or any temporary structures shall be placed on any numbered lot either temporarily or permanently
- G. No parking in front of any fire hydrants.
- H. No parking in front of the club house ramp.
- I. No parking on the access road to the pumping station.
- J. No parking on any undeveloped lot.
- K. No parking on any portion of the common property or private property other than in designated parking places and driveways

4. Pets:

- A. No animal, livestock or poultry of any kind shall be raised or bred on the Property.
- B. Dogs, cats or other common household pets may be kept as long as the owners of such pets do not keep, breed, or maintain such animals for any commercial purposes.
- C. All such pets must be kept inside the home, and when taken out for exercise, the pets must be curbed and kept on a leash of not more than ten (10) feet in length when off the owner's

property and not allowed to walk on other residents' lawns or become a nuisance to other residents.

- D. All pets must be properly licensed and vaccinated as required and a current, original valid license must be available for immediate inspection by the management company at any time.
- E. *Pet owners are required to pick up and properly dispose of animal waste*, including on pet owners' lot.
- F. DO NOT FEED STRAY DOGS AND CATS. Call Animal Control for any problem with a domestic or wildlife animal roaming around your property.

5. Firearms:

- A. The use of firearms, pellet guns, air guns, slingshots, bows and arrows or any other weapon is prohibited.
- B. Fireworks are prohibited.

6. Contractor/Business Rules:

- A. Workmen's radios must not be a nuisance to neighbors.
- B. Contractors and their employees are not permitted, with the exception of restroom facilities of the Club House, to use any amenities including the lake for fishing or any other recreational activity. Contractors, their employees, non-resident Club employees, and/or other nonresident business representatives/employees may not bring guests or pets (i.e. dogs, etc.) into the community.
- C. Contractors must be authorized access by individual property owners, or their designated agents, to perform work on their property.

7. Trash/Refuse: No garbage, trash or refuse shall be dumped or disposed upon any portion of the Development. Household garbage, trash, and recyclables shall be stored in appropriate containers and kept inside a garage or otherwise out of public view. Trash and recycle containers may not be put out until the evening preceding pick up and must be removed from the curb on the date of pick up. No burning of leaves or trash outside.

8. Littering: Littering is prohibited.

9. Yard Debris: Curbside yard debris pickup program has been scheduled through the City of North Charleston to encourage property owners to maintain their landscaping in a well-kept condition.

10. Trees: The cutting of any tree more than four inches (4") in diameter at ground level must be approved by the ARC.

11. Exterior: All changes to the outside of the house or yard must be pre-approved by ARC (Article VII Section 2 of the Covenants).

12. Mailboxes: Mailboxes shall be of uniform design as specified or approved by the Architectural Review Committee. Newspaper box must be attached to mailbox post.

13. Antennae, Flagpoles:

- A. Permanent antennae are permitted in accordance with Article VII section 7 of the Covenants.

- B. With ARC approval, freestanding flagpoles are allowed on residential properties as long as they are properly maintained and fly only the American flag.

14. Fences: Although fences are discouraged at the Elms, those who have a fence must have it power washed on both sides each year.

15. Signs: Signs and advertising displays are not permitted within the Elms, except for security or fire and rescue decals, which may be displayed in windows.

16. Solicitations: No solicitations are permitted within the Elms.

17. Garage/Estate Sales: Garage/Estate sales are not permitted unless approved by the Board of Directors.

18. Guests Attending Sponsored Activities: Residents who sponsor a guest at an HOA activity must be present with the guest. Only residents may become a regular participant in an HOA sponsored activity.

19. Use of Property:

A. **Individual** - Use of private residences for business purposes must conform to Article II Section 3 (a) of the Covenants.

B. **Clubhouse** Use Policy:

1. Any person who abuses the use of the clubhouse facilities or common properties as described herein shall be restricted from further use of the same by the Board of Directors and the Homeowners Association officers and are responsible for any damages they or their guests cause.
2. Smoking is not permitted in the clubhouse.
3. Dogs and other pets except service animals are not allowed in the clubhouse.
4. No one under the age of 18 is allowed use of the clubhouse or amenities unless accompanied by their adult resident sponsor.
5. Appropriate attire (shoes and shirts) must always be worn in clubhouse. Wet bathing suits are not permitted to be worn in the clubhouse, except in the locker rooms
6. The gas grill is available for group use at scheduled special events. The grill is not available with clubhouse rental.
7. Clubhouse Decoration Guidelines:
 - a. No permanent decorations may be removed from the walls and replaced by seasonal decorations, and no tape, staples, nails, thumbtacks or other adhesive may be put anywhere inside or outside of the Clubhouse. Exceptions will be made with the approval of the BOD for permanent hangings: i.e. clocks, pictures, plaques, Christmas wreaths, etc.
 - b. Other than Christmas/Hanukkah, decorations may be displayed for not more than 10 days.

- c. Tables must be covered when serving food and/or drinks. Plastic cloths must have a backing. Any spills or accidents on any surface are to be cleaned up immediately and reported to the person in charge of the event.
- d. Candles may only be used on a stationary surface. Surface must be protected from wax drippings with a base (plate, mirror, etc.) of at least a 6" diameter. Candles may not be hand held at any time.

8. **Clubhouse Rental Policy:**

If the club house is rented, the Resident is obligated by the terms of the contract and the Clubhouse rental policy. Request for reservations for the use of rooms in the Clubhouse are to be made to the Activities Coordinator. A letter should be sent to the Clubhouse Rental Committee via the Activities Coordinator with the date of the reservation, number of attendees and approximate time frame and purpose for use of the facility. The agreement must be signed and payment for the use of the clubhouse must be made three (3) weeks prior to the event and by the 15th of the month preceding the event to allow for publication of the rental in the monthly newsletter. The requests are subject to the approval of the Clubhouse Rental Committee.

9. A telephone, to be used for emergencies only, is located in the clubhouse kitchen and the fitness room.
10. There are three (3) fire extinguishers in the clubhouse: one on the wall outside the billiard room main entry opposite the kitchen; one outside the kitchen rear entrance on the wall next to the storage room doorway; and one on the main hallway opposite the ladies' restroom entrance.
11. First aid kits can be found in the kitchen and the fitness room.

C. **Fitness Center Policy:**

Only residents of The Elms of Charleston who are authorized by the HOA may use the fitness center equipment. The posted rules **MUST** be adhered to. Non-compliance of the rules may result in the issuance of fines.

D. **Swimming Pool Policy:**

1. All persons using the swimming pool do so at their own risk. Solo swimming is not advised.
2. Regulations required by the South Carolina Department of Health and Environmental Control and those of the Elms HOA are displayed at the swimming pool. Observance of these regulations is mandatory.
4. Appropriate swimwear required.
5. ***Children who are not toilet trained are restricted from using the pool.***
6. Anyone under the age of 18 may use the swimming pool between the hours of 12:00 p.m. and 3:00 p.m. and after 6:00p.m., and must be accompanied by their Adult Resident Sponsor.
7. Diving or jumping into the pool is not permitted.
8. Dogs and other pets are not allowed in or around the swimming pool.
9. A shower should be taken by any person prior to entering the pool.
10. Pool users must help maintain the cleanliness around the pool by disposing properly of any debris they may have generated while there, and by taking their possessions

with them when leaving the area.

11. Glass items are not permitted in the area of the pool.
12. Bin out by the pool is for HOA equipment only.

E. Tennis Court Use Policy:

1. Use of the tennis courts is restricted to Elms of Charleston residents and their guests. The court is for playing tennis only.
2. Tennis shoes are required when using the court.
3. Proper tennis etiquette is to be observed by players and spectators.
4. Players are expected to limit their time of use when others are waiting to use the court.
5. No dogs allowed in the tennis court area.

F. Pond Area Use Policy:

1. Residents and guests visiting the pond shall not disturb the wild life.
2. BEWARE OF ALIGATORS and do not feed them.
3. An Adult Resident must accompany anyone under the age of 18.

G. Green Recreation Area (Common Area) Use Policy:

1. Players and spectators using the greens facilities are expected to be considerate.
2. The Adult Resident Sponsor must accompany guests under the age of 18.
3. The greens area may be utilized for recreational activity between the hours of 8:00 a.m. and dusk.
4. Regardless of the time of day, the last player using any game equipment is responsible for restoring such equipment in the designated equipment storage location.
5. All players and spectators are responsible for keeping the game area policed and clear of debris.

20. All **garage doors** must be kept closed except when in use for moving vehicles and other items to and from the garage, or when working in garage or in yard. Exception: in summer the door may be left up 10 inches for ventilation. (This will also allow snakes, etc. to come into the garage).

21. **Garden hoses** are to be stored in an inconspicuous manner.

22. **Leasing** of Property **MUST** be approved by the BOD and in compliance with the Covenants.

23. All new Residents are **REQUIRED** to meet with the Activities Coordinator to provide emergency information and in order to comply with the requirements of a 55+ community under the ***Federal Fair Housing Act***. All new residents are required to provide proof of age, using a driver's license, passport, or birth certificate.

24. Enforcements:

- A. The Property Manager will enforce these Rules & Regulations, as well as the Covenants.
- B. When a violation is observed, document it and report it to the property manager.
- C. Fines will be assessed according to the Fine Schedule below.
Legal action will be taken on non payment of fines.

Fine Schedule

First Violation	Written Warning
Second Violation	\$25
Third Violation	\$50
Subsequent Violations	\$100

APPROVED:

DATE: June 8, 2006

Charlie Bevels, Pres.

Peter Rowan, Bd. Member

David Raisley, Bd. Member

Joann George, Bd. Member

Joseph Florencio, Bd. Member