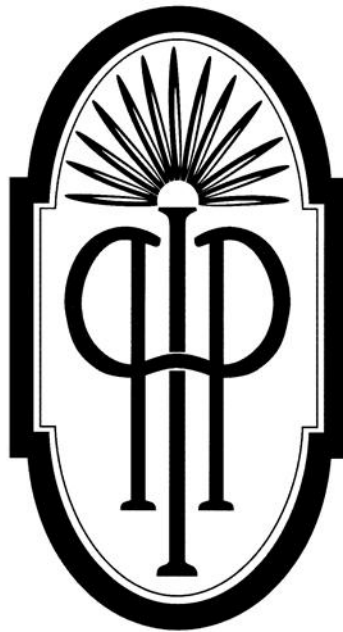


# ***Palmetto Hall Plantation***



## **GUIDE TO PALMETTO HALL GOVERNING DOCUMENTS**

*Date Last Revised - March 2008*

# **TABLE OF CONTENTS**

## **I. INTRODUCTION**

## **II. THE COVENANTS**

## **III. THE BYLAWS**

## **IV. THE ARB GUIDELINES**

## **V. THE RULES AND REGULATIONS**

## **VI. SUMMARY**

## **VII. APPENDICES**

### **BOARD ENACTED RULES AND REGULATIONS COVERING:**

- A. UNAUTHORIZED VEHICLES**
- B. AGGRESSIVE WILDLIFE**
- C. FINES**
- D. HOLIDAY DECORATIONS**
- E. PARKING**
- F. DRAINAGE**

## **I. INTRODUCTION**

Palmetto Hall Plantation, like most other gated communities, has governing requirements and restrictions which are designed to promote the quality of life and to preserve and protect property values within the community. These governing requirements and restrictions are contained within four (4) areas. The first of these is the Declaration of Covenants, Restrictions and Limitations dated February 28, 1991 and Recorded in Deed Book 572 page 1722, et. seq. (the "Covenants"). The Covenants provide for the existence of a Palmetto Hall Property Owners' Association (the "Association") and a Board of Directors (the "Board") of the Association. The second area is the Bylaws adopted by the Board of Directors (the "Bylaws"). The third area is the Guidelines which have been adopted by the Architectural Review Board (the "ARB Guidelines"). The fourth area contains those Rules and Regulations which have been adopted by the Board (the "Rules and Regulations").

It is important to note that the Palmetto Hall Club (the "Club") and both Golf Courses within Palmetto Hall are not owned by the Property Owners' Association and remain the private property of third parties - presently CNL Corporation. CNL has leased the operation and maintenance of the Club and the golf courses to Heritage Corporation for a term of twenty (20) years (from 2006) with several additional extension options. Thus, our Board of Directors has no authority or right to make any Rule or Regulation concerning the operation of either the Golf Club or the Golf Courses. All owners of lots in Palmetto Hall are required to keep and maintain a membership in the Club and to pay the dues, fees, and charges of the Club as set forth in its Membership Plan. See, Covenants, Section 12.1-3.

## **II. THE COVENANTS**

The Covenants were first adopted in February of 1991 by the original Developer (Greenwood Development Company) of this plantation (the "Declarant") and have been revised and amended some fifteen (15) times since 1991 by action of both the original developer and by our members. Your Deed should contain a reference to the Covenants which by such reference, requires adherence to the Covenants. In May of 1998, the Declarant (the original developer) conveyed and assigned many rights and delegated many duties expressed within the Covenants unto the Association to be policed, enforced and performed by our Board. In such conveyance and delegation, the Declarant retained many rights to ensure that it would be able to continue to: (1) operate and maintain the golf courses and club house and (2) to develop certain adjoining property owned by Declarant in the future. The Covenants will assuredly be revised and amended many more times as the circumstances and needs of the Community change and evolve over time.

In April of 2006 the original developer (Greenwood) sold and conveyed the club and the golf courses to CNL Income Partners, L.P. (CNL) and, in such sale and conveyance, sold many but also retained many rights under the Covenants. CNL thereafter entered a long term lease with Heritage Golf Palmetto Hall, LLC (Heritage) for the operation and maintenance of the club and the golf courses. Thus, Greenwood, CNL, Heritage and the Association all have rights under the Covenants regarding the enforcement of same.

The process of revision of the Covenants is a formal one which involves notice to all property owners of a proposed amendment and a vote, usually at the annual meeting. If 3/4 of the votes cast - assuming a proper quorum - favor the amendment, it will be adopted and thereafter Recorded in the Recorder of Deeds Office of Beaufort County as a formal amendment to the Covenants. All property owners received a copy of the Covenants and their Amendments (through #15) when they purchased their property. A copy may also be obtained by contacting the Association Manager. Many of the references (for example: See, 1.0 in this document) are to the Covenants.

## **III. THE BYLAWS**

The Bylaws set forth the rules for the operation of the Board regarding such matters as the election of its officers, its meetings, the duties of its officers, the appointment of committees, and other matters. All property owners received a copy of the Bylaws when they purchased their property. A copy may also be obtained by contacting the Association Manager.

## **IV. THE ARB GUIDELINES**

The Covenants provide (Covenants, Section 3.3) for the existence of an Architectural Review Board (the ARB) and authorize it to adopt "Standards for Review" and to revise and amend same from time to time.

The ARB has adopted such standards or Guidelines. No new construction or any alteration in the exterior appearance of any building, landscape element, or structure is permitted without ARB review and approval. The ARB revises and amends its Standards for Review from time to time in order to keep pace with changing times and events. Please be certain to check with the Association Manager (our ARB Administrator) for the latest Standards.

## **V. THE RULES AND REGULATIONS**

A The Covenants allow for the adoption of Rules and Regulations by the Board. (Covenants, Article XI). The process for adoption of a Rule or Regulation involves a simple majority vote of the Board at any properly convened Meeting. Our Board has adopted a few Rules and Regulations during its existence and will, assuredly, adopt more as the circumstances and needs of our community evolve over time. These Rules and Regulations are not formally recorded but are communicated to all property owners through the newsletter, the web site ([www.palmettohallhi.com](http://www.palmettohallhi.com)), E-Mail Blasts, and are published in the residents Directory. A copy of those Board adopted Rules and Regulations that are most likely to impact property owners are appended to this Guide.

## **VI. SUMMARY**

A The following is a summary and guide to the Governing Documents for the convenience of all of us. IT IS NOT INTENDED TO AND DOES NOT SUPERSEDE, REVISE, AMEND, OR OTHERWISE MODIFY ANY OF THE COVENANTS, THE RULES AND REGULATIONS, THE BYLAWS, OR THE ARB GUIDELINES.

### **A. NO GOATS AND ISSUES REGARDING PETS**

It should be fairly obvious that we do not desire to raise farm animals here. Our Covenants have incorporated the ordinances and laws of the Town of Hilton Head. Pet Owners are responsible for and are obliged to pick up any animal waste and to prevent any pet from running freely through the Plantation (i.e., leashes are required). Loud or obnoxious noises from pets are to be restricted. Leashes are required at all times. See, Sections 3.15 and 3.18.

### **B. NO TRAILERS, RV'S, MOTORCYCLES, OR THE LIKE**

Unless you have written permission from the ARB you may not keep your boat, motorcycle, motorbike, recreational vehicle, truck, or any trailer on your property on our plantation. The prohibition against "trucks" does not include those small (3/4 ton or less) non-commercial trucks used for personal conveyance so long as there are no commercial signs on the vehicle. See, 3.22. Specific rules and procedures to obtain permission for such vehicles has been adopted by the Board of Directors. See, Appendix A.

### **C. TREES, LANDSCAPING, PRUNING, REFUSE**

We want to keep our Plantation neat, clean, and free of unsightly, un-mowed grass, weeds, refuse, or any other noxious vegetation. To that end, we are all tasked with keeping our shrubs, grass, trees, and land in good, clean order. Periodic "bush hogging" of vacant lots is required. Warnings will be issued to those who do not comply and, if necessary, fines will be imposed. See, 3.23. Yard maintenance may be performed by the Owner at any reasonable time. Commercial activity is, however, prohibited on Sundays and Holidays.

Tree removal or alteration of the topography of lots require ARB written approval. See, 4.1

### **D. LEASES - TIMESHARES - SHORT TERM RENTALS**

We are primarily a full-time residential community though some of our property owners use their homes as "second homes" or are part-time residents here. We do not desire to have the rental "turn over" seen in other Plantations which are reflected in short term leases. Thus, you may lease your property but only if: (1) the lease is for three (3) months or more; (2) is written; and (3) the tenant shall be subject to all Covenants and Rules and Regulations. No time shares are permitted. See, 3.26 and 3.27.

### **E. LAGOONS, WETLANDS, AND WILDLIFE**

Almost all lagoons and wetlands within Palmetto Hall are owned by the owner of the golf courses.

Understandably, the owner does not want to see the lagoons or the wetlands damaged or destroyed. We, also, do not want to see the lagoons or wetlands destroyed or damaged. Our Covenants and Rules and Regulations (and many State and Federal laws) prohibit any activity which would damage or destroy any lagoon or wetland. Thus, one cannot discharge one's swimming pool water into a lagoon, stock (or place) any lagoon with fish or any other creature(s), put chemicals or devices in any lagoon, harass the alligators or other wildlife, or take any action(s) harmful to either the lagoons or wetlands. See, 4.2; 4.4; 4.3; 6.2

Permission to fish in the lagoons is granted only by the Owners of the Golf Courses (from the golf side) and by the Property Owner (from the private side). There is no general permission to fish or otherwise enter any lagoon. Don't swim (or allow your pets to) in the lagoons or you (or they) may be eaten! Don't feed the alligators or they may eat you or your pets. You may also be fined or charged with a violation of the State's criminal laws, whether you were eaten or not, for doing so.

Occasionally a resident may feel that a particular animal, usually an alligator, has become aggressive and should be removed from the plantation. Should this be the case, the resident should call the gate house, who will arrange for an investigation. We are reluctant to have alligators, or other wildlife removed or destroyed, as they are a native part of the Lowcountry and one of the reasons many of us chose to live here. An aggressive wildlife policy has been adopted by the Board of Directors. See, Appendix B.

## **F. FINES**

The Board has established fines for failure to comply with the Covenants as well as Board adopted Rules and Regulations, including wildlife violations, and for other activities. Traffic laws and procedures are those of the State of South Carolina which are enforceable on this Plantation by our security team.

A list of the violations and related fines is attached. See, Appendix C.

There is a specific procedure for the enforcement of fines which involves the usual notice and an opportunity for the person charged to contest same. See, 11.3

## **G. ARCHITECTURAL REVIEW BOARD ("ARB")**

The ARB acts to review and approve or reject applications for new homes, landscaping, driveways, etc. and also for additions or modifications to existing homes, landscaping, driveways, etc. It also acts to police compliance with all applicable Covenants and the Standards for Review (ARB Guidelines) prior to, upon inception, and during all construction phases through completion of the project. See, 3.2 and 3.3 The ARB has established Procedures and Guidelines which provide interested persons with an outline of how to apply for ARB review of any project and what rules and regulations apply to all such projects. A copy of the ARB Guidelines may be obtained from the Association Manager/ARB Administrator.

The ARB normally meets the first and third Mondays of each month at the office of our Association to review matters before it and may convene more or less frequently depending upon demand for its services. Of course, it may act immediately should the need arise.

Our Board has approved certain fees and charges associated with construction activities. These fees and charges are imposed to enable us to meet and defray present and future costs of operation - especially as relates to costs of reviews, inspections, and administration of the ARB as well as road repairs and improvements. A schedule of Fees and Charges is set forth in the ARB Guidelines. All fees and charges vary from time to time. Please be certain you check with the ARB Administrator for the latest schedule.

There are specific Covenants as well as ARB Guidelines regarding, among other matters, exterior antennas, signs (location, duration and size), duration of construction, time limits for completion of landscaping, other buildings, parking of construction vehicles, and many other issues including:

1. **Tree Removal:** No tree six (6") inches or greater (measured four (4') feet above the ground) may be removed without ARB approval - exceptions: within ten (10") of a building or within ten (10') of the site for a building. See, 3.5 Since we care about our trees and the Lowcountry landscape, the request for ARB approval to remove a tree must include the owner's plan to replace the removed tree with another tree (mitigated). See, ARB Guidelines/Tree Preservation

2. **Screening:** Trash receptacles, electric and gas meters, air conditioning equipment, similar outside functions and fuel tanks must be screened by fence or natural buffer approved by the ARB so as to hide same from view. See, 3.6 and 3.7
3. **Construction Activities:** All construction shall be done in such a manner as to minimize disturbance(s) to those residing here. All work must be done only Monday through Friday between 7:00 A.M. and 7:00 P.M. except that the ARB may, in its discretion, permit work to be done Saturdays. See, 3.8 Contact the ARB Administrator to seek this permission.
4. **Signs:** No "For Sale" or other commercial signs are permitted except those required by legal process. The ARB may allow certain signs relating to construction activities but may limit and/or restrict same in its discretion. See, 3.20
5. **Minimum Square Footage:** Generally, all homes must exceed 2000 square feet in size. See, 3.14
6. **Easements:** There are a number of instances in our Plantation where easements have been reserved to the Association and/or to the owners of the golf courses and club house. Generally, these easements are shown in your title report and/or on the plot plan of your lot and/or house. The three (3) most common reservation(s) of easement areas include: (a) easements by the owners of the golf courses through and across lots in order to provide ingress and regress to/from the lagoons; (b) easement areas retained along the roadways for public utilities e.g. water/sewer/cable/telephone; and (c) golf course easements up to the "out of bounds" markers to enable players to retrieve golf balls. See, 4.4 and 5.2 and 5.3

## H. ASSESSMENTS AND LIENS

Like every other gated community, we issue assessments to all property owners to raise funds required to operate our plantation in an orderly and proper manner. The funds are used to defray such costs as the security service, road and other repairs, maintenance of our front entrance area, staffing, labor costs, legal and accounting costs, and the like. There are two (2) kinds of assessments: (1) annual and (2) special. There will always be an annual assessment as the costs of operation are continuing and, like all other costs everywhere, as likely to increase. One of our Board's primary missions is to keep the costs of operation under control while, at the same time, maintaining and providing quality services to us. See, 9.1 and 9.2

The annual assessments generally are issued in December of each year after the budget process has been completed. The assessment is normally required to be paid by the end of February of each year. There are specific provisions to enforce non-payment of the assessment. Liens and other legal proceedings are authorized to be filed should non-payment continue. See, 9.7 et. seq.

Special assessments are also authorized but are very rare and can exist only if 3/4 of the members voting at a properly convened meeting approve same. See, 9.4

## I. RIGHT OF FIRST REFUSAL

Like almost all other gated communities, our Association has retained a "Right of First Refusal" upon the sale or transfer of any improved (with a house) or unimproved (no house) lot within our plantation. See, 13.01

Normally, after recording the names and addresses of the new owners, our Board issues a statement to the closing attorneys formally refusing to exercise such right as we normally have no interest in buying your lot or home. However, the Board's review of all proposed sales and transfers is important to enable us to keep and maintain accurate records of the names and addresses of all property owners.

## J. HOLIDAY DECORATIONS, FLAGS, AND RELATED MATTERS

While many of us like to decorate for holidays and other occasions, history has taught us that some folks may not agree with the extent or duration of those decorations. Thus, we have adopted certain Rules and Regulations (See, Appendix D) as follows:

- Halloween:** no decorations prior to October 1 and all must be removed by November 15
- December Holidays:** not up before the weekend prior to Thanksgiving and all removed not later than January 15

**All others:** not earlier than two (2) weeks prior and all removed not later than one (1) week after the date

Flags or banners are permitted only at the rear of the house or lot not within twenty (20) feet of the property line and with a maximum height of twenty five (25) feet above natural grade. The American flag may be displayed at the front of the house. Other flags/banners displayed in the front of the house are subject to disapproval for any reason and may be required to be removed.

#### **K. PARKING**

Parking on the roadways is discouraged; however, there are times when the number of vehicles temporarily visiting a residence will exceed the capacity of the driveway making it necessary to park temporarily on the roadway. In those situations:

1. Security must be notified if a vehicle or group of vehicles will be parked on the roadway for more than two (2) hours.
2. Vehicles must be parked with all wheels on the road - not on grassy areas.
3. Vehicles must be parked on the resident's side of the road, headed in the same direction as traffic flow. One side of the road must be kept open at all times for emergency vehicles.
4. Do not park to interfere with driveways, fire hydrants, street signs, or road islands.
5. If the number of vehicles cause parking beyond the property line of the person being visited, please notify the affected neighbors, in advance.

The Association and private residents have installed irrigation devices in many areas that may not be obvious. Pulling off the road may damage this equipment. Please be mindful of the property of others. See, Appendix E

#### **L. Guest Passes**

Residents can obtain a pass for their guests to enter the Plantation by calling the gate house and providing their PIN number and their guest's name. Guest passes should only be requested for the number of days the guest is expected to be in the Plantation, but may not exceed 14 days. In addition, guest passes called in by individuals under the age of 18 (dependents of property owners) are limited to one day. Palmetto Hall will also issue, upon request, a "courtesy decal" for family members that reside within 50 miles of Palmetto Hall.

#### **M. Outdoor Playground Equipment**

Outdoor playground equipment is allowed if in conformity to the ARB guidelines. Basically, these items must be screened with appropriate plantings so they are not visible from either the street or golf course. In addition, basketball goals are to be located such that the backboard is perpendicular to the street. See, ARB Guidelines/Basketball Backboard and ARB Guidelines/Play Yards and Playhouses.

#### **N. Drainage**

It does rain on our Island, and sometimes it rains a lot in a short period of time. Given the rather flat topography of Palmetto Hall, rainwater runoff is a serious problem during heavy storms. Property owners are required to ensure (1) runoff/drainage from your property is in accordance with the master drainage plan of Palmetto Hall Plantation and (2) runoff/drainage from your property does not drain onto your neighbor's property. See, Appendix F

## Unauthorized Vehicles

Adopted by PHPOA Board of Directors – September 11, 2003

### Policy and Procedures

Property owners or residents are to contact the Association Manager, at least 48 hours in advance, of any desire or need to have an unauthorized vehicle enter the plantation. In the event that a resident is unaware of the requirement, or has been entering the plantation with an unauthorized vehicle in the past with no prior approval:

1. Such a vehicle is only to remain in Palmetto Hall for a period of no more than 24 hours.
2. Upon entry, the resident is to provide his/her name and address to Security as well as the type of vehicle and reason for bringing it into the plantation.
3. A 24-hour permit, along with an *Application to Bring an Unauthorized Vehicle into Palmetto Hall* will be provided to the resident, along with instructions that this application is to be completed and re-turned to Security within 24 hours, *whether the request is a one-time only request or a request for repeated entry.*
4. Security will follow-up with the 24-hour authorization to verify that the vehicle is removed within that period.
5. Applications received will be handed over to the Association Manager, who will issue authorization to Security as required; and will maintain a file of Unauthorized Vehicle Applications. Security will also maintain an alphabetical file of these authorizations.
6. Upon subsequent trips to and through the gate, residents will stop at the gate and be provided a permit *prior to permitting entry to the plantation with an unauthorized vehicle.*

Upon receipt of an application, the Association Manager will make an assessment of whether to grant authorization or not. The property owner or resident will be contacted directly with notification of the Association Manager decision. Any exceptions taken by property owners or residents will be addressed by the ARB. The Association Manager will take any questionable applications to the ARB for resolution.

General guidelines: Overnight presence of unauthorized vehicles is to be discouraged, *unless that vehicle can be stored out of sight.* However, exceptions can be made so long as a vehicle is not in PHP for longer than 24 hours. (This will address cases where residents need to pack a trailer for moving, or prepare an RV for an early morning departure on a trip.) "In and out" requests should be honored only if the unauthorized vehicle is being brought in to pick up family and provisions, or to drop off family. In no case is such a vehicle to remain in Palmetto Hall for longer than 2 hours at a time.

Since these vehicles are brought in by property owners and residents, presumably for personal purposes rather than commercial, no commercial pass will be required and no fee will be assessed upon authorized entry of these vehicles.

## Appendix B

### PALMETTO HALL POA BOARD POLICY REGARDING ALLIGATORS - (May 2011)

Many lagoons in our plantation are home to the American Alligator (*Alligator mississippiensis*). Most of our alligators are between three and eight feet in length, although they can grow larger than this. Alligators are cold-blooded which means that they cannot self-regulate their body temperature. For this reason alligators are most active during the spring, summer and fall. They often spend hours basking in the sun on lagoon banks in an effort to raise their body temperature. On the hottest days of summer, they spend much of their time submerged with only their eyes and nostrils above the water. During the winter months they hibernate in underground dunes.

Alligators mate in the spring and the female lays her eggs in secluded areas of the marshes. She will fiercely guard her nest against predators.

Alligators digest their food slowly and require only one pound of food per week. After a large meal an alligator may not eat for a year or more!

While the alligators may appear to be slow and lethargic, they are capable of great speed over short distances. Never approach within 60 feet of any alligator.

#### **The following safety tips should be heeded when dealing with alligators:**

- Leave alligators alone. It is against South Carolina law to feed or entice alligators with food. It is also unlawful to harass or harm an alligator in any way, including throwing objects at them.
- Closely supervise children if they are playing near the water.
- Don't allow pets, especially small ones, to go near the lagoon banks.
- Seek immediate medical attention if you should receive even a minor alligator bite. Alligators harbor a very infectious bacteria and a bite may require special treatment.
- Should you witness any of these actions, please immediately contact Security. The Security Office will immediately investigate the incident and, if necessary, proceed to step #2 in the following Policy.

#### **Palmetto Hall Plantation's Board of Directors has issued the following policy regarding alligators in our community.**

In the event that a PHPOA member believes that they are observing aggressive behavior from one of the members of PHPOA wildlife population:

- 1) The member is to contact PHP Security at 342-6482 and describe the situation.
- 2) Security will:
  - a) As soon as possible visit the site to observe the incident (to include animal as well as human behavior).
  - b) Immediately document the incident using a South Carolina Dept. of Natural Resources (SCDNR) Complaint Form and notify the Association Manager or office assistant during office hours.

- c) Within 24 hours of the incident, the Association Manager, or assistant, with input from at least one other person (a member of the Environmental Committee, a Board member, Security Officer, or a member of the Security Advisory Committee, in that order), will determine what action will be taken.

3) Possible Actions Include:

- a) No action
- b) Counseling of the reporting family on how to detect aggressive behavior among wildlife. This may include issuance of a SC citation if it is determined that the resident, resident's child or guest was at fault and caused the incident, or
- c) Contact SCDNR or a qualified third party to assess the animal's behavior
- d) With the assistance of a qualified third party, remove the alligator.  
If the alligator is removed it is certain that this alligator will be destroyed. This decision is not to be made lightly.

When assessing the situation, it should be taken into account that alligators are very rarely aggressive and usually become aggressive only when taunted physically or repeatedly given good. An alligator less than six feet long would almost never be considered aggressive.

This procedure also includes the accumulation of statistics regarding reports of aggressive animal behavior.

If there are any questions about this policy, please contact the Association Manager.

**Note:** Any calls to a third party to remove an alligator from any portion of Palmetto Hall must be made by a Security Officer, the Association Manager (or assistant) or a member of the POA Board. If a resident calls a third party directly to remove an alligator from his or her property, the resident will be responsible for the cost of removal.

## SCHEDULE OF FINES

## Appendix C

<b><u>NATURE OF VIOLATION</u></b>	<b><u>FINE AMOUNT</u></b>
<b>Violations of parking regulations</b>	<b>\$25-150*</b>
<b>Owner's decal not permanently affixed to vehicle</b>	<b>\$10-\$50</b>
<b>Failure to properly display guest/daily pass in vehicle</b>	<b>\$10-\$50</b>
<b>Unauthorized vehicles on plantation property</b> <i>(Includes calling in guest passes for contractors)</i>	<b>\$150-300*</b>
<b>Construction work after hours or unauthorized on weekends</b> <i>(New construction – Contractor Responsibility; Remodeling/Maintenance – Homeowner Responsibility)</i>	<b>\$150-300</b>
<b>Dog outside of yard, not on leash</b>	<b>\$75-200*</b>
<b>Failure to clean up animal waste</b>	<b>\$25-200*</b>
<b>Failure to remove dead trees or otherwise maintain property</b> <i>(Property owner is also responsible to repair all damage to other properties and common areas.)</i>	<b>\$200-500*</b>
<b>Unauthorized tree removal</b> <i>(Property owner must submit landscape plan to replace trees to the satisfaction of the ARB.)</i>	<b>up to \$1,000</b> per tree
<b>Changing/adding to structure without prior ARB approval</b> <i>(This is the equivalent to the forfeiture of ARB compliance deposit; property owner also bears the cost of restoring property to ARB-approved state)</i>	<b>up to \$1,000</b>
<b>Dumping debris in neighboring, vacant, or common areas/lots</b> <i>(Property owner also bears the cost of removing debris to suitable site.)</i>	<b>\$100-500*</b>
<b>Failure to correct property drainage problems</b> <i>(In addition to the fine, the POA will remedy the drainage problem and bill the property owner.)</i>	<b>\$500</b>
<b>Misuse of Palmetto Hall Plantation POA common property</b> <i>(Range depends upon seriousness/damage caused; property owner is also responsible to pay costs of repair.)</i>	<b>\$50-500*</b>
Other violations of Palmetto Hall Plantation covenants, including failure to respond to concerns of the Board of Directors, and verbal abuse & threatening behavior towards Board members and their hired or volunteer representatives.	<b>\$25-1000</b>

\* Range depends upon number of violations.

*These fines were unanimously approved  
at the July 2003 Board of Directors meeting.*

## **Holiday Decorations**

## **Appendix D**

Adopted by PHPOA Board of Directors – February 15, 2007

### **Halloween:**

- Decorations may not be put up before October 1.
- Decorations must be taken down before November 15.

### **December Holidays:**

- Decorations may be put up the week-end before Thanksgiving.
- Decorations must be removed no later than January 15.

### **All Other Holidays:**

- Decorations may be put up two weeks before the holiday.
- Decorations must be removed one week after the holiday.

## Appendix E

### **Residents and Guests Parking Rules and Regulations**

**Recommended by the Parking Ad Hoc Committee in December 2002 and adopted by the POA Board on February 25, 2003.**

**All resident and guest vehicles must be garaged or parked on the driveway of that residence.** Parking will not be permitted on the lawns or other areas of the property.

**Parking on the roadways is discouraged**, but when the number of cars exceeds the capacity of the owner's driveway, vehicles may be parked temporarily as follows:

Vehicles must be parked with all wheels on the paved roadway on the resident side of the road only, headed in the same direction as the normal traffic flow.

- To maintain the required emergency vehicle clearance of 15 ft., vehicles are not to be parked on opposite sides of the street.
- Security must be notified by the property owner of any vehicle(s) that will be on the roadway for more than two hours at any time of the day or night.
- Vehicles should be parked so as to not interfere with driveways, fire hydrants, street signs, and island dividing roads.
- Vehicles are not allowed to park on unimproved properties (except those under construction) or on the landscaped portion of Plantation commonly-owned areas.
- Residents having a party or other event that might cause vehicles to be street-parked beyond their property line, should notify their neighbors in advance.
- Parking of a Class I commercial vehicle owned by a resident is permitted on the driveway of the resident, only if no commercial equipment, lettering or logos are visible.

## **DRAINAGE POLICY**

Adopted by PHPOA Board of Directors – January 14, 2003

### **Future Construction**

1. **Prior to construction** as part of the Architectural Review Board (ARB) approval process, a drainage engineering study will be required to include the following:
  - A drainage plan for the subject property prepared by a registered professional engineer.
  - Drainage plans drawn up for individual properties must be integrated into the overall master drainage plan as developed by Greenwood. Greenwood as-built drainage plans are available at the Property Manager's office if required.
  - The drainage plan for the subject property must not adversely affect the flow of water as it passes from one property to another as it makes its way to the storm drain serving that area.
2. **At the completion of construction** as part of the final approval process and prior to the return of any compliance deposits:
  - Inspection by the drainage engineer confirming in writing that for the subject property the drainage plan has been executed as per the approved drainage plan.

### **Properties Currently Under Construction**

1. The ARB administrator will review the plans for all properties currently under construction and insure that drainage plans exist for those properties. If the drainage plan for a property under construction does not indicate a swale or culvert under the driveway! the ARB administrator will visit the property and confirm that this was not an error or omission and confirm that a swale and/or culvert is not needed.
2. If it is determined that a swale and/or culvert is needed, the ARB administrator will take the necessary steps to have the property owner revise the drainage plan to include same. The property owner must then obtain ARB approval of the revised drainage plan, and will communicate all revisions to contractors as required.
3. The ARB administrator will inform the property owner in writing of the following:
  - Their property currently under construction must strictly adhere to the drainage plan as submitted and approved by the ARB.
  - As part of the final inspection and prior to the return of any compliance deposits, an inspection by a drainage engineer confirming in writing that for the subject property, the drainage plan has been executed as per the approved drainage plan.
  - Copy the general contractor on this correspondence.

### **Improved Properties**

1. **IDENTIFICATION OF PROBLEM PROPERTIES**
  - The Board of Directors (BOD) will review problem drainage properties which are brought to its attention by property owners.
2. **DETERMINATION OF DRAINAGE PROBLEM CAUSE**
  - The Greenwood Development drainage "as built" plans as well as ARB approved drainage plans for problem properties will be reviewed to determine if required grading, swales, and culverts were installed as per the approved drainage plan. In cases where it is determined deficiencies

exist relative to the original approved drainage plans, a determination will be made by the BOD as to the cause of the problem.

- In some cases the drainage situation may be so complex that an expert opinion will be required to identify the cause of the problem.

### **3. DETERMINATION OF REMEDIES TO CORRECT DRAINAGE PROBLEM**

- In those obvious cases where there are missing swales, culverts, etc. as was specified by the original approved drainage plan, owners will be notified to modify their current drainage so as to bring their property in line with those plans. The owner may choose an alternate solution which will require ARB approval.
- In those cases where it is determined the problem stems from a Greenwood deficiency, the BOD will ask Greenwood to propose a solution which will require ARB approval.
- In some cases the drainage situation may be so complex that an expert opinion will be required to determine a proper remedy.

### **4. RESPONSIBILITIES**

- The ARB shall approve all remedies to drainage problems.
- The ARB and/or the ARB administrator shall verify that the drainage problem fix as installed was per the approved plan.
- In all cases, it is ultimately the property owner's responsibility to fix drainage problems and to pay all expenses to correct the deficiency. However, in cases where it is determined by the BOD that Greenwood has liability, the BOD will act as an advocate for the property owner and bring the case before appropriate Greenwood personnel for a resolution. In such cases, the BOD will attempt to do everything possible to influence Greenwood to fix the drainage problem. Beyond this, if for some reason Greenwood is in disagreement with the BOD, responsibility will fall back to the property owner to pursue a remedy at his own expense.
- Property owners will be advised that any drainage fix must not adversely affect the flow of water as it passes from their property to the next adjoining property as it makes its way to the storm drain serving that area.